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LRB094 04147 JAM 37097 a

1 AMENDMENT TO HOUSE BILL 115

2 AMENDMENT NO. _____. Amend House Bill 115 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 19-8 and 20-8 as follows:

6 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

7 Sec. 19-8. Time and place of counting ballots.

8 (a) Each absent voter's ballot returned to an election
9 authority, by any means authorized by this Article, and
10 received by that election authority in time to be delivered to
11 the polling place of the precinct where the elector resides and
12 to be counted by the judges of election at that polling place
13 shall be handled in accordance with this subsection. If ~~In case~~
14 an absent voter's ballot is received by the election authority
15 prior to the delivery of the official ballots to the judges of
16 election of the precinct where the ~~in which said~~ elector
17 resides, then the absent voter's ~~such~~ ballot envelope and
18 application, sealed in the carrier envelope, shall be enclosed
19 in the same ~~such~~ package with the official ballots and
20 therewith delivered to the judges of that ~~such~~ precinct. If ~~In~~
21 case the official ballots for that ~~such~~ precinct have already
22 been delivered to the judges of election when ~~at the time of~~
23 the receipt by the election authority receives the ~~of such~~
24 absent voter's ballot, then the ~~such~~ authority shall

1 immediately enclose the ~~said~~ envelope containing the absent
2 voter's ballot, together with the voter's ~~his~~ application
3 ~~therefor~~, in a larger or carrier envelope which shall be
4 securely sealed and addressed on the face to the judges of
5 election, giving the name or number of precinct, street and
6 number of polling place, city or town in which the ~~such~~ absent
7 voter is a qualified elector, and the words "This envelope
8 contains an absent voter's ballot and must be opened only on
9 election day at the polls immediately after the polls are
10 closed,". The election authority shall mail the ballot mailing
11 ~~the same~~, postage prepaid, to the ~~such~~ judges of election, or
12 if more convenient, the election authority ~~such officer~~ may
13 deliver the ~~such~~ absent voter's ballot to the judges of
14 election in person or by duly deputized agent, the authority
15 ~~said officer~~ to secure a ~~his~~ receipt for delivery of the ~~such~~
16 ballot or ballots. An absent voter's ballot delivered in error
17 to the wrong precinct polling place shall be returned to the
18 election authority and counted as provided in subsection (b).

19 (b) Each absent voter's ballot returned to an election
20 authority, by any means authorized by this Article, and
21 received by that election authority before the closing of the
22 polls on election day but too late to be delivered to and
23 counted at the proper precinct polling place shall be endorsed
24 by the receiving election authority with the day and hour of
25 receipt and shall be counted in the office of the election
26 authority on the day of the election after 7:00 p.m.

27 (c) Each absent voter's ballot that is mailed to an
28 election authority and postmarked by the midnight preceding the
29 opening of the polls on election day, but that is received by
30 the election authority after the polls close on election day
31 and before the close of the period for counting provisional
32 ballots cast at that election, shall be endorsed by the
33 receiving authority with the day and hour of receipt and shall
34 be counted at the office of the election authority during the

1 period for counting provisional ballots.

2 (d) Special write-in absentee voter's blank ballots
3 returned to an election authority, by any means authorized by
4 this Article, and received by the election authority at any
5 time before the closing of the polls on election day shall be
6 endorsed by the receiving election authority with the day and
7 hour of receipt and shall be counted at the office of the
8 election authority during the same period provided for counting
9 absent voters' ballots under subsection (b). Special write-in
10 absentee voter's blank ballots that are mailed to an election
11 authority and postmarked by the midnight preceding the opening
12 of the polls on election day, but that are received by the
13 election authority after the polls close on election day and
14 before the closing of the period for counting provisional
15 ballots cast at that election, shall be endorsed by the
16 receiving authority with the day and hour of receipt and shall
17 be counted at the office of the election authority during the
18 same periods provided for counting absent voters' ballots under
19 subsection (c).

20 (e) Except as otherwise provided in this Section, absent
21 ~~Absent~~ voters' ballots and special write-in absentee voter's
22 blank ballots received by ~~returned by absentee voters to~~ the
23 election authority after the closing of the polls on an
24 election day shall be endorsed by the election authority
25 receiving them ~~the same~~ with the day and hour of receipt and
26 shall be safely kept unopened by the ~~such~~ election authority
27 for the period of time required for the preservation of ballots
28 used at the ~~such~~ election, and shall then, without being
29 opened, be destroyed in like manner as the used ballots of that
30 ~~such~~ election.

31 ~~All absent voters' ballots received by the election~~
32 ~~authority after 12:00 noon on election day or too late for~~
33 ~~delivery to the proper polling place before the closing of the~~
34 ~~polls on election day, and Special Write-In Absentee Voter's~~

1 ~~Blank Ballots, except ballots returned by mail postmarked after~~
2 ~~midnight preceding the opening of the polls on election day,~~
3 ~~shall be endorsed by the election authority receiving the same~~
4 ~~with the day and hour of receipt and shall be counted in the~~
5 ~~office of the election authority on the day of the election~~
6 ~~after 7:00 p.m. All absent voters' ballots delivered in error~~
7 ~~to the wrong precinct polling place shall be returned to the~~
8 ~~election authority and counted under this provision; however,~~
9 ~~all absentee ballots received by the election authority by the~~
10 ~~close of absentee voting in the office of the election~~
11 ~~authority on the day preceding the day of election shall be~~
12 ~~delivered to the proper precinct polling places in time to be~~
13 ~~counted by the judges of election.~~

14 (f) Counting required under this Section to begin on
15 election day after the closing of the polls ~~Such counting~~ shall
16 commence no later than 8:00 p.m. and shall be conducted by a
17 panel or panels of election judges appointed in the manner
18 provided by law. ~~The~~ ~~Such~~ counting shall continue until all
19 absent voters' ballots and special write-in absentee voter's
20 blank ballots required to be counted on election day ~~received~~
21 ~~as aforesaid~~ have been counted.

22 (g) The procedures set forth in Section 19-9 of this Act
23 and Articles 17 and 18 of this Code, shall apply to all ~~absent~~
24 ~~voters'~~ ballots counted under this Section ~~provision,~~
25 including comparing the signature on the ballot envelope with
26 the signature of the voter on the permanent voter registration
27 record card taken from the master file; except that votes shall
28 be recorded without regard to precinct designation, except for
29 precinct offices.

30 (h) Where ballots are counted in the office of the election
31 authority as provided in this Section, each political party,
32 candidate, and qualified civic organization shall be entitled
33 to have present one pollwatcher for each panel of election
34 judges therein assigned.

1 (Source: P.A. 91-357, eff. 7-29-99.)

2 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

3 Sec. 20-8. Time and place of counting ballots.

4 (a) Each absent voter's ballot returned to an election
5 authority, by any means authorized by this Article, and
6 received by that election authority in time to be delivered to
7 the polling place of the precinct where the absent voter is a
8 qualified elector and to be counted by the judges of election
9 of that polling place shall be handled in accordance with this
10 subsection. If the ~~In case any such~~ ballot is received by the
11 election authority prior to the delivery of the official
12 ballots to the judges of election of the precinct where the
13 absent voter is a qualified ~~in which said~~ elector ~~resides~~, then
14 the absent voter's ~~such~~ ballot envelope and application, sealed
15 in the carrier envelope, shall be enclosed in the same package
16 with the ~~other~~ official ballots and ~~therewith~~ delivered to the
17 judges of ~~that~~ ~~such~~ precinct. If ~~In case~~ the official ballots
18 for ~~the~~ ~~such~~ precinct have already been delivered to the judges
19 of election ~~when at the time of the receipt by~~ the election
20 authority receives the ~~of such~~ absent voter's ballot, then the
21 election authority ~~it~~ shall immediately enclose the ~~said~~
22 envelope containing the absent voter's ballot, together with
23 the voter's ~~his~~ application ~~therefor~~, in a larger or carrier
24 envelope which shall be securely sealed and addressed on the
25 face to the judges of election, giving the name or number of
26 precinct, street and number of polling place, city or town in
27 which the ~~such~~ absent voter is a qualified elector, and the
28 words, "This envelope contains an absent voter's ballot and
29 must be opened only on election day at the polls immediately
30 after the polls are closed~~7~~". The election authority shall mail
31 the ballot ~~mailing the same~~, postage prepaid, to the ~~such~~
32 judges of election, or if more convenient then the election
33 authority ~~he or it~~ may deliver the ~~such~~ absent voter's ballot

1 to the judges of election in person or by duly deputized agent
2 and secure a ~~his~~ receipt for delivery of the ~~such~~ ballot or
3 ballots. An absent voter's ballot delivered in error to the
4 wrong precinct polling place shall be returned to the election
5 authority and counted as provided in subsection (b).

6 (b) Each absent voter's ballot returned to an election
7 authority, by any means authorized by this Article, and
8 received by that election authority before the closing of the
9 polls on election day but too late to be delivered to and
10 counted at the proper precinct polling place shall be endorsed
11 by the receiving election authority with the day and hour of
12 receipt and shall be counted in the office of the election
13 authority on the day of the election after 7:00 p.m.

14 (c) Each absent voter's ballot that is mailed to an
15 election authority and postmarked by the midnight preceding the
16 opening of the polls on election day, but that is received by
17 the election authority after the polls close on election day
18 and before the close of the period for counting provisional
19 ballots cast at that election, shall be endorsed by the
20 receiving authority with the day and hour of receipt and shall
21 be counted at the office of the election authority during the
22 period for counting provisional ballots.

23 (d) Special write-in absentee voter's blank ballots
24 returned to an election authority, by any means authorized by
25 this Article, and received by the election authority at any
26 time before the closing of the polls on election day shall be
27 endorsed by the receiving election authority with the day and
28 hour of receipt and shall be counted at the office of the
29 election authority during the same period provided for counting
30 absent voters' ballots under subsection (b). Special write-in
31 absentee voter's blank ballot that are mailed to an election
32 authority and postmarked by midnight preceding the opening of
33 the polls on election day, but that are received by the
34 election authority after the polls close on election day and

1 before the closing of the period for counting provisional
2 ballots cast at that election, shall be endorsed by the
3 receiving authority with the day and hour of receipt and shall
4 be counted at the office of the election authority during the
5 same periods provided for counting absent voters' ballots under
6 subsection (c).

7 (e) Except as otherwise provided in this Section, absent
8 voters' ballots and special write-in absentee voter's blank
9 ballots received by ~~Absent voter's ballots postmarked after~~
10 ~~11:59 p.m. of the day immediately preceding the election~~
11 ~~returned to the election authority after too late to be~~
12 ~~delivered to the proper polling place before the closing of the~~
13 polls on the day of election shall be endorsed by the person
14 receiving the ballots ~~same~~ with the day and hour of receipt and
15 shall be safely kept unopened by the election authority for the
16 period of time required for the preservation of ballots used at
17 the ~~such~~ election, and shall then, without being opened, be
18 destroyed in like manner as the used ballots of that ~~such~~
19 election.

20 ~~All absent voters' ballots received by the election~~
21 ~~authority after 12:00 noon on election day or too late for~~
22 ~~delivery to the proper polling place before the closing of the~~
23 ~~polls on election day, except ballots returned by mail~~
24 ~~postmarked after midnight preceding the opening of the polls on~~
25 ~~election day, shall be counted in the office of the election~~
26 ~~authority on the day of the election after 7:00 p.m. All absent~~
27 ~~voters' ballots delivered in error to the wrong precinct~~
28 ~~polling place shall be returned to the election authority and~~
29 ~~counted under this provision.~~

30 (f) Counting required under this Section to begin on
31 election day after the closing of the polls ~~Such counting~~ shall
32 commence no later than 8:00 p.m. and shall be conducted by a
33 panel or panels of election judges appointed in the manner
34 provided by law. The ~~Such~~ counting shall continue until all

1 absent voters' ballots and special write-in absentee voter's
2 blank ballots required to be counted on election day ~~received~~
3 ~~as aforesaid~~ have been counted.

4 (g) The procedures set forth in Section 19-9 of this Act
5 and Articles 17 and 18 of this Code, shall apply to all ~~absent~~
6 ~~voters'~~ ballots counted under this Section ~~provision~~; except
7 that votes shall be recorded without regard to precinct
8 designation.

9 (h) Where ~~certain absent voters'~~ ballots are counted in the
10 office of the election authority as provided in this Section,
11 each political party, candidate, and qualified civic
12 organization shall be entitled to have present one pollwatcher
13 for each panel of election judges therein assigned.

14 (Source: P.A. 84-861.)

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