

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 2A-12, 4-6.2, 4-8, 4-33, 5-7, 5-16.2, 5-43, 6-35,  
6 6-50.2, 6-79, 7-7, 7-8, 7-10, 7-10.2, 7-17, 7-34, 7-41,  
7 8-8.1, 9-1.5, 9-3, 9-10, 9-21, 10-5.1, 13-1.1, 14-3.2, 16-3,  
8 17-23, 17-29, 19-2.1, 19-2.2, 19-10, 22-5, 22-9, 22-15,  
9 24B-2, 24B-6, 24B-8, 24B-9, 24B-9.1, 24B-10, 24B-10.1,  
10 24B-15, 24B-18, 28-6, and 28-9 and by adding Articles 18A and  
11 24C and Sections 1-10, 1A-16, 1A-20, 9-1.14, 23-15.1, and  
12 24A-22 as follows:

13 (10 ILCS 5/1-10 new)

14 Sec. 1-10. Public comment. Notwithstanding any law to  
15 the contrary, the State Board of Elections in evaluating the  
16 feasibility of any new voting system shall seek and accept  
17 public comment from persons of the disabled community,  
18 including but not limited to organizations of the blind.

19 (10 ILCS 5/1A-16 new)

20 Sec. 1A-16. Voter registration information; internet  
21 posting; processing of voter registration forms; content of  
22 such forms. Notwithstanding any law to the contrary, the  
23 following provisions shall apply to voter registration under  
24 this Code.

25 (a) Voter registration information; Internet posting of  
26 voter registration form. Within 90 days after the effective  
27 date of this amendatory Act of the 93rd General Assembly, the  
28 State Board of Elections shall post on its World Wide Web  
29 site the following information:

30 (1) A comprehensive list of the names, addresses,

1 phone numbers, and websites, if applicable, of all county  
2 clerks and boards of election commissioners in Illinois.

3 (2) A schedule of upcoming elections and the  
4 deadline for voter registration.

5 (3) A downloadable, printable voter registration  
6 form, in at least English and in Spanish versions, that a  
7 person may complete and mail or submit to the State Board  
8 of Elections or the appropriate county clerk or board of  
9 election commissioners.

10 Any forms described under paragraph (3) must state the  
11 following:

12 If you do not have a driver's license or social  
13 security number, and this form is submitted by mail, and  
14 you have never registered to vote in the jurisdiction you  
15 are now registering in, then you must send, with this  
16 application, either (i) a copy of a current and valid  
17 photo identification, or (ii) a copy of a current utility  
18 bill, bank statement, government check, paycheck, or  
19 other government document that shows the name and address  
20 of the voter. If you do not provide the information  
21 required above, then you will be required to provide  
22 election officials with either (i) or (ii) described  
23 above the first time you vote at a voting place or by  
24 absentee ballot.

25 (b) Acceptance of registration forms by the State Board  
26 of Elections and county clerks and board of election  
27 commissioners. The State Board of Elections, county clerks,  
28 and board of election commissioners shall accept all  
29 completed voter registration forms described in subsection  
30 (a)(3) that are:

31 (1) postmarked on or before the day that voter  
32 registration is closed under the Election Code;

33 (2) not postmarked, but arrives no later than 5  
34 days after the close of registration;

1           (3) submitted in person by a person using the form  
2           on or before the day that voter registration is closed  
3           under the Election Code; or

4           (4) submitted in person by a person who submits one  
5           or more forms on behalf of one or more persons who used  
6           the form on or before the day that voter registration is  
7           closed under the Election Code.

8           Upon the receipt of a registration form, the State Board  
9           of Elections shall mark the date on which the form was  
10           received and send the form via first class mail to the  
11           appropriate county clerk or board of election commissioners,  
12           as the case may be, within 2 business days based upon the  
13           home address of the person submitting the registration form.  
14           The county clerk and board of election commissioners shall  
15           accept and process any form received from the State Board of  
16           Elections.

17           (c) Processing of registration forms by county clerks  
18           and boards of election commissioners. The county clerk or  
19           board of election commissioners shall promulgate procedures  
20           for processing the voter registration form.

21           (d) Contents of the voter registration form. The State  
22           Board shall create a voter registration form, which must  
23           contain the following content:

24                   (1) Instructions for completing the form.

25                   (2) A summary of the qualifications to register to  
26                   vote in Illinois.

27                   (3) Instructions for mailing in or submitting the  
28                   form in person.

29                   (4) The phone number for the State Board of  
30                   Elections should a person submitting the form have  
31                   questions.

32                   (5) A box for the person to check that explains one  
33                   of 3 reasons for submitting the form:

34                           (a) new registration;

1                   (b) change of address; or

2                   (c) change of name.

3                   (6) a box for the person to check yes or no that  
4 asks, "Are you a citizen of the United States?", a box  
5 for the person to check yes or no that asks, "Will you be  
6 18 years of age on or before election day?", and a  
7 statement of "If you checked 'no' in response to either  
8 of these questions, then do not complete this form."

9                   (7) A space for the person to fill in his or her  
10 home telephone number.

11                   (8) Spaces for the person to fill in his or her  
12 first, middle, and last names, street address (principal  
13 place of residence), county, city, state, and zip code.

14                   (9) Spaces for the person to fill in his or her  
15 mailing address, city, state, and zip code if different  
16 from his or her principal place of residence.

17                   (10) A space for the person to fill in his or her  
18 Illinois driver's license number if the person has a  
19 driver's license.

20                   (11) A space for a person without a driver's  
21 license to fill in the last four digits of his or her  
22 social security number if the person has a social  
23 security number.

24                   (12) A space for a person without an Illinois  
25 driver's license to fill in his or her identification  
26 number from his or her State Identification card issued  
27 by the Secretary of State.

28                   (13) A space for the person to fill the name  
29 appearing on his or her last voter registration, the  
30 street address of his or her last registration, including  
31 the city, county, state, and zip code.

32                   (14) A space where the person swears or affirms the  
33 following under penalty of perjury with his or her  
34 signature:

1                   (a) "I am a citizen of the United States.";  
 2                   (b) "I will be at least 18 years old on or  
 3                   before the next election.";  
 4                   (c) "I will have lived in the State of  
 5                   Illinois and in my election precinct at least 30  
 6                   days as of the date of the next election."; and  
 7                   "The information I have provided is true to the  
 8                   best of my knowledge under penalty of perjury. If I  
 9                   have provided false information, than I may be  
 10                   fined, imprisoned, or if I am not a U.S. citizen,  
 11                   deported from or refused entry into the United  
 12                   States."

13                   (d) Compliance with federal law; rulemaking authority.  
 14                   The voter registration form described in this Section shall  
 15                   be consistent with the form prescribed by the Federal  
 16                   Election Commission under the National Voter Registration Act  
 17                   of 1993, P.L. 103-31, as amended from time to time, and the  
 18                   Help America Vote Act of 2002, P.L. 107-252, in all relevant  
 19                   respects. The State Board of Elections shall periodically  
 20                   update the form based on changes to federal or State law. The  
 21                   State Board of Elections shall promulgate any rules necessary  
 22                   for the implementation of this Section; provided that the  
 23                   rules comport with the letter and spirit of the National  
 24                   Voter Registration Act of 1993 and Help America Vote Act of  
 25                   2002 and maximize the opportunity for a person to register to  
 26                   vote.

27                   (e) Forms available in paper form. The State Board of  
 28                   Elections shall make the voter registration form available in  
 29                   regular paper stock and form in sufficient quantities for the  
 30                   general public. The State Board of Elections may provide the  
 31                   voter registration form to the Secretary of State, county  
 32                   clerks, boards of election commissioners, designated agencies  
 33                   of the State of Illinois, and any other person or entity  
 34                   designated to have these forms by the Election Code in

1 regular paper stock and form or some other format deemed  
2 suitable by the Board. Each county clerk or board of election  
3 commissioners has the authority to design and print its own  
4 voter registration form so long as the form complies with the  
5 requirements of this Section. The State Board of Elections,  
6 county clerks, boards of election commissioners, or other  
7 designated agencies of the State of Illinois required to have  
8 these forms under the Election Code shall provide a member of  
9 the public with any reasonable number of forms that he or she  
10 may request. Nothing in this Section shall permit the State  
11 Board of Elections, county clerk, board of election  
12 commissioners, or other appropriate election official who may  
13 accept a voter registration form to refuse to accept a voter  
14 registration form because the form is printed on photocopier  
15 or regular paper stock and form.

16 (f) Internet voter registration study. The State Board  
17 of Elections shall investigate the feasibility of offering  
18 voter registration on its website and consider voter  
19 registration methods of other states in an effort to maximize  
20 the opportunity for all Illinois citizens to register to  
21 vote. The State Board of Elections shall assemble its  
22 findings in a report and submit it to the General Assembly no  
23 later than January 1, 2006. The report shall contain  
24 legislative recommendations to the General Assembly on  
25 improving voter registration in Illinois.

26 (10 ILCS 5/1A-20 new)

27 Sec. 1A-20. Help Illinois Vote Fund. The Help Illinois  
28 Vote Fund is created as a special fund in the State treasury.  
29 All federal funds received by the State for the  
30 implementation of the federal Help America Vote Act of 2002  
31 shall be deposited into the Help Illinois Vote Fund. Moneys  
32 from any other source may be deposited into the Help Illinois  
33 Vote Fund. The Help Illinois Vote Fund shall be appropriated

1 solely to the State Board of Elections for use only in the  
 2 performance of activities and programs authorized or mandated  
 3 by or in accordance with the federal Help America Vote Act of  
 4 2002.

5 (10 ILCS 5/2A-12) (from Ch. 46, par. 2A-12)  
 6 Sec. 2A-12. Board of Review - Time of Election. A  
 7 member of the Board of Review in any county which elects  
 8 members of a Board of Review shall be elected, at each  
 9 general election which immediately precedes the expiration of  
 10 the term of any incumbent member, to succeed each member  
 11 whose term ends before the following general election, except  
 12 that members of the Cook County Board of Review shall be  
 13 elected as provided in subsection (c) of Section 5-5 of the  
 14 Property Tax Code.  
 15 (Source: P.A. 80-936.)

16 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)  
 17 Sec. 4-6.2. (a) The county clerk shall appoint all  
 18 municipal and township or road district clerks or their duly  
 19 authorized deputies as deputy registrars who may accept the  
 20 registration of all qualified residents of their respective  
 21 municipalities, townships and road districts. A deputy  
 22 registrar serving as such by virtue of his status as a  
 23 municipal clerk, or a duly authorized deputy of a municipal  
 24 clerk, of a municipality the territory of which lies in more  
 25 than one county may accept the registration of any qualified  
 26 resident of the municipality, regardless of which county the  
 27 resident, municipal clerk or the duly authorized deputy of  
 28 the municipal clerk lives in.  
 29 The county clerk shall appoint all precinct  
 30 committeepersons in the county as deputy registrars who may  
 31 accept the registration of any qualified resident of the  
 32 county, except during the 27 days preceding an election.

1           The election authority shall appoint as deputy registrars  
2 a reasonable number of employees of the Secretary of State  
3 located at driver's license examination stations and  
4 designated to the election authority by the Secretary of  
5 State who may accept the registration of any qualified  
6 residents of the county at any such driver's license  
7 examination stations. The appointment of employees of the  
8 Secretary of State as deputy registrars shall be made in the  
9 manner provided in Section 2-105 of the Illinois Vehicle  
10 Code.

11           The county clerk shall appoint each of the following  
12 named persons as deputy registrars upon the written request  
13 of such persons:

14           1. The chief librarian, or a qualified person  
15 designated by the chief librarian, of any public library  
16 situated within the election jurisdiction, who may accept  
17 the registrations of any qualified resident of the  
18 county, at such library.

19           2. The principal, or a qualified person designated  
20 by the principal, of any high school, elementary school,  
21 or vocational school situated within the election  
22 jurisdiction, who may accept the registrations of any  
23 qualified resident of the county, at such school. The  
24 county clerk shall notify every principal and  
25 vice-principal of each high school, elementary school,  
26 and vocational school situated within the election  
27 jurisdiction of their eligibility to serve as deputy  
28 registrars and offer training courses for service as  
29 deputy registrars at conveniently located facilities at  
30 least 4 months prior to every election.

31           3. The president, or a qualified person designated  
32 by the president, of any university, college, community  
33 college, academy or other institution of learning  
34 situated within the election jurisdiction, who may accept

1 the registrations of any resident of the county, at such  
2 university, college, community college, academy or  
3 institution.

4 4. A duly elected or appointed official of a bona  
5 fide labor organization, or a reasonable number of  
6 qualified members designated by such official, who may  
7 accept the registrations of any qualified resident of the  
8 county.

9 5. A duly elected or appointed official of a  
10 bonafide State civic organization, as defined and  
11 determined by rule of the State Board of Elections, or  
12 qualified members designated by such official, who may  
13 accept the registration of any qualified resident of the  
14 county. In determining the number of deputy registrars  
15 that shall be appointed, the county clerk shall consider  
16 the population of the jurisdiction, the size of the  
17 organization, the geographic size of the jurisdiction,  
18 convenience for the public, the existing number of deputy  
19 registrars in the jurisdiction and their location, the  
20 registration activities of the organization and the need  
21 to appoint deputy registrars to assist and facilitate the  
22 registration of non-English speaking individuals. In no  
23 event shall a county clerk fix an arbitrary number  
24 applicable to every civic organization requesting  
25 appointment of its members as deputy registrars. The  
26 State Board of Elections shall by rule provide for  
27 certification of bonafide State civic organizations. Such  
28 appointments shall be made for a period not to exceed 2  
29 years, terminating on the first business day of the month  
30 following the month of the general election, and shall be  
31 valid for all periods of voter registration as provided  
32 by this Code during the terms of such appointments.

33 6. The Director of the Illinois Department of  
34 Public Aid, or a reasonable number of employees

1 designated by the Director and located at public aid  
2 offices, who may accept the registration of any qualified  
3 resident of the county at any such public aid office.

4 7. The Director of the Illinois Department of  
5 Employment Security, or a reasonable number of employees  
6 designated by the Director and located at unemployment  
7 offices, who may accept the registration of any qualified  
8 resident of the county at any such unemployment office.

9 8. The president of any corporation as defined by  
10 the Business Corporation Act of 1983, or a reasonable  
11 number of employees designated by such president, who may  
12 accept the registrations of any qualified resident of the  
13 county.

14 If the request to be appointed as deputy registrar is  
15 denied, the county clerk shall, within 10 days after the date  
16 the request is submitted, provide the affected individual or  
17 organization with written notice setting forth the specific  
18 reasons or criteria relied upon to deny the request to be  
19 appointed as deputy registrar.

20 The county clerk may appoint as many additional deputy  
21 registrars as he considers necessary. The county clerk shall  
22 appoint such additional deputy registrars in such manner that  
23 the convenience of the public is served, giving due  
24 consideration to both population concentration and area.  
25 Some of the additional deputy registrars shall be selected so  
26 that there are an equal number from each of the 2 major  
27 political parties in the election jurisdiction. The county  
28 clerk, in appointing an additional deputy registrar, shall  
29 make the appointment from a list of applicants submitted by  
30 the Chairman of the County Central Committee of the  
31 applicant's political party. A Chairman of a County Central  
32 Committee shall submit a list of applicants to the county  
33 clerk by November 30 of each year. The county clerk may  
34 require a Chairman of a County Central Committee to furnish a

1 supplemental list of applicants.

2 Deputy registrars may accept registrations at any time  
3 other than the 27 day period preceding an election. All  
4 persons appointed as deputy registrars shall be registered  
5 voters within the county and shall take and subscribe to the  
6 following oath or affirmation:

7 "I do solemnly swear (or affirm, as the case may be) that  
8 I will support the Constitution of the United States, and the  
9 Constitution of the State of Illinois, and that I will  
10 faithfully discharge the duties of the office of deputy  
11 registrar to the best of my ability and that I will register  
12 no person nor cause the registration of any person except  
13 upon his personal application before me.

14 .....  
15 (Signature Deputy Registrar)"

16 This oath shall be administered by the county clerk, or  
17 by one of his deputies, or by any person qualified to take  
18 acknowledgement of deeds and shall immediately thereafter be  
19 filed with the county clerk.

20 Appointments of deputy registrars under this Section,  
21 except precinct committeemen, shall be for 2-year terms,  
22 commencing on December 1 following the general election of  
23 each even-numbered year; except that the terms of the initial  
24 appointments shall be until December 1st following the next  
25 general election. Appointments of precinct committeemen shall  
26 be for 2-year terms commencing on the date of the county  
27 convention following the general primary at which they were  
28 elected. The county clerk shall issue a certificate of  
29 appointment to each deputy registrar, and shall maintain in  
30 his office for public inspection a list of the names of all  
31 appointees.

32 (b) The county clerk shall be responsible for training  
33 all deputy registrars appointed pursuant to subsection (a),  
34 at times and locations reasonably convenient for both the

1 county clerk and such appointees. The county clerk shall be  
2 responsible for certifying and supervising all deputy  
3 registrars appointed pursuant to subsection (a). Deputy  
4 registrars appointed under subsection (a) shall be subject to  
5 removal for cause.

6 (c) Completed registration materials under the control  
7 of deputy registrars, appointed pursuant to subsection (a),  
8 shall be returned to the proper election authority within 7  
9 days, except that completed registration materials received  
10 by the deputy registrars during the period between the 35th  
11 and 28th day preceding an election shall be returned by the  
12 deputy registrars to the proper election authority within 48  
13 hours after receipt thereof. The completed registration  
14 materials received by the deputy registrars on the 28th day  
15 preceding an election shall be returned by the deputy  
16 registrars within 24 hours after receipt thereof. Unused  
17 materials shall be returned by deputy registrars appointed  
18 pursuant to paragraph 4 of subsection (a), not later than the  
19 next working day following the close of registration.

20 (d) The county clerk or board of election commissioners,  
21 as the case may be, must provide any additional forms  
22 requested by any deputy registrar regardless of the number of  
23 unaccounted registration forms the deputy registrar may have  
24 in his or her possession. ~~The county clerk shall not be~~  
25 ~~required to provide additional forms to any deputy registrar~~  
26 ~~having more than 200 registration forms unaccounted for~~  
27 ~~during the preceding 12-month period.~~

28 (e) No deputy registrar shall engage in any  
29 electioneering or the promotion of any cause during the  
30 performance of his or her duties.

31 (f) The county clerk shall not be criminally or civilly  
32 liable for the acts or omissions of any deputy registrar.  
33 Such deputy registrars shall not be deemed to be employees of  
34 the county clerk.

1 (Source: P.A. 92-816, eff. 8-21-02.)

2 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

3 Sec. 4-8. The county clerk shall provide a sufficient  
4 number of blank forms for the registration of electors, which  
5 shall be known as registration record cards and which shall  
6 consist of loose leaf sheets or cards, of suitable size to  
7 contain in plain writing and figures the data hereinafter  
8 required thereon or shall consist of computer cards of  
9 suitable nature to contain the data required thereon. The  
10 registration record cards, which shall include an affidavit  
11 of registration as hereinafter provided, shall be executed in  
12 duplicate.

13 The registration record card shall contain the following  
14 and such other information as the county clerk may think it  
15 proper to require for the identification of the applicant for  
16 registration:

17 Name. The name of the applicant, giving surname and  
18 first or Christian name in full, and the middle name or the  
19 initial for such middle name, if any.

20 Sex.

21 Residence. The name and number of the street, avenue, or  
22 other location of the dwelling, including the apartment, unit  
23 or room number, if any, and in the case of a mobile home the  
24 lot number, and such additional clear and definite  
25 description as may be necessary to determine the exact  
26 location of the dwelling of the applicant. Where the location  
27 cannot be determined by street and number, then the section,  
28 congressional township and range number may be used, or such  
29 other description as may be necessary, including post-office  
30 mailing address. In the case of a homeless individual, the  
31 individual's voting residence that is his or her mailing  
32 address shall be included on his or her registration record  
33 card.

1 Term of residence in the State of Illinois and precinct.  
2 This information shall be furnished by the applicant stating  
3 the place or places where he resided and the dates during  
4 which he resided in such place or places during the year next  
5 preceding the date of the next ensuing election.

6 Nativity. The state or country in which the applicant  
7 was born.

8 Citizenship. Whether the applicant is native born or  
9 naturalized. If naturalized, the court, place, and date of  
10 naturalization.

11 Date of application for registration, i.e., the day,  
12 month and year when applicant presented himself for  
13 registration.

14 Age. Date of birth, by month, day and year.

15 Physical disability of the applicant, if any, at the time  
16 of registration, which would require assistance in voting.

17 The county and state in which the applicant was last  
18 registered.

19 Signature of voter. The applicant, after the  
20 registration and in the presence of a deputy registrar or  
21 other officer of registration shall be required to sign his  
22 or her name in ink to the affidavit on both the original and  
23 duplicate registration record cards.

24 Signature of deputy registrar or officer of registration.

25 In case applicant is unable to sign his name, he may  
26 affix his mark to the affidavit. In such case the officer  
27 empowered to give the registration oath shall write a  
28 detailed description of the applicant in the space provided  
29 on the back or at the bottom of the card or sheet; and shall  
30 ask the following questions and record the answers thereto:

31 Father's first name.

32 Mother's first name.

33 From what address did the applicant last register?

34 Reason for inability to sign name.

1 Each applicant for registration shall make an affidavit  
2 in substantially the following form:

3 AFFIDAVIT OF REGISTRATION

4 STATE OF ILLINOIS

5 COUNTY OF .....

6 I hereby swear (or affirm) that I am a citizen of the  
7 United States; that on the date of the next election I shall  
8 have resided in the State of Illinois and in the election  
9 precinct in which I reside 30 days and that I intend that  
10 this location shall be my residence; that I am fully  
11 qualified to vote, and that the above statements are true.

12 .....

13 (His or her signature or mark)

14 Subscribed and sworn to before me on (insert date).

15 .....

16 Signature of registration officer.

17 (To be signed in presence of registrant.)

18 Space shall be provided upon the face of each  
19 registration record card for the notation of the voting  
20 record of the person registered thereon.

21 Each registration record card shall be numbered according  
22 to precincts, and may be serially or otherwise marked for  
23 identification in such manner as the county clerk may  
24 determine.

25 The registration cards shall be deemed public records and  
26 shall be open to inspection during regular business hours,  
27 except during the 27 days immediately preceding any election.  
28 On written request of any candidate or objector or any person  
29 intending to object to a petition, the election authority  
30 shall extend its hours for inspection of registration cards  
31 and other records of the election authority during the period  
32 beginning with the filing of petitions under Sections 7-10,  
33 8-8, 10-6 or 28-3 and continuing through the termination of  
34 electoral board hearings on any objections to petitions

1 containing signatures of registered voters in the  
2 jurisdiction of the election authority. The extension shall  
3 be for a period of hours sufficient to allow adequate  
4 opportunity for examination of the records but the election  
5 authority is not required to extend its hours beyond the  
6 period beginning at its normal opening for business and  
7 ending at midnight. If the business hours are so extended,  
8 the election authority shall post a public notice of such  
9 extended hours. Registration record cards may also be  
10 inspected, upon approval of the officer in charge of the  
11 cards, during the 27 days immediately preceding any election.  
12 Registration record cards shall also be open to inspection by  
13 certified judges and poll watchers and challengers at the  
14 polling place on election day, but only to the extent  
15 necessary to determine the question of the right of a person  
16 to vote or to serve as a judge of election. At no time shall  
17 poll watchers or challengers be allowed to physically handle  
18 the registration record cards.

19 Updated copies of computer tapes or computer discs or  
20 other electronic data processing information containing voter  
21 registration information shall be furnished by the county  
22 clerk within 10 days after December 15 and May 15 each year  
23 and within 10 days after each registration period is closed  
24 to the State Board of Elections in a form prescribed by the  
25 Board. For the purposes of this Section, a registration  
26 period is closed 27 days before the date of any regular or  
27 special election. Registration information shall include, but  
28 not be limited to, the following information: name, sex,  
29 residence, telephone number, if any, age, party affiliation,  
30 if applicable, precinct, ward, township, county, and  
31 representative, legislative and congressional districts. In  
32 the event of noncompliance, the State Board of Elections is  
33 directed to obtain compliance forthwith with this  
34 nondiscretionary duty of the election authority by

1 instituting legal proceedings in the circuit court of the  
2 county in which the election authority maintains the  
3 registration information. The costs of furnishing updated  
4 copies of tapes or discs shall be paid at a rate of \$.00034  
5 per name of registered voters in the election jurisdiction,  
6 but not less than \$50 per tape or disc and shall be paid from  
7 appropriations made to the State Board of Elections for  
8 reimbursement to the election authority for such purpose. The  
9 Board shall furnish copies of such tapes, discs, other  
10 electronic data or compilations thereof to state political  
11 committees registered pursuant to the Illinois Campaign  
12 Finance Act or the Federal Election Campaign Act at their  
13 request and at a reasonable cost. Copies of the tapes, discs  
14 or other electronic data shall be furnished by the county  
15 clerk to local political committees at their request and at a  
16 reasonable cost. To protect the privacy and confidentiality  
17 of voter registration information, the disclosure of  
18 electronic voter registration records to any person or entity  
19 other than a State or local political committee is  
20 specifically prohibited. Reasonable cost of the tapes, discs,  
21 et cetera for this purpose would be the cost of duplication  
22 plus 15% for administration. The individual representing a  
23 political committee requesting copies of such tapes shall  
24 make a sworn affidavit that the information shall be used  
25 only for bona fide political purposes, including by or for  
26 candidates for office or incumbent office holders. Such  
27 tapes, discs or other electronic data shall not be used under  
28 any circumstances by any political committee or individuals  
29 for purposes of commercial solicitation or other business  
30 purposes. If such tapes contain information on county  
31 residents related to the operations of county government in  
32 addition to registration information, that information shall  
33 not be used under any circumstances for commercial  
34 solicitation or other business purposes. The prohibition in

1 this Section against using the computer tapes or computer  
 2 discs or other electronic data processing information  
 3 containing voter registration information for purposes of  
 4 commercial solicitation or other business purposes shall be  
 5 prospective only from the effective date of this amended Act  
 6 of 1979. Any person who violates this provision shall be  
 7 guilty of a Class 4 felony.

8 The State Board of Elections shall promulgate, by October  
 9 1, 1987, such regulations as may be necessary to ensure  
 10 uniformity throughout the State in electronic data processing  
 11 of voter registration information. The regulations shall  
 12 include, but need not be limited to, specifications for  
 13 uniform medium, communications protocol and file structure to  
 14 be employed by the election authorities of this State in the  
 15 electronic data processing of voter registration information.  
 16 Each election authority utilizing electronic data processing  
 17 of voter registration information shall comply with such  
 18 regulations on and after May 15, 1988.

19 If the applicant for registration was last registered in  
 20 another county within this State, he shall also sign a  
 21 certificate authorizing cancellation of the former  
 22 registration. The certificate shall be in substantially the  
 23 following form:

24 To the County Clerk of.... County, Illinois. (or)  
 25 To the Election Commission of the City of ....., Illinois.

26 This is to certify that I am registered in your (county)  
 27 (city) and that my residence was .....  
 28 Having moved out of your (county) (city), I hereby authorize  
 29 you to cancel said registration in your office.

30 Dated at ....., Illinois, on (insert date).

31 .....  
 32 (Signature of Voter)

33 Attest: ....., County Clerk, .....  
 34 County, Illinois.

1           The cancellation certificate shall be mailed immediately  
 2 by the County Clerk to the County Clerk (or election  
 3 commission as the case may be) where the applicant was  
 4 formerly registered. Receipt of such certificate shall be  
 5 full authority for cancellation of any previous registration.  
 6 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
 7 92-816, eff. 8-21-02.)

8           (10 ILCS 5/4-33)

9           Sec. 4-33. Computerization of voter records.

10          (a) The State Board of Elections shall design a  
 11 registration record card that, except as otherwise provided  
 12 in this Section, shall be used in duplicate by all election  
 13 authorities in the State adopting a computer-based voter  
 14 registration file as provided in this Section. The Board  
 15 shall prescribe the form and specifications, including but  
 16 not limited to the weight of paper, color, and print of the  
 17 cards. The cards shall contain boxes or spaces for the  
 18 information required under Sections 4-8 and 4-21; provided  
 19 that the cards shall also contain: (i) A space for a person  
 20 to fill in his or her Illinois driver's license number if the  
 21 person has a driver's license; (ii) A space for a person  
 22 without a driver's license to fill in the last four digits of  
 23 his or her social security number if the person has a social  
 24 security number a--box--er-space-for-the-applicant's-social  
 25 security-number,--which--shall--be--required--to--the--extent  
 26 allowed--by--law--but--in-no-case-shall-the-applicant-provide  
 27 fewer-than-the-last-4-digits-of-the-social--security--number,  
 28 and-a-box-for-the-applicant's-telephone-number,-if-available.

29          (b) The election authority may develop and implement a  
 30 system to prepare, use, and maintain a computer-based voter  
 31 registration file that includes a computer-stored image of  
 32 the signature of each voter. The computer-based voter  
 33 registration file may be used for all purposes for which the

1 original registration cards are to be used, provided that a  
2 system for the storage of at least one copy of the original  
3 registration cards remains in effect. The electronic file  
4 shall be the master file.

5 (c) Any system created, used, and maintained under  
6 subsection (b) of this Section shall meet the following  
7 standards:

8 (1) Access to any computer-based voter registration  
9 file shall be limited to those persons authorized by the  
10 election authority, and each access to the computer-based  
11 voter registration file, other than an access solely for  
12 inquiry, shall be recorded.

13 (2) No copy, summary, list, abstract, or index of  
14 any computer-based voter registration file that includes  
15 any computer-stored image of the signature of any  
16 registered voter shall be made available to the public  
17 outside of the offices of the election authority.

18 (3) Any copy, summary, list, abstract, or index of  
19 any computer-based voter registration file that includes  
20 a computer-stored image of the signature of a registered  
21 voter shall be produced in such a manner that it cannot  
22 be reproduced.

23 (4) Each person desiring to vote shall sign an  
24 application for a ballot, and the signature comparison  
25 authorized in Articles 17 and 18 of this Code may be made  
26 to a copy of the computer-stored image of the signature  
27 of the registered voter.

28 (5) Any voter list produced from a computer-based  
29 voter registration file that includes computer-stored  
30 images of the signatures of registered voters and is used  
31 in a polling place during an election shall be preserved  
32 by the election authority in secure storage until the end  
33 of the second calendar year following the election in  
34 which it was used.

1 (d) Before the first election in which the election  
2 authority elects to use a voter list produced from the  
3 computer-stored images of the signatures of registered voters  
4 in a computer-based voter registration file for signature  
5 comparison in a polling place, the State Board of Elections  
6 shall certify that the system used by the election authority  
7 complies with the standards set forth in this Section. The  
8 State Board of Elections may request a sample poll list  
9 intended to be used in a polling place to test the accuracy  
10 of the list and the adequacy of the computer-stored images of  
11 the signatures of the registered voters.

12 (e) With respect to a jurisdiction that has copied all  
13 of its voter signatures into a computer-based registration  
14 file, all references in this Act or any other Act to the use,  
15 other than storage, of paper-based voter registration records  
16 shall be deemed to refer to their computer-based equivalents.

17 (f) Nothing in this Section prevents an election  
18 authority from submitting to the State Board of Elections a  
19 duplicate copy of some, as the State Board of Elections shall  
20 determine, or all of the data contained in each voter  
21 registration record that is part of the electronic master  
22 file. The duplicate copy of the registration record shall be  
23 maintained by the State Board of Elections under the same  
24 terms and limitations applicable to the election authority  
25 and shall be of equal legal dignity with the original  
26 registration record maintained by the election authority as  
27 proof of any fact contained in the voter registration record.

28 (Source: P.A. 91-73, eff. 7-9-99.)

29 (10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

30 Sec. 5-7. The county clerk shall provide a sufficient  
31 number of blank forms for the registration of electors which  
32 shall be known as registration record cards and which shall  
33 consist of loose leaf sheets or cards, of suitable size to

1 contain in plain writing and figures the data hereinafter  
2 required thereon or shall consist of computer cards of  
3 suitable nature to contain the data required thereon. The  
4 registration record cards, which shall include an affidavit  
5 of registration as hereinafter provided, shall be executed in  
6 duplicate.

7 The registration record card shall contain the following  
8 and such other information as the county clerk may think it  
9 proper to require for the identification of the applicant for  
10 registration:

11 Name. The name of the applicant, giving surname and  
12 first or Christian name in full, and the middle name or the  
13 initial for such middle name, if any.

14 Sex.

15 Residence. The name and number of the street, avenue, or  
16 other location of the dwelling, including the apartment, unit  
17 or room number, if any, and in the case of a mobile home the  
18 lot number, and such additional clear and definite  
19 description as may be necessary to determine the exact  
20 location of the dwelling of the applicant, including  
21 post-office mailing address. In the case of a homeless  
22 individual, the individual's voting residence that is his or  
23 her mailing address shall be included on his or her  
24 registration record card.

25 Term of residence in the State of Illinois and the  
26 precinct. Which questions may be answered by the applicant  
27 stating, in excess of 30 days in the State and in excess of  
28 30 days in the precinct.

29 Nativity. The State or country in which the applicant  
30 was born.

31 Citizenship. Whether the applicant is native born or  
32 naturalized. If naturalized, the court, place and date of  
33 naturalization.

34 Date of application for registration, i.e., the day,

1 month and year when applicant presented himself for  
2 registration.

3 Age. Date of birth, by month, day and year.

4 Physical disability of the applicant, if any, at the time  
5 of registration, which would require assistance in voting.

6 The county and state in which the applicant was last  
7 registered.

8 Signature of voter. The applicant, after the  
9 registration and in the presence of a deputy registrar or  
10 other officer of registration shall be required to sign his  
11 or her name in ink to the affidavit on the original and  
12 duplicate registration record card.

13 Signature of Deputy Registrar.

14 In case applicant is unable to sign his name, he may  
15 affix his mark to the affidavit. In such case the officer  
16 empowered to give the registration oath shall write a  
17 detailed description of the applicant in the space provided  
18 at the bottom of the card or sheet; and shall ask the  
19 following questions and record the answers thereto:

20 Father's first name .....

21 Mother's first name .....

22 From what address did you last register?

23 Reason for inability to sign name.

24 Each applicant for registration shall make an affidavit  
25 in substantially the following form:

26 AFFIDAVIT OF REGISTRATION

27 State of Illinois)

28 )ss

29 County of )

30 I hereby swear (or affirm) that I am a citizen of the  
31 United States; that on the date of the next election I shall  
32 have resided in the State of Illinois and in the election  
33 precinct in which I reside 30 days; that I am fully qualified  
34 to vote. That I intend that this location shall be my

1 residence and that the above statements are true.

2 .....

3 (His or her signature or mark)

4 Subscribed and sworn to before me on (insert date).

5 .....

6 Signature of Registration Officer.

7 (To be signed in presence of Registrant.)

8 Space shall be provided upon the face of each  
9 registration record card for the notation of the voting  
10 record of the person registered thereon.

11 Each registration record card shall be numbered according  
12 to towns and precincts, wards, cities and villages, as the  
13 case may be, and may be serially or otherwise marked for  
14 identification in such manner as the county clerk may  
15 determine.

16 The registration cards shall be deemed public records and  
17 shall be open to inspection during regular business hours,  
18 except during the 27 days immediately preceding any election.  
19 On written request of any candidate or objector or any person  
20 intending to object to a petition, the election authority  
21 shall extend its hours for inspection of registration cards  
22 and other records of the election authority during the period  
23 beginning with the filing of petitions under Sections 7-10,  
24 8-8, 10-6 or 28-3 and continuing through the termination of  
25 electoral board hearings on any objections to petitions  
26 containing signatures of registered voters in the  
27 jurisdiction of the election authority. The extension shall  
28 be for a period of hours sufficient to allow adequate  
29 opportunity for examination of the records but the election  
30 authority is not required to extend its hours beyond the  
31 period beginning at its normal opening for business and  
32 ending at midnight. If the business hours are so extended,  
33 the election authority shall post a public notice of such  
34 extended hours. Registration record cards may also be

1 inspected, upon approval of the officer in charge of the  
2 cards, during the 27 days immediately preceding any election.  
3 Registration record cards shall also be open to inspection by  
4 certified judges and poll watchers and challengers at the  
5 polling place on election day, but only to the extent  
6 necessary to determine the question of the right of a person  
7 to vote or to serve as a judge of election. At no time shall  
8 poll watchers or challengers be allowed to physically handle  
9 the registration record cards.

10 Updated copies of computer tapes or computer discs or  
11 other electronic data processing information containing voter  
12 registration information shall be furnished by the county  
13 clerk within 10 days after December 15 and May 15 each year  
14 and within 10 days after each registration period is closed  
15 to the State Board of Elections in a form prescribed by the  
16 Board. For the purposes of this Section, a registration  
17 period is closed 27 days before the date of any regular or  
18 special election. Registration information shall include, but  
19 not be limited to, the following information: name, sex,  
20 residence, telephone number, if any, age, party affiliation,  
21 if applicable, precinct, ward, township, county, and  
22 representative, legislative and congressional districts. In  
23 the event of noncompliance, the State Board of Elections is  
24 directed to obtain compliance forthwith with this  
25 nondiscretionary duty of the election authority by  
26 instituting legal proceedings in the circuit court of the  
27 county in which the election authority maintains the  
28 registration information. The costs of furnishing updated  
29 copies of tapes or discs shall be paid at a rate of \$.00034  
30 per name of registered voters in the election jurisdiction,  
31 but not less than \$50 per tape or disc and shall be paid from  
32 appropriations made to the State Board of Elections for  
33 reimbursement to the election authority for such purpose. The  
34 Board shall furnish copies of such tapes, discs, other

1 electronic data or compilations thereof to state political  
2 committees registered pursuant to the Illinois Campaign  
3 Finance Act or the Federal Election Campaign Act at their  
4 request and at a reasonable cost. To protect the privacy and  
5 confidentiality of voter registration information, the  
6 disclosure of electronic voter registration records to any  
7 person or entity other than a State or local political  
8 committee is specifically prohibited. Copies of the tapes,  
9 discs or other electronic data shall be furnished by the  
10 county clerk to local political committees at their request  
11 and at a reasonable cost. Reasonable cost of the tapes,  
12 discs, et cetera for this purpose would be the cost of  
13 duplication plus 15% for administration. The individual  
14 representing a political committee requesting copies of such  
15 tapes shall make a sworn affidavit that the information shall  
16 be used only for bona fide political purposes, including by  
17 or for candidates for office or incumbent office holders.  
18 Such tapes, discs or other electronic data shall not be used  
19 under any circumstances by any political committee or  
20 individuals for purposes of commercial solicitation or other  
21 business purposes. If such tapes contain information on  
22 county residents related to the operations of county  
23 government in addition to registration information, that  
24 information shall not be used under any circumstances for  
25 commercial solicitation or other business purposes. The  
26 prohibition in this Section against using the computer tapes  
27 or computer discs or other electronic data processing  
28 information containing voter registration information for  
29 purposes of commercial solicitation or other business  
30 purposes shall be prospective only from the effective date of  
31 this amended Act of 1979. Any person who violates this  
32 provision shall be guilty of a Class 4 felony.

33 The State Board of Elections shall promulgate, by October  
34 1, 1987, such regulations as may be necessary to ensure

1 uniformity throughout the State in electronic data processing  
 2 of voter registration information. The regulations shall  
 3 include, but need not be limited to, specifications for  
 4 uniform medium, communications protocol and file structure to  
 5 be employed by the election authorities of this State in the  
 6 electronic data processing of voter registration information.  
 7 Each election authority utilizing electronic data processing  
 8 of voter registration information shall comply with such  
 9 regulations on and after May 15, 1988.

10 If the applicant for registration was last registered in  
 11 another county within this State, he shall also sign a  
 12 certificate authorizing cancellation of the former  
 13 registration. The certificate shall be in substantially the  
 14 following form:

15 To the County Clerk of .... County, Illinois. To the Election  
 16 Commission of the City of ....., Illinois.

17 This is to certify that I am registered in your (county)  
 18 (city) and that my residence was .....

19 Having moved out of your (county) (city), I hereby  
 20 authorize you to cancel said registration in your office.

21 Dated at .... Illinois, on (insert date).

22 .....  
 23 (Signature of Voter)

24 Attest ....., County Clerk, ..... County, Illinois.

25 The cancellation certificate shall be mailed immediately  
 26 by the county clerk to the county clerk (or election  
 27 commission as the case may be) where the applicant was  
 28 formerly registered. Receipt of such certificate shall be  
 29 full authority for cancellation of any previous registration.  
 30 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
 31 92-816, eff. 8-21-02.)

32 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

33 Sec. 5-16.2. (a) The county clerk shall appoint all

1 municipal and township clerks or their duly authorized  
2 deputies as deputy registrars who may accept the registration  
3 of all qualified residents of their respective counties. A  
4 deputy registrar serving as such by virtue of his status as a  
5 municipal clerk, or a duly authorized deputy of a municipal  
6 clerk, of a municipality the territory of which lies in more  
7 than one county may accept the registration of any qualified  
8 resident of any county in which the municipality is located,  
9 regardless of which county the resident, municipal clerk or  
10 the duly authorized deputy of the municipal clerk lives in.

11 The county clerk shall appoint all precinct  
12 committeepersons in the county as deputy registrars who may  
13 accept the registration of any qualified resident of the  
14 county, except during the 27 days preceding an election.

15 The election authority shall appoint as deputy registrars  
16 a reasonable number of employees of the Secretary of State  
17 located at driver's license examination stations and  
18 designated to the election authority by the Secretary of  
19 State who may accept the registration of any qualified  
20 residents of the county at any such driver's license  
21 examination stations. The appointment of employees of the  
22 Secretary of State as deputy registrars shall be made in the  
23 manner provided in Section 2-105 of the Illinois Vehicle  
24 Code.

25 The county clerk shall appoint each of the following  
26 named persons as deputy registrars upon the written request  
27 of such persons:

28 1. The chief librarian, or a qualified person  
29 designated by the chief librarian, of any public library  
30 situated within the election jurisdiction, who may accept  
31 the registrations of any qualified resident of the  
32 county, at such library.

33 2. The principal, or a qualified person designated  
34 by the principal, of any high school, elementary school,

1 or vocational school situated within the election  
2 jurisdiction, who may accept the registrations of any  
3 resident of the county, at such school. The county clerk  
4 shall notify every principal and vice-principal of each  
5 high school, elementary school, and vocational school  
6 situated within the election jurisdiction of their  
7 eligibility to serve as deputy registrars and offer  
8 training courses for service as deputy registrars at  
9 conveniently located facilities at least 4 months prior  
10 to every election.

11 3. The president, or a qualified person designated  
12 by the president, of any university, college, community  
13 college, academy or other institution of learning  
14 situated within the election jurisdiction, who may accept  
15 the registrations of any resident of the county, at such  
16 university, college, community college, academy or  
17 institution.

18 4. A duly elected or appointed official of a bona  
19 fide labor organization, or a reasonable number of  
20 qualified members designated by such official, who may  
21 accept the registrations of any qualified resident of the  
22 county.

23 5. A duly elected or appointed official of a bona  
24 fide State civic organization, as defined and determined  
25 by rule of the State Board of Elections, or qualified  
26 members designated by such official, who may accept the  
27 registration of any qualified resident of the county. In  
28 determining the number of deputy registrars that shall be  
29 appointed, the county clerk shall consider the population  
30 of the jurisdiction, the size of the organization, the  
31 geographic size of the jurisdiction, convenience for the  
32 public, the existing number of deputy registrars in the  
33 jurisdiction and their location, the registration  
34 activities of the organization and the need to appoint

1 deputy registrars to assist and facilitate the  
2 registration of non-English speaking individuals. In no  
3 event shall a county clerk fix an arbitrary number  
4 applicable to every civic organization requesting  
5 appointment of its members as deputy registrars. The  
6 State Board of Elections shall by rule provide for  
7 certification of bona fide State civic organizations.  
8 Such appointments shall be made for a period not to  
9 exceed 2 years, terminating on the first business day of  
10 the month following the month of the general election,  
11 and shall be valid for all periods of voter registration  
12 as provided by this Code during the terms of such  
13 appointments.

14 6. The Director of the Illinois Department of  
15 Public Aid, or a reasonable number of employees  
16 designated by the Director and located at public aid  
17 offices, who may accept the registration of any qualified  
18 resident of the county at any such public aid office.

19 7. The Director of the Illinois Department of  
20 Employment Security, or a reasonable number of employees  
21 designated by the Director and located at unemployment  
22 offices, who may accept the registration of any qualified  
23 resident of the county at any such unemployment office.

24 8. The president of any corporation as defined by  
25 the Business Corporation Act of 1983, or a reasonable  
26 number of employees designated by such president, who may  
27 accept the registrations of any qualified resident of the  
28 county.

29 If the request to be appointed as deputy registrar is  
30 denied, the county clerk shall, within 10 days after the date  
31 the request is submitted, provide the affected individual or  
32 organization with written notice setting forth the specific  
33 reasons or criteria relied upon to deny the request to be  
34 appointed as deputy registrar.



1 Appointments of deputy registrars under this Section,  
2 except precinct committeemen, shall be for 2-year terms,  
3 commencing on December 1 following the general election of  
4 each even-numbered year, except that the terms of the initial  
5 appointments shall be until December 1st following the next  
6 general election. Appointments of precinct committeemen  
7 shall be for 2-year terms commencing on the date of the  
8 county convention following the general primary at which they  
9 were elected. The county clerk shall issue a certificate of  
10 appointment to each deputy registrar, and shall maintain in  
11 his office for public inspection a list of the names of all  
12 appointees.

13 (b) The county clerk shall be responsible for training  
14 all deputy registrars appointed pursuant to subsection (a),  
15 at times and locations reasonably convenient for both the  
16 county clerk and such appointees. The county clerk shall be  
17 responsible for certifying and supervising all deputy  
18 registrars appointed pursuant to subsection (a). Deputy  
19 registrars appointed under subsection (a) shall be subject to  
20 removal for cause.

21 (c) Completed registration materials under the control  
22 of deputy registrars, appointed pursuant to subsection (a),  
23 shall be returned to the proper election authority within 7  
24 days, except that completed registration materials received  
25 by the deputy registrars during the period between the 35th  
26 and 28th day preceding an election shall be returned by the  
27 deputy registrars to the proper election authority within 48  
28 hours after receipt thereof. The completed registration  
29 materials received by the deputy registrars on the 28th day  
30 preceding an election shall be returned by the deputy  
31 registrars within 24 hours after receipt thereof. Unused  
32 materials shall be returned by deputy registrars appointed  
33 pursuant to paragraph 4 of subsection (a), not later than the  
34 next working day following the close of registration.

1           (d) The county clerk or board of election commissioners,  
2 as the case may be, must provide any additional forms  
3 requested by any deputy registrar regardless of the number of  
4 unaccounted registration forms the deputy registrar may have  
5 in his or her possession. ~~The--county--clerk--shall--not--be~~  
6 ~~required--to--provide--additional--forms--to--any--deputy--registrar~~  
7 ~~having--more--than--200--registration--forms--unaccounted--for~~  
8 ~~during--the--preceding--12--month--period.~~

9           (e) No deputy registrar shall engage in any  
10 electioneering or the promotion of any cause during the  
11 performance of his or her duties.

12           (f) The county clerk shall not be criminally or civilly  
13 liable for the acts or omissions of any deputy registrar.  
14 Such deputy registers shall not be deemed to be employees of  
15 the county clerk.

16 (Source: P.A. 92-816, eff. 8-21-02.)

17 (10 ILCS 5/5-43)

18 Sec. 5-43. Computerization of voter records.

19           (a) The State Board of Elections shall design a  
20 registration record card that, except as otherwise provided  
21 in this Section, shall be used in duplicate by all election  
22 authorities in the State adopting a computer-based voter  
23 registration file as provided in this Section. The Board  
24 shall prescribe the form and specifications, including but  
25 not limited to the weight of paper, color, and print of the  
26 cards. The cards shall contain boxes or spaces for the  
27 information required under Sections 5-7 and 5-28.1; provided  
28 that the cards shall also contain: (i) A space for the person  
29 to fill in his or her Illinois driver's license number if the  
30 person has a driver's license; (ii) A space for a person  
31 without a driver's license to fill in the last four digits of  
32 his or her social security number if the person has a social  
33 security number ~~a--box--or--space--for--the--applicant's--social~~

1 security-number,--which--shall--be--required--to--the--extent  
2 allowed--by--law--but--in-no-case-shall-the-applicant-provide  
3 fewer-than-the-last-4-digits-of-the-social--security--number,  
4 and-a-box-for-the-applicant's-telephone-number,-if-available.

5 (b) The election authority may develop and implement a  
6 system to prepare, use, and maintain a computer-based voter  
7 registration file that includes a computer-stored image of  
8 the signature of each voter. The computer-based voter  
9 registration file may be used for all purposes for which the  
10 original registration cards are to be used, provided that a  
11 system for the storage of at least one copy of the original  
12 registration cards remains in effect. The electronic file  
13 shall be the master file.

14 (c) Any system created, used, and maintained under  
15 subsection (b) of this Section shall meet the following  
16 standards:

17 (1) Access to any computer-based voter registration  
18 file shall be limited to those persons authorized by the  
19 election authority, and each access to the computer-based  
20 voter registration file, other than an access solely for  
21 inquiry, shall be recorded.

22 (2) No copy, summary, list, abstract, or index of  
23 any computer-based voter registration file that includes  
24 any computer-stored image of the signature of any  
25 registered voter shall be made available to the public  
26 outside of the offices of the election authority.

27 (3) Any copy, summary, list, abstract, or index of  
28 any computer-based voter registration file that includes  
29 a computer-stored image of the signature of a registered  
30 voter shall be produced in such a manner that it cannot  
31 be reproduced.

32 (4) Each person desiring to vote shall sign an  
33 application for a ballot, and the signature comparison  
34 authorized in Articles 17 and 18 of this Code may be made

1 to a copy of the computer-stored image of the signature  
2 of the registered voter.

3 (5) Any voter list produced from a computer-based  
4 voter registration file that includes computer-stored  
5 images of the signatures of registered voters and is used  
6 in a polling place during an election shall be preserved  
7 by the election authority in secure storage until the end  
8 of the second calendar year following the election in  
9 which it was used.

10 (d) Before the first election in which the election  
11 authority elects to use a voter list produced from the  
12 computer-stored images of the signatures of registered voters  
13 in a computer-based voter registration file for signature  
14 comparison in a polling place, the State Board of Elections  
15 shall certify that the system used by the election authority  
16 complies with the standards set forth in this Section. The  
17 State Board of Elections may request a sample poll list  
18 intended to be used in a polling place to test the accuracy  
19 of the list and the adequacy of the computer-stored images of  
20 the signatures of the registered voters.

21 (e) With respect to a jurisdiction that has copied all  
22 of its voter signatures into a computer-based registration  
23 file, all references in this Act or any other Act to the use,  
24 other than storage, of paper-based voter registration records  
25 shall be deemed to refer to their computer-based equivalents.

26 (f) Nothing in this Section prevents an election  
27 authority from submitting to the State Board of Elections a  
28 duplicate copy of some, as the State Board of Elections shall  
29 determine, or all of the data contained in each voter  
30 registration record that is part of the electronic master  
31 file. The duplicate copy of the registration record shall be  
32 maintained by the State Board of Elections under the same  
33 terms and limitations applicable to the election authority  
34 and shall be of equal legal dignity with the original

1 registration record maintained by the election authority as  
2 proof of any fact contained in the voter registration record.  
3 (Source: P.A. 91-73, eff. 7-9-99.)

4 (10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

5 Sec. 6-35. The Boards of Election Commissioners shall  
6 provide a sufficient number of blank forms for the  
7 registration of electors which shall be known as registration  
8 record cards and which shall consist of loose leaf sheets or  
9 cards, of suitable size to contain in plain writing and  
10 figures the data hereinafter required thereon or shall  
11 consist of computer cards of suitable nature to contain the  
12 data required thereon. The registration record cards, which  
13 shall include an affidavit of registration as hereinafter  
14 provided, shall be executed in duplicate. The duplicate of  
15 which may be a carbon copy of the original or a copy of the  
16 original made by the use of other method or material used for  
17 making simultaneous true copies or duplications.

18 The registration record card shall contain the following  
19 and such other information as the Board of Election  
20 Commissioners may think it proper to require for the  
21 identification of the applicant for registration:

22 Name. The name of the applicant, giving surname and  
23 first or Christian name in full, and the middle name or the  
24 initial for such middle name, if any.

25 Sex.

26 Residence. The name and number of the street, avenue, or  
27 other location of the dwelling, including the apartment, unit  
28 or room number, if any, and in the case of a mobile home the  
29 lot number, and such additional clear and definite  
30 description as may be necessary to determine the exact  
31 location of the dwelling of the applicant, including  
32 post-office mailing address. In the case of a homeless  
33 individual, the individual's voting residence that is his or

1 her mailing address shall be included on his or her  
2 registration record card.

3 Term of residence in the State of Illinois and the  
4 precinct.

5 Nativity. The state or country in which the applicant  
6 was born.

7 Citizenship. Whether the applicant is native born or  
8 naturalized. If naturalized, the court, place, and date of  
9 naturalization.

10 Date of application for registration, i.e., the day,  
11 month and year when the applicant presented himself for  
12 registration.

13 Age. Date of birth, by month, day and year.

14 Physical disability of the applicant, if any, at the time  
15 of registration, which would require assistance in voting.

16 The county and state in which the applicant was last  
17 registered.

18 Signature of voter. The applicant, after registration  
19 and in the presence of a deputy registrar or other officer of  
20 registration shall be required to sign his or her name in ink  
21 to the affidavit on both the original and the duplicate  
22 registration record card.

23 Signature of deputy registrar.

24 In case applicant is unable to sign his name, he may  
25 affix his mark to the affidavit. In such case the  
26 registration officer shall write a detailed description of  
27 the applicant in the space provided at the bottom of the card  
28 or sheet; and shall ask the following questions and record  
29 the answers thereto:

30 Father's first name .....

31 Mother's first name .....

32 From what address did you last register? ....

33 Reason for inability to sign name .....

34 Each applicant for registration shall make an affidavit

1 in substantially the following form:

2 AFFIDAVIT OF REGISTRATION

3 State of Illinois )

4 )ss

5 County of ..... )

6 I hereby swear (or affirm) that I am a citizen of the  
7 United States, that on the day of the next election I shall  
8 have resided in the State of Illinois and in the election  
9 precinct 30 days and that I intend that this location is my  
10 residence; that I am fully qualified to vote, and that the  
11 above statements are true.

12 .....  
13 (His or her signature or mark)

14 Subscribed and sworn to before me on (insert date).

15 .....

16 Signature of registration officer  
17 (to be signed in presence of registrant).

18 Space shall be provided upon the face of each  
19 registration record card for the notation of the voting  
20 record of the person registered thereon.

21 Each registration record card shall be numbered according  
22 to wards or precincts, as the case may be, and may be  
23 serially or otherwise marked for identification in such  
24 manner as the Board of Election Commissioners may determine.

25 The registration cards shall be deemed public records and  
26 shall be open to inspection during regular business hours,  
27 except during the 27 days immediately preceding any election.  
28 On written request of any candidate or objector or any person  
29 intending to object to a petition, the election authority  
30 shall extend its hours for inspection of registration cards  
31 and other records of the election authority during the period  
32 beginning with the filing of petitions under Sections 7-10,  
33 8-8, 10-6 or 28-3 and continuing through the termination of  
34 electoral board hearings on any objections to petitions

1 containing signatures of registered voters in the  
2 jurisdiction of the election authority. The extension shall  
3 be for a period of hours sufficient to allow adequate  
4 opportunity for examination of the records but the election  
5 authority is not required to extend its hours beyond the  
6 period beginning at its normal opening for business and  
7 ending at midnight. If the business hours are so extended,  
8 the election authority shall post a public notice of such  
9 extended hours. Registration record cards may also be  
10 inspected, upon approval of the officer in charge of the  
11 cards, during the 27 days immediately preceding any election.  
12 Registration record cards shall also be open to inspection by  
13 certified judges and poll watchers and challengers at the  
14 polling place on election day, but only to the extent  
15 necessary to determine the question of the right of a person  
16 to vote or to serve as a judge of election. At no time shall  
17 poll watchers or challengers be allowed to physically handle  
18 the registration record cards.

19 Updated copies of computer tapes or computer discs or  
20 other electronic data processing information containing voter  
21 registration information shall be furnished by the Board of  
22 Election Commissioners within 10 days after December 15 and  
23 May 15 each year and within 10 days after each registration  
24 period is closed to the State Board of Elections in a form  
25 prescribed by the State Board. For the purposes of this  
26 Section, a registration period is closed 27 days before the  
27 date of any regular or special election. Registration  
28 information shall include, but not be limited to, the  
29 following information: name, sex, residence, telephone  
30 number, if any, age, party affiliation, if applicable,  
31 precinct, ward, township, county, and representative,  
32 legislative and congressional districts. In the event of  
33 noncompliance, the State Board of Elections is directed to  
34 obtain compliance forthwith with this nondiscretionary duty

1 of the election authority by instituting legal proceedings in  
2 the circuit court of the county in which the election  
3 authority maintains the registration information. The costs  
4 of furnishing updated copies of tapes or discs shall be paid  
5 at a rate of \$.00034 per name of registered voters in the  
6 election jurisdiction, but not less than \$50 per tape or disc  
7 and shall be paid from appropriations made to the State Board  
8 of Elections for reimbursement to the election authority for  
9 such purpose. The State Board shall furnish copies of such  
10 tapes, discs, other electronic data or compilations thereof  
11 to state political committees registered pursuant to the  
12 Illinois Campaign Finance Act or the Federal Election  
13 Campaign Act at their request and at a reasonable cost. To  
14 protect the privacy and confidentiality of voter registration  
15 information, the disclosure of electronic voter registration  
16 records to any person or entity other than a State or local  
17 political committee is specifically prohibited. Copies of the  
18 tapes, discs or other electronic data shall be furnished by  
19 the Board of Election Commissioners to local political  
20 committees at their request and at a reasonable cost.  
21 Reasonable cost of the tapes, discs, et cetera for this  
22 purpose would be the cost of duplication plus 15% for  
23 administration. The individual representing a political  
24 committee requesting copies of such tapes shall make a sworn  
25 affidavit that the information shall be used only for bona  
26 fide political purposes, including by or for candidates for  
27 office or incumbent office holders. Such tapes, discs or  
28 other electronic data shall not be used under any  
29 circumstances by any political committee or individuals for  
30 purposes of commercial solicitation or other business  
31 purposes. If such tapes contain information on county  
32 residents related to the operations of county government in  
33 addition to registration information, that information shall  
34 not be used under any circumstances for commercial

1 solicitation or other business purposes. The prohibition in  
 2 this Section against using the computer tapes or computer  
 3 discs or other electronic data processing information  
 4 containing voter registration information for purposes of  
 5 commercial solicitation or other business purposes shall be  
 6 prospective only from the effective date of this amended Act  
 7 of 1979. Any person who violates this provision shall be  
 8 guilty of a Class 4 felony.

9 The State Board of Elections shall promulgate, by October  
 10 1, 1987, such regulations as may be necessary to ensure  
 11 uniformity throughout the State in electronic data processing  
 12 of voter registration information. The regulations shall  
 13 include, but need not be limited to, specifications for  
 14 uniform medium, communications protocol and file structure to  
 15 be employed by the election authorities of this State in the  
 16 electronic data processing of voter registration information.  
 17 Each election authority utilizing electronic data processing  
 18 of voter registration information shall comply with such  
 19 regulations on and after May 15, 1988.

20 If the applicant for registration was last registered in  
 21 another county within this State, he shall also sign a  
 22 certificate authorizing cancellation of the former  
 23 registration. The certificate shall be in substantially the  
 24 following form:

25 To the County Clerk of .... County, Illinois.

26 To the Election Commission of the City of ....., Illinois.

27 This is to certify that I am registered in your (county)  
 28 (city) and that my residence was ..... Having moved out of  
 29 your (county), (city), I hereby authorize you to cancel that  
 30 registration in your office.

31 Dated at ....., Illinois, on (insert date).

32 .....

33 (Signature of Voter)

34 Attest ....., Clerk, Election Commission of the City

1 of...., Illinois.

2 The cancellation certificate shall be mailed immediately  
3 by the clerk of the Election Commission to the county clerk,  
4 (or Election Commission as the case may be) where the  
5 applicant was formerly registered. Receipt of such  
6 certificate shall be full authority for cancellation of any  
7 previous registration.

8 (Source: P.A. 91-357, eff. 7-29-99; 92-465, eff. 1-1-02;  
9 92-816, eff. 8-21-02.)

10 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

11 Sec. 6-50.2. (a) The board of election commissioners  
12 shall appoint all precinct committeepersons in the election  
13 jurisdiction as deputy registrars who may accept the  
14 registration of any qualified resident of the election  
15 jurisdiction, except during the 27 days preceding an  
16 election.

17 The election authority shall appoint as deputy registrars  
18 a reasonable number of employees of the Secretary of State  
19 located at driver's license examination stations and  
20 designated to the election authority by the Secretary of  
21 State who may accept the registration of any qualified  
22 residents of the county at any such driver's license  
23 examination stations. The appointment of employees of the  
24 Secretary of State as deputy registrars shall be made in the  
25 manner provided in Section 2-105 of the Illinois Vehicle  
26 Code.

27 The board of election commissioners shall appoint each of  
28 the following named persons as deputy registrars upon the  
29 written request of such persons:

30 1. The chief librarian, or a qualified person  
31 designated by the chief librarian, of any public library  
32 situated within the election jurisdiction, who may accept  
33 the registrations of any qualified resident of the

1 election jurisdiction, at such library.

2 2. The principal, or a qualified person designated  
3 by the principal, of any high school, elementary school,  
4 or vocational school situated within the election  
5 jurisdiction, who may accept the registrations of any  
6 resident of the election jurisdiction, at such school.  
7 The board of election commissioners shall notify every  
8 principal and vice-principal of each high school,  
9 elementary school, and vocational school situated in the  
10 election jurisdiction of their eligibility to serve as  
11 deputy registrars and offer training courses for service  
12 as deputy registrars at conveniently located facilities  
13 at least 4 months prior to every election.

14 3. The president, or a qualified person designated  
15 by the president, of any university, college, community  
16 college, academy or other institution of learning  
17 situated within the election jurisdiction, who may accept  
18 the registrations of any resident of the election  
19 jurisdiction, at such university, college, community  
20 college, academy or institution.

21 4. A duly elected or appointed official of a bona  
22 fide labor organization, or a reasonable number of  
23 qualified members designated by such official, who may  
24 accept the registrations of any qualified resident of the  
25 election jurisdiction.

26 5. A duly elected or appointed official of a bona  
27 fide State civic organization, as defined and determined  
28 by rule of the State Board of Elections, or qualified  
29 members designated by such official, who may accept the  
30 registration of any qualified resident of the election  
31 jurisdiction. In determining the number of deputy  
32 registrars that shall be appointed, the board of election  
33 commissioners shall consider the population of the  
34 jurisdiction, the size of the organization, the

1 geographic size of the jurisdiction, convenience for the  
2 public, the existing number of deputy registrars in the  
3 jurisdiction and their location, the registration  
4 activities of the organization and the need to appoint  
5 deputy registrars to assist and facilitate the  
6 registration of non-English speaking individuals. In no  
7 event shall a board of election commissioners fix an  
8 arbitrary number applicable to every civic organization  
9 requesting appointment of its members as deputy  
10 registrars. The State Board of Elections shall by rule  
11 provide for certification of bona fide State civic  
12 organizations. Such appointments shall be made for a  
13 period not to exceed 2 years, terminating on the first  
14 business day of the month following the month of the  
15 general election, and shall be valid for all periods of  
16 voter registration as provided by this Code during the  
17 terms of such appointments.

18 6. The Director of the Illinois Department of  
19 Public Aid, or a reasonable number of employees  
20 designated by the Director and located at public aid  
21 offices, who may accept the registration of any qualified  
22 resident of the election jurisdiction at any such public  
23 aid office.

24 7. The Director of the Illinois Department of  
25 Employment Security, or a reasonable number of employees  
26 designated by the Director and located at unemployment  
27 offices, who may accept the registration of any qualified  
28 resident of the election jurisdiction at any such  
29 unemployment office. If the request to be appointed as  
30 deputy registrar is denied, the board of election  
31 commissioners shall, within 10 days after the date the  
32 request is submitted, provide the affected individual or  
33 organization with written notice setting forth the  
34 specific reasons or criteria relied upon to deny the

1 request to be appointed as deputy registrar.

2 8. The president of any corporation, as defined by  
3 the Business Corporation Act of 1983, or a reasonable  
4 number of employees designated by such president, who may  
5 accept the registrations of any qualified resident of the  
6 election jurisdiction.

7 The board of election commissioners may appoint as many  
8 additional deputy registrars as it considers necessary. The  
9 board of election commissioners shall appoint such additional  
10 deputy registrars in such manner that the convenience of the  
11 public is served, giving due consideration to both population  
12 concentration and area. Some of the additional deputy  
13 registrars shall be selected so that there are an equal  
14 number from each of the 2 major political parties in the  
15 election jurisdiction. The board of election commissioners,  
16 in appointing an additional deputy registrar, shall make the  
17 appointment from a list of applicants submitted by the  
18 Chairman of the County Central Committee of the applicant's  
19 political party. A Chairman of a County Central Committee  
20 shall submit a list of applicants to the board by November 30  
21 of each year. The board may require a Chairman of a County  
22 Central Committee to furnish a supplemental list of  
23 applicants.

24 Deputy registrars may accept registrations at any time  
25 other than the 27 day period preceding an election. All  
26 persons appointed as deputy registrars shall be registered  
27 voters within the election jurisdiction and shall take and  
28 subscribe to the following oath or affirmation:

29 "I do solemnly swear (or affirm, as the case may be) that  
30 I will support the Constitution of the United States, and the  
31 Constitution of the State of Illinois, and that I will  
32 faithfully discharge the duties of the office of registration  
33 officer to the best of my ability and that I will register no  
34 person nor cause the registration of any person except upon

1 his personal application before me.

2 .....

3 (Signature of Registration Officer)"

4 This oath shall be administered and certified to by one  
5 of the commissioners or by the executive director or by some  
6 person designated by the board of election commissioners, and  
7 shall immediately thereafter be filed with the board of  
8 election commissioners. The members of the board of election  
9 commissioners and all persons authorized by them under the  
10 provisions of this Article to take registrations, after  
11 themselves taking and subscribing to the above oath, are  
12 authorized to take or administer such oaths and execute such  
13 affidavits as are required by this Article.

14 Appointments of deputy registrars under this Section,  
15 except precinct committeemen, shall be for 2-year terms,  
16 commencing on December 1 following the general election of  
17 each even-numbered year, except that the terms of the initial  
18 appointments shall be until December 1st following the next  
19 general election. Appointments of precinct committeemen shall  
20 be for 2-year terms commencing on the date of the county  
21 convention following the general primary at which they were  
22 elected. The county clerk shall issue a certificate of  
23 appointment to each deputy registrar, and shall maintain in  
24 his office for public inspection a list of the names of all  
25 appointees.

26 (b) The board of election commissioners shall be  
27 responsible for training all deputy registrars appointed  
28 pursuant to subsection (a), at times and locations reasonably  
29 convenient for both the board of election commissioners and  
30 such appointees. The board of election commissioners shall  
31 be responsible for certifying and supervising all deputy  
32 registrars appointed pursuant to subsection (a). Deputy  
33 registrars appointed under subsection (a) shall be subject to  
34 removal for cause.

1 (c) Completed registration materials under the control  
2 of deputy registrars appointed pursuant to subsection (a)  
3 shall be returned to the proper election authority within 7  
4 days, except that completed registration materials received  
5 by the deputy registrars during the period between the 35th  
6 and 28th day preceding an election shall be returned by the  
7 deputy registrars to the proper election authority within 48  
8 hours after receipt thereof. The completed registration  
9 materials received by the deputy registrars on the 28th day  
10 preceding an election shall be returned by the deputy  
11 registrars within 24 hours after receipt thereof. Unused  
12 materials shall be returned by deputy registrars appointed  
13 pursuant to paragraph 4 of subsection (a), not later than the  
14 next working day following the close of registration.

15 (d) The county clerk or board of election commissioners,  
16 as the case may be, must provide any additional forms  
17 requested by any deputy registrar regardless of the number of  
18 unaccounted registration forms the deputy registrar may have  
19 in his or her possession. ~~The board of election commissioners~~  
20 ~~shall not be required to provide additional forms to any~~  
21 ~~deputy registrar having more than 200 registration forms~~  
22 ~~unaccounted for during the preceding 12 month period.~~

23 (e) No deputy registrar shall engage in any  
24 electioneering or the promotion of any cause during the  
25 performance of his or her duties.

26 (f) The board of election commissioners shall not be  
27 criminally or civilly liable for the acts or omissions of any  
28 deputy registrar. Such deputy registrars shall not be deemed  
29 to be employees of the board of election commissioners.

30 (Source: P.A. 92-816, eff. 8-21-02.)

31 (10 ILCS 5/6-79)

32 Sec. 6-79. Computerization of voter records.

33 (a) The State Board of Elections shall design a

1 registration record card that, except as otherwise provided  
2 in this Section, shall be used in duplicate by all election  
3 authorities in the State adopting a computer-based voter  
4 registration file as provided in this Section. The Board  
5 shall prescribe the form and specifications, including but  
6 not limited to the weight of paper, color, and print of the  
7 cards. The cards shall contain boxes or spaces for the  
8 information required under Sections 6-31.1 and 6-35; provided  
9 that the cards shall also contain: (i) A space for the  
10 person to fill in his or her Illinois driver's license number  
11 if the person has a driver's license; (ii) A space for a  
12 person without a driver's license to fill in the last four  
13 digits of his or her social security number if the person has  
14 a social security number a-box-or-space-for--the--applicant's  
15 social-security-number,-which-shall-be-required-to-the-extent  
16 allowed--by--law--but--in-no-case-shall-the-applicant-provide  
17 fewer-than-the-last-4-digits-of-the-social--security--number,  
18 and-a-box-for-the-applicant's-telephone-number,-if-available.

19 (b) The election authority may develop and implement a  
20 system to prepare, use, and maintain a computer-based voter  
21 registration file that includes a computer-stored image of  
22 the signature of each voter. The computer-based voter  
23 registration file may be used for all purposes for which the  
24 original registration cards are to be used, provided that a  
25 system for the storage of at least one copy of the original  
26 registration cards remains in effect. The electronic file  
27 shall be the master file.

28 (c) Any system created, used, and maintained under  
29 subsection (b) of this Section shall meet the following  
30 standards:

31 (1) Access to any computer-based voter registration  
32 file shall be limited to those persons authorized by the  
33 election authority, and each access to the computer-based  
34 voter registration file, other than an access solely for

1 inquiry, shall be recorded.

2 (2) No copy, summary, list, abstract, or index of  
3 any computer-based voter registration file that includes  
4 any computer-stored image of the signature of any  
5 registered voter shall be made available to the public  
6 outside of the offices of the election authority.

7 (3) Any copy, summary, list, abstract, or index of  
8 any computer-based voter registration file that includes  
9 a computer-stored image of the signature of a registered  
10 voter shall be produced in such a manner that it cannot  
11 be reproduced.

12 (4) Each person desiring to vote shall sign an  
13 application for a ballot, and the signature comparison  
14 authorized in Articles 17 and 18 of this Code may be made  
15 to a copy of the computer-stored image of the signature  
16 of the registered voter.

17 (5) Any voter list produced from a computer-based  
18 voter registration file that includes computer-stored  
19 images of the signatures of registered voters and is used  
20 in a polling place during an election shall be preserved  
21 by the election authority in secure storage until the end  
22 of the second calendar year following the election in  
23 which it was used.

24 (d) Before the first election in which the election  
25 authority elects to use a voter list produced from the  
26 computer-stored images of the signatures of registered voters  
27 in a computer-based voter registration file for signature  
28 comparison in a polling place, the State Board of Elections  
29 shall certify that the system used by the election authority  
30 complies with the standards set forth in this Section. The  
31 State Board of Elections may request a sample poll list  
32 intended to be used in a polling place to test the accuracy  
33 of the list and the adequacy of the computer-stored images of  
34 the signatures of the registered voters.

1 (e) With respect to a jurisdiction that has copied all  
2 of its voter signatures into a computer-based registration  
3 file, all references in this Act or any other Act to the use,  
4 other than storage, of paper-based voter registration records  
5 shall be deemed to refer to their computer-based equivalents.

6 (f) Nothing in this Section prevents an election  
7 authority from submitting to the State Board of Elections a  
8 duplicate copy of some, as the State Board of Elections shall  
9 determine, or all of the data contained in each voter  
10 registration record that is part of the electronic master  
11 file. The duplicate copy of the registration record shall be  
12 maintained by the State Board of Elections under the same  
13 terms and limitations applicable to the election authority  
14 and shall be of equal legal dignity with the original  
15 registration record maintained by the election authority as  
16 proof of any fact contained in the voter registration record.

17 (Source: P.A. 91-73, eff. 7-9-99.)

18 (10 ILCS 5/7-7) (from Ch. 46, par. 7-7)

19 Sec. 7-7. For the purpose of making nominations in  
20 certain instances as provided in this Article and this Act,  
21 the following committees are authorized and shall constitute  
22 the central or managing committees of each political party,  
23 viz: A State central committee, a congressional committee for  
24 each congressional district, a county central committee for  
25 each county, a municipal central committee for each city,  
26 incorporated town or village, a ward committeeman for each  
27 ward in cities containing a population of 500,000 or more; a  
28 township committeeman for each township or part of a township  
29 that lies outside of cities having a population of 200,000 or  
30 more, in counties having a population of 2,000,000 or more; a  
31 precinct committeeman for each precinct in counties having a  
32 population of less than 2,000,000; a county board district  
33 committee for each county board district created under

1 Division 2-3 of the Counties Code; a State's Attorney  
2 committee for each group of 2 or more counties which jointly  
3 elect a State's Attorney; a Superintendent of Multi-County  
4 Educational Service Region committee for each group of 2 or  
5 more counties which jointly elect a Superintendent of a  
6 Multi-County Educational Service Region; and a judicial  
7 subcircuit committee in Cook County for each judicial  
8 subcircuit in Cook County; and a board of review election  
9 district committee for each Cook County Board of Review  
10 election district.

11 (Source: P.A. 87-1052.)

12 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

13 Sec. 7-8. The State central committee shall be composed  
14 of one or two members from each congressional district in the  
15 State and shall be elected as follows:

16 State Central Committee

17 (a) Within 30 days after the effective date of this  
18 amendatory Act of 1983 the State central committee of each  
19 political party shall certify to the State Board of Elections  
20 which of the following alternatives it wishes to apply to the  
21 State central committee of that party.

22 Alternative A. At the primary held on the third Tuesday  
23 in March 1970, and at the primary held every 4 years  
24 thereafter, each primary elector may vote for one candidate  
25 of his party for member of the State central committee for  
26 the congressional district in which he resides. The  
27 candidate receiving the highest number of votes shall be  
28 declared elected State central committeeman from the  
29 district. A political party may, in lieu of the foregoing, by  
30 a majority vote of delegates at any State convention of such  
31 party, determine to thereafter elect the State central  
32 committeemen in the manner following:

33 At the county convention held by such political party

1 State central committeemen shall be elected in the same  
2 manner as provided in this Article for the election of  
3 officers of the county central committee, and such election  
4 shall follow the election of officers of the county central  
5 committee. Each elected ward, township or precinct  
6 committeeman shall cast as his vote one vote for each ballot  
7 voted in his ward, township, part of a township or precinct  
8 in the last preceding primary election of his political  
9 party. In the case of a county lying partially within one  
10 congressional district and partially within another  
11 congressional district, each ward, township or precinct  
12 committeeman shall vote only with respect to the  
13 congressional district in which his ward, township, part of a  
14 township or precinct is located. In the case of a  
15 congressional district which encompasses more than one  
16 county, each ward, township or precinct committeeman residing  
17 within the congressional district shall cast as his vote one  
18 vote for each ballot voted in his ward, township, part of a  
19 township or precinct in the last preceding primary election  
20 of his political party for one candidate of his party for  
21 member of the State central committee for the congressional  
22 district in which he resides and the Chairman of the county  
23 central committee shall report the results of the election to  
24 the State Board of Elections. The State Board of Elections  
25 shall certify the candidate receiving the highest number of  
26 votes elected State central committeeman for that  
27 congressional district.

28 The State central committee shall adopt rules to provide  
29 for and govern the procedures to be followed in the election  
30 of members of the State central committee.

31 After the effective date of this amendatory Act of the  
32 91st General Assembly, whenever a vacancy occurs in the  
33 office of Chairman of a State central committee, or at the  
34 end of the term of office of Chairman, the State central

1 committee of each political party that has selected  
2 Alternative A shall elect a Chairman who shall not be  
3 required to be a member of the State Central Committee. The  
4 Chairman shall be a registered voter in this State and of the  
5 same political party as the State central committee.

6 Alternative B. Each congressional committee shall,  
7 within 30 days after the adoption of this alternative,  
8 appoint a person of the sex opposite that of the incumbent  
9 member for that congressional district to serve as an  
10 additional member of the State central committee until his or  
11 her successor is elected at the general primary election in  
12 1986. Each congressional committee shall make this  
13 appointment by voting on the basis set forth in paragraph (e)  
14 of this Section. In each congressional district at the  
15 general primary election held in 1986 and every 4 years  
16 thereafter, the male candidate receiving the highest number  
17 of votes of the party's male candidates for State central  
18 committeeman, and the female candidate receiving the highest  
19 number of votes of the party's female candidates for State  
20 central committeewoman, shall be declared elected State  
21 central committeeman and State central committeewoman from  
22 the district. At the general primary election held in 1986  
23 and every 4 years thereafter, if all a party's candidates for  
24 State central committeemen or State central committeewomen  
25 from a congressional district are of the same sex, the  
26 candidate receiving the highest number of votes shall be  
27 declared elected a State central committeeman or State  
28 central committeewoman from the district, and, because of a  
29 failure to elect one male and one female to the committee, a  
30 vacancy shall be declared to exist in the office of the  
31 second member of the State central committee from the  
32 district. This vacancy shall be filled by appointment by the  
33 congressional committee of the political party, and the  
34 person appointed to fill the vacancy shall be a resident of

1 the congressional district and of the sex opposite that of  
2 the committeeman or committeewoman elected at the general  
3 primary election. Each congressional committee shall make  
4 this appointment by voting on the basis set forth in  
5 paragraph (e) of this Section.

6 The Chairman of a State central committee composed as  
7 provided in this Alternative B must be selected from the  
8 committee's members.

9 Except as provided for in Alternative A with respect to  
10 the selection of the Chairman of the State central committee,  
11 under both of the foregoing alternatives, the State central  
12 committee of each political party shall be composed of  
13 members elected or appointed from the several congressional  
14 districts of the State, and of no other person or persons  
15 whomsoever. The members of the State central committee  
16 shall, within 30 days after each quadrennial election of the  
17 full committee, meet in the city of Springfield and organize  
18 by electing a chairman, and may at such time elect such  
19 officers from among their own number (or otherwise), as they  
20 may deem necessary or expedient. The outgoing chairman of the  
21 State central committee of the party shall, 10 days before  
22 the meeting, notify each member of the State central  
23 committee elected at the primary of the time and place of  
24 such meeting. In the organization and proceedings of the  
25 State central committee, each State central committeeman and  
26 State central committeewoman shall have one vote for each  
27 ballot voted in his or her congressional district by the  
28 primary electors of his or her party at the primary election  
29 immediately preceding the meeting of the State central  
30 committee. Whenever a vacancy occurs in the State central  
31 committee of any political party, the vacancy shall be filled  
32 by appointment of the chairmen of the county central  
33 committees of the political party of the counties located  
34 within the congressional district in which the vacancy occurs

1 and, if applicable, the ward and township committeemen of the  
2 political party in counties of 2,000,000 or more inhabitants  
3 located within the congressional district. If the  
4 congressional district in which the vacancy occurs lies  
5 wholly within a county of 2,000,000 or more inhabitants, the  
6 ward and township committeemen of the political party in that  
7 congressional district shall vote to fill the vacancy. In  
8 voting to fill the vacancy, each chairman of a county central  
9 committee and each ward and township committeeman in counties  
10 of 2,000,000 or more inhabitants shall have one vote for each  
11 ballot voted in each precinct of the congressional district  
12 in which the vacancy exists of his or her county, township,  
13 or ward cast by the primary electors of his or her party at  
14 the primary election immediately preceding the meeting to  
15 fill the vacancy in the State central committee. The person  
16 appointed to fill the vacancy shall be a resident of the  
17 congressional district in which the vacancy occurs, shall be  
18 a qualified voter, and, in a committee composed as provided  
19 in Alternative B, shall be of the same sex as his or her  
20 predecessor. A political party may, by a majority vote of the  
21 delegates of any State convention of such party, determine to  
22 return to the election of State central committeeman and  
23 State central committeewoman by the vote of primary electors.  
24 Any action taken by a political party at a State convention  
25 in accordance with this Section shall be reported to the  
26 State Board of Elections by the chairman and secretary of  
27 such convention within 10 days after such action.

28 Ward, Township and Precinct Committeemen

29 (b) At the primary held on the third Tuesday in March,  
30 1972, and every 4 years thereafter, each primary elector in  
31 cities having a population of 200,000 or over may vote for  
32 one candidate of his party in his ward for ward committeeman.  
33 Each candidate for ward committeeman must be a resident of  
34 and in the ward where he seeks to be elected ward

1     committeeman. The one having the highest number of votes  
2     shall be such ward committeeman of such party for such ward.  
3     At the primary election held on the third Tuesday in March,  
4     1970, and every 4 years thereafter, each primary elector in  
5     counties containing a population of 2,000,000 or more,  
6     outside of cities containing a population of 200,000 or more,  
7     may vote for one candidate of his party for township  
8     committeeman. Each candidate for township committeeman must  
9     be a resident of and in the township or part of a township  
10    (which lies outside of a city having a population of 200,000  
11    or more, in counties containing a population of 2,000,000 or  
12    more), and in which township or part of a township he seeks  
13    to be elected township committeeman. The one having the  
14    highest number of votes shall be such township committeeman  
15    of such party for such township or part of a township. At the  
16    primary held on the third Tuesday in March, 1970 and every 2  
17    years thereafter, each primary elector, except in counties  
18    having a population of 2,000,000 or over, may vote for one  
19    candidate of his party in his precinct for precinct  
20    committeeman. Each candidate for precinct committeeman must  
21    be a bona fide resident of the precinct where he seeks to be  
22    elected precinct committeeman. The one having the highest  
23    number of votes shall be such precinct committeeman of such  
24    party for such precinct. The official returns of the primary  
25    shall show the name of the committeeman of each political  
26    party.

27       Terms of Committeemen. All precinct committeemen elected  
28    under the provisions of this Article shall continue as such  
29    committeemen until the date of the primary to be held in the  
30    second year after their election. Except as otherwise  
31    provided in this Section for certain State central  
32    committeemen who have 2 year terms, all State central  
33    committeemen, township committeemen and ward committeemen  
34    shall continue as such committeemen until the date of primary

1 to be held in the fourth year after their election. However,  
2 a vacancy exists in the office of precinct committeeman when  
3 a precinct committeeman ceases to reside in the precinct in  
4 which he was elected and such precinct committeeman shall  
5 thereafter neither have nor exercise any rights, powers or  
6 duties as committeeman in that precinct, even if a successor  
7 has not been elected or appointed.

8 (c) The Multi-Township Central Committee shall consist  
9 of the precinct committeemen of such party, in the  
10 multi-township assessing district formed pursuant to Section  
11 2-10 of the Property Tax Code and shall be organized for the  
12 purposes set forth in Section 45-25 of the Township Code. In  
13 the organization and proceedings of the Multi-Township  
14 Central Committee each precinct committeeman shall have one  
15 vote for each ballot voted in his precinct by the primary  
16 electors of his party at the primary at which he was elected.

17 County Central Committee

18 (d) The county central committee of each political party  
19 in each county shall consist of the various township  
20 committeemen, precinct committeemen and ward committeemen, if  
21 any, of such party in the county. In the organization and  
22 proceedings of the county central committee, each precinct  
23 committeeman shall have one vote for each ballot voted in his  
24 precinct by the primary electors of his party at the primary  
25 at which he was elected; each township committeeman shall  
26 have one vote for each ballot voted in his township or part  
27 of a township as the case may be by the primary electors of  
28 his party at the primary election for the nomination of  
29 candidates for election to the General Assembly immediately  
30 preceding the meeting of the county central committee; and in  
31 the organization and proceedings of the county central  
32 committee, each ward committeeman shall have one vote for  
33 each ballot voted in his ward by the primary electors of his  
34 party at the primary election for the nomination of

1 candidates for election to the General Assembly immediately  
2 preceding the meeting of the county central committee.

3 Cook County Board of Review Election District Committee

4 (d-1) Each board of review election district committee  
5 of each political party in Cook County shall consist of the  
6 various township committeemen and ward committeemen, if any,  
7 of that party in the portions of the county composing the  
8 board of review election district. In the organization and  
9 proceedings of each of the 3 election district committees,  
10 each township committeeman shall have one vote for each  
11 ballot voted in his or her township or part of a township, as  
12 the case may be, by the primary electors of his or her party  
13 at the primary election immediately preceding the meeting of  
14 the board of review election district committee; and in the  
15 organization and proceedings of each of the 3 election  
16 district committees, each ward committeeman shall have one  
17 vote for each ballot voted in his or her ward or part of that  
18 ward, as the case may be, by the primary electors of his or  
19 her party at the primary election immediately preceding the  
20 meeting of the board of review election district committee.

21 Congressional Committee

22 (e) The congressional committee of each party in each  
23 congressional district shall be composed of the chairmen of  
24 the county central committees of the counties composing the  
25 congressional district, except that in congressional  
26 districts wholly within the territorial limits of one county,  
27 or partly within 2 or more counties, but not coterminous with  
28 the county lines of all of such counties, the precinct  
29 committeemen, township committeemen and ward committeemen, if  
30 any, of the party representing the precincts within the  
31 limits of the congressional district, shall compose the  
32 congressional committee. A State central committeeman in each  
33 district shall be a member and the chairman or, when a  
34 district has 2 State central committeemen, a co-chairman of

1 the congressional committee, but shall not have the right to  
2 vote except in case of a tie.

3 In the organization and proceedings of congressional  
4 committees composed of precinct committeemen or township  
5 committeemen or ward committeemen, or any combination  
6 thereof, each precinct committeeman shall have one vote for  
7 each ballot voted in his precinct by the primary electors of  
8 his party at the primary at which he was elected, each  
9 township committeeman shall have one vote for each ballot  
10 voted in his township or part of a township as the case may  
11 be by the primary electors of his party at the primary  
12 election immediately preceding the meeting of the  
13 congressional committee, and each ward committeeman shall  
14 have one vote for each ballot voted in each precinct of his  
15 ward located in such congressional district by the primary  
16 electors of his party at the primary election immediately  
17 preceding the meeting of the congressional committee; and in  
18 the organization and proceedings of congressional committees  
19 composed of the chairmen of the county central committees of  
20 the counties within such district, each chairman of such  
21 county central committee shall have one vote for each ballot  
22 voted in his county by the primary electors of his party at  
23 the primary election immediately preceding the meeting of the  
24 congressional committee.

25 Judicial District Committee

26 (f) The judicial district committee of each political  
27 party in each judicial district shall be composed of the  
28 chairman of the county central committees of the counties  
29 composing the judicial district.

30 In the organization and proceedings of judicial district  
31 committees composed of the chairmen of the county central  
32 committees of the counties within such district, each  
33 chairman of such county central committee shall have one vote  
34 for each ballot voted in his county by the primary electors

1 of his party at the primary election immediately preceding  
2 the meeting of the judicial district committee.

3 Circuit Court Committee

4 (g) The circuit court committee of each political party  
5 in each judicial circuit outside Cook County shall be  
6 composed of the chairmen of the county central committees of  
7 the counties composing the judicial circuit.

8 In the organization and proceedings of circuit court  
9 committees, each chairman of a county central committee shall  
10 have one vote for each ballot voted in his county by the  
11 primary electors of his party at the primary election  
12 immediately preceding the meeting of the circuit court  
13 committee.

14 Judicial Subcircuit Committee

15 (g-1) The judicial subcircuit committee of each  
16 political party in each judicial subcircuit in Cook County  
17 shall be composed of the ward and township committeemen of  
18 the townships and wards composing the judicial subcircuit.

19 In the organization and proceedings of each judicial  
20 subcircuit committee, each township committeeman shall have  
21 one vote for each ballot voted in his township or part of a  
22 township, as the case may be, in the judicial subcircuit by  
23 the primary electors of his party at the primary election  
24 immediately preceding the meeting of the judicial subcircuit  
25 committee; and each ward committeeman shall have one vote for  
26 each ballot voted in his ward or part of a ward, as the case  
27 may be, in the judicial subcircuit by the primary electors of  
28 his party at the primary election immediately preceding the  
29 meeting of the judicial subcircuit committee.

30 Municipal Central Committee

31 (h) The municipal central committee of each political  
32 party shall be composed of the precinct, township or ward  
33 committeemen, as the case may be, of such party representing  
34 the precincts or wards, embraced in such city, incorporated

1 town or village. The voting strength of each precinct,  
2 township or ward committeeman on the municipal central  
3 committee shall be the same as his voting strength on the  
4 county central committee.

5 For political parties, other than a statewide political  
6 party, established only within a municipality or township,  
7 the municipal or township managing committee shall be  
8 composed of the party officers of the local established  
9 party. The party officers of a local established party shall  
10 be as follows: the chairman and secretary of the caucus for  
11 those municipalities and townships authorized by statute to  
12 nominate candidates by caucus shall serve as party officers  
13 for the purpose of filling vacancies in nomination under  
14 Section 7-61; for municipalities and townships authorized by  
15 statute or ordinance to nominate candidates by petition and  
16 primary election, the party officers shall be the party's  
17 candidates who are nominated at the primary. If no party  
18 primary was held because of the provisions of Section 7-5,  
19 vacancies in nomination shall be filled by the party's  
20 remaining candidates who shall serve as the party's officers.

21 Powers

22 (i) Each committee and its officers shall have the  
23 powers usually exercised by such committees and by the  
24 officers thereof, not inconsistent with the provisions of  
25 this Article. The several committees herein provided for  
26 shall not have power to delegate any of their powers, or  
27 functions to any other person, officer or committee, but this  
28 shall not be construed to prevent a committee from appointing  
29 from its own membership proper and necessary subcommittees.

30 (j) The State central committee of a political party  
31 which elects its members by Alternative B under paragraph (a)  
32 of this Section shall adopt a plan to give effect to the  
33 delegate selection rules of the national political party and  
34 file a copy of such plan with the State Board of Elections

1 when approved by a national political party.

2 (k) For the purpose of the designation of a proxy by a  
3 Congressional Committee to vote in place of an absent State  
4 central committeeman or committeewoman at meetings of the  
5 State central committee of a political party which elects its  
6 members by Alternative B under paragraph (a) of this Section,  
7 the proxy shall be appointed by the vote of the ward and  
8 township committeemen, if any, of the wards and townships  
9 which lie entirely or partially within the Congressional  
10 District from which the absent State central committeeman or  
11 committeewoman was elected and the vote of the chairmen of  
12 the county central committees of those counties which lie  
13 entirely or partially within that Congressional District and  
14 in which there are no ward or township committeemen. When  
15 voting for such proxy the county chairman, ward committeeman  
16 or township committeeman, as the case may be shall have one  
17 vote for each ballot voted in his county, ward or township,  
18 or portion thereof within the Congressional District, by the  
19 primary electors of his party at the primary at which he was  
20 elected. However, the absent State central committeeman or  
21 committeewoman may designate a proxy when permitted by the  
22 rules of a political party which elects its members by  
23 Alternative B under paragraph (a) of this Section.

24 (Source: P.A. 90-627, eff. 7-10-98; 91-426, eff. 8-6-99.)

25 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

26 Sec. 7-10. Form of petition for nomination. The name of  
27 no candidate for nomination, or State central committeeman,  
28 or township committeeman, or precinct committeeman, or ward  
29 committeeman or candidate for delegate or alternate delegate  
30 to national nominating conventions, shall be printed upon the  
31 primary ballot unless a petition for nomination has been  
32 filed in his behalf as provided in this Article in  
33 substantially the following form:

1 We, the undersigned, members of and affiliated with the  
 2 .... party and qualified primary electors of the .... party,  
 3 in the .... of ....., in the county of .... and State of  
 4 Illinois, do hereby petition that the following named person  
 5 or persons shall be a candidate or candidates of the ....  
 6 party for the nomination for (or in case of committeemen for  
 7 election to) the office or offices hereinafter specified, to  
 8 be voted for at the primary election to be held on (insert  
 9 date).

10	Name	Office	Address
11	John Jones	Governor	Belvidere, Ill.
12	Thomas Smith	Attorney General	Oakland, Ill.

13 Name..... Address.....  
 14 State of Illinois)  
 15 ) ss.  
 16 County of.....)

17 I, ....., do hereby certify that I reside at No. ....  
 18 street, in the .... of ....., county of ....., and State of  
 19 ....., that I am 18 years of age or older, that I am a  
 20 citizen of the United States, and that the signatures on this  
 21 sheet were signed in my presence, and are genuine, and that  
 22 to the best of my knowledge and belief the persons so signing  
 23 were at the time of signing the petitions qualified voters of  
 24 the .... party, and that their respective residences are  
 25 correctly stated, as above set forth.

26 .....  
 27 Subscribed and sworn to before me on (insert date).  
 28 .....

29 Each sheet of the petition other than the statement of  
 30 candidacy and candidate's statement shall be of uniform size  
 31 and shall contain above the space for signatures an  
 32 appropriate heading giving the information as to name of  
 33 candidate or candidates, in whose behalf such petition is

1 signed; the office, the political party represented and place  
2 of residence; and the heading of each sheet shall be the  
3 same.

4 Such petition shall be signed by qualified primary  
5 electors residing in the political division for which the  
6 nomination is sought in their own proper persons only and  
7 opposite the signature of each signer, his residence address  
8 shall be written or printed. The residence address required  
9 to be written or printed opposite each qualified primary  
10 elector's name shall include the street address or rural  
11 route number of the signer, as the case may be, as well as  
12 the signer's county, and city, village or town, and state.  
13 However the county or city, village or town, and state of  
14 residence of the electors may be printed on the petition  
15 forms where all of the electors signing the petition reside  
16 in the same county or city, village or town, and state.  
17 Standard abbreviations may be used in writing the residence  
18 address, including street number, if any. At the bottom of  
19 each sheet of such petition shall be added a circulator  
20 statement signed by a person 18 years of age or older who is  
21 a citizen of the United States, stating the street address or  
22 rural route number, as the case may be, as well as the  
23 county, city, village or town, and state; and certifying that  
24 the signatures on that sheet of the petition were signed in  
25 his or her presence and certifying that the signatures are  
26 genuine; and either (1) indicating the dates on which that  
27 sheet was circulated, or (2) indicating the first and last  
28 dates on which the sheet was circulated, or (3) certifying  
29 that none of the signatures on the sheet were signed more  
30 than 90 days preceding the last day for the filing of the  
31 petition and certifying that to the best of his or her  
32 knowledge and belief the persons so signing were at the time  
33 of signing the petitions qualified voters of the political  
34 party for which a nomination is sought. Such statement shall

1 be sworn to before some officer authorized to administer  
2 oaths in this State.

3 No petition sheet shall be circulated more than 90 days  
4 preceding the last day provided in Section 7-12 for the  
5 filing of such petition.

6 The person circulating the petition, or the candidate on  
7 whose behalf the petition is circulated, may strike any  
8 signature from the petition, provided that:

9 (1) the person striking the signature shall initial  
10 the petition at the place where the signature is struck;  
11 and

12 (2) the person striking the signature shall sign a  
13 certification listing the page number and line number of  
14 each signature struck from the petition. Such  
15 certification shall be filed as a part of the petition.

16 Such sheets before being filed shall be neatly fastened  
17 together in book form, by placing the sheets in a pile and  
18 fastening them together at one edge in a secure and suitable  
19 manner, and the sheets shall then be numbered consecutively.  
20 The sheets shall not be fastened by pasting them together end  
21 to end, so as to form a continuous strip or roll. All  
22 petition sheets which are filed with the proper local  
23 election officials, election authorities or the State Board  
24 of Elections shall be the original sheets which have been  
25 signed by the voters and by the circulator thereof, and not  
26 photocopies or duplicates of such sheets. Each petition must  
27 include as a part thereof, a statement of candidacy for each  
28 of the candidates filing, or in whose behalf the petition is  
29 filed. This statement shall set out the address of such  
30 candidate, the office for which he is a candidate, shall  
31 state that the candidate is a qualified primary voter of the  
32 party to which the petition relates and is qualified for the  
33 office specified (in the case of a candidate for State's  
34 Attorney it shall state that the candidate is at the time of

1 filing such statement a licensed attorney-at-law of this  
 2 State), shall state that he has filed (or will file before  
 3 the close of the petition filing period) a statement of  
 4 economic interests as required by the Illinois Governmental  
 5 Ethics Act, shall request that the candidate's name be placed  
 6 upon the official ballot, and shall be subscribed and sworn  
 7 to by such candidate before some officer authorized to take  
 8 acknowledgment of deeds in the State and shall be in  
 9 substantially the following form:

10 Statement of Candidacy

11	Name	Address	Office	District	Party
12	John Jones	102 Main St.	Governor	Statewide	Republican
13		Belvidere,			
14		Illinois			

15 State of Illinois)

16 ) ss.

17 County of .....)

18 I, ....., being first duly sworn, say that I reside at  
 19 .... Street in the city (or village) of ....., in the county  
 20 of ....., State of Illinois; that I am a qualified voter  
 21 therein and am a qualified primary voter of the .... party;  
 22 that I am a candidate for nomination (for election in the  
 23 case of committeeman and delegates and alternate delegates)  
 24 to the office of .... to be voted upon at the primary  
 25 election to be held on (insert date); that I am legally  
 26 qualified (including being the holder of any license that may  
 27 be an eligibility requirement for the office I seek the  
 28 nomination for) to hold such office and that I have filed (or  
 29 I will file before the close of the petition filing period) a  
 30 statement of economic interests as required by the Illinois  
 31 Governmental Ethics Act and I hereby request that my name be  
 32 printed upon the official primary ballot for nomination for  
 33 (or election to in the case of committeemen and delegates and  
 34 alternate delegates) such office.

1 Signed .....

2 Subscribed and sworn to (or affirmed) before me by .....,

3 who is to me personally known, on (insert date).

4 Signed .....

5 (Official Character)

6 (Seal, if officer has one.)

7 The petitions, when filed, shall not be withdrawn or

8 added to, and no signatures shall be revoked except by

9 revocation filed in writing with the State Board of

10 Elections, election authority or local election official with

11 whom the petition is required to be filed, and before the

12 filing of such petition. Whoever forges the name of a signer

13 upon any petition required by this Article is deemed guilty

14 of a forgery and on conviction thereof shall be punished

15 accordingly.

16 A candidate for the offices listed in this Section must

17 obtain the number of signatures specified in this Section on

18 his or her petition for nomination.

19 (a) Statewide office or delegate to a national

20 nominating convention. If a candidate seeks to run for

21 statewide office or as a delegate or alternate delegate to a

22 national nominating convention elected from the State

23 at-large, then the candidate's petition for nomination must

24 contain at least 5,000 but not more than 10,000 signatures.

25 (b) Congressional office or congressional delegate to a

26 national nominating convention. If a candidate seeks to run

27 for United States Congress or as a congressional delegate or

28 alternate congressional delegate to a national nominating

29 convention elected from a congressional district, then the

30 candidate's petition for nomination must contain at least the

31 number of signatures equal to 0.5% of the qualified primary

32 electors of his or her party in his or her congressional

33 district. In the first primary election following a

34 redistricting of congressional districts, a candidate's

1 petition for nomination must contain at least 600 signatures  
2 of qualified primary electors of the candidate's political  
3 party in his or her congressional district.

4 (c) County office. If a candidate seeks to run for any  
5 countywide office, including but not limited to county board  
6 chairperson or county board member, elected on an at-large  
7 basis, in a county other than Cook County, then the  
8 candidate's petition for nomination must contain at least the  
9 number of signatures equal to 0.5% of the qualified electors  
10 of his or her party who cast votes at the last preceding  
11 general election in his or her county. If a candidate seeks  
12 to run for county board member elected from a county board  
13 district, then the candidate's petition for nomination must  
14 contain at least the number of signatures equal to 0.5% of  
15 the qualified primary electors of his or her party in the  
16 county board district. In the first primary election  
17 following a redistricting of county board districts or the  
18 initial establishment of county board districts, a  
19 candidate's petition for nomination must contain at least the  
20 number of signatures equal to 0.5% of the qualified electors  
21 of his or her party in the entire county who cast votes at  
22 the last preceding general election divided by the total  
23 number of county board districts comprising the county board;  
24 provided that in no event shall the number of signatures be  
25 less than 25.

26 (d) County office; Cook County only.

27 (1) If a candidate seeks to run for countywide  
28 office in Cook County, then the candidate's petition for  
29 nomination must contain at least the number of signatures  
30 equal to 0.5% of the qualified electors of his or her  
31 party who cast votes at the last preceding general  
32 election in Cook County.

33 (2) If a candidate seeks to run for Cook County  
34 Board Commissioner, then the candidate's petition for

1 nomination must contain at least the number of signatures  
2 equal to 0.5% of the qualified primary electors of his or  
3 her party in his or her county board district. In the  
4 first primary election following a redistricting of Cook  
5 County Board of Commissioners districts, a candidate's  
6 petition for nomination must contain at least the number  
7 of signatures equal to 0.5% of the qualified electors of  
8 his or her party in the entire county who cast votes at  
9 the last preceding general election divided by the total  
10 number of county board districts comprising the county  
11 board; provided that in no event shall the number of  
12 signatures be less than 25.

13 (3) If a candidate seeks to run for Cook County  
14 Board of Review Commissioner, which is elected from a  
15 district pursuant to subsection (c) of Section 5-5 of the  
16 Property Tax Code, then the candidate's petition for  
17 nomination must contain at least the number of signatures  
18 equal to 0.5% of the total number of registered voters in  
19 his or her board of review district in the last general  
20 election at which a commissioner was regularly scheduled  
21 to be elected from that board of review district. In no  
22 event shall the number of signatures required be greater  
23 than the requisite number for a candidate who seeks  
24 countywide office in Cook County under subsection (d)(1)  
25 of this Section. In the first primary election following  
26 a redistricting of Cook County Board of Review districts,  
27 a candidate's petition for nomination must contain at  
28 least 4,000 signatures or at least the number of  
29 signatures required for a countywide candidate in Cook  
30 County, whichever is less, of the qualified electors of  
31 his or her party in the district.

32 (e) Municipal or township office. If a candidate seeks  
33 to run for municipal or township office, then the candidate's  
34 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the qualified primary electors of  
2 his or her party in the municipality or township. If a  
3 candidate seeks to run for alderman of a municipality, then  
4 the candidate's petition for nomination must contain at least  
5 the number of signatures equal to 0.5% of the qualified  
6 primary electors of his or her party of the ward. In the  
7 first primary election following redistricting of aldermanic  
8 wards or trustee districts of a municipality or the initial  
9 establishment of wards or districts, a candidate's petition  
10 for nomination must contain the number of signatures equal to  
11 at least 0.5% of the total number of votes cast for the  
12 candidate of that political party who received the highest  
13 number of votes in the entire municipality at the last  
14 regular election at which an officer was regularly scheduled  
15 to be elected from the entire municipality, divided by the  
16 number of wards or districts. In no event shall the number of  
17 signatures be less than 25.

18 (f) State central committeeperson. If a candidate seeks  
19 to run for State central committeeperson, then the  
20 candidate's petition for nomination must contain at least 100  
21 signatures of the primary electors of his or her party of his  
22 or her congressional district.

23 (g) Sanitary district trustee. If a candidate seeks to  
24 run for trustee of a sanitary district in which trustees are  
25 not elected from wards, then the candidate's petition for  
26 nomination must contain at least the number of signatures  
27 equal to 0.5% of the primary electors of his or her party  
28 from the sanitary district. If a candidate seeks to run for  
29 trustee of a sanitary district in which trustees are elected  
30 from wards, then the candidate's petition for nomination must  
31 contain at least the number of signatures equal to 0.5% of  
32 the primary electors of his or her party in the ward of that  
33 sanitary district. In the first primary election following  
34 redistricting of sanitary districts elected from wards, a

1 candidate's petition for nomination must contain at least the  
2 signatures of 150 qualified primary electors of his or her  
3 ward of that sanitary district.

4 (h) Judicial office. If a candidate seeks to run for  
5 judicial office in a district, circuit, or subcircuit, then  
6 the candidate's petition for nomination must contain the  
7 number of signatures equal to 0.25% of the number of votes  
8 cast for the judicial candidate of his or her political party  
9 who received the highest number of votes at the last general  
10 election at which a judicial officer from the same district,  
11 circuit, or subcircuit was regularly scheduled to be elected,  
12 but in no event less than 500 signatures.

13 (i) Precinct, ward, and township committeeperson. If a  
14 candidate seeks to run for precinct committeeperson, then the  
15 candidate's petition for nomination must contain at least 10  
16 signatures of the primary electors of his or her party for  
17 the precinct. If a candidate seeks to run for ward  
18 committeeperson, then the candidate's petition for nomination  
19 must contain no less than the number of signatures equal to  
20 10% of the primary electors of his or her party of the ward,  
21 but no more than 16% of those same electors; provided that  
22 the maximum number of signatures may be 50 more than the  
23 minimum number, whichever is greater. If a candidate seeks to  
24 run for township committeeperson, then the candidate's  
25 petition for nomination must contain no less than the number  
26 of signatures equal to 5% of the primary electors of his or  
27 her party of the township, but no more than 8% of those same  
28 electors; provided that the maximum number of signatures may  
29 be 50 more than the minimum number, whichever is greater.

30 (j) State's attorney or regional superintendent of  
31 schools for multiple counties. If a candidate seeks to run  
32 for State's attorney or regional Superintendent of Schools  
33 who serves more than one county, then the candidate's  
34 petition for nomination must contain at least the number of

1 signatures equal to 0.5% of the primary electors of his or  
2 her party in the territory comprising the counties.

3 (k) Any other office. If a candidate seeks any other  
4 office, then the candidate's petition for nomination must  
5 contain at least the number of signatures equal to 0.5% of  
6 the registered voters of the political subdivision, district,  
7 or division for which the nomination is made or 25  
8 signatures, whichever is greater.

9 For purposes of this Section the number of primary  
10 electors shall be determined by taking the total vote cast,  
11 in the applicable district, for the candidate for that  
12 political party who received the highest number of votes,  
13 statewide, at the last general election in the State at which  
14 electors for President of the United States were elected. For  
15 political subdivisions, the number of primary electors shall  
16 be determined by taking the total vote cast for the candidate  
17 for that political party who received the highest number of  
18 votes in the political subdivision at the last regular  
19 election at which an officer was regularly scheduled to be  
20 elected from that subdivision. For wards or districts of  
21 political subdivisions, the number of primary electors shall  
22 be determined by taking the total vote cast for the candidate  
23 for that political party who received the highest number of  
24 votes in the ward or district at the last regular election at  
25 which an officer was regularly scheduled to be elected from  
26 that ward or district.

27 A "qualified primary elector" of a party may not sign  
28 petitions for or be a candidate in the primary of more than  
29 one party.

30 The changes made to this Section of this amendatory Act  
31 of the 93rd General Assembly are declarative of existing law,  
32 except for item (3) of subsection (d).

33 Petitions of candidates for nomination for offices herein  
34 specified, to be filed with the same officer, may contain the

1 names of 2 or more candidates of the same political party for  
2 the same or different offices.

3 Such petitions for nominations shall be signed:

4 (a) -- If for a State office, or for delegate or  
5 alternate delegate to be elected from the State at large  
6 to a National nominating convention by not less than  
7 5,000 nor more than 10,000 primary electors of his party.

8 (b) -- If for a congressional officer or for delegate  
9 or alternate delegate to be elected from a congressional  
10 district to a national nominating convention by at least  
11 .5% of the qualified primary electors of his party in his  
12 congressional district, except that for the first primary  
13 following a redistricting of congressional districts such  
14 petitions shall be signed by at least 600 qualified  
15 primary electors of the candidate's party in his  
16 congressional district.

17 (c) -- If for a county office (including county board  
18 member and chairman of the county board where elected  
19 from the county at large), by at least .5% of the  
20 qualified electors of his party cast at the last  
21 preceding general election in his county. -- However, if  
22 for the nomination for county commissioner of Cook  
23 County, then by at least .5% of the qualified primary  
24 electors of his or her party in his or her county in the  
25 district or division in which such person is a candidate  
26 for nomination; and if for county board member from a  
27 county board district, then by at least .5% of the  
28 qualified primary electors of his party in the county  
29 board district. -- In the case of an election for county  
30 board member to be elected from a district, for the first  
31 primary following a redistricting of county board  
32 districts or the initial establishment of county board  
33 districts, then by at least .5% of the qualified electors  
34 of his party in the entire county at the last preceding

1 general--election,--divided-by-the-number-of-county-board  
2 districts,--but-in-any-event-not-less--than--25--qualified  
3 primary-electors-of-his-party-in-the-district.

4 (d)--If--for--a--municipal--or-township-office-by-at  
5 least-.5%-of-the-qualified-primary-electors-of-his--party  
6 in--the--municipality-or-township;--if-for-alderman,--by-at  
7 least-.5%-of-the-voters-of-his-party-of-his-ward.--In-the  
8 case--of--an--election--for--alderman--or--trustee--of--a  
9 municipality-to-be-elected-from-a-ward-or--district,--for  
10 the--first--primary--following--a--redistricting--or--the  
11 initial--establishment-of-wards-or-districts,--then-by-.5%  
12 of-the-total-number-of-votes-cast-for--the--candidate--of  
13 such--political--party-who-received-the-highest-number-of  
14 votes-in-the-entire--municipality--at--the--last--regular  
15 election--at--which-an-officer-was-regularly-scheduled-to  
16 be-elected-from-the-entire-municipality,--divided--by--the  
17 number--of--wards-or-districts,--but-in-any-event-not-less  
18 than-25-qualified-primary-electors-of-his--party--in--the  
19 ward-or-district.

20 (e)--If--for-State-central-committeeman,--by-at-least  
21 100-of-the-primary-electors-of-his-or-her-party-of-his-or  
22 her-congressional-district.

23 (f)--If-for-a-candidate-for-trustee--of--a--sanitary  
24 district-in-which-trustees-are-not-elected-from-wards,--by  
25 at--least--.5%-of-the-primary-electors-of-his-party,--from  
26 such-sanitary-district.

27 (g)--If-for-a-candidate-for-trustee--of--a--sanitary  
28 district-in-which-the-trustees-are-elected-from-wards,--by  
29 at--least-.5%-of-the-primary-electors-of-his-party-in-his  
30 ward-of-such-sanitary-district,--except-that-for-the-first  
31 primary-following-a-reapportionment-of-the-district--such  
32 petitions--shall--be--signed--by--at--least-150-qualified  
33 primary-electors-of-the-candidate's-ward-of-such-sanitary  
34 district.

1           (h) -- If for a candidate for judicial office in a  
2           district, circuit, or subcircuit, by a number of primary  
3           electors at least equal to 0.25% of the number of votes  
4           cast for the judicial candidate of his or her political  
5           party who received the highest number of votes at the  
6           last regular general election at which a judicial officer  
7           from the same district, circuit, or subcircuit was  
8           regularly scheduled to be elected, but in no event fewer  
9           than 500.

10           (i) -- If for a candidate for precinct committeeman,  
11           by at least 10 primary electors of his or her party of  
12           his or her precinct; if for a candidate for ward  
13           committeeman, by not less than 10% nor more than 16% (or  
14           50 more than the minimum, whichever is greater) of the  
15           primary electors of his party of his ward; if for a  
16           candidate for township committeeman, by not less than 5%  
17           nor more than 8% (or 50 more than the minimum, whichever  
18           is greater) of the primary electors of his party in his  
19           township or part of a township as the case may be.

20           (j) -- If for a candidate for State's Attorney or  
21           Regional Superintendent of Schools to serve 2 or more  
22           counties, by at least .5% of the primary electors of his  
23           party in the territory comprising such counties.

24           (k) -- If for any other office by at least .5% of the  
25           total number of registered voters of the political  
26           subdivision, district or division for which the  
27           nomination is made or a minimum of 25, whichever is  
28           greater.

29           For the purposes of this Section the number of primary  
30           electors shall be determined by taking the total vote cast,  
31           in the applicable district, for the candidate for such  
32           political party who received the highest number of votes,  
33           state-wide, at the last general election in the State at  
34           which electors for President of the United States were

1 elected. For political subdivisions, the number of primary  
2 electors shall be determined by taking the total vote cast  
3 for the candidate for such political party who received the  
4 highest number of votes in such political subdivision at the  
5 last regular election at which an officer was regularly  
6 scheduled to be elected from that subdivision. For wards or  
7 districts of political subdivisions, the number of primary  
8 electors shall be determined by taking the total vote cast  
9 for the candidate for such political party who received the  
10 highest number of votes in such ward or district at the last  
11 regular election at which an officer was regularly scheduled  
12 to be elected from that ward or district.

13 A "qualified primary elector" of a party may not sign  
14 petitions for or be a candidate in the primary of more than  
15 one party.

16 (Source: P.A. 91-57, eff. 6-30-99; 91-357, eff. 7-29-99;  
17 91-358, eff. 7-29-99; 92-16, eff. 6-28-01; 92-129, eff.  
18 7-20-01.)

19 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)

20 Sec. 7-10.2. In the designation of the name of a  
21 candidate on a petition for nomination or certificate of  
22 nomination the candidate's given name or names, initial or  
23 initials, a nickname by which the candidate is commonly  
24 known, or a combination thereof, may be used in addition to  
25 the candidate's surname. No other designation such as a  
26 political slogan, as defined by Section 7-17, title, or  
27 degree, or nickname suggesting or implying possession of a  
28 title, degree or professional status, or similar information  
29 may be used in connection with the candidate's surname,  
30 except that the title "Mrs." may be used in the case of a  
31 married woman.

32 (Source: P.A. 81-135.)

1 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

2 Sec. 7-17. Candidate ballot name procedures.

3 (a) Each election authority in each county shall cause  
4 to be printed upon the general primary ballot of each party  
5 for each precinct in his jurisdiction the name of each  
6 candidate whose petition for nomination or for committeeman  
7 has been filed in the office of the county clerk, as herein  
8 provided; and also the name of each candidate whose name has  
9 been certified to his office by the State Board of Elections,  
10 and in the order so certified, except as hereinafter  
11 provided.

12 It shall be the duty of the election authority to cause  
13 to be printed upon the consolidated primary ballot of each  
14 political party for each precinct in his jurisdiction the  
15 name of each candidate whose name has been certified to him,  
16 as herein provided and which is to be voted for in such  
17 precinct.

18 (b) In the designation of the name of a candidate on the  
19 primary ballot the candidate's given name or names, initial  
20 or initials, a nickname by which the candidate is commonly  
21 known, or a combination thereof, may be used in addition to  
22 the candidate's surname. No other designation such as a  
23 political slogan, title, or degree, or nickname suggesting or  
24 implying possession of a title, degree or professional  
25 status, or similar information may be used in connection with  
26 the candidate's surname, except that the title "Mrs." may be  
27 used in the case of a married woman. For purposes of this  
28 Section, a "political slogan" is defined as any word or words  
29 expressing or connoting a position, opinion, or belief that  
30 the candidate may espouse, including but not limited to, any  
31 word or words conveying any meaning other than that of the  
32 personal identity of the candidate. A candidate may not use a  
33 political slogan as part of his or her name on the ballot,  
34 notwithstanding that the political slogan may be part of the

1 candidate's name.

2 (c) The State Board of Elections, a local election  
3 official, or an election authority shall remove any  
4 candidate's name designation from a ballot that is  
5 inconsistent with subsection (b) of this Section. In  
6 addition, the State Board of Elections, a local election  
7 official, or an election authority shall not certify to any  
8 election authority any candidate name designation that is  
9 inconsistent with subsection (b) of this Section.

10 (d) If the State Board of Elections, a local election  
11 official, or an election authority removes a candidate's name  
12 designation from a ballot under subsection (c) of this  
13 Section, then the aggrieved candidate may seek appropriate  
14 relief in circuit court.

15 (Source: P.A. 81-135.)

16 (10 ILCS 5/7-34) (from Ch. 46, par. 7-34)

17 Sec. 7-34. Pollwatchers in a primary election shall be  
18 authorized in the following manner:

19 (1) Each established political party shall be entitled  
20 to appoint one pollwatcher per precinct. Such pollwatchers  
21 must be affiliated with the political party for which they  
22 are pollwatching and must be a registered voter in Illinois.  
23 ~~For--all--primary-elections,--except--as--provided--in--subsection~~  
24 ~~{5},--such--pollwatchers--must--be--registered--to--vote--from--a~~  
25 ~~residence--in--the--county--in--which--they--are--pollwatching.~~

26 (2) Each candidate shall be entitled to appoint two  
27 pollwatchers per precinct. For Federal, State, and county  
28 primary elections, the pollwatchers ~~one-pollwatcher~~ must be  
29 registered to vote in Illinois ~~from-a-residence-in-the-county~~  
30 ~~in-which-he-is-pollwatching.--The-second-pollwatcher-must--be~~  
31 ~~registered--to--vote--from--a--residence--in--the--precinct--or--ward~~  
32 ~~in-which-he-is--pollwatching.---For--township--and--municipal~~  
33 ~~primary-elections,--one-pollwatcher-must-be-registered-to-vote~~

1 from--a--residence-in-the-county-in-which-he-is-pollwatching.  
2 The-second-pollwatcher-must-be--registered--to--vote--from--a  
3 residence---in---the---precinct---or---ward---in---which--he--is  
4 pollwatching.

5 (3) Each organization of citizens within the county or  
6 political subdivision, which has among its purposes or  
7 interests the investigation or prosecution of election  
8 frauds, and which shall have registered its name and address  
9 and the names and addresses of its principal officers with  
10 the proper election authority at least 40 days before the  
11 primary election, shall be entitled to appoint one  
12 pollwatcher per precinct. For all primary elections, the  
13 ~~except--as--provided-in-subsection-(5),~~ such pollwatcher must  
14 be registered to vote in Illinois from--a--residence--in--the  
15 county-in-which-he-is-pollwatching.

16 (4) Each organized group of proponents or opponents of a  
17 ballot proposition, which shall have registered the name and  
18 address of its organization or committee and the name and  
19 address of its chairman with the proper election authority at  
20 least 40 days before the primary election, shall be entitled  
21 to appoint one pollwatcher per precinct. The ~~Except--as~~  
22 ~~provided---in---subsection--(5),~~ such pollwatcher must be  
23 registered to vote in Illinois from-a-residence-in-the-county  
24 in-which-the-ballot-proposition-is-being-voted-upon.

25 (5) In any primary election held to nominate candidates  
26 for the offices of a municipality of less than 3,000,000  
27 population that is situated in 2 or more counties, a  
28 pollwatcher who is a resident of a county in which any part  
29 of the municipality is situated shall be eligible to serve as  
30 a pollwatcher in any polling place located within such  
31 municipality, provided that such pollwatcher otherwise  
32 complies with the respective requirements of subsections (1)  
33 through (4) of this Section and is a registered voter whose  
34 residence is within Illinois the-municipality.

1 All pollwatchers shall be required to have proper  
 2 credentials. Such credentials shall be printed in sufficient  
 3 quantities, shall be issued by and under the facsimile  
 4 signature(s) of the election authority and shall be available  
 5 for distribution at least 2 weeks prior to the election.  
 6 Such credentials shall be authorized by the real or facsimile  
 7 signature of the State or local party official or the  
 8 candidate or the presiding officer of the civic organization  
 9 or the chairman of the proponent or opponent group, as the  
 10 case may be.

11 Pollwatcher credentials shall be in substantially the  
 12 following form:

13 POLLWATCHER CREDENTIALS

14 TO THE JUDGES OF ELECTION:

15 In accordance with the provisions of the Election Code,  
 16 the undersigned hereby appoints ..... (name of  
 17 pollwatcher) at ..... (address) in the county of  
 18 ....., ..... (township or municipality) of  
 19 ..... (name), State of Illinois and who is duly  
 20 registered to vote from this address, to act as a pollwatcher  
 21 in the ..... precinct of the ..... ward (if  
 22 applicable) of the ..... (township or municipality) of  
 23 ..... at the ..... election to be held on (insert  
 24 date).

25 ..... (Signature of Appointing Authority)  
 26 ..... TITLE (party official, candidate,  
 27 civic organization president,  
 28 proponent or opponent group chairman)

29 Under penalties provided by law pursuant to Section 29-10  
 30 of the Election Code, the undersigned pollwatcher certifies  
 31 that he or she resides at ..... (address) in the  
 32 county of ....., ..... (township or municipality) of  
 33 ..... (name), State of Illinois, and is duly registered  
 34 to vote in Illinois ~~from that address~~.

1 .....  
 2 (Precinct and/or Ward in (Signature of Pollwatcher)  
 3 Which Pollwatcher Resides)

4 Pollwatchers must present their credentials to the Judges  
 5 of Election upon entering the polling place. Pollwatcher  
 6 credentials properly executed and signed shall be proof of  
 7 the qualifications of the pollwatcher authorized thereby.  
 8 Such credentials are retained by the Judges and returned to  
 9 the Election Authority at the end of the day of election with  
 10 the other election materials. Once a pollwatcher has  
 11 surrendered a valid credential, he may leave and reenter the  
 12 polling place provided that such continuing action does not  
 13 disrupt the conduct of the election. Pollwatchers may be  
 14 substituted during the course of the day, but established  
 15 political parties, candidates, qualified civic organizations  
 16 and proponents and opponents of a ballot proposition can have  
 17 only as many pollwatchers at any given time as are authorized  
 18 in this Article. A substitute must present his signed  
 19 credential to the judges of election upon entering the  
 20 polling place. Election authorities must provide a  
 21 sufficient number of credentials to allow for substitution of  
 22 pollwatchers. After the polls have closed, pollwatchers shall  
 23 be allowed to remain until the canvass of votes is completed;  
 24 but may leave and reenter only in cases of necessity,  
 25 provided that such action is not so continuous as to disrupt  
 26 the canvass of votes.

27 Candidates seeking office in a district or municipality  
 28 encompassing 2 or more counties shall be admitted to any and  
 29 all polling places throughout such district or municipality  
 30 without regard to the counties in which such candidates are  
 31 registered to vote. Actions of such candidates shall be  
 32 governed in each polling place by the same privileges and  
 33 limitations that apply to pollwatchers as provided in this  
 34 Section. Any such candidate who engages in an activity in a

1 polling place which could reasonably be construed by a  
2 majority of the judges of election as campaign activity shall  
3 be removed forthwith from such polling place.

4 Candidates seeking office in a district or municipality  
5 encompassing 2 or more counties who desire to be admitted to  
6 polling places on election day in such district or  
7 municipality shall be required to have proper credentials.  
8 Such credentials shall be printed in sufficient quantities,  
9 shall be issued by and under the facsimile signature of the  
10 election authority of the election jurisdiction where the  
11 polling place in which the candidate seeks admittance is  
12 located, and shall be available for distribution at least 2  
13 weeks prior to the election. Such credentials shall be  
14 signed by the candidate.

15 Candidate credentials shall be in substantially the  
16 following form:

17 CANDIDATE CREDENTIALS

18 TO THE JUDGES OF ELECTION:

19 In accordance with the provisions of the Election Code, I  
20 ..... (name of candidate) hereby certify that I am a  
21 candidate for ..... (name of office) and seek admittance to  
22 ..... precinct of the ..... ward (if applicable) of the  
23 ..... (township or municipality) of ..... at the .....  
24 election to be held on (insert date).

25 .....  
26 (Signature of Candidate) OFFICE FOR WHICH  
27 CANDIDATE SEEKS  
28 NOMINATION OR  
29 ELECTION

30 Pollwatchers shall be permitted to observe all  
31 proceedings relating to the conduct of the election and to  
32 station themselves in a position in the voting room as will  
33 enable them to observe the judges making the signature

1 comparison between the voter application and the voter  
2 registration record card; provided, however, that such  
3 pollwatchers shall not be permitted to station themselves in  
4 such close proximity to the judges of election so as to  
5 interfere with the orderly conduct of the election and shall  
6 not, in any event, be permitted to handle election materials.  
7 Pollwatchers may challenge for cause the voting  
8 qualifications of a person offering to vote and may call to  
9 the attention of the judges of election any incorrect  
10 procedure or apparent violations of this Code.

11 If a majority of the judges of election determine that  
12 the polling place has become too overcrowded with  
13 pollwatchers so as to interfere with the orderly conduct of  
14 the election, the judges shall, by lot, limit such  
15 pollwatchers to a reasonable number, except that each  
16 candidate and each established or new political party shall  
17 be permitted to have at least one pollwatcher present.

18 Representatives of an election authority, with regard to  
19 an election under its jurisdiction, the State Board of  
20 Elections, and law enforcement agencies, including but not  
21 limited to a United States Attorney, a State's attorney, the  
22 Attorney General, and a State, county, or local police  
23 department, in the performance of their official election  
24 duties, shall be permitted at all times to enter and remain  
25 in the polling place. Upon entering the polling place, such  
26 representatives shall display their official credentials or  
27 other identification to the judges of election.

28 Uniformed police officers assigned to polling place duty  
29 shall follow all lawful instructions of the judges of  
30 election.

31 The provisions of this Section shall also apply to  
32 supervised casting of absentee ballots as provided in Section  
33 19-12.2 of this Act.

34 (Source: P.A. 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

1 (10 ILCS 5/7-41) (from Ch. 46, par. 7-41)

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

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

23 (c) No person shall do any electioneering or soliciting  
24 of votes on primary day within any polling place or within  
25 one hundred feet of any polling place. Election officers  
26 shall place 2 or more cones, small United States national  
27 flags, or some other marker a distance of 100 horizontal feet  
28 from each entrance to the room used by voters to engage in  
29 voting, which shall be known as the polling room. If the  
30 polling room is located within a building that is a public or  
31 private school or a church or other organization founded for  
32 the purpose of religious worship and the distance of 100  
33 horizontal feet ends within the interior of the building,  
34 then the markers shall be placed outside of the building at

1 each entrance used by voters to enter that building on the  
2 grounds adjacent to the thoroughfare or walkway. If the  
3 polling room is located within a public or private building  
4 with 2 or more floors and the polling room is located on the  
5 ground floor, then the markers shall be placed 100 horizontal  
6 feet from each entrance to the polling room used by voters to  
7 engage in voting. If the polling room is located in a public  
8 or private building with 2 or more floors and the polling  
9 room is located on a floor above or below the ground floor,  
10 then the markers shall be placed a distance of 100 feet from  
11 the nearest elevator or staircase used by voters on the  
12 ground floor to access the floor where the polling room is  
13 located. The area within where the markers are placed shall  
14 be known as a campaign free zone, and electioneering is  
15 prohibited pursuant to this subsection.

16 The area on polling place property beyond the campaign  
17 free zone, whether publicly or privately owned, is a public  
18 forum for the time that the polls are open on an election  
19 day. At the request of election officers any publicly owned  
20 building must be made available for use as a polling place. A  
21 person shall have the right to congregate and engage in  
22 electioneering on any polling place property while the polls  
23 are open beyond the campaign free zone, including but not  
24 limited to, the placement of temporary signs. This subsection  
25 shall be construed liberally in favor of persons engaging in  
26 electioneering on all polling place property beyond the  
27 campaign free zone for the time that the polls are open on an  
28 election day.

29 (d) The regulation of electioneering on polling place  
30 property on an election day, including but not limited to the  
31 placement of temporary signs, is an exclusive power and  
32 function of the State. A home rule unit may not regulate  
33 electioneering and any ordinance or local law contrary to  
34 subsection (c) is declared void. This is a denial and

1 limitation of home rule powers and functions under subsection  
2 (h) of Section 6 of Article VII of the Illinois Constitution.  
3 (Source: P.A. 89-653, eff. 8-14-96.)

4 (10 ILCS 5/8-8.1) (from Ch. 46, par. 8-8.1)  
5 Sec. 8-8.1. In the designation of the name of a  
6 candidate on a petition for nomination, the candidate's given  
7 name or names, initial or initials, a nickname by which the  
8 candidate is commonly known, or a combination thereof, may be  
9 used in addition to the candidate's surname. No other  
10 designation such as a political slogan, title, or degree, or  
11 nickname suggesting or implying possession of a title, degree  
12 or professional status, or similar information may be used in  
13 connection with the candidate's surname, except that the  
14 title "Mrs." may be used in the case of a married woman.  
15 (Source: P.A. 81-135.)

16 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)  
17 Sec. 9-1.5. Expenditure defined.  
18 "Expenditure" means-  
19 (1) a payment, distribution, purchase, loan,  
20 advance, deposit, or gift of money or anything of value,  
21 in connection with the nomination for election, or  
22 election, of any person to public office, in connection  
23 with the election of any person as ward or township  
24 committeeman in counties of 3,000,000 or more population,  
25 or in connection with any question of public policy.  
26 "Expenditure" also includes a payment, distribution,  
27 purchase, loan, advance, deposit, or gift of money or  
28 anything of value that constitutes an electioneering  
29 communication regardless of whether the communication is  
30 made in concert or cooperation with or at the request,  
31 suggestion, or knowledge of the candidate, the  
32 candidate's authorized local political committee, a State

1 political committee, or any of their agents. However,  
2 expenditure does not include -

3 (a) the use of real or personal property and the  
4 cost of invitations, food, and beverages, voluntarily  
5 provided by an individual in rendering voluntary personal  
6 services on the individual's residential premises for  
7 candidate-related activities; provided the value of the  
8 service provided does not exceed an aggregate of \$150 in  
9 a reporting period;

10 (b) the sale of any food or beverage by a vendor  
11 for use in a candidate's campaign at a charge less than  
12 the normal comparable charge, if such charge for use in a  
13 candidate's campaign is at least equal to the cost of  
14 such food or beverage to the vendor.

15 (2) a transfer of funds between political committees.

16 (Source: P.A. 89-405, eff. 11-8-95.)

17 (10 ILCS 5/9-1.14 new)

18 Sec. 9-1.14. Electioneering communication defined.

19 (a) "Electioneering communication" means, for the  
20 purposes of this Article, any form of communication, in  
21 whatever medium, including but not limited to radio,  
22 television, and newspaper communications, that refers to a  
23 clearly identified candidate, candidates, or political party  
24 and is made within (i) 60 days before a general election for  
25 the office sought by the candidate or (ii) 30 days before a  
26 general primary election for the office sought by the  
27 candidate.

28 (b) "Electioneering communication" does not include:

29 (1) A communication other than advertisements  
30 appearing in a news story, commentary, or editorial  
31 distributed through the facilities of any legitimate  
32 news organization, unless the facilities are owned or  
33 controlled by any political party, political committee,

1 or candidate.

2 (2) A communication made solely to promote a  
3 candidate debate or forum that is made by or on behalf of  
4 the person sponsoring the debate or forum.

5 (3) A communication made as part of a non-partisan  
6 activity designed to encourage individuals to vote or to  
7 register to vote.

8 (4) A communication by an organization operating  
9 and remaining in good standing under Section 501(c)(3) of  
10 the Internal Revenue Code of 1986.

11 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

12 Sec. 9-3. Every state political committee and every  
13 local political committee shall file with the State Board of  
14 Elections, and every local political committee shall file  
15 with the county clerk, a statement of organization within 10  
16 business days of the creation of such committee, except any  
17 political committee created within the 30 days before an  
18 election shall file a statement of organization within 5  
19 business days. A political committee that acts as both a  
20 state political committee and a local political committee  
21 shall file a copy of each statement of organization with the  
22 State Board of Elections and the county clerk. The Board  
23 shall impose a civil penalty of \$25 per business day upon  
24 political committees for failing to file or late filing of a  
25 statement of organization, except that for committees formed  
26 to support candidates for statewide office, the civil penalty  
27 shall be \$50 per business day. Such penalties shall not  
28 exceed \$5,000, and shall not exceed \$10,000 for statewide  
29 office political committees. There shall be no fine if the  
30 statement is mailed and postmarked at least 72 hours prior to  
31 the filing deadline.

32 In addition to the civil penalties authorized by this  
33 Section, the State Board of Elections or any other affected

1 political committee may apply to the circuit court for a  
 2 temporary restraining order or a preliminary or permanent  
 3 injunction against the political committee to cease the  
 4 expenditure of funds and to cease operations until the  
 5 statement of organization is filed.

6 For the purpose of this Section, "statewide office" means  
 7 the Governor, Lieutenant Governor, Secretary of State,  
 8 Attorney General, State Treasurer, and State Comptroller.

9 The statement of organization shall include -

10 (a) the name and address of the political committee (the  
 11 name of the political committee must include the name of any  
 12 sponsoring entity);

13 (b) the scope, area of activity, party affiliation,  
 14 candidate affiliation and his county of residence, and  
 15 purposes of the political committee;

16 (c) the name, address, and position of each custodian of  
 17 the committee's books and accounts;

18 (d) the name, address, and position of the committee's  
 19 principal officers, including the chairman, treasurer, and  
 20 officers and members of its finance committee, if any;

21 (e) (Blank);

22 (f) a statement of what specific disposition of residual  
 23 fund will be made in the event of the dissolution or  
 24 termination of the committee;

25 (g) a listing of all banks or other financial  
 26 institutions, safety deposit boxes, and any other  
 27 repositories or custodians of funds used by the committee;

28 (h) the amount of funds available for campaign  
 29 expenditures as of the filing date of the committee's  
 30 statement of organization.

31 For purposes of this Section, a "sponsoring entity" is

32 (i) any person, political committee, organization,  
 33 corporation, or association that contributes at least 33% of  
 34 the total funding of the political committee or (ii) any

1 person or other entity that is registered or is required to  
2 register under the Lobbyist Registration Act and contributes  
3 at least 33% of the total funding of the political committee.  
4 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

5 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

6 Sec. 9-10. Financial reports.

7 (a) The treasurer of every state political committee and  
8 the treasurer of every local political committee shall file  
9 with the Board, and the treasurer of every local political  
10 committee shall file with the county clerk, reports of  
11 campaign contributions, and semi-annual reports of campaign  
12 contributions and expenditures on forms to be prescribed or  
13 approved by the Board. The treasurer of every political  
14 committee that acts as both a state political committee and a  
15 local political committee shall file a copy of each report  
16 with the State Board of Elections and the county clerk.  
17 Entities subject to Section 9-7.5 shall file reports required  
18 by that Section at times provided in this Section and are  
19 subject to the penalties provided in this Section.

20 (b) Reports of campaign contributions shall be filed no  
21 later than the 15th day next preceding each election  
22 including a primary election in connection with which the  
23 political committee has accepted or is accepting  
24 contributions or has made or is making expenditures. Such  
25 reports shall be complete as of the 30th day next preceding  
26 each election including a primary election. The Board shall  
27 assess a civil penalty not to exceed \$5,000 for a violation  
28 of this subsection, except that for State officers and  
29 candidates and political committees formed for statewide  
30 office, the civil penalty may not exceed \$10,000. The fine,  
31 however, shall not exceed \$500 for a first filing violation  
32 for filing less than 10 days after the deadline. There shall

1 be no fine if the report is mailed and postmarked at least 72  
2 hours prior to the filing deadline. For the purpose of this  
3 subsection, "statewide office" and "State officer" means the  
4 Governor, Lieutenant Governor, Attorney General, Secretary of  
5 State, Comptroller, and Treasurer. However, a continuing  
6 political committee that neither accepts contributions nor  
7 makes expenditures on behalf of or in opposition to any  
8 candidate or public question on the ballot at an election  
9 shall not be required to file the reports heretofore  
10 prescribed but may file in lieu thereof a Statement of  
11 Nonparticipation in the Election with the Board or the Board  
12 and the county clerk.

13 (b-5) Notwithstanding the provisions of subsection (b),  
14 any contribution of \$500 or more received in the interim  
15 between the last date of the period covered by the last  
16 report filed under subsection (b) prior to the election and  
17 the date of the election shall be reported within 2 business  
18 days after its receipt. The State Board shall allow filings  
19 under this subsection (b-5) to be made by facsimile  
20 transmission. For the purpose of this subsection, a  
21 contribution is considered received on the date the public  
22 official, candidate, or political committee (or equivalent  
23 person in the case of a reporting entity other than a  
24 political committee) actually receives it or, in the case of  
25 goods or services, 2 days after the date the public official,  
26 candidate, committee, or other reporting entity receives the  
27 certification required under subsection (b) of Section 9-6.  
28 Failure to report each contribution is a separate violation  
29 of this subsection. The Board shall impose fines for  
30 violations of this subsection as follows:

31 (1) if the political committee's or other reporting  
32 entity's total receipts, total expenditures, and balance  
33 remaining at the end of the last reporting period were  
34 each \$5,000 or less, then \$100 per business day for the

1 first violation, \$200 per business day for the second  
2 violation, and \$300 per business day for the third and  
3 subsequent violations.

4 (2) if the political committee's or other reporting  
5 entity's total receipts, total expenditures, and balance  
6 remaining at the end of the last reporting period were  
7 each more than \$5,000, then \$200 per business day for the  
8 first violation, \$400 per business day for the second  
9 violation, and \$600 per business day for the third and  
10 subsequent violations.

11 (c) In addition to such reports the treasurer of every  
12 political committee shall file semi-annual reports of  
13 campaign contributions and expenditures no later than July  
14 31st, covering the period from January 1st through June 30th  
15 immediately preceding, and no later than January 31st,  
16 covering the period from July 1st through December 31st of  
17 the preceding calendar year. Reports of contributions and  
18 expenditures must be filed to cover the prescribed time  
19 periods even though no contributions or expenditures may have  
20 been received or made during the period. The Board shall  
21 assess a civil penalty not to exceed \$5,000 for a violation  
22 of this subsection, except that for State officers and  
23 candidates and political committees formed for statewide  
24 office, the civil penalty may not exceed \$10,000. The fine,  
25 however, shall not exceed \$500 for a first filing violation  
26 for filing less than 10 days after the deadline. There shall  
27 be no fine if the report is mailed and postmarked at least 72  
28 hours prior to the filing deadline. For the purpose of this  
29 subsection, "statewide office" and "State officer" means the  
30 Governor, Lieutenant Governor, Attorney General, Secretary of  
31 State, Comptroller, and Treasurer.

32 (c-5) A political committee that acts as either (i) a  
33 State and local political committee or (ii) a local political  
34 committee and that files reports electronically under Section

1 9-28 is not required to file copies of the reports with the  
2 appropriate county clerk if the county clerk has a system  
3 that permits access to, and duplication of, reports that are  
4 filed with the State Board of Elections. A State and local  
5 political committee or a local political committee shall file  
6 with the county clerk a copy of its statement of organization  
7 pursuant to Section 9-3.

8 (d) A copy of each report or statement filed under this  
9 Article shall be preserved by the person filing it for a  
10 period of two years from the date of filing.

11 (Source: P.A. 90-737, eff. 1-1-99.)

12 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

13 Sec. 9-21. Upon receipt of such complaint, the Board  
14 shall hold a closed preliminary hearing to determine whether  
15 or not the complaint appears to have been filed on  
16 justifiable grounds. Such closed preliminary hearing shall be  
17 conducted as soon as practicable after affording reasonable  
18 notice, a copy of the complaint, and an opportunity to  
19 testify at such hearing to both the person making the  
20 complaint and the person against whom the complaint is  
21 directed. If the Board fails to determine determines that the  
22 complaint has not been filed on justifiable grounds, it shall  
23 dismiss the complaint without further hearing.

24 Whenever in the judgment of the Board, after affording  
25 due notice and an opportunity for a public hearing, any  
26 person has engaged or is about to engage in an act or  
27 practice which constitutes or will constitute a violation of  
28 any provision of this Article or any regulation or order  
29 issued thereunder, the Board shall issue an order directing  
30 such person to take such action as the Board determines may  
31 be necessary in the public interest to correct the violation.  
32 In addition, if the act or practice engaged in consists of  
33 the failure to file any required report within the time

1 prescribed by this Article, the Board, as part of its order,  
2 shall further provide that if, within the 12-month period  
3 following the issuance of the order, such person fails to  
4 file within the time prescribed by this Article any  
5 subsequent report as may be required, such person may be  
6 subject to a civil penalty pursuant to Section 9-23. The  
7 Board shall render its final judgment within 60 days of the  
8 date the complaint is filed; except that during the 60 days  
9 preceding the date of the election in reference to which the  
10 complaint is filed, the Board shall render its final judgment  
11 within 7 days of the date the complaint is filed, and during  
12 the 7 days preceding such election, the Board shall render  
13 such judgment before the date of such election, if possible.

14 At any time prior to the issuance of the Board's final  
15 judgment, the parties may dispose of the complaint by a  
16 written stipulation, agreed settlement or consent order. Any  
17 such stipulation, settlement or order shall, however, be  
18 submitted in writing to the Board and shall become effective  
19 only if approved by the Board. If the act or practice  
20 complained of consists of the failure to file any required  
21 report within the time prescribed by this Article, such  
22 stipulation, settlement or order may provide that if, within  
23 the 12-month period following the approval of such  
24 stipulation, agreement or order, the person complained of  
25 fails to file within the time prescribed by this Article any  
26 subsequent reports as may be required, such person may be  
27 subject to a civil penalty pursuant to Section 9-23.

28 Any person filing a complaint pursuant to Section 9-20  
29 may, upon written notice to the other parties and to the  
30 Board, voluntarily withdraw the complaint at any time prior  
31 to the issuance of the Board's final determination.

32 (Source: P.A. 90-495, eff. 1-1-98.)

33 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

1           Sec. 10-5.1. In the designation of the name of a  
2 candidate on a certificate of nomination or nomination papers  
3 the candidate's given name or names, initial or initials, a  
4 nickname by which the candidate is commonly known, or a  
5 combination thereof, may be used in addition to the  
6 candidate's surname. No other designation such as a political  
7 slogan, title, or degree, or nickname suggesting or implying  
8 possession of a title, degree or professional status, or  
9 similar information may be used in connection with the  
10 candidate's surname, except that the title "Mrs." may be used  
11 in the case of a married woman.

12       (Source: P.A. 81-135.)

13           (10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

14           Sec. 13-1.1. In addition to the list provided for in  
15 Section 13-1 or 13-2, the chairman of the county central  
16 committee of each of the two leading political parties shall  
17 submit to the county board a supplemental list, arranged  
18 according to precincts in which they are to serve, of persons  
19 available as judges of election, the names and number of all  
20 persons listed thereon to be acknowledged in writing to the  
21 county chairman submitting such list by the county board.  
22 Vacancies among the judges of election shall be filled by  
23 selection from this supplemental list of persons qualified  
24 under Section 13-4. If the list provided for in Section 13-1  
25 or 13-2 for any precinct is exhausted, then selection shall  
26 be made from the supplemental list submitted by the chairman  
27 of the county central committee of the party. If such  
28 supplemental list is exhausted for any precinct, then  
29 selection shall be made from any of the persons on the  
30 supplemental list without regard to the precincts in which  
31 they are listed to serve. No selection or appointment from  
32 the supplemental list shall be made more than 21 days prior  
33 to the date of precinct registration for those judges needed

1 as precinct registrars, and more than 45 28 days prior to the  
2 date of an election for those additional persons needed as  
3 election judges. In any case where selection cannot be made  
4 from the supplemental list without violating Section 13-4,  
5 selection shall be made from outside the supplemental list of  
6 some person qualified under Section 13-4.

7 (Source: P.A. 78-888; 78-889; 78-1297.)

8 (10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)

9 Sec. 14-3.2. In addition to the list provided for in  
10 Section 14-3.1, the chairman of the county central committee  
11 of each of the 2 leading political parties shall furnish to  
12 the board of election commissioners a supplemental list,  
13 arranged according to precinct in which they are to serve, of  
14 persons available as judges of election, the names and number  
15 of all persons listed thereon to be acknowledged in writing  
16 to the county chairman submitting such list by the board of  
17 election commissioners. The board of election commissioners  
18 shall select from this supplemental list persons qualified  
19 under Section 14-1, to fill vacancies among the judges of  
20 election. If the list provided for in Section 14-3.1 for any  
21 precinct is exhausted, then selection shall be made from the  
22 supplemental list furnished by the chairman of the county  
23 central committee of the party. If such supplemental list is  
24 exhausted for any precinct, then selection shall be made from  
25 any of the persons on the supplemental list without regard to  
26 the precincts in which they are listed to serve. No selection  
27 or appointment from the supplemental list shall be made more  
28 than 21 days prior to the date of precinct registration for  
29 those judges needed as precinct registrars, and more than 45  
30 28 days prior to the date of an election for those additional  
31 persons needed as election judges. In any case where  
32 selection cannot be made from the supplemental list without  
33 violating Section 14-1, selection shall be made from outside

1 the supplemental list of some person qualified under Section  
2 14-1.

3 (Source: P.A. 78-888; 78-889; 78-1297.)

4 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

5 Sec. 16-3. (a) The names of all candidates to be voted  
6 for in each election district or precinct shall be printed on  
7 one ballot, except as is provided in Sections 16-6.1 and  
8 21-1.01 of this Act and except as otherwise provided in this  
9 Act with respect to the odd year regular elections and the  
10 emergency referenda; all nominations of any political party  
11 being placed under the party appellation or title of such  
12 party as designated in the certificates of nomination or  
13 petitions. The names of all independent candidates shall be  
14 printed upon the ballot in a column or columns under the  
15 heading "independent" arranged under the names or titles of  
16 the respective offices for which such independent candidates  
17 shall have been nominated and so far as practicable, the name  
18 or names of any independent candidate or candidates for any  
19 office shall be printed upon the ballot opposite the name or  
20 names of any candidate or candidates for the same office  
21 contained in any party column or columns upon said ballot.  
22 The ballot shall contain no other names, except that in cases  
23 of electors for President and Vice-President of the United  
24 States, the names of the candidates for President and  
25 Vice-President may be added to the party designation and  
26 words calculated to aid the voter in his choice of candidates  
27 may be added, such as "Vote for one," "Vote for three." When  
28 an electronic voting system is used which utilizes a ballot  
29 label booklet, the candidates and questions shall appear on  
30 the pages of such booklet in the order provided by this Code;  
31 and, in any case where candidates for an office appear on a  
32 page which does not contain the name of any candidate for  
33 another office, and where less than 50% of the page is

1 utilized, the name of no candidate shall be printed on the  
2 lowest 25% of such page. On the back or outside of the  
3 ballot, so as to appear when folded, shall be printed the  
4 words "Official Ballot", followed by the designation of the  
5 polling place for which the ballot is prepared, the date of  
6 the election and a facsimile of the signature of the election  
7 authority who has caused the ballots to be printed. The  
8 ballots shall be of plain white paper, through which the  
9 printing or writing cannot be read. However, ballots for use  
10 at the nonpartisan and consolidated elections may be printed  
11 on different color paper, except blue paper, whenever  
12 necessary or desirable to facilitate distinguishing between  
13 ballots for different political subdivisions. In the case of  
14 nonpartisan elections for officers of a political  
15 subdivision, unless the statute or an ordinance adopted  
16 pursuant to Article VII of the Constitution providing the  
17 form of government therefor requires otherwise, the column  
18 listing such nonpartisan candidates shall be printed with no  
19 appellation or circle at its head. The party appellation or  
20 title, or the word "independent" at the head of any column  
21 provided for independent candidates, shall be printed in  
22 letters not less than one-fourth of an inch in height and a  
23 circle one-half inch in diameter shall be printed at the  
24 beginning of the line in which such appellation or title is  
25 printed, provided, however, that no such circle shall be  
26 printed at the head of any column or columns provided for  
27 such independent candidates. The names of candidates shall be  
28 printed in letters not less than one-eighth nor more than  
29 one-fourth of an inch in height, and at the beginning of each  
30 line in which a name of a candidate is printed a square shall  
31 be printed, the sides of which shall be not less than  
32 one-fourth of an inch in length. However, the names of the  
33 candidates for Governor and Lieutenant Governor on the same  
34 ticket shall be printed within a bracket and a single square

1 shall be printed in front of the bracket. The list of  
 2 candidates of the several parties and any such list of  
 3 independent candidates shall be placed in separate columns on  
 4 the ballot in such order as the election authorities charged  
 5 with the printing of the ballots shall decide; provided, that  
 6 the names of the candidates of the several political parties,  
 7 certified by the State Board of Elections to the several  
 8 county clerks shall be printed by the county clerk of the  
 9 proper county on the official ballot in the order certified  
 10 by the State Board of Elections. Any county clerk refusing,  
 11 neglecting or failing to print on the official ballot the  
 12 names of candidates of the several political parties in the  
 13 order certified by the State Board of Elections, and any  
 14 county clerk who prints or causes to be printed upon the  
 15 official ballot the name of a candidate, for an office to be  
 16 filled by the Electors of the entire State, whose name has  
 17 not been duly certified to him upon a certificate signed by  
 18 the State Board of Elections shall be guilty of a Class C  
 19 misdemeanor.

20 (b) When an electronic voting system is used which  
 21 utilizes a ballot card, on the inside flap of each ballot  
 22 card envelope there shall be printed a form for write-in  
 23 voting which shall be substantially as follows:

24 WRITE-IN VOTES

25 (See card of instructions for specific information.  
 26 Duplicate form below by hand for additional write-in votes.)

27 \_\_\_\_\_  
 28 Title of Office  
 29 ( ) \_\_\_\_\_  
 30 Name of Candidate

31 (c) When an electronic voting system is used which uses  
 32 a ballot sheet, the instructions to voters on the ballot  
 33 sheet shall refer the voter to the card of instructions for  
 34 specific information on write-in voting. Below each office

1 appearing on such ballot sheet there shall be a provision for  
2 the casting of a write-in vote.

3 (d) When such electronic system is used, there shall be  
4 printed on the back of each ballot card, each ballot card  
5 envelope, and the first page of the ballot label when a  
6 ballot label is used, the words "Official Ballot," followed  
7 by the number of the precinct or other precinct  
8 identification, which may be stamped, in lieu thereof and, as  
9 applicable, the number and name of the township, ward or  
10 other election district for which the ballot card, ballot  
11 card envelope, and ballot label are prepared, the date of the  
12 election and a facsimile of the signature of the election  
13 authority who has caused the ballots to be printed. The back  
14 of the ballot card shall also include a method of identifying  
15 the ballot configuration such as a listing of the political  
16 subdivisions and districts for which votes may be cast on  
17 that ballot, or a number code identifying the ballot  
18 configuration or color coded ballots, except that where there  
19 is only one ballot configuration in a precinct, the precinct  
20 identification, and any applicable ward identification, shall  
21 be sufficient. Ballot card envelopes used in punch card  
22 systems shall be of paper through which no writing or punches  
23 may be discerned and shall be of sufficient length to enclose  
24 all voting positions. However, the election authority may  
25 provide ballot card envelopes on which no precinct number or  
26 township, ward or other election district designation, or  
27 election date are preprinted, if space and a preprinted form  
28 are provided below the space provided for the names of  
29 write-in candidates where such information may be entered by  
30 the judges of election. Whenever an election authority  
31 utilizes ballot card envelopes on which the election date and  
32 precinct is not preprinted, a judge of election shall mark  
33 such information for the particular precinct and election on  
34 the envelope in ink before tallying and counting any write-in

1 vote written thereon. If some method of insuring ballot  
2 secrecy other than an envelope is used, such information must  
3 be provided on the ballot itself.

4 (e) In the designation of the name of a candidate on the  
5 ballot, the candidate's given name or names, initial or  
6 initials, a nickname by which the candidate is commonly  
7 known, or a combination thereof, may be used in addition to  
8 the candidate's surname. No other designation such as a  
9 political slogan, title, or degree or nickname suggesting or  
10 implying possession of a title, degree or professional  
11 status, or similar information may be used in connection with  
12 the candidate's surname, except that the title "Mrs." may be  
13 used in the case of a married woman. For purposes of this  
14 Section, a "political slogan" is defined as any word or words  
15 expressing or connoting a position, opinion, or belief that  
16 the candidate may espouse, including but not limited to, any  
17 word or words conveying any meaning other than that of the  
18 personal identity of the candidate. A candidate may not use a  
19 political slogan as part of his or her name on the ballot,  
20 notwithstanding that the political slogan may be part of the  
21 candidate's name.

22 (f) The State Board of Elections, a local election  
23 official, or an election authority shall remove any  
24 candidate's name designation from a ballot that is  
25 inconsistent with subsection (e) of this Section. In  
26 addition, the State Board of Elections, a local election  
27 official, or an election authority shall not certify to any  
28 election authority any candidate name designation that is  
29 inconsistent with subsection (e) of this Section.

30 (g) If the State Board of Elections, a local election  
31 official, or an election authority removes a candidate's name  
32 designation from a ballot under subsection (f) of this  
33 Section, then the aggrieved candidate may seek appropriate  
34 relief in circuit court.

1           Where voting machines or electronic voting systems are  
 2 used, the provisions of this Section may be modified as  
 3 required or authorized by Article 24 or Article 24A,  
 4 whichever is applicable.

5           Nothing in this Section shall prohibit election  
 6 authorities from using or reusing ballot card envelopes which  
 7 were printed before the effective date of this amendatory Act  
 8 of 1985.

9           (Source: P.A. 92-178, eff. 1-1-02.)

10           (10 ILCS 5/17-23) (from Ch. 46, par. 17-23)

11           Sec. 17-23. Pollwatchers in a general election shall be  
 12 authorized in the following manner:

13           (1) Each established political party shall be entitled  
 14 to appoint two pollwatchers per precinct. Such pollwatchers  
 15 must be affiliated with the political party for which they  
 16 are pollwatching. For all elections, the pollwatchers except  
 17 ~~as provided in subsection (4), one pollwatcher~~ must be  
 18 registered to vote in Illinois ~~from a residence in the county~~  
 19 ~~in which he is pollwatching.~~ ~~The second pollwatcher must be~~  
 20 ~~registered to vote from a residence in the precinct or ward~~  
 21 ~~in which he is pollwatching.~~

22           (2) Each candidate shall be entitled to appoint two  
 23 pollwatchers per precinct. For all elections, the  
 24 pollwatchers ~~one pollwatcher~~ must be registered to vote in  
 25 Illinois ~~from a residence in the county in which he is~~  
 26 ~~pollwatching.~~ ~~The second pollwatcher must be registered to~~  
 27 ~~vote from a residence in the precinct or ward in which he is~~  
 28 ~~pollwatching.~~

29           (3) Each organization of citizens within the county or  
 30 political subdivision, which has among its purposes or  
 31 interests the investigation or prosecution of election  
 32 frauds, and which shall have registered its name and address  
 33 and the name and addresses of its principal officers with the

1 proper election authority at least 40 days before the  
2 election, shall be entitled to appoint one pollwatcher per  
3 precinct. For all elections, the such pollwatcher must be  
4 registered to vote in Illinois ~~from-a-residence-in-the-county~~  
5 ~~in-which-he-is-pollwatching~~.

6 (4) In any general election held to elect candidates for  
7 the offices of a municipality of less than 3,000,000  
8 population that is situated in 2 or more counties, a  
9 pollwatcher who is a resident of Illinois ~~a-county-in-which~~  
10 ~~any-part-of-the-municipality-is-situated~~ shall be eligible to  
11 serve as a pollwatcher in any poll located within such  
12 municipality, provided that such pollwatcher otherwise  
13 complies with the respective requirements of subsections (1)  
14 through (3) of this Section and is a registered voter in  
15 Illinois ~~whose-residence-is-within-the-municipality~~.

16 (5) Each organized group of proponents or opponents of a  
17 ballot proposition, which shall have registered the name and  
18 address of its organization or committee and the name and  
19 address of its chairman with the proper election authority at  
20 least 40 days before the election, shall be entitled to  
21 appoint one pollwatcher per precinct. The Such pollwatcher  
22 must be registered to vote in Illinois ~~from--a--residence--in~~  
23 ~~the--county--in--which--the-ballot-proposition-is-being-voted~~  
24 ~~upon~~.

25 All pollwatchers shall be required to have proper  
26 credentials. Such credentials shall be printed in sufficient  
27 quantities, shall be issued by and under the facsimile  
28 signature(s) of the election authority and shall be available  
29 for distribution at least 2 weeks prior to the election. Such  
30 credentials shall be authorized by the real or facsimile  
31 signature of the State or local party official or the  
32 candidate or the presiding officer of the civic organization  
33 or the chairman of the proponent or opponent group, as the  
34 case may be.

1 Pollwatcher credentials shall be in substantially the  
2 following form:

3 POLLWATCHER CREDENTIALS

4 TO THE JUDGES OF ELECTION:

5 In accordance with the provisions of the Election Code,  
6 the undersigned hereby appoints ..... (name of  
7 pollwatcher) who resides at ..... (address) in the  
8 county of ....., ..... (township or municipality)  
9 of ..... (name), State of Illinois and who is duly  
10 registered to vote from this address, to act as a  
11 pollwatcher in the ..... precinct of the .....  
12 ward (if applicable) of the ..... (township or  
13 municipality) of ..... at the ..... election to  
14 be held on (insert date).

15 ..... (Signature of Appointing Authority)  
16 ..... TITLE (party official, candidate,  
17 civic organization president,  
18 proponent or opponent group chairman)

19 Under penalties provided by law pursuant to Section 29-10  
20 of the Election Code, the undersigned pollwatcher certifies  
21 that he or she resides at ..... (address) in the  
22 county of ....., ..... (township or municipality)  
23 of ..... (name), State of Illinois, and is duly  
24 registered to vote in Illinois ~~from-that-address~~.

25 .....  
26 (Precinct and/or Ward in ..... (Signature of Pollwatcher)  
27 Which Pollwatcher Resides)

28 Pollwatchers must present their credentials to the Judges  
29 of Election upon entering the polling place. Pollwatcher  
30 credentials properly executed and signed shall be proof of  
31 the qualifications of the pollwatcher authorized thereby.  
32 Such credentials are retained by the Judges and returned to  
33 the Election Authority at the end of the day of election with

1 the other election materials. Once a pollwatcher has  
2 surrendered a valid credential, he may leave and reenter the  
3 polling place provided that such continuing action does not  
4 disrupt the conduct of the election. Pollwatchers may be  
5 substituted during the course of the day, but established  
6 political parties, candidates and qualified civic  
7 organizations can have only as many pollwatchers at any given  
8 time as are authorized in this Article. A substitute must  
9 present his signed credential to the judges of election upon  
10 entering the polling place. Election authorities must  
11 provide a sufficient number of credentials to allow for  
12 substitution of pollwatchers. After the polls have closed  
13 pollwatchers shall be allowed to remain until the canvass of  
14 votes is completed; but may leave and reenter only in cases  
15 of necessity, provided that such action is not so continuous  
16 as to disrupt the canvass of votes.

17 Candidates seeking office in a district or municipality  
18 encompassing 2 or more counties shall be admitted to any and  
19 all polling places throughout such district or municipality  
20 without regard to the counties in which such candidates are  
21 registered to vote. Actions of such candidates shall be  
22 governed in each polling place by the same privileges and  
23 limitations that apply to pollwatchers as provided in this  
24 Section. Any such candidate who engages in an activity in a  
25 polling place which could reasonably be construed by a  
26 majority of the judges of election as campaign activity shall  
27 be removed forthwith from such polling place.

28 Candidates seeking office in a district or municipality  
29 encompassing 2 or more counties who desire to be admitted to  
30 polling places on election day in such district or  
31 municipality shall be required to have proper credentials.  
32 Such credentials shall be printed in sufficient quantities,  
33 shall be issued by and under the facsimile signature of the  
34 election authority of the election jurisdiction where the

1 polling place in which the candidate seeks admittance is  
2 located, and shall be available for distribution at least 2  
3 weeks prior to the election. Such credentials shall be  
4 signed by the candidate.

5 Candidate credentials shall be in substantially the  
6 following form:

7 CANDIDATE CREDENTIALS

8 TO THE JUDGES OF ELECTION:

9 In accordance with the provisions of the Election Code, I  
10 ..... (name of candidate) hereby certify that I am a  
11 candidate for ..... (name of office) and seek admittance to  
12 ..... precinct of the ..... ward (if applicable) of the  
13 ..... (township or municipality) of ..... at the .....  
14 election to be held on (insert date).

15 .....

16 (Signature of Candidate) OFFICE FOR WHICH  
17 CANDIDATE SEEKS  
18 NOMINATION OR  
19 ELECTION

20 Pollwatchers shall be permitted to observe all  
21 proceedings relating to the conduct of the election and to  
22 station themselves in a position in the voting room as will  
23 enable them to observe the judges making the signature  
24 comparison between the voter application and the voter  
25 registration record card; provided, however, that such  
26 pollwatchers shall not be permitted to station themselves in  
27 such close proximity to the judges of election so as to  
28 interfere with the orderly conduct of the election and shall  
29 not, in any event, be permitted to handle election materials.  
30 Pollwatchers may challenge for cause the voting  
31 qualifications of a person offering to vote and may call to  
32 the attention of the judges of election any incorrect  
33 procedure or apparent violations of this Code.

1           If a majority of the judges of election determine that  
2           the polling place has become too overcrowded with  
3           pollwatchers so as to interfere with the orderly conduct of  
4           the election, the judges shall, by lot, limit such  
5           pollwatchers to a reasonable number, except that each  
6           established or new political party shall be permitted to have  
7           at least one pollwatcher present.

8           Representatives of an election authority, with regard to  
9           an election under its jurisdiction, the State Board of  
10          Elections, and law enforcement agencies, including but not  
11          limited to a United States Attorney, a State's attorney, the  
12          Attorney General, and a State, county, or local police  
13          department, in the performance of their official election  
14          duties, shall be permitted at all times to enter and remain  
15          in the polling place. Upon entering the polling place, such  
16          representatives shall display their official credentials or  
17          other identification to the judges of election.

18          Uniformed police officers assigned to polling place duty  
19          shall follow all lawful instructions of the judges of  
20          election.

21          The provisions of this Section shall also apply to  
22          supervised casting of absentee ballots as provided in Section  
23          19-12.2 of this Act.

24          (Source: P.A. 90-655, eff. 7-30-98; 91-357, eff. 7-29-99.)

25          (10 ILCS 5/17-29) (from Ch. 46, par. 17-29)

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

1       (b) Election officers shall place 2 or more cones, small  
2       United States national flags, or some other marker a distance  
3       of 100 horizontal feet from each entrance to the room used by  
4       voters to engage in voting, which shall be known as the  
5       polling room. If the polling room is located within a  
6       building that is a public or private school or a church or  
7       other organization founded for the purpose of religious  
8       worship and the distance of 100 horizontal feet ends within  
9       the interior of the building, then the markers shall be  
10       placed outside of the building at each entrance used by  
11       voters to enter that building on the grounds adjacent to the  
12       thoroughfare or walkway. If the polling room is located  
13       within a public or private building with 2 or more floors and  
14       the polling room is located on the ground floor, then the  
15       markers shall be placed 100 horizontal feet from each  
16       entrance to the polling room used by voters to engage in  
17       voting. If the polling room is located in a public or private  
18       building with 2 or more floors and the polling room is  
19       located on a floor above or below the ground floor, then the  
20       markers shall be placed a distance of 100 feet from the  
21       nearest elevator or staircase used by voters on the ground  
22       floor to access the floor where the polling room is located.  
23       The area within where the markers are placed shall be known  
24       as a campaign free zone, and electioneering is prohibited  
25       pursuant to this subsection.

26       The area on polling place property beyond the campaign  
27       free zone, whether publicly or privately owned, is a public  
28       forum for the time that the polls are open on an election  
29       day. At the request of election officers any publicly owned  
30       building must be made available for use as a polling place. A  
31       person shall have the right to congregate and engage in  
32       electioneering on any polling place property while the polls  
33       are open beyond the campaign free zone, including but not  
34       limited to, the placement of temporary signs. This subsection

1 shall be construed liberally in favor of persons engaging in  
2 electioneering on all polling place property beyond the  
3 campaign free zone for the time that the polls are open on an  
4 election day.

5 (c) The regulation of electioneering on polling place  
6 property on an election day, including but not limited to the  
7 placement of temporary signs, is an exclusive power and  
8 function of the State. A home rule unit may not regulate  
9 electioneering and any ordinance or local law contrary to  
10 subsection (c) is declared void. This is a denial and  
11 limitation of home rule powers and functions under subsection  
12 (h) of Section 6 of Article VII of the Illinois Constitution.  
13 (Source: P.A. 80-1090.)

14 (10 ILCS 5/Art. 18A heading new)

15 ARTICLE 18A

16 PROVISIONAL VOTING

17 (10 ILCS 5/18A-2 new)

18 Sec. 18A-2. Application of Article. In addition to and  
19 notwithstanding any other law to the contrary, the procedures  
20 in this Article shall govern provisional voting.

21 (10 ILCS 5/18A-5 new)

22 Sec. 18A-5. Provisional voting; general provisions.

23 (a) A person who claims to be a registered voter is  
24 entitled to cast a provisional ballot under the following  
25 circumstances:

26 (1) The person's name does not appear on the  
27 official list of eligible voters, whether a list of  
28 active or inactive voters, for the precinct in which the  
29 person seeks to vote;

30 (2) The person's voting status has been challenged

1 by an election judge, a pollwatcher, or any legal voter  
2 and that challenge has been sustained by a majority of  
3 the election judges; or

4 (3) A federal or State court order extends the time  
5 for closing the polls beyond the time period established  
6 by State law and the person votes during the extended  
7 time period.

8 (b) The procedure for obtaining and casting a  
9 provisional ballot at the polling place shall be as follows:

10 (1) An election judge at the polling place shall  
11 notify a person who is entitled to cast a provisional  
12 ballot pursuant to subsection (a) that he or she may cast  
13 a provisional ballot in that election. An election judge  
14 must accept any information provided by a person who  
15 casts a provisional ballot that the person believes  
16 supports his or her claim that he or she is a duly  
17 registered voter and qualified to vote in the election.

18 (2) The person shall execute a written form  
19 provided by the election judge that shall state or  
20 contain all of the following:

21 (i) an affidavit stating the following:

22 State of Illinois, County of .....,  
23 Township ....., Precinct ....., Ward  
24 ....., I, ....., do solemnly  
25 swear (or affirm) that: I am a citizen of the United  
26 States; I am 18 years of age or older; I have  
27 resided in this State and in this precinct for 30  
28 days preceding this election; I have not voted in  
29 this election; I am a duly registered voter in every  
30 respect; and I am eligible to vote in this election.  
31 Signature ..... Printed Name of Voter .....  
32 Printed Residence Address of Voter ..... City  
33 ..... State .... Zip Code ..... Telephone Number  
34 ..... Date of Birth ..... and Driver's License

1           Number ..... Last 4 digits of Social Security  
2           Number ..... or State Identification Card Number.

3           (ii) Written instruction stating the following:

4                   In order to expedite the verification of your  
5                   voter registration status, the .... (insert name of  
6                   county clerk of board of election commissioners  
7                   here) requests that you include your phone number  
8                   and both the last four digits of your social  
9                   security number and your driver's license number or  
10                  State Identification Card Number issued to you by  
11                  the Secretary of State. At minimum, you are required  
12                  to include either (A) your driver's license number  
13                  or State Identification Card Number issued to you by  
14                  the Secretary of State or (B) the last 4 digits of  
15                  your social security number.

16           (iii) A box for the election judge to check one of  
17           the 3 reasons why the person was given a provisional  
18           ballot under subsection (a) of Section 18A-5.

19           (iv) An area for the election judge to affix his or  
20           her signature and to set forth any facts that support or  
21           oppose the allegation that the person is not qualified to  
22           vote in the precinct in which the person is seeking to  
23           vote.

24           The written affidavit form described in this subsection  
25           (b)(2) must be printed on a multi-part form prescribed by the  
26           county clerk or board of election commissioners, as the case  
27           may be.

28           (3) After the person executes the portion of the written  
29           affidavit described in subsection (b)(2)(i) of this Section,  
30           the election judge shall complete the portion of the written  
31           affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

32           (4) The election judge shall give a copy of the  
33           completed written affidavit to the person. The election judge  
34           shall place the original written affidavit in a self-adhesive

1 clear plastic packing list envelope that must be attached to  
2 a separate envelope marked as a "provisional ballot  
3 envelope". The election judge shall also place any  
4 information provided by the person who casts a provisional  
5 ballot in the clear plastic packing list envelope. Each  
6 county clerk or board of election commissioners, as the case  
7 may be, must design, obtain or procure self-adhesive clear  
8 plastic packing list envelopes and provisional ballot  
9 envelopes that are suitable for implementing this subsection  
10 (b)(4) of this Section.

11 (5) The election judge shall provide the person with a  
12 provisional ballot, written instructions for casting a  
13 provisional ballot, and the provisional ballot envelope with  
14 the clear plastic packing list envelope affixed to it, which  
15 contains the person's original written affidavit and, if any,  
16 information provided by the provisional voter to support his  
17 or her claim that he or she is a duly registered voter. An  
18 election judge must also give the person written information  
19 that states that any person who casts a provisional ballot  
20 shall be able to ascertain, pursuant to guidelines  
21 established by the State Board of Elections, whether the  
22 provisional vote was counted in the official canvass of votes  
23 for that election and, if the provisional vote was not  
24 counted, the reason that the vote was not counted.

25 (6) After the person has completed marking his or her  
26 provisional ballot, he or she shall place the marked ballot  
27 inside of the provisional ballot envelope, close and seal the  
28 envelope, and return the envelope to an election judge, who  
29 shall then deposit the sealed provisional ballot envelope  
30 into a securable container separately identified and utilized  
31 for containing sealed provisional ballot envelopes. Upon the  
32 closing of the polls, the securable container shall be sealed  
33 with filament tape provided for that purpose, which shall be  
34 wrapped around the box lengthwise and crosswise, at least

1 twice each way, and each of the election judges shall sign  
2 the seal.

3 (c) Instead of the affidavit form described in  
4 subsection (b), the county clerk or board of election  
5 commissioners, as the case may be, may design and use a  
6 multi-part affidavit form that is imprinted upon or attached  
7 to the provisional ballot envelope described in subsection  
8 (b). If a county clerk or board of election commissioners  
9 elects to design and use its own multi-part affidavit form,  
10 then the county clerk or board of election commissioners  
11 shall establish a mechanism for accepting any information the  
12 provisional voter has supplied to the election judge to  
13 support his or her claim that he or she is a duly registered  
14 voter. In all other respects, a county clerk or board of  
15 election commissioners shall establish procedures consistent  
16 with subsection (b).

17 (d) The county clerk or board of election commissioners,  
18 as the case may be, shall use the completed affidavit form  
19 described in subsection (b) to update the person's voter  
20 registration information in the State voter registration  
21 database and voter registration database of the county clerk  
22 or board of election commissioners, as the case may be. If a  
23 person is later determined not to be a registered voter based  
24 on Section 18A-15 of this Code, then the affidavit shall be  
25 processed by the county clerk or board of election  
26 commissioners, as the case may be, as a voter registration  
27 application.

28 (10 ILCS 5/18A-10 new)

29 Sec. 18A-10. Sealing and transporting provisional  
30 ballots.

31 (a) Upon the closing of the polls, 2 election judges not  
32 of the same political party shall return to the county clerk  
33 or board of election commissioners the unopened sealed

1 securable container containing the provisional ballots to a  
 2 location specified by the county clerk or board of election  
 3 commissioners in the most direct manner of transport. The  
 4 county clerk or board of election commissioners shall keep  
 5 the securable container secure until such time as the  
 6 provisional ballots are counted in accordance with Section  
 7 18A-15.

8 (b) Upon receipt of materials returned from the polling  
 9 places, the county clerk or board of election commissioners  
 10 shall update the State voter registration list and the voter  
 11 registration database of the county clerk or board of  
 12 election commissioners, as the case may be, by using the  
 13 affidavit forms of provisional voters.

14 (10 ILCS 5/18A-15 new)

15 Sec. 18A-15. Validating and counting provisional  
 16 ballots.

17 (a) The county clerk or board of election commissioners  
 18 shall complete the validation and counting of provisional  
 19 ballots within 14 calendar days of the day of the election.  
 20 The county clerk or board of election commissioners shall  
 21 have 7 calendar days from the completion of the validation  
 22 and counting of provisional ballots to conduct its final  
 23 canvass. The State Board of Elections shall complete within  
 24 31 calendar days of the election or sooner if all the returns  
 25 are received, its final canvass of the vote for all public  
 26 offices.

27 (b) If a county clerk or board of election commissioners  
 28 determines that all of the following apply, then a  
 29 provisional ballot is valid and shall be counted as a vote:

30 (1) The provisional voter cast the provisional  
 31 ballot in the correct precinct based on the address  
 32 provided by the provisional voter;

33 (2) The affidavit executed by the provisional voter

1 pursuant to subsection (b)(2) of Section 18A-10 is  
2 properly executed; and

3 (3) the provisional voter is a registered voter  
4 based on information available to the county clerk or  
5 board of election commissioners provided by or obtained  
6 from any of the following:

7 i. the provisional voter;

8 ii. an election judge;

9 iii. the statewide voter registration database  
10 maintained by the State Board of Elections;

11 iv. the records of the county clerk or board  
12 of election commissioners' database; or

13 v. the records of the Secretary of State.

14 (c) With respect to subsection (b)(3) of this Section,  
15 the county clerk or board of election commissioners shall  
16 investigate whether each of the 5 types of information is  
17 available and record whether this information is or is not  
18 available. If one or more types of information is available,  
19 then the county clerk or board of election commissioners  
20 shall obtain all relevant information from all sources  
21 identified in subsection (b)(3). The county clerk or board of  
22 election commissioners shall use any information it obtains  
23 as the basis for determining the voter registration status of  
24 the provisional voter. If a conflict exists among the  
25 information available to the county clerk or board of  
26 election commissioners as to the registration status of the  
27 provisional voter, then the county clerk or board of election  
28 commissioners shall make a determination based on the  
29 totality of the circumstances. In a case where the above  
30 information equally supports or opposes the registration  
31 status of the voter, the county clerk or board of election  
32 commissioners shall decide in favor of the provisional voter  
33 as being duly registered to vote. If the statewide voter  
34 registration database maintained by the State Board of

1 Elections indicates that the provisional voter is registered  
2 to vote, but the county clerk's or board of election  
3 commissioners' voter registration database indicates that the  
4 provisional voter is not registered to vote, then the  
5 information found in the statewide voter registration  
6 database shall control the matter and the provisional voter  
7 shall be deemed to be registered to vote. If the records of  
8 the county clerk or board of election commissioners indicates  
9 that the provisional voter is registered to vote, but the  
10 statewide voter registration database maintained by the State  
11 Board of Elections indicates that the provisional voter is  
12 not registered to vote, then the information found in the  
13 records of the county clerk or board of election  
14 commissioners shall control the matter and the provisional  
15 voter shall be deemed to be registered to vote. If the  
16 provisional voter's signature on his or her provisional  
17 ballot request varies from the signature on an otherwise  
18 valid registration application solely because of the  
19 substitution of initials for the first or middle name, the  
20 election authority may not reject the provisional ballot.

21 (d) In validating the registration status of a person  
22 casting a provisional ballot, the county clerk or board of  
23 election commissioners shall not require a provisional voter  
24 to complete any form other than the affidavit executed by the  
25 provisional voter under subsection (b)(2) of Section 18A-5.  
26 In addition, the county clerk or board of election  
27 commissioners shall not require all provisional voters or any  
28 particular class or group of provisional voters to appear  
29 personally before the county clerk or board of election  
30 commissioners or as a matter of policy require provisional  
31 voters to submit additional information to verify or  
32 otherwise support the information already submitted by the  
33 provisional voter. The provisional voter may, within 2  
34 calendar days after the election, submit additional

1 information to the county clerk or board of election  
2 commissioners. This information must be received by the  
3 county clerk or board of election commissioners within the  
4 2-calendar-day period.

5 (e) If the county clerk or board of election  
6 commissioners determines that subsection (b)(1), (b)(2), or  
7 (b)(3) does not apply, then the provisional ballot is not  
8 valid and may not be counted. The provisional ballot envelope  
9 containing the ballot cast by the provisional voter may not  
10 be opened. The county clerk or board of election  
11 commissioners shall write on the provisional ballot envelope  
12 the following: "Provisional ballot determined invalid."

13 (f) If the county clerk or board of election  
14 commissioners determines that a provisional ballot is valid  
15 under this Section, then the provisional ballot envelope  
16 shall be opened. The outside of each provisional ballot  
17 envelope shall also be marked to identify the precinct and  
18 the date of the election.

19 (g) The provisional ballots determined to be valid shall  
20 be added to the vote totals for the precincts from which they  
21 were cast in the order in which the ballots were opened. The  
22 county clerk or board of election commissioners may, in the  
23 alternative, create a separate provisional-voter precinct for  
24 the purpose of counting and recording provisional ballots and  
25 adding the recorded votes to its official canvass. The  
26 validation and counting of provisional ballots shall be  
27 subject to the provisions of this Code that apply to  
28 pollwatchers. If the provisional ballots are a ballot of a  
29 punch card voting system, then the provisional ballot shall  
30 be counted in a manner consistent with Article 24A. If the  
31 provisional ballots are a ballot of optical scan or other  
32 type of approved electronic voting system, then the  
33 provisional ballots shall be counted in a manner consistent  
34 with Article 24B.

1       (h) As soon as the ballots have been counted, the  
2 election judges or election officials shall, in the presence  
3 of the county clerk or board of election commissioners, place  
4 each of the following items in a separate envelope or bag:  
5 (1) all provisional ballots, voted or spoiled; (2) all  
6 provisional ballot envelopes of provisional ballots voted or  
7 spoiled; and (3) all executed affidavits of the provisional  
8 ballots voted or spoiled. All provisional ballot envelopes  
9 for provisional voters who have been determined not to be  
10 registered to vote shall remain sealed. The county clerk or  
11 board of election commissioners shall treat the provisional  
12 ballot envelope containing the written affidavit as a voter  
13 registration application for that person for the next  
14 election and process that application. The election judges or  
15 election officials shall then securely seal each envelope or  
16 bag, initial the envelope or bag, and plainly mark on the  
17 outside of the envelope or bag in ink the precinct in which  
18 the provisional ballots were cast. The election judges or  
19 election officials shall then place each sealed envelope or  
20 bag into a box, secure and seal it in the same manner as  
21 described in item (6) of subsection (b) of Section 18A-5.  
22 Each election judge or election official shall take and  
23 subscribe an oath before the county clerk or board of  
24 election commissioners that the election judge or election  
25 official securely kept the ballots and papers in the box, did  
26 not permit any person to open the box or otherwise touch or  
27 tamper with the ballots and papers in the box, and has no  
28 knowledge of any other person opening the box. For purposes  
29 of this Section, the term "election official" means the  
30 county clerk, a member of the board of election  
31 commissioners, as the case may be, and their respective  
32 employees.

1       Sec. 18A-20. Provisional voting verification system. In  
2       conjunction with each county clerk or board of election  
3       commissioners, the State Board of Elections shall establish a  
4       uniform free access information system by which a person  
5       casting a provisional ballot may ascertain whether the  
6       provisional vote was counted in the official canvass of votes  
7       for that election and, if the vote was not counted, the  
8       reason that the vote was not counted. Nothing in this Section  
9       shall prohibit a county clerk or a board of election  
10       commissioner from establishing a free access information  
11       system described in this Section so long as that system is  
12       consistent with the federal Help America Vote Act.

13       (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

14       Sec. 19-2.1. At the consolidated primary, general  
15       primary, consolidated, and general elections, electors  
16       entitled to vote by absentee ballot under the provisions of  
17       Section 19-1 may vote in person at the office of the  
18       municipal clerk, if the elector is a resident of a  
19       municipality not having a board of election commissioners, or  
20       at the office of the township clerk or, in counties not under  
21       township organization, at the office of the road district  
22       clerk if the elector is not a resident of a municipality;  
23       provided, in each case that the municipal, township or road  
24       district clerk, as the case may be, is authorized to conduct  
25       in-person absentee voting pursuant to this Section. Absentee  
26       voting in such municipal and township clerk's offices under  
27       this Section shall be conducted from the 22nd day through the  
28       day before the election.

29       Municipal and township clerks (or road district clerks)  
30       who have regularly scheduled working hours at regularly  
31       designated offices other than a place of residence and whose  
32       offices are open for business during the same hours as the  
33       office of the election authority shall conduct in-person

1 absentee voting for said elections. Municipal and township  
2 clerks (or road district clerks) who have no regularly  
3 scheduled working hours but who have regularly designated  
4 offices other than a place of residence shall conduct  
5 in-person absentee voting for said elections during the hours  
6 of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m.,  
7 weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not  
8 during such hours as the office of the election authority is  
9 closed, unless the clerk files a written waiver with the  
10 election authority not later than July 1 of each year stating  
11 that he or she is unable to conduct such voting and the  
12 reasons therefor. Such clerks who conduct in-person absentee  
13 voting may extend their hours for that purpose to include any  
14 hours in which the election authority's office is open.  
15 Municipal and township clerks (or road district clerks) who  
16 have no regularly scheduled office hours and no regularly  
17 designated offices other than a place of residence may not  
18 conduct in-person absentee voting for said elections. The  
19 election authority may devise alternative methods for  
20 in-person absentee voting before said elections for those  
21 precincts located within the territorial area of a  
22 municipality or township (or road district) wherein the clerk  
23 of such municipality or township (or road district) has  
24 waived or is not entitled to conduct such voting. In  
25 addition, electors may vote by absentee ballot under the  
26 provisions of Section 19-1 at the office of the election  
27 authority having jurisdiction over their residence.

28 In conducting absentee voting under this Section, the  
29 respective clerks shall not be required to verify the  
30 signature of the absentee voter by comparison with the  
31 signature on the official registration record card. However,  
32 the clerk shall reasonably ascertain the identity of such  
33 applicant, shall verify that each such applicant is a  
34 registered voter, and shall verify the precinct in which he

1 or she is registered and the proper ballots of the political  
2 subdivisions in which the applicant resides and is entitled  
3 to vote, prior to providing any absentee ballot to such  
4 applicant. The clerk shall verify the applicant's  
5 registration and from the most recent poll list provided by  
6 the county clerk, and if the applicant is not listed on that  
7 poll list then by telephoning the office of the county clerk.

8 Absentee voting procedures in the office of the  
9 municipal, township and road district clerks shall be subject  
10 to all of the applicable provisions of this Article 19.  
11 Pollwatchers may be appointed to observe in-person absentee  
12 voting procedures at the office of the municipal, township or  
13 road district clerks' offices where such absentee voting is  
14 conducted. Such pollwatchers shall qualify and be appointed  
15 in the same manner as provided in Sections 7-34 and 17-23,  
16 except each candidate, political party or organization of  
17 citizens may appoint only one pollwatcher for each location  
18 where in-person absentee voting is conducted. Pollwatchers  
19 must shall be registered to vote in Illinois residents-of-the  
20 county and possess valid pollwatcher credentials. All  
21 requirements in this Article applicable to election  
22 authorities shall apply to the respective local clerks,  
23 except where inconsistent with this Section.

24 The sealed absentee ballots in their carrier envelope  
25 shall be delivered by the respective clerks, or by the  
26 election authority on behalf of a clerk if the clerk and the  
27 election authority agree, to the proper polling place before  
28 the close of the polls on the day of the general primary,  
29 consolidated primary, consolidated, or general election.

30 Not more than 23 days before the nonpartisan, general and  
31 consolidated elections, the county clerk shall make available  
32 to those municipal, township and road district clerks  
33 conducting in-person absentee voting within such county, a  
34 sufficient number of applications, absentee ballots,

1 envelopes, and printed voting instruction slips for use by  
2 absentee voters in the offices of such clerks. The respective  
3 clerks shall receipt for all ballots received, shall return  
4 all unused or spoiled ballots to the county clerk on the day  
5 of the election and shall strictly account for all ballots  
6 received.

7 The ballots delivered to the respective clerks shall  
8 include absentee ballots for each precinct in the  
9 municipality, township or road district, or shall include  
10 such separate ballots for each political subdivision  
11 conducting an election of officers or a referendum on that  
12 election day as will permit any resident of the municipality,  
13 township or road district to vote absentee in the office of  
14 the proper clerk.

15 The clerks of all municipalities, townships and road  
16 districts may distribute applications for absentee ballot for  
17 the use of voters who wish to mail such applications to the  
18 appropriate election authority. Such applications for  
19 absentee ballots shall be made on forms provided by the  
20 election authority. Duplication of such forms by the  
21 municipal, township or road district clerk is prohibited.

22 (Source: P.A. 91-210, eff. 1-1-00.)

23 (10 ILCS 5/19-2.2) (from Ch. 46, par. 19-2.2)

24 Sec. 19-2.2. (a) During the period beginning on the 40th  
25 day preceding an election and continuing through the day  
26 preceding such election, no advertising pertaining to any  
27 candidate or proposition to be voted upon shall be displayed  
28 in or within 100 feet of any room used by voters pursuant to  
29 this Article; nor shall any person engage in electioneering  
30 in or within 100 feet of any such room. Any person who  
31 violates this Section may be punished as for contempt of  
32 court.

33 (b) Election officers shall place 2 or more cones, small

1 United States national flags, or some other marker a distance  
2 of 100 horizontal feet from each entrance to the room used by  
3 voters to engage in voting, which shall be known as the  
4 polling room. If the polling room is located within a  
5 building that is a public or private school or a church or  
6 other organization founded for the purpose of religious  
7 worship and the distance of 100 horizontal feet ends within  
8 the interior of the building, then the markers shall be  
9 placed outside of the building at each entrance used by  
10 voters to enter that building on the grounds adjacent to the  
11 thoroughfare or walkway. If the polling room is located  
12 within a public or private building with 2 or more floors and  
13 the polling room is located on the ground floor, then the  
14 markers shall be placed 100 horizontal feet from each  
15 entrance to the polling room used by voters to engage in  
16 voting. If the polling room is located in a public or private  
17 building with 2 or more floors and the polling room is  
18 located on a floor above or below the ground floor, then the  
19 markers shall be placed a distance of 100 feet from the  
20 nearest elevator or staircase used by voters on the ground  
21 floor to access the floor where the polling room is located.  
22 The area within where the markers are placed shall be known  
23 as a campaign free zone, and electioneering is prohibited  
24 pursuant to this subsection.

25 The area on polling place property beyond the campaign  
26 free zone, whether publicly or privately owned, is a public  
27 forum for the time that the polls are open on an election  
28 day. At the request of election officers any publicly owned  
29 building must be made available for use as a polling place. A  
30 person shall have the right to congregate and engage in  
31 electioneering on any polling place property while the polls  
32 are open beyond the campaign free zone, including but not  
33 limited to, the placement of temporary signs. This subsection  
34 shall be construed liberally in favor of persons engaging in

1 electioneering on all polling place property beyond the  
2 campaign free zone for the time that the polls are open on an  
3 election day.

4 (c) The regulation of electioneering on polling place  
5 property on an election day, including but not limited to the  
6 placement of temporary signs, is an exclusive power and  
7 function of the State. A home rule unit may not regulate  
8 electioneering and any ordinance or local law contrary to  
9 subsection (b) is declared void. This is a denial and  
10 limitation of home rule powers and functions under subsection  
11 (h) of Section 6 of Article VII of the Illinois Constitution.  
12 (Source: P.A. 80-1281; 80-1469; 80-1494.)

13 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

14 Sec. 19-10. Pollwatchers may be appointed to observe  
15 in-person absentee voting procedures at the office of the  
16 election authority as well as at municipal, township or road  
17 district clerks' offices where such absentee voting is  
18 conducted. Such pollwatchers shall qualify and be appointed  
19 in the same manner as provided in Sections 7-34 and 17-23,  
20 except each candidate, political party or organization of  
21 citizens may appoint only one pollwatcher for each location  
22 where in-person absentee voting is conducted. Pollwatchers  
23 must shall be registered to vote in Illinois residents-of-the  
24 county and possess valid pollwatcher credentials.

25 In the polling place on election day, pollwatchers shall  
26 be permitted to be present during the casting of the absent  
27 voters' ballots and the vote of any absent voter may be  
28 challenged for cause the same as if he were present and voted  
29 in person, and the judges of the election or a majority  
30 thereof shall have power and authority to hear and determine  
31 the legality of such ballot; Provided, however, that if a  
32 challenge to any absent voter's right to vote is sustained,  
33 notice of the same must be given by the judges of election by

1 mail addressed to the voter's place of residence.

2 Where certain absent voters' ballots are counted on the  
3 day of the election in the office of the election authority  
4 as provided in Section 19-8 of this Act, each political  
5 party, candidate and qualified civic organization shall be  
6 entitled to have present one pollwatcher for each panel of  
7 election judges therein assigned. Such pollwatchers shall be  
8 subject to the same provisions as are provided for  
9 pollwatchers in Sections 7-34 and 17-23 of this Code, and  
10 shall be permitted to observe the election judges making the  
11 signature comparison between that which is on the ballot  
12 envelope and that which is on the permanent voter  
13 registration record card taken from the master file.

14 (Source: P.A. 86-875.)

15 (10 ILCS 5/22-5) (from Ch. 46, par. 22-5)

16 Sec. 22-5. Immediately after the completion of the  
17 abstracts of votes, the county clerk shall make 2 correct  
18 copies of the abstracts of votes for Governor, Lieutenant  
19 Governor, Secretary of State, State Comptroller, Treasurer,  
20 Attorney General, both of which said copies he shall envelope  
21 and seal up, and endorse upon the envelopes in substance,  
22 "Abstracts of votes for State Officers from .... County"; and  
23 shall seal up a copy of each of the abstracts of votes for  
24 other officers and amendments to the Constitution and other  
25 propositions voted on, and endorse the same so as to show the  
26 contents of the package, and address the same to the State  
27 Board of Elections. The several packages shall then be placed  
28 in one envelope and addressed to the State Board of  
29 Elections. The county clerk shall send the sealed envelope  
30 addressed to the State Board of Elections via overnight mail  
31 so it arrives at the address the following calendar day.

32 (Source: P.A. 78-592; 78-918; 78-1297.)

1 (10 ILCS 5/22-9) (from Ch. 46, par. 22-9)

2 Sec. 22-9. It shall be the duty of such Board of  
3 Canvassers to canvass, and add up and declare the result of  
4 every election hereafter held within the boundaries of such  
5 city, village or incorporated town, operating under Article 6  
6 of this Act, and the judge of the circuit court shall  
7 thereupon enter of record such abstract and result, and a  
8 certified copy of such record shall thereupon be filed with  
9 the County Clerk of the county; and such abstracts or results  
10 shall be treated, by the County Clerk in all respects, as if  
11 made by the Canvassing Board now provided by the foregoing  
12 sections of this law, and he shall transmit the same to the  
13 State Board of Elections, or other proper officer, as  
14 required hereinabove. The county clerk or board of election  
15 commissioners, as the case may be, shall send the abstract  
16 and result in a sealed envelope addressed to the State Board  
17 of Elections via overnight mail so it arrives at the address  
18 the following calendar day. And such abstracts or results so  
19 entered and declared by such judge, and a certified copy  
20 thereof, shall be treated everywhere within the state, and by  
21 all public officers, with the same binding force and effect  
22 as the abstract of votes now authorized by the foregoing  
23 provisions of this Act.

24 (Source: P.A. 78-918.)

25 (10 ILCS 5/22-15) (from Ch. 46, par. 22-15)

26 Sec. 22-15. The county clerk or board of election  
27 commissioners shall, upon request, and by mail if so  
28 requested, furnish free of charge to any candidate for State  
29 office, including State Senator and Representative in the  
30 General Assembly, and any candidate for congressional office,  
31 whose name appeared upon the ballot within the jurisdiction  
32 of the county clerk or board of election commissioners, a  
33 copy of the abstract of votes by precinct for all candidates

1 for the office for which such person was a candidate. Such  
2 abstract shall be furnished no later than 2 days after the  
3 receipt of the request or 8 days after the completing of the  
4 canvass, whichever is later.

5 Within one calendar day ~~10-days~~ following the canvass and  
6 proclamation of each general primary election and general  
7 election, each election authority shall transmit to the  
8 principal office of the State Board of Elections copies of  
9 the abstracts of votes by precinct for the above-named  
10 offices and for the offices of ward, township, and precinct  
11 committeeman via overnight mail so that the abstract of votes  
12 arrives at the address the following calendar day. Each  
13 election authority shall also transmit to the principal  
14 office of the State Board of Elections copies of current  
15 precinct poll lists.

16 (Source: P.A. 83-880.)

17 (10 ILCS 5/23-15.1 new)

18 Sec. 23-15.1. Production of ballot counting code and  
19 attendance of witnesses. All voting-system vendors shall,  
20 within 90 days after the adoption of rules or upon  
21 application for voting-system approval, place in escrow all  
22 computer code for its voting system with the State Board of  
23 Elections. The State Board of Elections shall promulgate  
24 rules to implement this Section. For purposes of this  
25 Section, the term "computer code" includes, but is not  
26 limited to, ballot counting source code, table structures,  
27 modules, program narratives, and other human readable  
28 computer instructions used to count ballots. Any computer  
29 code submitted by vendors to the State Board of Elections  
30 shall be considered strictly confidential and the  
31 intellectual property of the vendors and shall not be subject  
32 to public disclosure under the Freedom of Information Act.

33 The State Board of Elections shall determine which

1 software components of a voting system it deems necessary to  
2 enable the review and verification of the computer. The State  
3 Board of Elections shall secure and maintain all proprietary  
4 computer codes in strict confidence and shall make a computer  
5 code available to authorized persons in connection with an  
6 election contest or pursuant to any State or federal court  
7 order.

8 In an election contest, each party to the contest may  
9 designate one or more persons who are authorized to receive  
10 the computer code of the relevant voting systems. The person  
11 or persons authorized to receive the relevant computer code  
12 shall enter into a confidentiality agreement with the State  
13 Board of Elections and must exercise the highest degree of  
14 reasonable care to maintain the confidentiality of all  
15 proprietary information.

16 The State Board of Elections shall promulgate rules to  
17 provide for the security, review, and verification of  
18 computer codes. Verification includes, but is not limited to,  
19 determining that the computer code corresponds to computer  
20 instructions actually in use to count ballots. Nothing in  
21 this Section shall impair the obligation of any contract  
22 between a voting-systems vendor and an election authority  
23 that provides access to computer code that is equal to or  
24 greater than that provided by this Section.

25 (10 ILCS 5/24A-22 new)

26 Sec. 24A-22. Definition of a vote.

27 (a) Notwithstanding any law to the contrary, for the  
28 purpose of this Article, a person casts a valid vote on a  
29 punch card ballot when:

30 (1) A chad on the card has at least one corner  
31 detached from the card;

32 (2) The fibers of paper on at least one edge of the  
33 chad are broken in a way that permits unimpeded light to

1 be seen through the card; or

2 (3) An indentation on the chad from the stylus or  
3 other object is present and indicates a clearly  
4 ascertainable intent of the voter to vote based on the  
5 totality of the circumstances, including but not limited  
6 to any pattern or frequency of indentations on other  
7 ballot positions from the same ballot card.

8 (b) Write-in votes shall be counted in a manner  
9 consistent with the existing provisions of this Code.

10 (c) For purposes of this Section, a "chad" is that  
11 portion of a ballot card that a voter punches or perforates  
12 with a stylus or other designated marking device to manifest  
13 his or her vote for a particular ballot position on a ballot  
14 card as defined in subsection (a). Chads shall be removed  
15 from ballot cards prior to their processing and tabulation in  
16 election jurisdictions that utilize a ballot card as a means  
17 of recording votes at an election. Election jurisdictions  
18 that utilize a mechanical means or device for chad removal as  
19 a component of their tabulation shall use that means or  
20 device for chad removal.

21 (10 ILCS 5/24B-2)

22 Sec. 24B-2. Definitions. As used in this Article:

23 "Computer", "automatic tabulating equipment" or  
24 "equipment" includes apparatus necessary to automatically  
25 examine and count votes as designated on ballots, and data  
26 processing machines which can be used for counting ballots  
27 and tabulating results.

28 "Ballot" means paper ballot sheets.

29 "Ballot configuration" means the particular combination  
30 of political subdivision ballots including, for each  
31 political subdivision, the particular combination of offices,  
32 candidate names and questions as it appears for each group of  
33 voters who may cast the same ballot.

1 "Ballot sheet" means a paper ballot printed on one or  
2 both sides which is (1) designed and prepared so that the  
3 voter may indicate his or her votes in designated areas,  
4 which must be areas clearly printed or otherwise delineated  
5 for such purpose, and (2) capable of having votes marked in  
6 the designated areas automatically examined, counted, and  
7 tabulated by an electronic scanning process.

8 "Central counting" means the counting of ballots in one  
9 or more locations selected by the election authority for the  
10 processing or counting, or both, of ballots. A location for  
11 central counting shall be within the territorial jurisdiction  
12 of the election authority unless there is no suitable  
13 tabulating equipment available within his territorial  
14 jurisdiction. However, in any event a counting location  
15 shall be within this State.

16 "Computer operator" means any person or persons  
17 designated by the election authority to operate the automatic  
18 tabulating equipment during any portion of the vote tallying  
19 process in an election, but shall not include judges of  
20 election operating vote tabulating equipment in the precinct.

21 "Computer program" or "program" means the set of  
22 operating instructions for the automatic tabulating equipment  
23 that examines, counts, tabulates, canvasses and prints votes  
24 recorded by a voter on a ballot.

25 "Edit listing" means a computer generated listing of the  
26 names of each candidate and proposition as they appear in the  
27 program for each precinct.

28 "Header sheet" means a data processing document which is  
29 coded to indicate to the computer the precinct identity of  
30 the ballots that will follow immediately and may indicate to  
31 the computer how such ballots are to be tabulated.

32 "In-precinct counting" means the counting of ballots on  
33 automatic tabulating equipment provided by the election  
34 authority in the same precinct polling place in which those

1 ballots have been cast.

2 "Marking device" means a pen, computer, or other device  
3 or similar device approved by the State Board of Elections  
4 for marking, or causing to be marked, a paper ballot with ink  
5 or other substance which will enable the ballot to be  
6 tabulated by automatic tabulating equipment or by an  
7 electronic scanning process.

8 "Precinct Tabulation Optical Scan Technology" means the  
9 capability to examine a ballot through electronic means and  
10 tabulate the votes at one or more counting places.

11 "Redundant count" means a verification of the original  
12 computer count by another count using compatible equipment or  
13 by hand as part of a discovery recount.

14 "Security designation" means a printed designation placed  
15 on a ballot to identify to the computer program the offices  
16 and propositions for which votes may be cast and to indicate  
17 the manner in which votes cast should be tabulated while  
18 negating any inadmissible votes.

19 "Separate ballot", with respect to ballot sheets, means a  
20 separate portion of the ballot sheet which is clearly defined  
21 by a border or borders or shading.

22 "Specimen ballot" means a representation of names of  
23 offices and candidates and statements of measures to be voted  
24 on which will appear on the official ballot or marking device  
25 on election day. The specimen ballot also contains the party  
26 and position number where applicable.

27 "Voting defect identification" means the capability to  
28 detect overvoted ballots or ballots which cannot be read by  
29 the automatic tabulating equipment.

30 "Voting defects" means an overvoted ballot, or a ballot  
31 which cannot be read by the automatic tabulating equipment.

32 "Voting system" or "electronic voting system" means that  
33 combination of equipment and programs used in the casting,  
34 examination and tabulation of ballots and the cumulation and

1 reporting of results by electronic means.

2 (Source: P.A. 89-394, eff. 1-1-97.)

3 (10 ILCS 5/24B-6)

4 Sec. 24B-6. Ballot Information; Arrangement; Electronic  
5 Precinct Tabulation Optical Scan Technology Voting System;  
6 Absentee Ballots; Spoiled Ballots. The ballot information,  
7 shall, as far as practicable, be in the order of arrangement  
8 provided for paper ballots, except that the information may  
9 be in vertical or horizontal rows, or on a number of separate  
10 pages or displays on the marking device. Ballots for all  
11 questions or propositions to be voted on should be provided  
12 in a similar manner and must be arranged on the ballot sheet  
13 or marking device in the places provided for such purposes.  
14 Ballots shall be of white paper unless provided otherwise by  
15 administrative rule of the State Board of Elections or  
16 otherwise specified.

17 All propositions, including but not limited to  
18 propositions calling for a constitutional convention,  
19 constitutional amendment, judicial retention, and public  
20 measures to be voted upon shall be placed on separate  
21 portions of the ballot sheet or marking device by utilizing  
22 borders or grey screens. Candidates shall be listed on a  
23 separate portion of the ballot sheet or marking device by  
24 utilizing borders or grey screens. Below the name of the  
25 last candidate listed for an office shall be printed or  
26 displayed a line or lines on which the voter may select a  
27 write-in candidate. Such line or lines shall be proximate to  
28 the--name--of-a-candidate-or-candidates-may-be-written-by-the  
29 voter,-and-proximate-to-such-lines an area shall be provided  
30 for marking votes for the write-in candidate or candidates.  
31 The number of write-in lines for an office shall equal the  
32 number of candidates for which a voter may vote. More than  
33 one amendment to the constitution may be placed on the same

1 portion of the ballot sheet or marking device. Constitutional  
2 convention or constitutional amendment propositions shall be  
3 printed or displayed on a separate portion of the ballot  
4 sheet or marking device and designated by borders or grey  
5 screens, unless otherwise provided by administrative rule of  
6 the State Board of Elections. More than one public measure  
7 or proposition may be placed on the same portion of the  
8 ballot sheet or marking device. More than one proposition  
9 for retention of judges in office may be placed on the same  
10 portion of the ballot sheet or marking device. Names of  
11 candidates shall be printed in black. The party affiliation  
12 of each candidate or the word "independent" shall appear near  
13 or under the candidate's name, and the names of candidates  
14 for the same office shall be listed vertically under the  
15 title of that office, on separate pages of the marking  
16 device, or as otherwise approved by the State Board of  
17 Elections. In the case of nonpartisan elections for officers  
18 of political subdivisions, unless the statute or an ordinance  
19 adopted pursuant to Article VII of the Constitution requires  
20 otherwise, the listing of nonpartisan candidates shall not  
21 include any party or "independent" designation. Judicial  
22 retention questions and ballot questions for all public  
23 measures and other propositions shall be designated by  
24 borders or grey screens on the ballot or marking device.  
25 ~~Judicial-retention-ballots-shall-be-designated-by-borders--or~~  
26 ~~grey--screens.---Ballots--for--all--public-measures-and-other~~  
27 ~~propositions-shall-be-designated-by-borders-or-grey--screens.~~  
28 In primary elections, a separate ballot, or displays on the  
29 marking device, shall be used for each political party  
30 holding a primary, with the ballot or marking device arranged  
31 to include names of the candidates of the party and public  
32 measures and other propositions to be voted upon on the day  
33 of the primary election.

34 If the ballot includes both candidates for office and

1 public measures or propositions to be voted on, the election  
2 official in charge of the election shall divide the ballot or  
3 displays on the marking device in sections for "Candidates"  
4 and "Propositions", or separate ballots may be used.

5 Absentee ballots may consist of envelopes, paper ballots  
6 or ballot sheets voted in person in the office of the  
7 election official in charge of the election or voted by mail.  
8 Where a Precinct Tabulation Optical Scan Technology ballot is  
9 used for voting by mail it must be accompanied by voter  
10 instructions.

11 Any voter who spoils his or her ballot, makes an error,  
12 or has a ballot returned by the automatic tabulating  
13 equipment may return the ballot to the judges of election and  
14 get another ballot.

15 (Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

16 (10 ILCS 5/24B-8)

17 Sec. 24B-8. Preparation for Use; Comparison of Ballots;  
18 Operational Checks of Automatic Precinct Tabulation Optical  
19 Scan Technology Tabulating Equipment; Pollwatchers. The  
20 county clerk or board of election commissioners shall cause  
21 the approved marking devices to be delivered to the polling  
22 places. Before the opening of the polls the judges of  
23 election shall compare the ballots or displays on the marking  
24 device used with the specimen ballots furnished and see that  
25 the names, numbers and letters thereon agree and shall  
26 certify thereto on forms provided by the county clerk or  
27 board of election commissioners.

28 In addition, in those polling places where in-precinct  
29 Precinct Tabulation Optical Scan Technology counting  
30 equipment is utilized, the judges of election shall make an  
31 operational check of the automatic Precinct Tabulation  
32 Optical Scan Technology tabulating equipment before the  
33 opening of the polls. The judges of election shall ensure

1 that the totals are all zeroes in the count column on the  
2 Precinct Tabulation Optical Scan Technology unit.

3 Pollwatchers as provided by law shall be permitted to  
4 closely observe the judges in these procedures and to  
5 periodically inspect the Precinct Tabulation Optical Scan  
6 Technology equipment when not in use by the voters.

7 (Source: P.A. 89-394, eff. 1-1-97.)

8 (10 ILCS 5/24B-9)

9 Sec. 24B-9. Testing of Precinct Tabulation Optical Scan  
10 Technology Equipment and Program; Custody of Programs, Test  
11 Materials and Ballots. Prior to the public test, the  
12 election authority shall conduct an errorless pre-test of the  
13 automatic Precinct Tabulation Optical Scan Technology  
14 tabulating equipment and program and marking device to  
15 determine that they will correctly detect Voting Defects and  
16 count the votes cast for all offices and all measures. On any  
17 day not less than 5 days prior to the election day, the  
18 election authority shall publicly test the automatic Precinct  
19 Tabulation Optical Scan Technology tabulating equipment and  
20 program to determine that they will correctly detect Voting  
21 Defects and count the votes cast for all offices and on all  
22 measures. Public notice of the time and place of the test  
23 shall be given at least 48 hours before the test by  
24 publishing the notice in one or more newspapers within the  
25 election jurisdiction of the election authority, if a  
26 newspaper is published in that jurisdiction. If a newspaper  
27 is not published in that jurisdiction, notice shall be  
28 published in a newspaper of general circulation in that  
29 jurisdiction. Timely written notice stating the date, time,  
30 and location of the public test shall also be provided to the  
31 State Board of Elections. The test shall be open to  
32 representatives of the political parties, the press,  
33 representatives of the State Board of Elections, and the

1 public. The test shall be conducted by processing a  
2 preaudited group of ballots marked to record a predetermined  
3 number of valid votes for each candidate and on each measure,  
4 and shall include for each office one or more ballots having  
5 votes exceeding the number allowed by law to test the ability  
6 of the automatic tabulating equipment or marking device to  
7 reject the votes. The test shall also include producing an  
8 edit listing. In those election jurisdictions where  
9 in-precinct counting equipment is used, a public test of both  
10 the equipment and program shall be conducted as nearly as  
11 possible in the manner prescribed above. The State Board of  
12 Elections may select as many election jurisdictions as the  
13 Board deems advisable in the interests of the election  
14 process of this State, to order a special test of the  
15 automatic tabulating equipment and program before any regular  
16 election. The Board may order a special test in any election  
17 jurisdiction where, during the preceding 12 months, computer  
18 programming errors or other errors in the use of electronic  
19 voting systems resulted in vote tabulation errors. Not less  
20 than 30 days before any election, the State Board of  
21 Elections shall provide written notice to those selected  
22 jurisdictions of their intent to conduct a test. Within 5  
23 days of receipt of the State Board of Elections' written  
24 notice of intent to conduct a test, the selected  
25 jurisdictions shall forward to the principal office of the  
26 State Board of Elections a copy of all specimen ballots. The  
27 State Board of Elections' tests shall be conducted and  
28 completed not less than 2 days before the public test  
29 utilizing testing materials supplied by the Board and under  
30 the supervision of the Board, and the Board shall reimburse  
31 the election authority for the reasonable cost of computer  
32 time required to conduct the special test. After an  
33 errorless test, materials used in the public test, including  
34 the program, if appropriate, shall be sealed and remain

1 sealed until the test is run again on election day. If any  
2 error is detected, the cause of the error shall be determined  
3 and corrected, and an errorless public test shall be made  
4 before the automatic tabulating equipment is approved. Each  
5 election authority shall file a sealed copy of each tested  
6 program to be used within its jurisdiction at an election  
7 with the State Board of Elections before the election. The  
8 Board shall secure the program or programs of each election  
9 jurisdiction so filed in its office for the 60 days following  
10 the canvass and proclamation of election results. At the  
11 expiration of that time, if no election contest or appeal is  
12 pending in an election jurisdiction, the Board shall return  
13 the sealed program or programs to the election authority of  
14 the jurisdiction. Except where in-precinct counting  
15 equipment is used, the test shall be repeated immediately  
16 before the start of the official counting of the ballots, in  
17 the same manner as set forth above. After the completion of  
18 the count, the test shall be re-run using the same program.  
19 Immediately after the re-run, all material used in testing  
20 the program and the programs shall be sealed and retained  
21 under the custody of the election authority for a period of  
22 60 days. At the expiration of that time the election  
23 authority shall destroy the voted ballots, together with all  
24 unused ballots returned from the precincts. Provided, if any  
25 contest of election is pending at the time in which the  
26 ballots may be required as evidence and the election  
27 authority has notice of the contest, the same shall not be  
28 destroyed until after the contest is finally determined. If  
29 the use of back-up equipment becomes necessary, the same  
30 testing required for the original equipment shall be  
31 conducted.

32 (Source: P.A. 89-394, eff. 1-1-97.)

1           Sec. 24B-9.1. Examination of Votes by Electronic  
2 Precinct Tabulation Optical Scan Technology Scanning Process  
3 or other authorized electronic process; definition of a vote.

4           (a) Examination of Votes by Electronic Precinct  
5 Tabulation Optical Scan Technology Scanning Process. Whenever  
6 a Precinct Tabulation Optical Scan Technology process is used  
7 to automatically examine and count the votes on ballot  
8 sheets, the provisions of this Section shall apply. A voter  
9 shall cast a proper vote on a ballot sheet by making a mark,  
10 or causing a mark to be made, in the designated area for the  
11 casting of a vote for any party or candidate or for or  
12 against any proposition. For this purpose, a mark is an  
13 intentional darkening of the designated area on the ballot  
14 sheet, and not an identifying mark.

15           (b) For any ballot sheet that does not register a vote  
16 for one or more ballot positions on the ballot sheet on a  
17 Electronic Precinct Tabulation Optical Scan Technology  
18 Scanning Process, the following shall constitute a vote on  
19 the ballot sheet:

20           (1) The designated area for casting a vote for a  
21 particular ballot position on the ballot sheet is fully  
22 darkened or shaded in;

23           (2) The designated area for casting a vote for a  
24 particular ballot position on the ballot sheet is  
25 partially darkened or shaded in;

26           (3) The designated area for casting a vote for a  
27 particular ballot position on the ballot sheet contains a  
28 dot or ".", a check, or a plus or "+"; or

29           (4) The designated area for casting a vote for a  
30 particular ballot position on the ballot sheet contains  
31 some other type of mark that indicates the clearly  
32 ascertainable intent of the voter to vote based on the  
33 totality of the circumstances, including but not limited  
34 to any pattern or frequency of marks on other ballot

1 positions from the same ballot sheet.

2 (5) The designated area for casting a vote for a  
3 particular ballot position on the ballot sheet is not  
4 marked, but the ballot sheet contains other markings  
5 associated with a particular ballot position, such as  
6 circling a candidate's name, that indicates the clearly  
7 ascertainable intent of the voter to vote, based on the  
8 totality of the circumstances, including but not limited  
9 to, any pattern or frequency of markings on other ballot  
10 positions from the same ballot sheet.

11 (c) For other electronic voting systems that use a  
12 computer as the marking device to mark a ballot sheet, the  
13 bar code found on the ballot sheet shall constitute the votes  
14 found on the ballot. If, however, the county clerk or board  
15 of election commissioners determines that the votes  
16 represented by the tally on the bar code for one or more  
17 ballot positions is inconsistent with the votes represented  
18 by numerical ballot positions identified on the ballot sheet  
19 produced using a computer as the marking device, then the  
20 numerical ballot positions identified on the ballot sheet  
21 shall constitute the votes for purposes of any official  
22 canvass or recount proceeding. An electronic voting system  
23 that uses a computer as the marking device to mark a ballot  
24 sheet shall be capable of producing a ballot sheet that  
25 contains all numerical ballot positions selected by the  
26 voter, and provides a place for the voter to cast a write-in  
27 vote for a candidate for a particular numerical ballot  
28 position.

29 (d) The election authority shall provide an envelope,  
30 sleeve or other device to each voter so the voter can deliver  
31 the voted ballot sheet to the counting equipment and ballot  
32 box without the votes indicated on the ballot sheet being  
33 visible to other persons in the polling place.

34 (Source: P.A. 89-394, eff. 1-1-97.)

1 (10 ILCS 5/24B-10)

2 Sec. 24B-10. Receiving, Counting, Tallying and Return of  
3 Ballots; Acceptance of Ballots by Election Authority.

4 (a) In an election jurisdiction which has adopted an  
5 electronic Precinct Tabulation Optical Scan Technology voting  
6 system, the election official in charge of the election shall  
7 select one of the 3 following procedures for receiving,  
8 counting, tallying, and return of the ballots:

9 (1) Two ballot boxes shall be provided for each  
10 polling place. The first ballot box is for the  
11 depositing of votes cast on the electronic voting system;  
12 and the second ballot box is for all votes cast on other  
13 ballots, including absentee paper ballots and any other  
14 paper ballots required to be voted other than on the  
15 Precinct Tabulation Optical Scan Technology electronic  
16 voting system. Ballots, except absentee ballots for  
17 candidates and propositions which are listed on the  
18 Precinct Tabulation Optical Scan Technology electronic  
19 voting system, deposited in the second ballot box shall  
20 be counted, tallied, and returned as is elsewhere  
21 provided in this Code for the counting and handling of  
22 paper ballots. Immediately after the closing of the  
23 polls the absentee ballots delivered to the precinct  
24 judges of election by the election official in charge of  
25 the election shall be examined to determine that the  
26 ballots comply with Sections 19-9 and 20-9 of this Code  
27 and are entitled to be inserted into the counting  
28 equipment and deposited into the ballot box provided;  
29 those entitled to be deposited in this ballot box shall  
30 be initialed by the precinct judges of election and  
31 deposited. Those not entitled to be deposited in this  
32 ballot box shall be marked "Rejected" and disposed of as  
33 provided in Sections 19-9 and 20-9. The precinct judges  
34 of election shall then open the second ballot box and

1 examine all paper absentee ballots which are in the  
2 ballot box to determine whether the absentee ballots bear  
3 the initials of a precinct judge of election. If any  
4 absentee ballot is not so initialed, it shall be marked  
5 on the back "Defective", initialed as to the label by all  
6 judges immediately under the word "Defective", and not  
7 counted, but placed in the envelope provided for that  
8 purpose labeled "Defective Ballots Envelope". The judges  
9 of election, consisting in each case of at least one  
10 judge of election of each of the 2 major political  
11 parties, shall examine the paper absentee ballots which  
12 were in such ballot box and properly initialed to  
13 determine whether the same contain write-in votes.  
14 Write-in votes, not causing an overvote for an office  
15 otherwise voted for on the paper absentee ballot, and  
16 otherwise properly voted, shall be counted, tallied and  
17 recorded on the tally sheet provided for the record. A  
18 write-in vote causing an overvote for an office shall not  
19 be counted for that office, but the precinct judges shall  
20 mark such paper absentee ballot "Objected To" on the back  
21 and write on its back the manner in which the ballot is  
22 counted and initial the same. An overvote for one office  
23 shall invalidate only the vote or count of that  
24 particular office. After counting, tallying and  
25 recording the write-in votes on absentee ballots, the  
26 judges of election, consisting in each case of at least  
27 one judge of election of each of the 2 major political  
28 parties, shall make a true duplicate ballot of the  
29 remaining valid votes on each paper absentee ballot which  
30 was in the ballot box and properly initialed, by using  
31 the electronic Precinct Tabulation Optical Scan  
32 Technology voting system used in the precinct and one of  
33 the marking devices, or equivalent marking device or  
34 equivalent ballot, of the precinct to transfer the

1 remaining valid votes of the voter on the paper absentee  
2 ballot to an official ballot or a ballot card of that  
3 kind used in the precinct at that election. The original  
4 paper absentee ballot shall be clearly labeled "Absentee  
5 Ballot" and the ballot card so produced "Duplicate  
6 Absentee Ballot", and each shall bear the same serial  
7 number which shall be placed thereon by the judges of  
8 election, beginning with number 1 and continuing  
9 consecutively for the ballots of that kind in that  
10 precinct. The judges of election shall initial the  
11 "Duplicate Absentee Ballot" ballots and shall place them  
12 in the first ballot box provided for return of the  
13 ballots to be counted at the central counting location in  
14 lieu of the paper absentee ballots. The paper absentee  
15 ballots shall be placed in an envelope provided for that  
16 purpose labeled "Duplicate Ballots".

17 As soon as the absentee ballots have been deposited  
18 in the first ballot box, the judges of election shall  
19 make out a slip indicating the number of persons who  
20 voted in the precinct at the election. The slip shall be  
21 signed by all the judges of election and shall be  
22 inserted by them in the first ballot box. The judges of  
23 election shall thereupon immediately lock the first  
24 ballot box; provided, that if the box is not of a type  
25 which may be securely locked, the box shall be sealed  
26 with filament tape provided for the purpose that shall be  
27 wrapped around the box lengthwise and crosswise, at least  
28 twice each way, and in a manner that the seal completely  
29 covers the slot in the ballot box, and each of the judges  
30 shall sign the seal. Two of the judges of election, of  
31 different political parties, shall by the most direct  
32 route transport both ballot boxes to the counting  
33 location designated by the county clerk or board of  
34 election commissioners.

1           Before the ballots of a precinct are fed to the  
2 electronic Precinct Tabulation Optical Scan Technology  
3 tabulating equipment, the first ballot box shall be  
4 opened at the central counting station by the 2 precinct  
5 transport judges. Upon opening a ballot box, the team  
6 shall first count the number of ballots in the box. If 2  
7 or more are folded together to appear to have been cast  
8 by the same person, all of the ballots folded together  
9 shall be marked and returned with the other ballots in  
10 the same condition, as near as may be, in which they were  
11 found when first opened, but shall not be counted. If  
12 the remaining ballots are found to exceed the number of  
13 persons voting in the precinct as shown by the slip  
14 signed by the judges of election, the ballots shall be  
15 replaced in the box, and the box closed and well shaken  
16 and again opened and one of the precinct transport judges  
17 shall publicly draw out so many ballots unopened as are  
18 equal to the excess.

19           The excess ballots shall be marked "Excess-Not  
20 Counted" and signed by the 2 precinct transport judges  
21 and shall be placed in the "After 7:00 p.m. Defective  
22 Ballots Envelope". The number of excess ballots shall be  
23 noted in the remarks section of the Certificate of  
24 Results. "Excess" ballots shall not be counted in the  
25 total of "defective" ballots.

26           The precinct transport judges shall then examine the  
27 remaining ballots for write-in votes and shall count and  
28 tabulate the write-in vote.

29           (2) A single ballot box, for the deposit of all  
30 votes cast, shall be used. All ballots which are not to  
31 be tabulated on the electronic voting system shall be  
32 counted, tallied, and returned as elsewhere provided in  
33 this Code for the counting and handling of paper ballots.

34           All ballots to be processed and tabulated with the

1 electronic Precinct Tabulation Optical Scan Technology  
2 voting system shall be processed as follows:

3 Immediately after the closing of the polls the  
4 absentee ballots delivered to the precinct judges of  
5 election by the election official in charge of the  
6 election shall be examined to determine that such ballots  
7 comply with Sections 19-9 and 20-9 of this Code and are  
8 entitled to be deposited in the ballot box; those  
9 entitled to be deposited in the ballot box shall be  
10 initialed by the precinct judges of election and  
11 deposited in the ballot box. Those not entitled to be  
12 deposited in the ballot box shall be marked "Rejected"  
13 and disposed of as provided in Sections 19-9 and 20-9.  
14 The precinct judges of election then shall open the  
15 ballot box and canvass the votes polled to determine that  
16 the number of ballots agree with the number of voters  
17 voting as shown by the applications for ballot, or if the  
18 same do not agree the judges of election shall make such  
19 ballots agree with the applications for ballot in the  
20 manner provided by Section 17-18 of this Code. The  
21 judges of election shall then examine all paper absentee  
22 ballots and ballot envelopes which are in the ballot box  
23 to determine whether the ballots and ballot envelopes  
24 bear the initials of a precinct judge of election. If  
25 any ballot or ballot envelope is not initialed, it shall  
26 be marked on the back "Defective", initialed as to the  
27 label by all judges immediately under the word  
28 "Defective", and not counted, but placed in the envelope  
29 provided for that purpose labeled "Defective Ballots  
30 Envelope". The judges of election, consisting in each  
31 case of at least one judge of election of each of the 2  
32 major political parties, shall examine the paper absentee  
33 ballots which were in the ballot box and properly  
34 initialed to determine whether the same contain write-in

1 votes. Write-in votes, not causing an overvote for an  
2 office otherwise voted for on the paper absentee ballot,  
3 and otherwise properly voted, shall be counted, tallied  
4 and recorded on the tally sheet provided for the record.  
5 A write-in vote causing an overvote for an office shall  
6 not be counted for that office, but the precinct judges  
7 shall mark the paper absentee ballot "Objected To" on the  
8 back and write on its back the manner the ballot is  
9 counted and initial the same. An overvote for one office  
10 shall invalidate only the vote or count of that  
11 particular office. After counting, tallying and  
12 recording the write-in votes on absentee ballots, the  
13 judges of election, consisting in each case of at least  
14 one judge of election of each of the 2 major political  
15 parties, shall make a true duplicate ballot of the  
16 remaining valid votes on each paper absentee ballot which  
17 was in the ballot box and properly initialed, by using  
18 the electronic voting system used in the precinct and one  
19 of the marking devices of the precinct to transfer the  
20 remaining valid votes of the voter on the paper absentee  
21 ballot to an official ballot of that kind used in the  
22 precinct at that election. The original paper absentee  
23 ballot shall be clearly labeled "Absentee Ballot" and the  
24 ballot so produced "Duplicate Absentee Ballot", and each  
25 shall bear the same serial number which shall be placed  
26 thereon by the judges of election, commencing with number  
27 1 and continuing consecutively for the ballots of that  
28 kind in that precinct. The judges of election shall  
29 initial the "Duplicate Absentee Ballot" ballots and shall  
30 place them in the box for return of the ballots with all  
31 other ballots to be counted at the central counting  
32 location in lieu of the paper absentee ballots. The  
33 paper absentee ballots shall be placed in an envelope  
34 provided for that purpose labeled "Duplicate Ballots".

1           In case of an overvote for any office, the judges of  
2 election, consisting in each case of at least one judge  
3 of election of each of the 2 major political parties,  
4 shall make a true duplicate ballot of all votes on the  
5 ballot except for the office which is overvoted, by using  
6 the ballot of the precinct and one of the marking  
7 devices, or equivalent ballot, of the precinct to  
8 transfer all votes of the voter except for the office  
9 overvoted, to an official ballot of that kind used in the  
10 precinct at that election. The original ballot upon  
11 which there is an overvote shall be clearly labeled  
12 "Overvoted Ballot", and each shall bear the same serial  
13 number which shall be placed thereon by the judges of  
14 election, beginning with number 1 and continuing  
15 consecutively for the ballots of that kind in that  
16 precinct. The judges of election shall initial the  
17 "Duplicate Overvoted Ballot" ballots and shall place them  
18 in the box for return of the ballots. The "Overvoted  
19 Ballot" ballots shall be placed in the "Duplicate  
20 Ballots" envelope. The ballots except any defective or  
21 overvoted ballot shall be placed separately in the box  
22 for return of the ballots, along with all "Duplicate  
23 Absentee Ballots", and "Duplicate Overvoted Ballots".  
24 The judges of election shall examine the ballots to  
25 determine if any is damaged or defective so that it  
26 cannot be counted by the automatic tabulating equipment.  
27 If any ballot is damaged or defective so that it cannot  
28 properly be counted by the automatic tabulating  
29 equipment, the judges of election, consisting in each  
30 case of at least one judge of election of each of the 2  
31 major political parties, shall make a true duplicate  
32 ballot of all votes on such ballot by using the ballot of  
33 the precinct and one of the marking devices, or  
34 equivalent ballot, of the precinct. The original ballot

1 and ballot envelope shall be clearly labeled "Damaged  
2 Ballot" and the ballot so produced "Duplicate Damaged  
3 Ballot", and each shall bear the same number which shall  
4 be placed thereon by the judges of election, commencing  
5 with number 1 and continuing consecutively for the  
6 ballots of that kind in the precinct. The judges of  
7 election shall initial the "Duplicate Damaged Ballot"  
8 ballot and shall place them in the box for return of the  
9 ballots. The "Damaged Ballot" ballots shall be placed  
10 in the "Duplicated Ballots" envelope. A slip indicating  
11 the number of voters voting in person, number of absentee  
12 votes deposited in the ballot box, and the total number  
13 of voters of the precinct who voted at the election shall  
14 be made out, signed by all judges of election, and  
15 inserted in the box for return of the ballots. The tally  
16 sheets recording the write-in votes shall be placed in  
17 this box. The judges of election immediately shall  
18 securely lock the ballot box or other suitable box  
19 furnished for return of the ballots by the election  
20 official in charge of the election; provided that if the  
21 box is not of a type which may be securely locked, the  
22 box shall be sealed with filament tape provided for the  
23 purpose which shall be wrapped around the box lengthwise  
24 and crosswise, at least twice each way. A separate  
25 adhesive seal label signed by each of the judges of  
26 election of the precinct shall be affixed to the box to  
27 cover any slot therein and to identify the box of the  
28 precinct; and if the box is sealed with filament tape as  
29 provided rather than locked, such tape shall be wrapped  
30 around the box as provided, but in such manner that the  
31 separate adhesive seal label affixed to the box and  
32 signed by the judges may not be removed without breaking  
33 the filament tape and disturbing the signature of the  
34 judges. Two of the judges of election, of different

1 major political parties, shall by the most direct route  
2 transport the box for return of the ballots and enclosed  
3 ballots and returns to the central counting location  
4 designated by the election official in charge of the  
5 election. If, however, because of the lack of adequate  
6 parking facilities at the central counting location or  
7 for any other reason, it is impossible or impracticable  
8 for the boxes from all the polling places to be delivered  
9 directly to the central counting location, the election  
10 official in charge of the election may designate some  
11 other location to which the boxes shall be delivered by  
12 the 2 precinct judges. While at the other location the  
13 boxes shall be in the care and custody of one or more  
14 teams, each consisting of 4 persons, 2 from each of the 2  
15 major political parties, designated for such purpose by  
16 the election official in charge of elections from  
17 recommendations by the appropriate political party  
18 organizations. As soon as possible, the boxes shall be  
19 transported from the other location to the central  
20 counting location by one or more teams, each consisting  
21 of 4 persons, 2 from each of the 2 major political  
22 parties, designated for the purpose by the election  
23 official in charge of elections from recommendations by  
24 the appropriate political party organizations.

25 The "Defective Ballots" envelope, and "Duplicated  
26 Ballots" envelope each shall be securely sealed and the  
27 flap or end of each envelope signed by the precinct  
28 judges of election and returned to the central counting  
29 location with the box for return of the ballots, enclosed  
30 ballots and returns.

31 At the central counting location, a team of tally  
32 judges designated by the election official in charge of  
33 the election shall check the box returned containing the  
34 ballots to determine that all seals are intact, and shall

1 open the box, check the voters' slip and compare the  
2 number of ballots so delivered against the total number  
3 of voters of the precinct who voted, remove the ballots  
4 and deliver them to the technicians operating the  
5 automatic tabulating equipment. Any discrepancies  
6 between the number of ballots and total number of voters  
7 shall be noted on a sheet furnished for that purpose and  
8 signed by the tally judges.

9 (3) A single ballot box, for the deposit of all  
10 votes cast, shall be used. Immediately after the closing  
11 of the polls the judges of election shall examine the  
12 absentee ballots received by the precinct judges of  
13 election from the election authority of voters in that  
14 precinct to determine that they comply with the  
15 provisions of Sections 19-9, 20-8 and 20-9 of this Code  
16 and are entitled to be deposited in the ballot box; those  
17 entitled to be deposited in the ballot box shall be  
18 initialed by the precinct judges and deposited in the  
19 ballot box. Those not entitled to be deposited in the  
20 ballot box, in accordance with Sections 19-9, 20-8 and  
21 20-9 of this Code shall be marked "Rejected" and  
22 preserved in the manner provided in this Code for the  
23 retention and preservation of official ballots rejected  
24 at such election. Immediately upon the completion of the  
25 absentee balloting, the precinct judges of election shall  
26 securely lock the ballot box; provided that if such box  
27 is not of a type which may be securely locked, the box  
28 shall be sealed with filament tape provided for the  
29 purpose which shall be wrapped around the box lengthwise  
30 and crosswise, at least twice each way. A separate  
31 adhesive seal label signed by each of the judges of  
32 election of the precinct shall be affixed to the box to  
33 cover any slot therein and to identify the box of the  
34 precinct; and if the box is sealed with filament tape as

1 provided rather than locked, such tape shall be wrapped  
2 around the box as provided, but in a manner that the  
3 separate adhesive seal label affixed to the box and  
4 signed by the judges may not be removed without breaking  
5 the filament tape and disturbing the signature of the  
6 judges. Two of the judges of election, of different  
7 major political parties, shall by the most direct route  
8 transport the box for return of the ballots and enclosed  
9 absentee ballots and returns to the central counting  
10 location designated by the election official in charge of  
11 the election. If however, because of the lack of  
12 adequate parking facilities at the central counting  
13 location or for some other reason, it is impossible or  
14 impracticable for the boxes from all the polling places  
15 to be delivered directly to the central counting  
16 location, the election official in charge of the election  
17 may designate some other location to which the boxes  
18 shall be delivered by the 2 precinct judges. While at  
19 the other location the boxes shall be in the care and  
20 custody of one or more teams, each consisting of 4  
21 persons, 2 from each of the 2 major political parties,  
22 designated for the purpose by the election official in  
23 charge of elections from recommendations by the  
24 appropriate political party organizations. As soon as  
25 possible, the boxes shall be transported from the other  
26 location to the central counting location by one or more  
27 teams, each consisting of 4 persons, 2 from each of the 2  
28 major political parties, designated for the purpose by  
29 the election official in charge of the election from  
30 recommendations by the appropriate political party  
31 organizations.

32 At the central counting location there shall be one  
33 or more teams of tally judges who possess the same  
34 qualifications as tally judges in election jurisdictions

1 using paper ballots. The number of the teams shall be  
2 determined by the election authority. Each team shall  
3 consist of 5 tally judges, 3 selected and approved by the  
4 county board from a certified list furnished by the  
5 chairman of the county central committee of the party  
6 with the majority of members on the county board and 2  
7 selected and approved by the county board from a  
8 certified list furnished by the chairman of the county  
9 central committee of the party with the second largest  
10 number of members on the county board. At the central  
11 counting location a team of tally judges shall open the  
12 ballot box and canvass the votes polled to determine that  
13 the number of ballot sheets therein agree with the number  
14 of voters voting as shown by the applications for ballot  
15 and for absentee ballot; and, if the same do not agree,  
16 the tally judges shall make such ballots agree with the  
17 number of applications for ballot in the manner provided  
18 by Section 17-18 of this Code. The tally judges shall  
19 then examine all ballot sheets that are in the ballot box  
20 to determine whether they bear the initials of the  
21 precinct judge of election. If any ballot is not  
22 initialed, it shall be marked on the back "Defective",  
23 initialed as to that label by all tally judges  
24 immediately under the word "Defective", and not counted,  
25 but placed in the envelope provided for that purpose  
26 labeled "Defective Ballots Envelope". Write-in votes,  
27 not causing an overvote for an office otherwise voted for  
28 on the absentee ballot sheet, and otherwise properly  
29 voted, shall be counted, tallied, and recorded by the  
30 central counting location judges on the tally sheet  
31 provided for the record. A write-in vote causing an  
32 overvote for an office shall not be counted for that  
33 office, but the tally judges shall mark the absentee  
34 ballot sheet "Objected To" and write the manner in which

1 the ballot is counted on its back and initial the sheet.  
2 An overvote for one office shall invalidate only the vote  
3 or count for that particular office.

4 At the central counting location, a team of tally  
5 judges designated by the election official in charge of  
6 the election shall deliver the ballot sheets to the  
7 technicians operating the automatic Precinct Tabulation  
8 Optical Scan Technology tabulating equipment. Any  
9 discrepancies between the number of ballots and total  
10 number of voters shall be noted on a sheet furnished for  
11 that purpose and signed by the tally judges.

12 (b) Regardless of which procedure described in  
13 subsection (a) of this Section is used, the judges of  
14 election designated to transport the ballots properly signed  
15 and sealed, shall ensure that the ballots are delivered to  
16 the central counting station no later than 12 hours after the  
17 polls close. At the central counting station, a team of  
18 tally judges designated by the election official in charge of  
19 the election shall examine the ballots so transported and  
20 shall not accept ballots for tabulating which are not signed  
21 and sealed as provided in subsection (a) of this Section  
22 until the judges transporting the ballots make and sign the  
23 necessary corrections. Upon acceptance of the ballots by a  
24 team of tally judges at the central counting station, the  
25 election judges transporting the ballots shall take a receipt  
26 signed by the election official in charge of the election and  
27 stamped with the date and time of acceptance. The election  
28 judges whose duty it is to transport any ballots shall, in  
29 the event the ballots cannot be found when needed, on proper  
30 request, produce the receipt which they are to take as above  
31 provided.

32 (Source: P.A. 89-394, eff. 1-1-97.)

33 (10 ILCS 5/24B-10.1)

1           Sec.     24B-10.1.     In-Precinct     Counting     Equipment;  
2     Procedures for Counting and Tallying Ballots. In an election  
3     jurisdiction where Precinct Tabulation Optical Scan  
4     Technology counting equipment is used, the following  
5     procedures for counting and tallying the ballots shall apply:

6           Before the opening of the polls, and before the ballots  
7     are entered into the automatic tabulating equipment, the  
8     judges of election shall be sure that the totals are all  
9     zeros in the counting column. Ballots may then be counted by  
10    entering or scanning each ballot into the automatic  
11    tabulating equipment. Throughout the election day and before  
12    the closing of the polls, no person may check any vote totals  
13    for any candidate or proposition on the automatic tabulating  
14    equipment. Such automatic tabulating equipment shall be  
15    programmed so that no person may reset the equipment for  
16    refeeding of ballots unless provided a code from an  
17    authorized representative of the election authority. At the  
18    option of the election authority, the ballots may be fed into  
19    the Precinct Tabulation Optical Scan Technology equipment by  
20    the voters under the direct supervision of the judges of  
21    elections.

22           Immediately after the closing of the polls, the absentee  
23    ballots delivered to the precinct judges of election by the  
24    election authority shall be examined to determine that the  
25    ballots comply with Sections 19-9 and 20-9 of this Code and  
26    are entitled to be scanned by the Precinct Tabulation Optical  
27    Scan Technology equipment and then deposited in the ballot  
28    box; those entitled to be scanned and deposited in the ballot  
29    box shall be initialed by the precinct judges of election and  
30    then scanned and deposited in the ballot box. Those not  
31    entitled to be deposited in the ballot box shall be marked  
32    "Rejected" and disposed of as provided in said Sections 19-9  
33    and 20-9.

34           The precinct judges of election shall open the ballot box

1 and count the number of ballots to determine if the number  
2 agrees with the number of voters voting as shown on the  
3 Precinct Tabulation Optical Scan Technology equipment and by  
4 the applications for ballot or, if the same do not agree, the  
5 judges of election shall make the ballots agree with the  
6 applications for ballot in the manner provided by Section  
7 17-18 of this Code. The judges of election shall then  
8 examine all ballots which are in the ballot box to determine  
9 whether the ballots contain the initials of a precinct judge  
10 of election. If any ballot is not initialed, it shall be  
11 marked on the back "Defective", initialed as to such label by  
12 all judges immediately under the word "Defective" and not  
13 counted. The judges of election shall place an initialed  
14 blank official ballot in the place of the defective ballot,  
15 so that the count of the ballots to be counted on the  
16 automatic tabulating equipment will be the same, and each  
17 "Defective Ballot" and "Replacement" ballot shall contain the  
18 same serial number which shall be placed thereon by the  
19 judges of election, beginning with number 1 and continuing  
20 consecutively for the ballots of that kind in that precinct.  
21 The original "Defective" ballot shall be placed in the  
22 "Defective Ballot Envelope" provided for that purpose.

23 If the judges of election have removed a ballot pursuant  
24 to Section 17-18, have labeled "Defective" a ballot which is  
25 not initialed, or have otherwise determined under this Code  
26 to not count a ballot originally deposited into a ballot box,  
27 the judges of election shall be sure that the totals on the  
28 automatic tabulating equipment are reset to all zeros in the  
29 counting column. Thereafter the judges of election shall  
30 enter or otherwise scan each ballot to be counted in the  
31 automatic tabulating equipment. Resetting the automatic  
32 tabulating equipment to all zeros and re-entering of ballots  
33 to be counted may occur at the precinct polling place, the  
34 office of the election authority, or any receiving station

1 designated by the election authority. The election authority  
2 shall designate the place for resetting and re-entering or  
3 re-scanning.

4 When a Precinct Tabulation Optical Scan Technology  
5 electronic voting system is used which uses a paper ballot,  
6 the judges of election shall examine the ballot for write-in  
7 votes. When the voter has cast a write-in vote, the judges  
8 of election shall compare the write-in vote with the votes on  
9 the ballot to determine whether the write-in results in an  
10 overvote for any office, unless the Precinct Tabulation  
11 Optical Scan Technology equipment has already done so. In  
12 case of an overvote for any office, the judges of election,  
13 consisting in each case of at least one judge of election of  
14 each of the 2 major political parties, shall make a true  
15 duplicate ballot of all votes on such ballot except for the  
16 office which is overvoted, by using the ballot of the  
17 precinct and one of the marking devices, or equivalent  
18 ballot, of the precinct so as to transfer all votes of the  
19 voter, except for the office overvoted, to a duplicate  
20 ballot. The original ballot upon which there is an overvote  
21 shall be clearly labeled "Overvoted Ballot", and each such  
22 "Overvoted Ballot" as well as its "Replacement" shall contain  
23 the same serial number which shall be placed thereon by the  
24 judges of election, beginning with number 1 and continuing  
25 consecutively for the ballots of that kind in that precinct.  
26 The "Overvoted Ballot" shall be placed in an envelope  
27 provided for that purpose labeled "Duplicate Ballot"  
28 envelope, and the judges of election shall initial the  
29 "Replacement" ballots and shall place them with the other  
30 ballots to be counted on the automatic tabulating equipment.

31 If any ballot is damaged or defective, or if any ballot  
32 contains a Voting Defect, so that it cannot properly be  
33 counted by the automatic tabulating equipment, the voter or  
34 the judges of election, consisting in each case of at least

1 one judge of election of each of the 2 major political  
2 parties, shall make a true duplicate ballot of all votes on  
3 such ballot by using the ballot of the precinct and one of  
4 the marking devices of the precinct, or equivalent. If a  
5 damaged ballot, the original ballot shall be clearly labeled  
6 "Damaged Ballot" and the ballot so produced shall be clearly  
7 labeled "Damaged Ballot" and the ballot so produced shall be  
8 clearly labeled "Duplicate Damaged Ballot", and each shall  
9 contain the same serial number which shall be placed by the  
10 judges of election, beginning with number 1 and continuing  
11 consecutively for the ballots of that kind in the precinct.  
12 The judges of election shall initial the "Duplicate Damaged  
13 Ballot" ballot and shall enter or otherwise scan the  
14 duplicate damaged ballot into the automatic tabulating  
15 equipment. The "Damaged Ballots" shall be placed in the  
16 "Duplicated Ballots" envelope; after all ballots have been  
17 successfully read, the judges of election shall check to make  
18 certain that the Precinct Tabulation Optical Scan Technology  
19 equipment readout agrees with the number of voters making  
20 application for ballot in that precinct. The number shall be  
21 listed on the "Statement of Ballots" form provided by the  
22 election authority.

23 The totals for all candidates and propositions shall be  
24 tabulated; and 4 copies of a "Certificate of Results" shall  
25 be generated by the automatic tabulating equipment; one copy  
26 shall be posted in a conspicuous place inside the polling  
27 place; and every effort shall be made by the judges of  
28 election to provide a copy for each authorized pollwatcher or  
29 other official authorized to be present in the polling place  
30 to observe the counting of ballots; but in no case shall the  
31 number of copies to be made available to pollwatchers be  
32 fewer than 4, chosen by lot by the judges of election. In  
33 addition, sufficient time shall be provided by the judges of  
34 election to the pollwatchers to allow them to copy

1 information from the copy which has been posted.

2 The judges of election shall count all unused ballots and  
3 enter the number on the "Statement of Ballots". All  
4 "Spoiled", "Defective" and "Duplicated" ballots shall be  
5 counted and the number entered on the "Statement of Ballots".

6 The precinct judges of election shall select a  
7 bi-partisan team of 2 judges, who shall immediately return  
8 the ballots in a sealed container, along with all other  
9 election materials as instructed by the election authority;  
10 provided, however, that such container must first be sealed  
11 by the election judges with filament tape or other approved  
12 sealing devices provided for the purpose which shall be  
13 wrapped around the container lengthwise and crosswise, at  
14 least twice each way, in a manner that the ballots cannot be  
15 removed from the container without breaking the seal and  
16 filament tape and disturbing any signatures affixed by the  
17 election judges to the container, or which other approved  
18 sealing devices are affixed in a manner approved by the  
19 election authority. The election authority shall keep the  
20 office of the election authority or any receiving stations  
21 designated by the authority, open for at least 12 consecutive  
22 hours after the polls close or until the ballots from all  
23 precincts with in-precinct counting equipment within the  
24 jurisdiction of the election authority have been returned to  
25 the election authority. Ballots returned to the office of  
26 the election authority which are not signed and sealed as  
27 required by law shall not be accepted by the election  
28 authority until the judges returning the ballots make and  
29 sign the necessary corrections. Upon acceptance of the  
30 ballots by the election authority, the judges returning the  
31 ballots shall take a receipt signed by the election authority  
32 and stamped with the time and date of the return. The  
33 election judges whose duty it is to return any ballots as  
34 provided shall, in the event the ballots cannot be found when

1 needed, on proper request, produce the receipt which they are  
2 to take as above provided. The precinct judges of election  
3 shall also deliver the Precinct Tabulation Optical Scan  
4 Technology equipment to the election authority.

5 (Source: P.A. 89-394, eff. 1-1-97.)

6 (10 ILCS 5/24B-15)

7 Sec. 24B-15. Official Return of Precinct; Check of  
8 Totals; Retabulation. The precinct return printed by the  
9 automatic Precinct Tabulation Optical Scan Technology  
10 tabulating equipment shall include the number of ballots cast  
11 and votes cast for each candidate and proposition and shall  
12 constitute the official return of each precinct. In  
13 addition to the precinct return, the election authority shall  
14 provide the number of applications for ballots in each  
15 precinct, the write-in votes, the total number of ballots  
16 counted in each precinct for each political subdivision and  
17 district and the number of registered voters in each  
18 precinct. However, the election authority shall check the  
19 totals shown by the precinct return and, if there is an  
20 obvious discrepancy regarding the total number of votes cast  
21 in any precinct, shall have the ballots for that precinct  
22 retabulated to correct the return. The procedures for  
23 retabulation shall apply prior to and after the proclamation  
24 is completed; however, after the proclamation of results, the  
25 election authority must obtain a court order to unseal voted  
26 ballots except for election contests and discovery recounts.  
27 In those election jurisdictions that use in-precinct counting  
28 equipment, the certificate of results, which has been  
29 prepared by the judges of election in the polling place after  
30 the ballots have been tabulated, shall be the document used  
31 for the canvass of votes for such precinct. Whenever a  
32 discrepancy exists during the canvass of votes between the  
33 unofficial results and the certificate of results, or

1 whenever a discrepancy exists during the canvass of votes  
2 between the certificate of results and the set of totals  
3 which has been affixed to the certificate of results, the  
4 ballots for that precinct shall be retabulated to correct the  
5 return. As an additional part of this check prior to the  
6 proclamation, in those jurisdictions where in-precinct  
7 counting equipment is used, the election authority shall  
8 retabulate the total number of votes cast in 5% of the  
9 precincts within the election jurisdiction. The precincts to  
10 be retabulated shall be selected after election day on a  
11 random basis by the election authority, so that every  
12 precinct in the election jurisdiction has an equal  
13 mathematical chance of being selected. The State Board of  
14 Elections shall design a standard and scientific random  
15 method of selecting the precincts which are to be  
16 retabulated, and the election authority shall be required to  
17 use that method. The State Board of Elections, the State's  
18 Attorney and other appropriate law enforcement agencies, the  
19 county chairman of each established political party and  
20 qualified civic organizations shall be given prior written  
21 notice of the time and place of the random selection  
22 procedure and may be represented at the procedure. The  
23 retabulation shall consist of counting the ballots which were  
24 originally counted and shall not involve any determination of  
25 which ballots were, in fact, properly counted. The ballots  
26 from the precincts selected for the retabulation shall remain  
27 at all times under the custody and control of the election  
28 authority and shall be transported and retabulated by the  
29 designated staff of the election authority.

30 As part of the retabulation, the election authority shall  
31 test the computer program in the selected precincts. The  
32 test shall be conducted by processing a preaudited group of  
33 ballots marked to record a predetermined number of valid  
34 votes for each candidate and on each public question, and

1 shall include for each office one or more ballots which have  
2 votes in excess of the number allowed by law to test the  
3 ability of the equipment and the marking device to reject  
4 such votes. If any error is detected, the cause shall be  
5 determined and corrected, and an errorless count shall be  
6 made prior to the official canvass and proclamation of  
7 election results.

8 The State Board of Elections, the State's Attorney and  
9 other appropriate law enforcement agencies, the county  
10 chairman of each established political party and qualified  
11 civic organizations shall be given prior written notice of  
12 the time and place of the retabulation and may be represented  
13 at the retabulation.

14 The results of this retabulation shall be treated in the  
15 same manner and have the same effect as the results of the  
16 discovery procedures set forth in Section 22-9.1 of this  
17 Code. Upon completion of the retabulation, the election  
18 authority shall print a comparison of the results of the  
19 retabulation with the original precinct return printed by the  
20 automatic tabulating equipment. The comparison shall be done  
21 for each precinct and for each office voted upon within that  
22 precinct, and the comparisons shall be open to the public.  
23 Upon completion of the retabulation, the returns shall be  
24 open to the public.

25 (Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

26 (10 ILCS 5/24B-18)

27 Sec. 24B-18. Specimen Ballots; Publication. When an  
28 electronic Precinct Tabulation Optical Scan Technology voting  
29 system is used, the election authority shall cause to be  
30 published, at least 5 days before the day of each general and  
31 general primary election, in 2 or more newspapers published  
32 in and having a general circulation in the county, a true and  
33 legible copy of the specimen ballot ~~containing the names of~~

1 offices-and-candidates-and-statements-of-measures-to-be-voted  
 2 en,--as-near-as-may-be,-in-the-form-in-which-they-will-appear  
 3 on-the-official-ballot-on-election-day. A true legible copy  
 4 may be in the form of an actual size ballot and shall be  
 5 published as required by this Section if distributed in 2 or  
 6 more newspapers published and having a general circulation in  
 7 the county as an insert. For each election prescribed in  
 8 Article 2A of this Code, specimen ballots shall be made  
 9 available for public distribution and shall be supplied to  
 10 the judges of election for posting in the polling place on  
 11 the day of election. Notice for the nonpartisan and  
 12 consolidated elections shall be given as provided in Article  
 13 12.

14 (Source: P.A. 89-394, eff. 1-1-97.)

15 (10 ILCS 5/Art. 24C heading new)

16 ARTICLE 24C. DIRECT RECORDING ELECTRONIC VOTING SYSTEMS

17 (10 ILCS 5/24C-1 new)

18 Sec. 24C-1. Purpose. The purpose of this Article is to  
 19 authorize the use of Direct Recording Electronic Voting  
 20 Systems approved by the State Board of Elections. In a  
 21 Direct Recording Electronic Voting System, voters cast votes  
 22 by means of a ballot display provided with mechanical or  
 23 electro-optical devices that can be activated by the voters  
 24 to mark their choices for the candidates of their preference  
 25 and for or against public questions. Such voting devices  
 26 shall be capable of instantaneously recording such votes,  
 27 storing such votes, producing a permanent paper record and  
 28 tabulating such votes at the precinct or at one or more  
 29 counting stations. This Article authorizes the use of Direct  
 30 Recording Electronic Voting Systems for in-precinct counting  
 31 applications and for in-person absentee voting in the office  
 32 of the election authority and in the offices of local

1 officials authorized by the election authority to conduct  
2 such absentee voting. All other absentee ballots must be  
3 counted at the office of the election authority.

4 (10 ILCS 5/24C-2 new)

5 Sec. 24C-2. Definitions. As used in this Article:

6 "Audit trail" or "audit capacity" means a continuous  
7 trail of evidence linking individual transactions related to  
8 the casting of a vote, the vote count and the summary record  
9 of vote totals, but which shall not allow for the  
10 identification of the voter. It shall permit verification of  
11 the accuracy of the count and detection and correction of  
12 problems and shall provide a record of each step taken in:  
13 defining and producing ballots and generating related  
14 software for specific elections; installing ballots and  
15 software; testing system readiness; casting and tabulating  
16 ballots; and producing images of votes cast and reports of  
17 vote totals. The record shall incorporate system status and  
18 error messages generated during election processing,  
19 including a log of machine activities and routine and unusual  
20 intervention by authorized and unauthorized individuals.  
21 Also part of an audit trail is the documentation of such  
22 items as ballots delivered and collected, administrative  
23 procedures for system security, pre-election testing of  
24 voting systems, and maintenance performed on voting  
25 equipment. It also means that the voting system is capable  
26 of producing and shall produce immediately after a ballot is  
27 cast a permanent paper record of each ballot cast that shall  
28 be available as an official record for any recount, redundant  
29 count, or verification or retabulation of the vote count  
30 conducted with respect to any election in which the voting  
31 system is used.

32 "Ballot" means an electronic audio or video display or  
33 any other medium, including paper, used to record a voter's

1 choices for the candidates of their preference and for or  
2 against public questions.

3 "Ballot configuration" means the particular combination  
4 of political subdivision or district ballots including, for  
5 each political subdivision or district, the particular  
6 combination of offices, candidate names and public questions  
7 as it appears for each group of voters who may cast the same  
8 ballot.

9 "Ballot image" means a corresponding representation in  
10 electronic or paper form of the mark or vote position of a  
11 ballot.

12 "Ballot label" or "ballot screen" means the display of  
13 material containing the names of offices and candidates and  
14 public questions to be voted on.

15 "Central counting" means the counting of ballots in one  
16 or more locations selected by the election authority for the  
17 processing or counting, or both, of ballots. A location for  
18 central counting shall be within the territorial jurisdiction  
19 of the election authority unless there is no suitable  
20 tabulating equipment available within his territorial  
21 jurisdiction. However, in any event a counting location  
22 shall be within this State.

23 "Computer", "automatic tabulating equipment" or  
24 "equipment" includes apparatus necessary to automatically  
25 examine and count votes as designated on ballots, and data  
26 processing machines which can be used for counting ballots  
27 and tabulating results.

28 "Computer operator" means any person or persons  
29 designated by the election authority to operate the automatic  
30 tabulating equipment during any portion of the vote tallying  
31 process in an election, but shall not include judges of  
32 election operating vote tabulating equipment in the precinct.

33 "Computer program" or "program" means the set of  
34 operating instructions for the automatic tabulating equipment

1 that examines, records, counts, tabulates, canvasses and  
2 prints votes recorded by a voter on a ballot.

3 "Direct recording electronic voting system", "voting  
4 system" or "system" means the total combination of  
5 mechanical, electromechanical or electronic equipment,  
6 programs and practices used to define ballots, cast and count  
7 votes, report or display election results, maintain or  
8 produce any audit trail information, identify all system  
9 components, test the system during development, maintenance  
10 and operation, maintain records of system errors and defects,  
11 determine specific system changes to be made to a system  
12 after initial qualification, and make available any materials  
13 to the voter such as notices, instructions, forms or paper  
14 ballots.

15 "Edit listing" means a computer generated listing of the  
16 names of each candidate and public question as they appear in  
17 the program for each precinct.

18 "In-precinct counting" means the recording and counting  
19 of ballots on automatic tabulating equipment provided by the  
20 election authority in the same precinct polling place in  
21 which those ballots have been cast.

22 "Marking device" means any device approved by the State  
23 Board of Elections for marking a ballot so as to enable the  
24 ballot to be recorded, counted and tabulated by automatic  
25 tabulating equipment.

26 "Permanent paper record" means a paper record upon which  
27 shall be printed in human readable form the votes cast for  
28 each candidate and for or against each public question on  
29 each ballot recorded in the voting system. Each permanent  
30 paper record shall be printed by the voting device upon  
31 activation of the marking device by the voter and shall  
32 contain a unique, randomly assigned identifying number that  
33 shall correspond to the number randomly assigned by the  
34 voting system to each ballot as it is electronically

1 recorded.

2 "Redundant count" means a verification of the original  
3 computer count of ballots by another count using compatible  
4 equipment or other means as part of a discovery recount,  
5 including a count of the permanent paper record of each  
6 ballot cast by using compatible equipment, different  
7 equipment approved by the State Board of Elections for that  
8 purpose, or by hand.

9 "Separate ballot" means a separate page or display screen  
10 of the ballot that is clearly defined and distinguishable  
11 from other portions of the ballot.

12 "Voting device" or "voting machine" means an apparatus  
13 that contains the ballot label or ballot screen and allows  
14 the voter to record his or her vote.

15 (10 ILCS 5/24C-3 new)

16 Sec. 24C-3. Adoption, experimentation or abandonment of  
17 Direct Recording Electronic Voting System; Boundaries of  
18 precincts; Notice. Except as otherwise provided in this  
19 Section, any county board, board of county commissioners and  
20 any board of election commissioners, with respect to  
21 territory within its jurisdiction, may adopt, experiment  
22 with, or abandon a Direct Recording Electronic Voting System  
23 approved for use by the State Board of Elections and may use  
24 such System in all or some of the precincts within its  
25 jurisdiction, or in combination with paper ballots or other  
26 voting systems. Any county board, board of county  
27 commissioners or board of election commissioners may contract  
28 for the tabulation of votes at a location outside its  
29 territorial jurisdiction when there is no suitable tabulating  
30 equipment available within its territorial jurisdiction. In  
31 no case may a county board, board of county commissioners or  
32 board of election commissioners contract or arrange for the  
33 purchase, lease or loan of a Direct Recording Electronic

1 Voting System or System component without the approval of the  
2 State Board of Elections as provided by Section 24C-16.

3 Before any Direct Recording Electronic Voting System is  
4 introduced, adopted or used in any precinct or territory at  
5 least 2 months public notice must be given before the date of  
6 the first election where the System is to be used. The  
7 election authority shall publish the notice at least once in  
8 one or more newspapers published within the county or other  
9 jurisdiction, where the election is held. If there is no  
10 such newspaper, the notice shall be published in a newspaper  
11 published in the county and having a general circulation  
12 within such jurisdiction. The notice shall be substantially  
13 as follows:

14 "Notice is hereby given that on ... (give date) ..., at  
15 ... (give place where election is held) ... in the county of  
16 ..., an election will be held for ... (give name of offices  
17 to be filled) ... at which a Direct Recording Electronic  
18 Voting System will be used."

19 Dated at ... this ... day of ... 20....?

20 This notice referred to shall be given only at the first  
21 election at which the Direct Recording Electronic Voting  
22 System is used.

23 (10 ILCS 5/24C-3.1 new)

24 Sec. 24C-3.1. Retention or consolidation or alteration of  
25 existing precincts; Change of location. When a Direct  
26 Recording Electronic Voting System is used, the county board  
27 or board of election commissioners may retain existing  
28 precincts or may consolidate, combine, alter, decrease or  
29 enlarge the boundaries of the precincts to change the number  
30 of registered voters of the precincts using the System,  
31 establishing the number of registered voters within each  
32 precinct at a number not to exceed 800 as the appropriate  
33 county board or board of election commissioners determines

1 will afford adequate voting facilities and efficient and  
2 economical elections.

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

15 (10 ILCS 5/24C-4 new)

16 Sec. 24C-4. Use of Direct Recording Electronic Voting  
17 System; Requisites; Applicable procedure. Direct Recording  
18 Electronic Voting Systems may be used in elections provided  
19 that such Systems are approved for use by the State Board of  
20 Elections. So far as applicable, the procedure provided for  
21 voting paper ballots shall apply when Direct Recording  
22 Electronic Voting Systems are used. However, the provisions  
23 of this Article 24C will govern when there are conflicts.

24 (10 ILCS 5/24C-5 new)

25 Sec. 24C-5. Voting Stations. In precincts where a Direct  
26 Recording Electronic Voting System is used, a sufficient  
27 number of voting stations shall be provided for the use of  
28 the System according to the requirements determined by the  
29 State Board of Elections. Each station shall be placed in a  
30 manner so that no judge of election or pollwatcher is able to  
31 observe a voter casting a ballot.

1 (10 ILCS 5/24C-5.1 new)

2 Sec. 24C-5.1. Instruction of Voters; Instruction Model;  
3 Partiality to Political Party; Manner of Instruction. Before  
4 entering the voting booth each voter shall be offered  
5 instruction in using the Direct Recording Electronic Voting  
6 System. In instructing voters, no precinct official may show  
7 partiality to any political party or candidate. The duties  
8 of instruction shall be discharged by a judge from each of  
9 the political parties represented and they shall alternate  
10 serving as instructor so that each judge shall serve a like  
11 time at such duties. No instructions may be given inside a  
12 voting booth after the voter has entered the voting booth.

13 No precinct official or person assisting a voter may in  
14 any manner request, suggest, or seek to persuade or induce  
15 any voter to cast his or her vote for any particular ticket,  
16 candidate, amendment, question or proposition. All  
17 instructions shall be given by precinct officials in a manner  
18 that it may be observed by other persons in the polling  
19 place.

20 (10 ILCS 5/24C-5.2 new)

21 Sec. 24C-5.2. Demonstration of Direct Recording  
22 Electronic Voting System; Placement in Public Library. When  
23 a Direct Recording Electronic Voting System is used in a  
24 forthcoming election, the election authority may provide, for  
25 the purpose of instructing voters in the election, one  
26 demonstrator Direct Recording Electronic Voting System unit  
27 for placement in any public library or in any other public or  
28 private building within the political subdivision where the  
29 election occurs. If the placement of a demonstrator takes  
30 place it shall be made available at least 30 days before the  
31 election.

32 (10 ILCS 5/24C-6 new)

1       Sec. 24C-6. Ballot Information; Arrangement; Direct  
2 Recording Electronic Voting System; Absentee Ballots; Spoiled  
3 Ballots. The ballot information, shall, as far as  
4 practicable, be in the order of arrangement provided for  
5 paper ballots, except that the information may be in vertical  
6 or horizontal rows, or on a number of separate pages or  
7 display screens.

8       Ballots for all public questions to be voted on should be  
9 provided in a similar manner and must be arranged on the  
10 ballot in the places provided for such purposes. All public  
11 questions, including but not limited to public questions  
12 calling for a constitutional convention, constitutional  
13 amendment, or judicial retention, shall be placed on the  
14 ballot separate and apart from candidates. Ballots for all  
15 public questions shall be clearly designated by borders or  
16 different color screens. More than one amendment to the  
17 constitution may be placed on the same portion of the ballot  
18 sheet. Constitutional convention or constitutional amendment  
19 propositions shall be placed on a separate portion of the  
20 ballot and designated by borders or unique color screens,  
21 unless otherwise provided by administrative rule of the State  
22 Board of Elections. More than one public question may be  
23 placed on the same portion of the ballot. More than one  
24 proposition for retention of judges in office may be placed  
25 on the same portion of the ballot.

26       The party affiliation, if any, of each candidate or the  
27 word "independent", where applicable, shall appear near or  
28 under the candidate's name, and the names of candidates for  
29 the same office shall be listed vertically under the title of  
30 that office. In the case of nonpartisan elections for  
31 officers of political subdivisions, unless the statute or an  
32 ordinance adopted pursuant to Article VII of the Constitution  
33 requires otherwise, the listing of nonpartisan candidates  
34 shall not include any party or "independent" designation. In

1 primary elections, a separate ballot shall be used for each  
2 political party holding a primary, with the ballot arranged  
3 to include names of the candidates of the party and public  
4 questions and other propositions to be voted upon on the day  
5 of the primary election.

6 If the ballot includes both candidates for office and  
7 public questions or propositions to be voted on, the election  
8 official in charge of the election shall divide the ballot in  
9 sections for "Candidates" and "Public Questions", or separate  
10 ballots may be used.

11 Any voter who spoils his or her ballot, makes an error,  
12 or has a ballot rejected by the automatic tabulating  
13 equipment shall be provided a means of correcting the ballot  
14 or obtaining a new ballot prior to casting his or her ballot.

15 Any election authority using a Direct Recording  
16 Electronic Voting System may use voting systems approved for  
17 use under Articles 24A or 24B of this Code in conducting  
18 absentee voting in the office of the election authority or  
19 voted by mail.

20 (10 ILCS 5/24C-6.1 new)

21 Sec. 24C-6.1. Security Designation. In all elections  
22 conducted under this Article, ballots shall have a security  
23 designation. In precincts where more than one ballot  
24 configuration may be voted upon, ballots shall have a  
25 different security designation for each ballot configuration.  
26 If a precinct has only one possible ballot configuration, the  
27 ballots must have a security designation to identify the  
28 precinct and the election. Where ballots from more than one  
29 precinct are being tabulated, the ballots from each precinct  
30 must be clearly identified; official results shall not be  
31 generated unless the precinct identification for any precinct  
32 corresponds. When the tabulating equipment being used  
33 requires entering the program immediately before tabulating

1 the ballots for each precinct, the precinct program may be  
2 used. The Direct Recording Electronic Voting System shall be  
3 designed to ensure that the proper ballot is selected for  
4 each polling place and for each ballot configuration and that  
5 the format can be matched to the software or firmware  
6 required to interpret it correctly. The system shall provide  
7 a means of programming each piece of equipment to reflect the  
8 ballot requirements of the election and shall include a means  
9 for validating the correctness of the program and of the  
10 program's installation in the equipment or in a programmable  
11 memory device.

12 (10 ILCS 5/24C-7 new)

13 Sec. 24C-7. Write-In Ballots. A Direct Recording  
14 Electronic Voting System shall provide an acceptable method  
15 for a voter to vote for a person whose name does not appear  
16 on the ballot using the same apparatus used to record votes  
17 for candidates whose names do appear on the ballot. Election  
18 authorities utilizing Direct Recording Electronic Voting  
19 Systems shall not use separate write-in ballots.

20 Below the name of the last candidate listed for an office  
21 shall be a space or spaces in which the name of a candidate  
22 or candidates may be written in or recorded by the voter. The  
23 number of write-in lines for an office shall equal the number  
24 of candidates for which a voter may vote.

25 (10 ILCS 5/24C-8 new)

26 Sec. 24C-8. Preparation for Use; Comparison of Ballots;  
27 Operational Checks of Direct Recording Electronic Voting  
28 Systems Equipment; Pollwatchers. The county clerk or board  
29 of election commissioners shall cause the approved Direct  
30 Recording Electronic Voting System equipment to be delivered  
31 to the polling places. Before the opening of the polls, all  
32 Direct Recording Voting System devices shall provide a

1 printed record of the following, upon verification of the  
2 authenticity of the commands by a judge of election: the  
3 election's identification data, the equipment's unit  
4 identification, the ballot's format identification, the  
5 contents of each active candidate register by office and of  
6 each active public question register showing that they  
7 contain all zeros, all ballot fields that can be used to  
8 invoke special voting options, and other information needed  
9 to ensure the readiness of the equipment, and to accommodate  
10 administrative reporting requirements.

11 The Direct Recording Electronic Voting System shall  
12 provide a means of opening the polling place and readying the  
13 equipment for the casting of ballots. Such means shall  
14 incorporate a security seal, a password, or a data code  
15 recognition capability to prevent inadvertent or unauthorized  
16 actuation of the poll-opening function. If more than one  
17 step is required, it shall enforce their execution in the  
18 proper sequence.

19 Pollwatchers as provided by law shall be permitted to  
20 closely observe the judges in these procedures and to  
21 periodically inspect the Direct Recording Electronic Voting  
22 System equipment when not in use by the voters.

23 (10 ILCS 5/24C-9 new)

24 Sec. 24C-9. Testing of Direct Recording Electronic Voting  
25 System Equipment and Programs; Custody of Programs, Test  
26 Materials and Ballots. Prior to the public test, the  
27 election authority shall conduct an errorless pre-test of the  
28 Direct Recording Electronic Voting System equipment and  
29 programs to determine that they will correctly detect voting  
30 defects and count the votes cast for all offices and all  
31 public questions. On any day not less than 5 days prior to  
32 the election day, the election authority shall publicly test  
33 the Direct Recording Electronic Voting System equipment and

1 programs to determine that they will correctly detect voting  
2 errors and accurately count the votes legally cast for all  
3 offices and on all public questions. Public notice of the  
4 time and place of the test shall be given at least 48 hours  
5 before the test by publishing the notice in one or more  
6 newspapers within the election jurisdiction of the election  
7 authority, if a newspaper is published in that jurisdiction.  
8 If a newspaper is not published in that jurisdiction, notice  
9 shall be published in a newspaper of general circulation in  
10 that jurisdiction. Timely written notice stating the date,  
11 time, and location of the public test shall also be provided  
12 to the State Board of Elections. The test shall be open to  
13 representatives of the political parties, the press,  
14 representatives of the State Board of Elections, and the  
15 public. The test shall be conducted by entering a pre-  
16 audited group of votes designed to record a predetermined  
17 number of valid votes for each candidate and on each public  
18 question, and shall include for each office one or more  
19 ballots having votes exceeding the number allowed by law to  
20 test the ability of the automatic tabulating equipment to  
21 reject the votes. The test shall also include producing an  
22 edit listing. In those election jurisdictions where  
23 in-precinct counting equipment is used, a public test of both  
24 the equipment and program shall be conducted as nearly as  
25 possible in the manner prescribed above. The State Board of  
26 Elections may select as many election jurisdictions as the  
27 Board deems advisable in the interests of the election  
28 process of this State, to order a special test of the  
29 automatic tabulating equipment and program before any regular  
30 election. The Board may order a special test in any election  
31 jurisdiction where, during the preceding 12 months, computer  
32 programming errors or other errors in the use of System  
33 resulted in vote tabulation errors. Not less than 30 days  
34 before any election, the State Board of Elections shall

1 provide written notice to those selected jurisdictions of  
2 their intent to conduct a test. Within 5 days of receipt of  
3 the State Board of Elections' written notice of intent to  
4 conduct a test, the selected jurisdictions shall forward to  
5 the principal office of the State Board of Elections a copy  
6 of all specimen ballots. The State Board of Elections' tests  
7 shall be conducted and completed not less than 2 days before  
8 the public test utilizing testing materials supplied by the  
9 Board and under the supervision of the Board, and the Board  
10 shall reimburse the election authority for the reasonable  
11 cost of computer time required to conduct the special test.  
12 After an errorless test, materials used in the public test,  
13 including the program, if appropriate, shall be sealed and  
14 remain sealed until the test is run again on election day.  
15 If any error is detected, the cause of the error shall be  
16 determined and corrected, and an errorless public test shall  
17 be made before the automatic tabulating equipment is  
18 approved. Each election authority shall file a sealed copy  
19 of each tested program to be used within its jurisdiction at  
20 an election with the State Board of Elections before the  
21 election. The Board shall secure the program or programs of  
22 each election jurisdiction so filed in its office for the 60  
23 days following the canvass and proclamation of election  
24 results. At the expiration of that time, if no election  
25 contest or appeal is pending in an election jurisdiction, the  
26 Board shall return the sealed program or programs to the  
27 election authority of the jurisdiction. Except where  
28 in-precinct counting equipment is used, the test shall be  
29 repeated immediately before the start of the official  
30 counting of the ballots, in the same manner as set forth  
31 above. After the completion of the count, the test shall be  
32 re-run using the same program. Immediately after the re-run,  
33 all material used in testing the program and the programs  
34 shall be sealed and retained under the custody of the

1 election authority for a period of 60 days. At the  
 2 expiration of that time the election authority shall destroy  
 3 the voted ballots, together with all unused ballots returned  
 4 from the precincts. Provided, if any contest of election is  
 5 pending at the time in which the ballots may be required as  
 6 evidence and the election authority has notice of the  
 7 contest, the same shall not be destroyed until after the  
 8 contest is finally determined. If the use of back-up  
 9 equipment becomes necessary, the same testing required for  
 10 the original equipment shall be conducted.

11 (10 ILCS 5/24C-10 new)

12 Sec. 24C-10. Recording of votes by Direct Recording  
 13 Electronic Voting Systems.

14 Whenever a Direct Recording Electronic Voting System is  
 15 used to automatically record and count the votes on ballots,  
 16 the provisions of this Section shall apply. A voter shall  
 17 cast a proper vote on a ballot by marking the designated area  
 18 for the casting of a vote for any party or candidate or for  
 19 or against any public question. For this purpose, a mark is  
 20 an intentional selection of the designated area on the ballot  
 21 by appropriate means and which is not otherwise an  
 22 identifying mark.

23 (10 ILCS 5/24C-11 new)

24 Sec. 24C-11. Functional requirements.

25 A Direct Recording Electronic Voting System shall, in  
 26 addition to satisfying the other requirements of this  
 27 Article, fulfill the following functional requirements:

28 (a) Provide a voter in a primary election with the means  
 29 of casting a ballot containing votes for any and all  
 30 candidates of the party or parties of his or her choice, and  
 31 for any and all non-partisan candidates and public questions  
 32 and preclude the voter from voting for any candidate of any

1 other political party except when legally permitted. In a  
2 general election, the system shall provide the voter with  
3 means of selecting the appropriate number of candidates for  
4 any office, and of voting on any public question on the  
5 ballot to which he or she is entitled to vote.

6 (b) If a voter is not entitled to vote for particular  
7 candidates or public questions appearing on the ballot, the  
8 system shall prevent the selection of the prohibited votes.

9 (c) Once the proper ballot has been selected, the system  
10 devices shall provide a means of enabling the recording of  
11 votes and the casting of said ballot.

12 (d) System voting devices shall provide voting choices  
13 that are clear to the voter and labels indicating the names  
14 of every candidate and the text of every public question on  
15 the voter's ballot. Each label shall identify the selection  
16 button or switch, or the active area of the ballot associated  
17 with it. The system shall be able to incorporate minimal,  
18 easy-to-follow on-screen instruction for the voter on how to  
19 cast a ballot.

20 (e) Voting devices shall (i) enable the voter to vote  
21 for any and all candidates and public questions appearing on  
22 the ballot for which the voter is lawfully entitled to vote,  
23 in any legal number and combination; (ii) detect and reject  
24 all votes for an office or upon a public question when the  
25 voter has cast more votes for the office or upon the public  
26 question than the voter is entitled to cast; (iii) notify the  
27 voter if the voter's choices as recorded on the ballot for an  
28 office or public question are fewer than or exceed the number  
29 that the voter is entitled to vote for on that office or  
30 public question and the effect of casting more votes than  
31 legally permitted; (iv) notify the voter if the voter has  
32 failed to completely cast a vote for an office or public  
33 question appearing on the ballot; and (v) permit the voter,  
34 in a private and independent manner, to verify the votes

1 selected by the voter, to change the ballot or to correct any  
2 error on the ballot before the ballot is completely cast and  
3 counted. A means shall be provided to indicate each  
4 selection after it has been made or canceled.

5 (f) System voting devices shall provide a means for the  
6 voter to signify that the selection of candidates and public  
7 questions has been completed. Upon activation, the system  
8 shall record an image of the completed ballot, increment the  
9 proper ballot position registers, and shall signify to the  
10 voter that the ballot has been cast. The system shall then  
11 prevent any further attempt to vote until it has been reset  
12 or re-enabled by a judge of election.

13 (g) Each system voting device shall be equipped with a  
14 public counter that can be set to zero prior to the opening  
15 of the polling place, and that records the number of ballots  
16 cast at a particular election. The counter shall be  
17 incremented only by the casting of a ballot. The counter  
18 shall be designed to prevent disabling or resetting by other  
19 than authorized persons after the polls close. The counter  
20 shall be visible to all judges of election so long as the  
21 device is installed at the polling place.

22 (h) Each system voting device shall be equipped with a  
23 protective counter that records all of the testing and  
24 election ballots cast since the unit was built. This counter  
25 shall be designed so that its reading cannot be changed by  
26 any cause other than the casting of a ballot. The protective  
27 counter shall be incapable of ever being reset and it shall  
28 be visible at all times when the device is configured for  
29 testing, maintenance, or election use.

30 (i) All system devices shall provide a means of  
31 preventing further voting once the polling place has closed  
32 and after all eligible voters have voted. Such means of  
33 control shall incorporate a visible indication of system  
34 status. Each device shall prevent any unauthorized use,

1 prevent tampering with ballot labels and preclude its  
2 re-opening once the poll closing has been completed for that  
3 election.

4 (j) The system shall produce a printed summary report of  
5 the votes cast upon each voting device. Until the proper  
6 sequence of events associated with closing the polling place  
7 has been completed, the system shall not allow the printing  
8 of a report or the extraction of data. The printed report  
9 shall also contain all system audit information to be  
10 required by the election authority. Data shall not be  
11 altered or otherwise destroyed by report generation and the  
12 system shall ensure the integrity and security of data for a  
13 period of at least 6 months after the polls close.

14 (k) If more than one voting device is used in a polling  
15 place, the system shall provide a means to manually or  
16 electronically consolidate the data from all such units into  
17 a single report even if different voting systems are used to  
18 record absentee ballots. The system shall also be capable of  
19 merging the vote tabulation results produced by other vote  
20 tabulation systems, if necessary.

21 (l) System functions shall be implemented such that  
22 unauthorized access to them is prevented and the execution of  
23 authorized functions in an improper sequence is precluded.  
24 System functions shall be executable only in the intended  
25 manner and order, and only under the intended conditions. If  
26 the preconditions to a system function have not been met, the  
27 function shall be precluded from executing by the system's  
28 control logic.

29 (m) All system voting devices shall incorporate at least  
30 3 memories in the machine itself and in its programmable  
31 memory devices.

32 (n) The system shall include capabilities of recording  
33 and reporting the date and time of normal and abnormal events  
34 and of maintaining a permanent record of audit information

1 that cannot be turned off. Provisions shall be made to  
2 detect and record significant events (e.g., casting a ballot,  
3 error conditions that cannot be disposed of by the system  
4 itself, time-dependent or programmed events that occur  
5 without the intervention of the voter or a judge of  
6 election).

7 (o) The system and each system voting device must be  
8 capable of creating, printing and maintaining a permanent  
9 paper record and an electronic image of each ballot that is  
10 cast such that records of individual ballots are maintained  
11 by a subsystem independent and distinct from the main vote  
12 detection, interpretation, processing and reporting path.  
13 The electronic images of each ballot must protect the  
14 integrity of the data and the anonymity of each voter, for  
15 example, by means of storage location scrambling. The ballot  
16 image records may be either machine-readable or manually  
17 transcribed, or both, at the discretion of the election  
18 authority.

19 (p) The system shall include built-in test, measurement  
20 and diagnostic software and hardware for detecting and  
21 reporting the system's status and degree of operability.

22 (q) The system shall contain provisions for maintaining  
23 the integrity of memory voting and audit data during an  
24 election and for a period of at least 6 months thereafter and  
25 shall provide the means for creating an audit trail.

26 (r) The system shall be fully accessible so as to permit  
27 blind or visually impaired voters as well as physically  
28 disabled voters to exercise their right to vote in private  
29 and without assistance.

30 (s) The system shall provide alternative language  
31 accessibility if required pursuant to Section 203 of the  
32 Voting Rights Act of 1965.

33 (t) Each voting device shall enable a voter to vote for  
34 a person whose name does not appear on the ballot.

1       (u) The system shall record and count accurately each  
2 vote properly cast for or against any candidate and for or  
3 against any public question, including the names of all  
4 candidates whose names are written in by the voters.

5       (v) The system shall allow for accepting provisional  
6 ballots and for separating such provisional ballots from  
7 precinct totals until authorized by the election authority.

8       (w) The system shall provide an effective audit trail as  
9 defined in Section 24C-2 in this Code.

10       (x) The system shall be suitably designed for the  
11 purpose used, be durably constructed, and be designed for  
12 safety, accuracy and efficiency.

13       (y) The system shall comply with all provisions of  
14 federal, State and local election laws and regulations and  
15 any future modifications to those laws and regulations.

16       (10 ILCS 5/24C-12 new)

17       Sec. 24C-12. Procedures for Counting and Tallying of  
18 Ballots.

19       In an election jurisdiction where a Direct Recording  
20 Electronic Voting System is used, the following procedures  
21 for counting and tallying the ballots shall apply:

22       Before the opening of the polls, the judges of elections  
23 shall assemble the voting equipment and devices and turn the  
24 equipment on. The judges shall, if necessary, take steps to  
25 activate the voting devices and counting equipment by  
26 inserting into the equipment and voting devices appropriate  
27 data cards containing passwords and data codes that will  
28 select the proper ballot formats selected for that polling  
29 place and that will prevent inadvertent or unauthorized  
30 activation of the poll-opening function. Before voting  
31 begins and before ballots are entered into the voting  
32 devices, the judges of election shall cause to be printed a  
33 record of the following: the election's identification data,

1 the device's unit identification, the ballot's format  
2 identification, the contents of each active candidate  
3 register by office and of each active public question  
4 register showing that they contain all zero votes, all ballot  
5 fields that can be used to invoke special voting options, and  
6 other information needed to ensure the readiness of the  
7 equipment and to accommodate administrative reporting  
8 requirements. The judges must also check to be sure that the  
9 totals are all zeros in the counting columns and in the  
10 public counter affixed to the voting devices.

11 After the judges have determined that a person is  
12 qualified to vote, a voting device with the proper ballot to  
13 which the voter is entitled shall be enabled to be used by  
14 the voter. The ballot may then be cast by the voter by  
15 marking by appropriate means the designated area of the  
16 ballot for the casting of a vote for any candidate or for or  
17 against any public question. The voter shall be able to vote  
18 for any and all candidates and public measures appearing on  
19 the ballot in any legal number and combination and the voter  
20 shall be able to delete, change or correct his or her  
21 selections before the ballot is cast. The voter shall be  
22 able to select candidates whose names do not appear upon the  
23 ballot for any office by entering electronically as many  
24 names of candidates as the voter is entitled to select for  
25 each office.

26 Upon completing his or her selection of candidates or  
27 public questions, the voter shall signify that voting has  
28 been completed by activating the appropriate button, switch  
29 or active area of the ballot screen associated with end of  
30 voting. Upon activation, the voting system shall record an  
31 image of the completed ballot, increment the proper ballot  
32 position registers, and shall signify to the voter that the  
33 ballot has been cast. Upon activation, the voting system  
34 shall also print a permanent paper record of each ballot cast

1 as defined in Section 24C-2 of this Code. This permanent  
2 paper record shall either be self-contained within the voting  
3 device or shall be deposited by the voter into a secure  
4 ballot box. No permanent paper record shall be removed from  
5 the polling place except by election officials as authorized  
6 by this Article. All permanent paper records shall be  
7 preserved and secured by election officials in the same  
8 manner as paper ballots and shall be available as an official  
9 record for any recount, redundant count, or verification or  
10 retabulation of the vote count conducted with respect to any  
11 election in which the voting system is used. The voter  
12 shall exit the voting station and the voting system shall  
13 prevent any further attempt to vote until it has been  
14 properly re-activated. If a voting device has been enabled  
15 for voting but the voter leaves the polling place without  
16 casting a ballot, 2 judges of election, one from each of the  
17 2 major political parties, shall spoil the ballot.

18 Throughout the election day and before the closing of the  
19 polls, no person may check any vote totals for any candidate  
20 or public question on the voting or counting equipment. Such  
21 equipment shall be programmed so that no person may reset the  
22 equipment for reentry of ballots unless provided the proper  
23 code from an authorized representative of the election  
24 authority.

25 The precinct judges of election shall check the public  
26 register to determine whether the number of ballots counted  
27 by the voting equipment agrees with the number of voters  
28 voting as shown by the applications for ballot. If the same  
29 do not agree, the judges of election shall immediately  
30 contact the offices of the election authority in charge of  
31 the election for further instructions. If the number of  
32 ballots counted by the voting equipment agrees with the  
33 number of voters voting as shown by the application for  
34 ballot, the number shall be listed on the "Statement of

1 Ballots" form provided by the election authority.

2 The totals for all candidates and propositions shall be  
3 tabulated; and 4 copies of a "Certificate of Results" shall  
4 be printed by the automatic tabulating equipment; one copy  
5 shall be posted in a conspicuous place inside the polling  
6 place; and every effort shall be made by the judges of  
7 election to provide a copy for each authorized pollwatcher or  
8 other official authorized to be present in the polling place  
9 to observe the counting of ballots; but in no case shall the  
10 number of copies to be made available to pollwatchers be  
11 fewer than 4, chosen by lot by the judges of election. In  
12 addition, sufficient time shall be provided by the judges of  
13 election to the pollwatchers to allow them to copy  
14 information from the copy which has been posted.

15 If instructed by the election authority, the judges of  
16 election shall cause the tabulated returns to be transmitted  
17 electronically to the offices of the election authority via  
18 modem or other electronic medium.

19 The precinct judges of election shall select a  
20 bi-partisan team of 2 judges, who shall immediately return  
21 the ballots in a sealed container, along with all other  
22 election materials and equipment as instructed by the  
23 election authority; provided, however, that such container  
24 must first be sealed by the election judges with filament  
25 tape or other approved sealing devices provided for the  
26 purpose in a manner that the ballots cannot be removed from  
27 the container without breaking the seal or filament tape and  
28 disturbing any signatures affixed by the election judges to  
29 the container. The election authority shall keep the office  
30 of the election authority, or any receiving stations  
31 designated by the authority, open for at least 12 consecutive  
32 hours after the polls close or until the ballots and election  
33 material and equipment from all precincts within the  
34 jurisdiction of the election authority have been returned to

1 the election authority. Ballots and election materials and  
2 equipment returned to the office of the election authority  
3 which are not signed and sealed as required by law shall not  
4 be accepted by the election authority until the judges  
5 returning the ballots make and sign the necessary  
6 corrections. Upon acceptance of the ballots and election  
7 materials and equipment by the election authority, the judges  
8 returning the ballots shall take a receipt signed by the  
9 election authority and stamped with the time and date of the  
10 return. The election judges whose duty it is to return any  
11 ballots and election materials and equipment as provided  
12 shall, in the event the ballots, materials or equipment  
13 cannot be found when needed, on proper request, produce the  
14 receipt which they are to take as above provided.

15 (10 ILCS 5/24C-13 new)

16 Sec. 24C-13. Absentee ballots; Proceedings at Location  
17 for Central Counting; Employees; Approval of List.

18 (a) All jurisdictions using Direct Recording Electronic  
19 Voting Systems shall use paper ballots or paper ballot sheets  
20 approved for use under Articles 16, 24A or 24B of this Code  
21 when conducting absentee voting except that Direct Recording  
22 Electronic Voting Systems may be used for in-person absentee  
23 voting conducted pursuant to Section 19-2.1 of this Code.  
24 All absentee ballots shall be counted at the office of the  
25 election authority. The provisions of Section 24A-9, 24B-9  
26 and 24C-9 of this Code shall apply to the testing and notice  
27 requirements for central count tabulation equipment,  
28 including comparing the signature on the ballot envelope with  
29 the signature of the voter on the permanent voter  
30 registration record card taken from the master file.  
31 Absentee ballots other than absentee ballots voted in person  
32 pursuant to Section 19-2.1 of this Code shall be examined and  
33 processed pursuant to Sections 19-9 and 20-9 of this Code.

1 Vote results shall be recorded by precinct and shall be added  
2 to the vote results for the precinct in which the absent  
3 voter was eligible to vote prior to completion of the  
4 official canvass.

5 (b) All proceedings at the location for central counting  
6 shall be under the direction of the county clerk or board of  
7 election commissioners. Except for any specially trained  
8 technicians required for the operation of the Direct  
9 Recording Electronic Voting System, the employees at the  
10 counting station shall be equally divided between members of  
11 the 2 leading political parties and all duties performed by  
12 the employees shall be by teams consisting of an equal number  
13 of members of each political party. Thirty days before an  
14 election the county clerk or board of election commissioners  
15 shall submit to the chairman of each political party, for his  
16 or her approval or disapproval, a list of persons of his or  
17 her party proposed to be employed. If a chairman fails to  
18 notify the election authority of his or her disapproval of  
19 any proposed employee within a period of 10 days thereafter  
20 the list shall be deemed approved.

21 (10 ILCS 5/24C-14 new)

22 Sec. 24C-14. Tabulating Votes; Direction; Presence of  
23 Public; Computer Operator's Log and Canvass. The procedure  
24 for tabulating the votes by the Direct Recording Electronic  
25 Voting System shall be under the direction of the election  
26 authority and shall conform to the requirements of the Direct  
27 Recording Electronic Voting System. During any  
28 election-related activity using the automatic Direct  
29 Recording Electronic Voting System equipment, the election  
30 authority shall make a reasonable effort to dedicate the  
31 equipment to vote processing to ensure the security and  
32 integrity of the system.

33 A reasonable number of pollwatchers shall be admitted to

1 the counting location. Such persons may observe the  
 2 tabulating process at the discretion of the election  
 3 authority; however, at least one representative of each  
 4 established political party and authorized agents of the  
 5 State Board of Elections shall be permitted to observe this  
 6 process at all times. No persons except those employed and  
 7 authorized for the purpose shall touch any ballot, ballot  
 8 box, return, or equipment.

9 The computer operator shall be designated by the election  
 10 authority and shall be sworn as a deputy of the election  
 11 authority. In conducting the vote tabulation and canvass,  
 12 the computer operator must maintain a log which shall include  
 13 the following information:

14 (a) alterations made to programs associated with the  
 15 vote counting process;

16 (b) if applicable, console messages relating to the  
 17 program and the respective responses made by the  
 18 operator;

19 (c) the starting time for each precinct counted, the  
 20 number of ballots counted for each precinct, any  
 21 equipment problems and, insofar as practicable, the  
 22 number of invalid security designations encountered  
 23 during that count; and

24 (d) changes and repairs made to the equipment during  
 25 the vote tabulation and canvass.

26 The computer operator's log and canvass shall be  
 27 available for public inspection in the office of the election  
 28 authority for a period of 60 days following the proclamation  
 29 of election results. A copy of the computer operator's log  
 30 and the canvass shall be transmitted to the State Board of  
 31 Elections upon its request and at its expense.

32 (10 ILCS 5/24C-15 new)

33 Sec. 24C-15. Official Return of Precinct; Check of

1 Totals; Audit. The precinct return printed by the Direct  
2 Recording Electronic Voting System tabulating equipment shall  
3 include the number of ballots cast and votes cast for each  
4 candidate and public question and shall constitute the  
5 official return of each precinct. In addition to the  
6 precinct return, the election authority shall provide the  
7 number of applications for ballots in each precinct, the  
8 total number of ballots and absentee ballots counted in each  
9 precinct for each political subdivision and district and the  
10 number of registered voters in each precinct. However, the  
11 election authority shall check the totals shown by the  
12 precinct return and, if there is an obvious discrepancy  
13 regarding the total number of votes cast in any precinct,  
14 shall have the ballots for that precinct audited to correct  
15 the return. The procedures for this audit shall apply prior  
16 to and after the proclamation is completed; however, after  
17 the proclamation of results, the election authority must  
18 obtain a court order to unseal voted ballots or voting  
19 devices except for election contests and discovery recounts.  
20 The certificate of results, which has been prepared and  
21 signed by the judges of election in the polling place after  
22 the ballots have been tabulated, shall be the document used  
23 for the canvass of votes for such precinct. Whenever a  
24 discrepancy exists during the canvass of votes between the  
25 unofficial results and the certificate of results, or  
26 whenever a discrepancy exists during the canvass of votes  
27 between the certificate of results and the set of totals  
28 reflected on the certificate of results, the ballots for that  
29 precinct shall be audited to correct the return.

30 Prior to the proclamation, the election authority shall  
31 test the voting devices and equipment in 1% of the precincts  
32 within the election jurisdiction. The precincts to be tested  
33 shall be selected after election day on a random basis by the  
34 election authority, so that every precinct in the election

1 jurisdiction has an equal mathematical chance of being  
2 selected. The State Board of Elections shall design a  
3 standard and scientific random method of selecting the  
4 precincts that are to be tested, and the election authority  
5 shall be required to use that method. The State Board of  
6 Elections, the State's Attorney and other appropriate law  
7 enforcement agencies, the county chairman of each established  
8 political party and qualified civic organizations shall be  
9 given prior written notice of the time and place of the  
10 random selection procedure and may be represented at the  
11 procedure.

12 The test shall be conducted by counting the votes marked  
13 on the permanent paper record of each ballot cast in the  
14 tested precinct printed by the voting system at the time that  
15 each ballot was cast and comparing the results of this count  
16 with the results shown by the certificate of results prepared  
17 by the Direct Recording Electronic Voting System in the test  
18 precinct. The election authority shall test count these  
19 votes either by hand or by using an automatic tabulating  
20 device other than a Direct Recording Electronic voting device  
21 that has been approved by the State Board of Elections for  
22 that purpose and tested before use to ensure accuracy. The  
23 election authority shall print the results of each test  
24 count. If any error is detected, the cause shall be  
25 determined and corrected, and an errorless count shall be  
26 made prior to the official canvass and proclamation of  
27 election results. If an errorless count cannot be conducted  
28 and there continues to be difference in vote results between  
29 the certificate of results produced by the Direct Recording  
30 Electronic Voting System and the count of the permanent paper  
31 records or if an error was detected and corrected, the  
32 election authority shall immediately prepare and forward to  
33 the appropriate canvassing board a written report explaining  
34 the results of the test and any errors encountered and the

1 report shall be made available for public inspection.

2 The State Board of Elections, the State's Attorney and  
3 other appropriate law enforcement agencies, the county  
4 chairman of each established political party and qualified  
5 civic organizations shall be given prior written notice of  
6 the time and place of the test and may be represented at the  
7 test.

8 The results of this post-election test shall be treated  
9 in the same manner and have the same effect as the results of  
10 the discovery procedures set forth in Section 22-9.1 of this  
11 Code.

12 (10 ILCS 5/24C-15.01 new)

13 Sec. 24C-15.01. Transporting Ballots to Central Counting  
14 Station; Container. Upon completion of the tabulation, audit  
15 or test of voting equipment pursuant to Sections 24C-11  
16 through 24C-15, the ballots and the medium containing the  
17 ballots from each precinct shall be replaced in the container  
18 in which they were transported to the central counting  
19 station. If the container is not a type which may be  
20 securely locked, then each container, before being  
21 transferred from the counting station to storage, shall be  
22 securely sealed.

23 (10 ILCS 5/24C-15.1 new)

24 Sec. 24C-15.1. Discovery, Recounts and Election Contests.  
25 Except as provided, discovery recounts and election contests  
26 shall be conducted as otherwise provided for in this Code.  
27 The Direct Recording Electronic Voting System equipment shall  
28 be tested prior to the discovery recount or election contest  
29 as provided in Section 24C-9, and then the official ballots  
30 shall be audited.

31 Any person who has filed a petition for discovery recount  
32 may request that a redundant count be conducted in those

1 precincts in which the discovery recount is being conducted.  
 2 The additional costs of a redundant count shall be borne by  
 3 the requesting party.

4 The log of the computer operator and all materials  
 5 retained by the election authority in relation to vote  
 6 tabulation and canvass shall be made available for any  
 7 discovery recount or election contest.

8 (10 ILCS 5/24C-16 new)

9 Sec. 24C-16. Approval of Direct Recording Electronic  
 10 Voting Systems; Requisites. The State Board of Elections  
 11 shall approve all Direct Recording Electronic Voting Systems  
 12 that fulfill the functional requirements provided by Section  
 13 24C-11 of this Code, the mandatory requirements of the  
 14 federal voting system standards pertaining to Direct  
 15 Recording Electronic Voting Systems promulgated by the  
 16 Federal Election Commission or the Election Assistance  
 17 Commission, the testing requirements of an approved  
 18 independent testing authority and the rules of the State  
 19 Board of Elections.

20 The State Board of Elections is authorized to withdraw  
 21 its approval of a Direct Recording Electronic Voting System  
 22 if the System, once approved, fails to fulfill the above  
 23 requirements.

24 No vendor, person or other entity may sell, lease or loan  
 25 a Direct Recording Electronic Voting System or system  
 26 component to any election jurisdiction unless the system or  
 27 system component is first approved by the State Board of  
 28 Elections pursuant to this Section.

29 (10 ILCS 5/24C-17 new)

30 Sec. 24C-17. Rules; Number of Voting Stations. The State  
 31 Board of Elections may make reasonable rules for the  
 32 administration of this Article and may prescribe the number

1 of voting stations required for the various types of voting  
2 systems.

3 (10 ILCS 5/24C-18 new)

4 Sec. 24C-18. Specimen Ballots; Publication. When a  
5 Direct Recording Electronic Voting System is used, the  
6 election authority shall cause to be published, at least 5  
7 days before the day of each general and general primary  
8 election, in 2 or more newspapers published in and having a  
9 general circulation in the county, a true and legible copy of  
10 the specimen ballot containing the names of offices and  
11 candidates and public questions to be voted on, as near as  
12 may be, in the form in which they will appear on the official  
13 ballot on election day. A true legible copy may be in the  
14 form of an actual size ballot and shall be published as  
15 required by this Section if distributed in 2 or more  
16 newspapers published and having a general circulation in the  
17 county as an insert. For each election prescribed in Article  
18 2A of this Code, specimen ballots shall be made available for  
19 public distribution and shall be supplied to the judges of  
20 election for posting in the polling place on the day of  
21 election. Notice for the consolidated elections shall be  
22 given as provided in Article 12.

23 (10 ILCS 5/24C-19 new)

24 Sec. 24C-19. Additional Method of Voting. The foregoing  
25 Sections of this Article shall be deemed to provide a method  
26 of voting in addition to the methods otherwise provided in  
27 this Code.

28 Section 10. The State Finance Act is amended by adding  
29 Section 5.595 as follows:

30 (30 ILCS 105/5.595 new)

1           Sec. 5.595. The Help Illinois Vote Fund.

2           Section 15. The Property Tax Code is amended by changing  
3           Section 5-5 as follows:

4           (35 ILCS 200/5-5)

5           Sec. 5-5. Election of commissioners of board of review;  
6           counties of 3,000,000 or more.

7           (a) In counties with 3,000,000 or more inhabitants, on  
8           the first Tuesday after the first Monday in November 1994, 2  
9           commissioners of the board of appeals shall be elected to  
10          hold office from the first Monday in December following their  
11          election and until the first Monday in December 1998. In case  
12          of any vacancy, the chief judge of the circuit court or any  
13          judge of that circuit designated by the chief judge shall  
14          fill the vacancy by appointment. The commissioners shall be  
15          electors in the particular county at the time of their  
16          election or appointment and shall hold no other lucrative  
17          public office or public employment. Each commissioner shall  
18          receive compensation fixed by the county board, which shall  
19          be paid out of the county treasury and which shall not be  
20          changed during the term for which any commissioner is elected  
21          or appointed. Effective the first Monday in December 1998,  
22          the board of appeals is abolished.

23          The board of appeals shall maintain sufficient  
24          evidentiary records to support all decisions made by the  
25          board of appeals. All records, data, sales/ratio studies,  
26          and other information necessary for the board of review  
27          elected under subsection (c) to perform its functions and  
28          duties shall be transferred by the board of appeals to the  
29          board of review on the first Monday in December 1998.

30          (b) (Blank).

31          (c) In each county with 3,000,000 or more inhabitants,  
32          there is created a board of review. The board of review shall

1 consist of 3 commissioners, one elected from each election  
2 district in the county at the general election in 1998 to  
3 hold office for a term beginning on the first Monday in  
4 December following their election and until their respective  
5 successors are elected and qualified.

6 No later than June 1, 1996, the General Assembly shall  
7 establish the boundaries for the 3 election districts in each  
8 county with 3,000,000 or more inhabitants. The election  
9 districts shall be compact, contiguous, and have  
10 substantially the same population based on the 1990 federal  
11 decennial census. One district shall be designated as the  
12 first election district, one as the second election district,  
13 and one as the third election district. The commissioner from  
14 each district shall be elected to a term of 4 years.

15 In the year following each federal decennial census, the  
16 General Assembly shall reapportion the election districts to  
17 reflect the results of the census. The reapportioned  
18 districts shall be compact, contiguous, and contain  
19 substantially the same population. The commissioner from the  
20 first district shall be elected to terms of 4 years, 4 years,  
21 and 2 years. The commissioner from the second district shall  
22 be elected to terms of 4 years, 2 years, and 4 years. The  
23 commissioner from the third district shall be elected to  
24 terms of 2 years, 4 years, and 4 years.

25 In case of vacancy, the chief judge of the circuit court  
26 or any judge of the circuit court designated by the chief  
27 judge shall fill the vacancy by appointment of a person from  
28 the same political party. If the vacancy is filled with more  
29 than 28 months remaining in the term, the appointed  
30 commissioner shall serve until the next general election, at  
31 which time a commissioner shall be elected to serve for the  
32 remainder of the term. If a vacancy is filled with 28 months  
33 or less remaining in the term, the appointment shall be for  
34 the remainder of the term. No commissioner may be elected or

1 appointed to the board of review unless he or she has resided  
2 in the election district he or she seeks to represent for at  
3 least 2 years before the date of the election or appointment.  
4 In the election following each federal decennial census and  
5 board of review redistricting, a candidate for commissioner  
6 may be elected from any election district that contains a  
7 part of the election district in which he or she resided at  
8 the time of the redistricting and re-elected if a resident of  
9 the new district he or she represents for 18 months prior to  
10 re-election. The commissioners shall--be--electors--within  
11 their--respective--election--district--at--the--time--of--their  
12 election--or--appointment--and shall hold no other lucrative  
13 public office or public employment.

14 Each commissioner shall receive compensation fixed by the  
15 county board, which shall be paid from the county treasury.  
16 Compensation for each commissioner shall be equitable and  
17 shall not be changed during the term for which that  
18 commissioner is elected or appointed. The county shall  
19 provide suitable office space for the board of review.

20 For the year beginning on the first Monday in December  
21 1998 and ending the first Monday in December 1999, and every  
22 fourth year thereafter, the chair of the board shall be the  
23 commissioner elected from the first district. For the year  
24 beginning the first Monday in December 1999 and ending the  
25 first Monday in December 2000, and every fourth year  
26 thereafter, the chair of the board shall be the commissioner  
27 elected from the second district. For the year beginning the  
28 first Monday in December 2000 and ending the first Monday in  
29 December 2001, and every fourth year thereafter, the chair  
30 shall be the commissioner elected from the third district.  
31 For the year beginning the first Monday in December 2001 and  
32 ending the first Monday in December 2002, and every fourth  
33 year thereafter, the chair of the board shall be determined  
34 by lot.

1           On and after the first Monday in December, 1998, any  
2 reference in this Code to a board of appeals shall mean the  
3 board of review created under this subsection, and any  
4 reference to a member of a board of review shall mean a  
5 commissioner of a board of review. Whenever it may be  
6 necessary for purposes of determining its jurisdiction, the  
7 board of review shall be deemed to succeed to the powers and  
8 duties of the former board of appeals; provided that the  
9 board of review shall also have all of the powers and duties  
10 granted to it under this Code. All action of the board of  
11 review shall be by a majority vote of its commissioners.  
12 (Source: P.A. 91-393, eff. 7-30-99; 91-425, eff. 8-6-99.)

13           Section 20. The School Code is amended by changing  
14 Section 22-21 as follows:

15           (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

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

17           (a) Every school board shall offer to the appropriate  
18 officer or board having responsibility for providing polling  
19 places for elections the use of any and all buildings under  
20 its jurisdiction for any and all elections to be held, if so  
21 requested by such appropriate officer or board.

22           (b) Election officers shall place 2 or more cones, small  
23 United States national flags, or some other marker a distance  
24 of 100 horizontal feet from each entrance to the room used by  
25 voters to engage in voting, which shall be known as the  
26 polling room. If the polling room is located within a  
27 building that is a public or private school and the distance  
28 of 100 horizontal feet ends within the interior of the  
29 building, then the markers shall be placed outside of the  
30 building at each entrance used by voters to enter that  
31 building on the grounds adjacent to the thoroughfare or  
32 walkway. If the polling room is located within a public or

1 private school building with 2 or more floors and the polling  
2 room is located on the ground floor, then the markers shall  
3 be placed 100 horizontal feet from each entrance to the  
4 polling room used by voters to engage in voting. If the  
5 polling room is located in a public or private school  
6 building with 2 or more floors and the polling room is  
7 located on a floor above or below the ground floor, then the  
8 markers shall be placed a distance of 100 feet from the  
9 nearest elevator or staircase used by voters on the ground  
10 floor to access the floor where the polling room is located.  
11 The area within where the markers are placed shall be known  
12 as a campaign free zone, and electioneering is prohibited  
13 pursuant to this subsection.

14 Notwithstanding any other provision of this Code, the  
15 area on polling place property beyond the campaign free zone,  
16 whether publicly or privately owned, is a public forum for  
17 the time that the polls are open on an election day. At the  
18 request of election officers any publicly owned building must  
19 be made available for use as a polling place. A person shall  
20 have the right to congregate and engage in electioneering on  
21 any polling place property while the polls are open beyond  
22 the campaign free zone, including but not limited to, the  
23 placement of temporary signs. This subsection shall be  
24 construed liberally in favor of persons engaging in  
25 electioneering on all polling place property beyond the  
26 campaign free zone for the time that the polls are open on an  
27 election day.

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

29 (10 ILCS 5/28-6) (from Ch. 46, par. 28-6)

30 Sec. 28-6. Petitions; filing.

31 (a) On a written petition signed by a number of voters  
32 equal to at least 8% of the votes cast for candidates for  
33 Governor in the preceding gubernatorial election by 10%--of

1 the registered voters of the any municipality, township,  
2 county or school district it shall be the duty of the proper  
3 election officers to submit any question of public policy so  
4 petitioned for, to the electors of such political subdivision  
5 at any regular election named in the petition at which an  
6 election is scheduled to be held throughout such political  
7 subdivision under Article 2A. Such petitions shall be filed  
8 with the local election official of the political subdivision  
9 or election authority, as the case may be. Where such a  
10 question is to be submitted to the voters of a municipality  
11 which has adopted Article 6, or a township or school district  
12 located entirely within the jurisdiction of a municipal board  
13 of election commissioners, such petitions shall be filed with  
14 the board of election commissioners having jurisdiction over  
15 the political subdivision.

16 (b) In a municipality with more than 1,000,000  
17 inhabitants, when a question of public policy exclusively  
18 concerning a contiguous territory included entirely within  
19 but not coextensive with the municipality is initiated by  
20 resolution or ordinance of the corporate authorities of the  
21 municipality, or by a petition which may be signed by  
22 registered voters who reside in any part of any precinct all  
23 or part of which includes all or part of the territory and  
24 who equal in number at least 8% of the total votes cast for  
25 candidates for Governor in the preceding gubernatorial  
26 election by 10% of the total number of registered voters of  
27 the precinct or precincts the registered voters of which are  
28 eligible to sign the petition, it shall be the duty of the  
29 election authority having jurisdiction over such municipality  
30 to submit such question to the electors throughout each  
31 precinct all or part of which includes all or part of the  
32 territory at the regular election specified in the  
33 resolution, ordinance or petition initiating the public  
34 question. A petition initiating a public question described

1 in this subsection shall be filed with the election authority  
2 having jurisdiction over the municipality. A resolution,  
3 ordinance or petition initiating a public question described  
4 in this subsection shall specify the election at which the  
5 question is to be submitted.

6 (c) Local questions of public policy authorized by this  
7 Section and statewide questions of public policy authorized  
8 by Section 28-9 shall be advisory public questions, and no  
9 legal effects shall result from the adoption or rejection of  
10 such propositions.

11 (d) This Section does not apply to a petition filed  
12 pursuant to Article IX of the Liquor Control Act of 1934.

13 (Source: P.A. 84-1467.)

14 (10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

15 Sec. 28-9. Petitions for proposed amendments to Article  
16 IV of the Constitution pursuant to Section 3, Article XIV of  
17 the Constitution shall be signed by a number of electors  
18 equal in number to at least 8% of the total votes cast for  
19 candidates for Governor in the preceding gubernatorial  
20 election. Such petition shall have been signed by the  
21 petitioning electors not more than 24 months preceding the  
22 general election at which the proposed amendment is to be  
23 submitted and shall be filed with the Secretary of State at  
24 least 6 months before that general election.

25 Upon receipt of a petition for a proposed Constitutional  
26 amendment, the Secretary of State shall, as soon as is  
27 practicable, but no later than the close of the next business  
28 day, deliver such petition to the State Board of Elections.

29 Petitions for advisory questions of public policy to be  
30 submitted to the voters of the entire State shall be signed  
31 by a number of voters equal in number to 8% of the total  
32 votes cast for candidates for Governor in the preceding  
33 gubernatorial election at least 10% of the registered voters

1 in--the-State. Such petition shall have been signed by said  
2 petitioners not more than 24 months preceding the date of the  
3 general election at which the question is to be submitted and  
4 shall be filed with the State Board of Elections at least 6  
5 months before that general election.

6 The proponents of the proposed Constitutional amendment  
7 or statewide advisory public question shall file the original  
8 petition in bound election jurisdiction sections. Each  
9 section shall be composed of consecutively numbered petition  
10 sheets containing only the signatures of registered voters of  
11 a single election jurisdiction and, at the top of each  
12 petition sheet, the name of the election jurisdiction shall  
13 be typed or printed in block letters; provided that, if the  
14 name of the election jurisdiction is not so printed, the  
15 election jurisdiction of the circulator of that petition  
16 sheet shall be controlling with respect to the signatures on  
17 that sheet. Any petition sheets not consecutively numbered or  
18 which contain duplicate page numbers already used on other  
19 sheets, or are photocopies or duplicates of the original  
20 sheets, shall not be considered part of the petition for the  
21 purpose of the random sampling verification and shall not be  
22 counted toward the minimum number of signatures required to  
23 qualify the proposed constitutional amendment or statewide  
24 advisory public question for the ballot.

25 Within 7 business days following the last day for filing  
26 the original petition, the proponents shall also file copies  
27 of the sectioned election jurisdiction petition sheets with  
28 each proper election authority and obtain a receipt therefor.

29 For purposes of this Act, the following terms shall be  
30 defined and construed as follows:

- 31 1. "Board" means the State Board of Elections.
- 32 2. "Election Authority" means a county clerk or city or  
33 county board of election commissioners.
- 34 3. "Election Jurisdiction" means (a) an entire county,

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

10 4. "Proponents" means any person, association,  
11 committee, organization or other group, or their designated  
12 representatives, who advocate and cause the circulation and  
13 filing of petitions for a statewide advisory question of  
14 public policy or a proposed constitutional amendment for  
15 submission at a general election and who has registered with  
16 the Board as provided in this Act.

17 5. "Opponents" means any person, association, committee,  
18 organization or other group, or their designated  
19 representatives, who oppose a statewide advisory question of  
20 public policy or a proposed constitutional amendment for  
21 submission at a general election and who have registered with  
22 the Board as provided in this Act.

23 (Source: P.A. 87-1052.)

24 Section 10. The Counties Code is amended by adding  
25 Section 5-1005.5 as follows:

26 (55 ILCS 5/5-1005.5 new)

27 Sec. 5-1005.5. Advisory referenda. By a vote of the  
28 majority of the members of the county board, the board may  
29 authorize an advisory question of public policy to be placed  
30 on the ballot at the next regularly scheduled election in the  
31 county. The county board shall certify the question to the  
32 proper election authority, which must submit the question at

1 an election in accordance with the Election Code.

2 Section 15. The Illinois Municipal Code is amended by  
3 adding Section 3.1-40-60 as follows:

4 (65 ILCS 5/3.1-40-60 new)

5 Sec. 3.1-40-60. Advisory referenda. By a vote of the  
6 majority of the members of the city council, the council may  
7 authorize an advisory question of public policy to be placed  
8 on the ballot at the next regularly scheduled election in the  
9 municipality. The city council shall certify the question to  
10 the proper election authority, which must submit the question  
11 at an election in accordance with the Election Code.

12 Section 20. The Park District Code is amended by adding  
13 Section 8-30 as follows:

14 (70 ILCS 1205/8-30 new)

15 Sec. 8-30. Advisory referenda. By a vote of the majority  
16 of the members of the park district board, the board may  
17 authorize an advisory question of public policy to be placed  
18 on the ballot at the next regularly scheduled election in the  
19 district. The board shall certify the question to the proper  
20 election authority, which must submit the question at an  
21 election in accordance with the Election Code.

22 Section 90. The State Mandates Act is amended by adding  
23 Section 8.27 as follows:

24 (30 ILCS 805/8.27 new)

25 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6  
26 and 8 of this Act, no reimbursement by the State is required  
27 for the implementation of any mandate created by this  
28 amendatory Act of the 93rd General Assembly.

1           Section 97. Severability. The provisions of this Act  
2    are severable under Section 1.31 of the Statute on Statutes.

3           Section 99. Effective date. This Act takes effect upon  
4    becoming law.