

SB0410



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0410

Introduced 2/7/2007, by Sen. William E. Peterson

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2.1
10 ILCS 5/19A-15

from Ch. 46, par. 19-2.1

Amends the Election Code. Eliminates in-person absentee voting at the offices of municipal, township, and road district clerks. Extends the early voting period through the third (now, the fifth) day before an election day.

LRB095 07632 JAM 27783 b

A BILL FOR

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 19-2.1 and 19A-15 as follows:

6 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

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

21 ~~Municipal and township clerks (or road district clerks) who~~
22 ~~have regularly scheduled working hours at regularly designated~~
23 ~~offices other than a place of residence and whose offices are~~

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

1 ~~the office of the election authority having jurisdiction over~~
2 ~~their residence. Unless specifically authorized by the~~
3 ~~election authority, municipal, township, and road district~~
4 ~~clerks shall not conduct in-person absentee voting. No less~~
5 ~~than 45 days before the date of an election, the election~~
6 ~~authority shall notify the municipal, township, and road~~
7 ~~district clerks within its jurisdiction if they are to conduct~~
8 ~~in-person absentee voting.~~ Election authorities, ~~however,~~ may
9 conduct in-person absentee voting in one or more designated
10 appropriate public buildings from the fourth day before the
11 election through the day before the election.

12 ~~In conducting in-person absentee voting under this~~
13 ~~Section, the respective clerks shall be required to verify the~~
14 ~~signature of the absentee voter by comparison with the~~
15 ~~signature on the official registration record card. The clerk~~
16 ~~also shall reasonably ascertain the identity of such applicant,~~
17 ~~shall verify that each such applicant is a registered voter,~~
18 ~~and shall verify the precinct in which he or she is registered~~
19 ~~and the proper ballots of the political subdivisions in which~~
20 ~~the applicant resides and is entitled to vote, prior to~~
21 ~~providing any absentee ballot to such applicant. The clerk~~
22 ~~shall verify the applicant's registration and from the most~~
23 ~~recent poll list provided by the county clerk, and if the~~
24 ~~applicant is not listed on that poll list then by telephoning~~
25 ~~the office of the county clerk.~~

26 ~~Absentee voting procedures in the office of the municipal,~~

1 ~~township and road district clerks shall be subject to all of~~
2 ~~the applicable provisions of this Article 19. Pollwatchers may~~
3 ~~be appointed to observe in person absentee voting procedures~~
4 ~~and view all reasonably requested records relating to the~~
5 ~~conduct of the election, provided the secrecy of the ballot is~~
6 ~~not impinged, at the office of the municipal, township or road~~
7 ~~district clerks' offices where such absentee voting is~~
8 ~~conducted. Such pollwatchers shall qualify and be appointed in~~
9 ~~the same manner as provided in Sections 7-34 and 17-23, except~~
10 ~~each candidate, political party or organization of citizens may~~
11 ~~appoint only one pollwatcher for each location where in person~~
12 ~~absentee voting is conducted. Pollwatchers must be registered~~
13 ~~to vote in Illinois and possess valid pollwatcher credentials.~~
14 ~~All requirements in this Article applicable to election~~
15 ~~authorities shall apply to the respective local clerks, except~~
16 ~~where inconsistent with this Section.~~

17 ~~The sealed absentee ballots in their carrier envelope shall~~
18 ~~be delivered by the respective clerks, or by the election~~
19 ~~authority on behalf of a clerk if the clerk and the election~~
20 ~~authority agree, to the election authority's central ballot~~
21 ~~counting location before the close of the polls on the day of~~
22 ~~the general primary, consolidated primary, consolidated, or~~
23 ~~general election.~~

24 ~~Not more than 23 days before the general and consolidated~~
25 ~~elections, the county clerk shall make available to those~~
26 ~~municipal, township and road district clerks conducting~~

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

8 ~~The ballots delivered to the respective clerks shall~~
9 ~~include absentee ballots for each precinct in the municipality,~~
10 ~~township or road district, or shall include such separate~~
11 ~~ballots for each political subdivision conducting an election~~
12 ~~of officers or a referendum on that election day as will permit~~
13 ~~any resident of the municipality, township or road district to~~
14 ~~vote absentee in the office of 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 absentee~~
19 ~~ballots shall be made on forms provided by the election~~
20 ~~authority. Duplication of such forms by the municipal, township~~
21 ~~or road district clerk is prohibited.~~

22 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
23 94-1000, eff. 7-3-06.)

24 (10 ILCS 5/19A-15)

25 Sec. 19A-15. Period for early voting; hours.

1 (a) The period for early voting by personal appearance
2 begins the 22nd day preceding a general primary, consolidated
3 primary, consolidated, or general election and extends through
4 the third ~~5th~~ day before election day.

5 (b) A permanent polling place for early voting must remain
6 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
7 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
8 Saturdays, Sundays, and holidays.

9 (Source: P.A. 94-645, eff. 8-22-05.)