



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB1337

Introduced 02/09/05, by Rep. Larry McKeon

SYNOPSIS AS INTRODUCED:

10 ILCS 5/17-15
30 ILCS 805/8.29 new

from Ch. 46, par. 17-15

Amends the Election Code. Requires that an employer pay an employee during the leave the employer must give the employee to vote. Preempts home rule powers. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

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FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Section
5 17-15 as follows:

6 (10 ILCS 5/17-15) (from Ch. 46, par. 17-15)

7 Sec. 17-15. Any person entitled to vote at a general or
8 special election or at any election at which propositions are
9 submitted to a popular vote in this State, shall, on the day of
10 such election, be entitled to absent himself from any services
11 or employment in which he is then engaged or employed, for a
12 period of 2 hours between the time of opening and closing the
13 polls; and such voter shall not because of so absenting himself
14 be liable to any penalty; Provided, however, that application
15 for such leave of absence shall be made prior to the day of
16 election. The employer may specify the hours during which said
17 employee may absent himself as aforesaid. No person or
18 corporation shall refuse to an employee the privilege hereby
19 conferred, nor shall subject an employee to a penalty because
20 of the exercise of such privilege, nor shall directly or
21 indirectly violate the provisions of this section.

22 An employer shall pay an employee who absences himself or
23 herself under this Section in the same amount and manner as if
24 the employee were not absent. The regulation of an employee's
25 paid leave in order to vote is an exclusive power and function
26 of the State in accordance with subsection (h) of Section 6 of
27 Article VII of the Illinois Constitution. A home rule unit may
28 not regulate an employee's paid leave in order to vote.

29 (Source: Laws 1963, p. 2532.)

30 Section 90. The State Mandates Act is amended by adding
31 Section 8.29 as follows:

1 (30 ILCS 805/8.29 new)

2 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 94th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.