



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB2416

Introduced 2/19/2009, by Rep. Naomi D. Jakobsson

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/13-1	from Ch. 46, par. 13-1
10 ILCS 5/13-1.1	from Ch. 46, par. 13-1.1
10 ILCS 5/13-2	from Ch. 46, par. 13-2
10 ILCS 5/14-3.1	from Ch. 46, par. 14-3.1
10 ILCS 5/14-3.2	from Ch. 46, par. 14-3.2
10 ILCS 5/14-4	from Ch. 46, par. 14-4

Amends the Election Code. Requires that a majority of a panel of election judges be affiliated with the first leading established political party in the precinct and that the others be affiliated with other leading established political parties (now, the others must be affiliated with the second leading party).

LRB096 08374 JAM 18486 b

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 13-1, 13-1.1, 13-2, 14-3.1, 14-3.2, and 14-4 as  
6 follows:

7 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

8 Sec. 13-1. In counties not under township organization, the  
9 county board of commissioners shall at its meeting in July in  
10 each even-numbered year appoint in each election precinct 5  
11 capable and discreet persons meeting the qualifications of  
12 Section 13-4 to be judges of election. Where neither voting  
13 machines nor electronic, mechanical or electric voting systems  
14 are used, the county board may, for any precinct with respect  
15 to which the board considers such action necessary or desirable  
16 in view of the number of voters, and shall for general  
17 elections for any precinct containing more than 600 registered  
18 voters, appoint in addition to the 5 judges of election a team  
19 of 5 tally judges. In such precincts the judges of election  
20 shall preside over the election during the hours the polls are  
21 open, and the tally judges, with the assistance of the holdover  
22 judges designated pursuant to Section 13-6.2, shall count the  
23 vote after the closing of the polls. However, the County Board

1 of Commissioners may appoint 3 judges of election to serve in  
2 lieu of the 5 judges of election otherwise required by this  
3 Section to serve in any emergency referendum, or in any  
4 odd-year regular election or in any special primary or special  
5 election called for the purpose of filling a vacancy in the  
6 office of representative in the United States Congress or to  
7 nominate candidates for such purpose. The tally judges shall  
8 possess the same qualifications and shall be appointed in the  
9 same manner and with the same division between political  
10 parties as is provided for judges of election.

11 In addition to such precinct judges, the county board of  
12 commissioners shall appoint special panels of 3 judges each,  
13 who shall possess the same qualifications and shall be  
14 appointed in the same manner and with the same division between  
15 political parties as is provided for other judges of election.  
16 The number of such panels of judges required shall be  
17 determined by regulations of the State Board of Elections which  
18 shall base the required numbers of special panels on the number  
19 of registered voters in the jurisdiction or the number of  
20 absentee ballots voted at recent elections, or any combination  
21 of such factors.

22 Such appointment shall be confirmed by the court as  
23 provided in Section 13-3 of this Article. No more than 3  
24 persons of the same political party shall be appointed judges  
25 of the same election precinct or election judge panel. The  
26 appointment shall be made in the following manner: The county

1 board of commissioners shall select and approve 3 persons as  
2 judges of election in each election precinct from a certified  
3 list, furnished by the chairman of the County Central Committee  
4 of the first leading political party in such precinct; and the  
5 county board of commissioners shall also select and approve 2  
6 persons as judges of election in each election precinct from a  
7 certified lists ~~list~~, furnished by the chairmen ~~chairman~~ of the  
8 County Central committees ~~Committee~~ of the other ~~second~~ leading  
9 political parties ~~party~~. However, if only 3 judges of election  
10 serve in each election precinct, no more than 2 persons of the  
11 same political party shall be judges of election in the same  
12 election precinct; and which political party is entitled to 2  
13 judges of election and which political party is entitled to one  
14 judge of election shall be determined in the same manner as set  
15 forth in the next two preceding sentences with regard to 5  
16 election judges in each precinct. Such certified list shall be  
17 filed with the county clerk not less than 10 days before the  
18 annual meeting of the county board of commissioners. Such list  
19 shall be arranged according to precincts. The chairman of each  
20 county central committee shall, insofar as possible, list  
21 persons who reside within the precinct in which they are to  
22 serve as judges. However, he may, in his sole discretion,  
23 submit the names of persons who reside outside the precinct but  
24 within the county embracing the precinct in which they are to  
25 serve. He must, however, submit the names of at least 2  
26 residents of the precinct for each precinct in which his party

1 is to have 3 judges and must submit the name of at least one  
2 resident of each other ~~the precinct for each precinct in which~~  
3 ~~his party is to have 2 judges.~~ The county board of  
4 commissioners shall acknowledge in writing to each county  
5 chairman the names of all persons submitted on such certified  
6 list and the total number of persons listed thereon. If no such  
7 list is filed or such list is incomplete (that is, no names or  
8 an insufficient number of names are furnished for certain  
9 election precincts), the county board of commissioners shall  
10 make or complete such list from the names contained in the  
11 supplemental list provided for in Section 13-1.1. The election  
12 judges shall hold their office for 2 years from their  
13 appointment, and until their successors are duly appointed in  
14 the manner provided in this Act. The county board of  
15 commissioners shall fill all vacancies in the office of judge  
16 of election at any time in the manner provided in this Act.

17 For purposes of this Article, a leading political party  
18 must be an established political party as defined in Article  
19 10.

20 (Source: P.A. 94-1000, eff. 7-3-06.)

21 (10 ILCS 5/13-1.1) (from Ch. 46, par. 13-1.1)

22 Sec. 13-1.1. In addition to the list provided for in  
23 Section 13-1 or 13-2, the chairman of the county central  
24 committee of each of the ~~two~~ leading political parties shall  
25 submit to the county board a supplemental list, arranged

1 according to precincts in which they are to serve, of persons  
2 available as judges of election, the names and number of all  
3 persons listed thereon to be acknowledged in writing to the  
4 county chairman submitting such list by the county board.  
5 Vacancies among the judges of election shall be filled by  
6 selection from this supplemental list of persons qualified  
7 under Section 13-4. If the list provided for in Section 13-1 or  
8 13-2 for any precinct is exhausted, then selection shall be  
9 made from the supplemental list submitted by the chairman of  
10 the county central committee of the party. If such supplemental  
11 list is exhausted for any precinct, then selection shall be  
12 made from any of the persons on the supplemental list without  
13 regard to the precincts in which they are listed to serve. No  
14 selection or appointment from the supplemental list shall be  
15 made more than 21 days prior to the date of precinct  
16 registration for those judges needed as precinct registrars,  
17 and more than 45 days prior to the date of an election for  
18 those additional persons needed as election judges. In any case  
19 where selection cannot be made from the supplemental list  
20 without violating Section 13-4, selection shall be made from  
21 outside the supplemental list of some person qualified under  
22 Section 13-4.

23 (Source: P.A. 93-574, eff. 8-21-03.)

24 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

25 Sec. 13-2. In counties under the township organization the

1 county board shall at its meeting in July in each even-numbered  
2 year except in counties containing a population of 3,000,000  
3 inhabitants or over and except when such judges are appointed  
4 by election commissioners, select in each election precinct in  
5 the county, 5 capable and discreet persons to be judges of  
6 election who shall possess the qualifications required by this  
7 Act for such judges. Where neither voting machines nor  
8 electronic, mechanical or electric voting systems are used, the  
9 county board may, for any precinct with respect to which the  
10 board considers such action necessary or desirable in view of  
11 the number of voters, and shall for general elections for any  
12 precinct containing more than 600 registered voters, appoint in  
13 addition to the 5 judges of election a team of 5 tally judges.  
14 In such precincts the judges of election shall preside over the  
15 election during the hours the polls are open, and the tally  
16 judges, with the assistance of the holdover judges designated  
17 pursuant to Section 13-6.2, shall count the vote after the  
18 closing of the polls. The tally judges shall possess the same  
19 qualifications and shall be appointed in the same manner and  
20 with the same division between political parties as is provided  
21 for judges of election.

22 However, the county board may appoint 3 judges of election  
23 to serve in lieu of the 5 judges of election otherwise required  
24 by this Section to serve in any emergency referendum, or in any  
25 odd-year regular election or in any special primary or special  
26 election called for the purpose of filling a vacancy in the

1 office of representative in the United States Congress or to  
2 nominate candidates for such purpose.

3 In addition to such precinct judges, the county board shall  
4 appoint special panels of 3 judges each, who shall possess the  
5 same qualifications and shall be appointed in the same manner  
6 and with the same division between political parties as is  
7 provided for other judges of election. The number of such  
8 panels of judges required shall be determined by regulations of  
9 the State Board of Elections, which shall base the required  
10 number of special panels on the number of registered voters in  
11 the jurisdiction or the number of absentee ballots voted at  
12 recent elections or any combination of such factors.

13 No more than 3 persons of the same political party shall be  
14 appointed judges in the same election district or undivided  
15 precinct. The election of the judges of election in the various  
16 election precincts shall be made in the following manner: The  
17 county board shall select and approve 3 of the election judges  
18 in each precinct from a certified list furnished by the  
19 chairman of the County Central Committee of the first leading  
20 political party in such election precinct and shall also select  
21 and approve 2 judges of election in each election precinct from  
22 ~~a~~ certified lists ~~list~~ furnished by the chairmen ~~chairman~~ of  
23 the County Central Committees ~~Committee~~ of the other ~~second~~  
24 leading political parties ~~party~~ in such election precinct.  
25 However, if only 3 judges of election serve in each election  
26 precinct, no more than 2 persons of the same political party



1 shall be judges of election in the same election precinct; and  
2 which political party is entitled to 2 judges of election and  
3 which political party is entitled to one judge of election  
4 shall be determined in the same manner as set forth in the next  
5 two preceding sentences with regard to 5 election judges in  
6 each precinct. The respective County Central Committee  
7 chairman shall notify the county board by June 1 of each  
8 odd-numbered year immediately preceding the annual meeting of  
9 the county board whether or not such certified list will be  
10 filed by such chairman. Such list shall be arranged according  
11 to precincts. The chairman of each county central committee  
12 shall, insofar as possible, list persons who reside within the  
13 precinct in which they are to serve as judges. However, he may,  
14 in his sole discretion, submit the names of persons who reside  
15 outside the precinct but within the county embracing the  
16 precinct in which they are to serve. He must, however, submit  
17 the names of at least 2 residents of the precinct for each  
18 precinct in which his party is to have 3 judges and must submit  
19 the name of at least one resident of each other ~~the~~ precinct  
20 ~~for each precinct in which his party is to have 2 judges~~. Such  
21 certified list, if filed, shall be filed with the county clerk  
22 not less than 20 days before the annual meeting of the county  
23 board. The county board shall acknowledge in writing to each  
24 county chairman the names of all persons submitted on such  
25 certified list and the total number of persons listed thereon.  
26 If no such list is filed or the list is incomplete (that is, no

1 names or an insufficient number of names are furnished for  
2 certain election precincts), the county board shall make or  
3 complete such list from the names contained in the supplemental  
4 list provided for in Section 13-1.1. Provided, further, that in  
5 any case where a township has been or shall be redistricted, in  
6 whole or in part, subsequent to one general election for  
7 Governor, and prior to the next, the judges of election to be  
8 selected for all new or altered precincts shall be selected in  
9 that one of the methods above detailed, which shall be  
10 applicable according to the facts and circumstances of the  
11 particular case, but the majority of such judges for each such  
12 precinct shall be selected from the first leading political  
13 party, and the minority judges from the second leading  
14 political party. Provided, further, that in counties having a  
15 population of 1,000,000 inhabitants or over the selection of  
16 judges of election shall be made in the same manner in all  
17 respects as in other counties, except that the provisions  
18 relating to tally judges are inapplicable to such counties and  
19 except that the county board shall meet during the month of  
20 January for the purpose of making such selection and the  
21 chairman of each county central committee shall notify the  
22 county board by the preceding October 1 whether or not the  
23 certified list will be filed. Such judges of election shall  
24 hold their office for 2 years from their appointment and until  
25 their successors are duly appointed in the manner provided in  
26 this Act. The county board shall fill all vacancies in the

1 office of judges of elections at any time in the manner herein  
2 provided.

3 Such selections under this Section shall be confirmed by  
4 the circuit court as provided in Section 13-3 of this Article.  
5 (Source: P.A. 94-1000, eff. 7-3-06.)

6 (10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)

7 Sec. 14-3.1. The board of election commissioners shall,  
8 during the month of July of each even-numbered year, select for  
9 each election precinct within the jurisdiction of the board 5  
10 persons to be judges of election who shall possess the  
11 qualifications required by this Act for such judges. The  
12 selection shall be made by a county board of election  
13 commissioners in the following manner: the county board of  
14 election commissioners shall select and approve 3 persons as  
15 judges of election in each election precinct from a certified  
16 list furnished by the chairman of the county central committee  
17 of the first leading political party in that precinct; the  
18 county board of election commissioners also shall select and  
19 approve 2 persons as judges of election in each election  
20 precinct from ~~a~~ certified lists ~~list~~ furnished by the chairmen  
21 ~~chairman~~ of the county central committees ~~committee~~ of the  
22 other ~~second~~ leading political parties ~~party~~ in that precinct.  
23 The selection by a municipal board of election commissioners  
24 shall be made in the following manner: for each precinct, 3  
25 judges shall be selected from one of the 2 leading political

1 parties and the other 2 judges shall be selected from the other  
2 leading political parties ~~party~~; the parties entitled to 3 and  
3 the other ~~2~~ judges, respectively, in the several precincts  
4 shall be determined as provided in Section 14-4. However, a  
5 Board of Election Commissioners may appoint three judges of  
6 election to serve in lieu of the 5 judges of election otherwise  
7 required by this Section to serve in any emergency referendum,  
8 or in any odd-year regular election or in any special primary  
9 or special election called for the purpose of filling a vacancy  
10 in the office of representative in the United States Congress  
11 or to nominate candidates for such purpose.

12 If only 3 judges of election serve in each election  
13 precinct, no more than 2 persons of the same political party  
14 shall be judges of election in the same election precinct, and  
15 which political party is entitled to 2 judges of election and  
16 which political party is entitled to one judge of election  
17 shall be determined as set forth in this Section for a county  
18 board of election commissioners' selection of 5 election judges  
19 in each precinct or in Section 14-4 for a municipal board of  
20 election commissioners' selection of election judges in each  
21 precinct, whichever is appropriate. In addition to such  
22 precinct judges, the board of election commissioners shall  
23 appoint special panels of 3 judges each, who shall possess the  
24 same qualifications and shall be appointed in the same manner  
25 and with the same division between political parties as is  
26 provided for other judges of election. The number of such

1 panels of judges required shall be determined by regulation of  
2 the State Board of Elections, which shall base the required  
3 number of special panels on the number of registered voters in  
4 the jurisdiction or the number of absentee ballots voted at  
5 recent elections or any combination of such factors. A  
6 municipal board of election commissioners shall make the  
7 selections of persons qualified under Section 14-1 from  
8 certified lists furnished by the chairman of the respective  
9 county central committees of the ~~2~~ leading political parties.  
10 Lists furnished by chairmen of county central committees under  
11 this Section shall be arranged according to precincts. The  
12 chairman of each county central committee shall, insofar as  
13 possible, list persons who reside within the precinct in which  
14 they are to serve as judges. However, he may, in his sole  
15 discretion, submit the names of persons who reside outside the  
16 precinct but within the county embracing the precinct in which  
17 they are to serve. He must, however, submit the names of at  
18 least 2 residents of the precinct for each precinct in which  
19 his party is to have 3 judges and must submit the name of at  
20 least one resident of the precinct for each other precinct ~~in~~  
21 ~~which his party is to have 2 judges~~. The board of election  
22 commissioners shall no later than March 1 of each even-numbered  
23 year notify the chairmen of the respective county central  
24 committees of their responsibility to furnish such lists, and  
25 each such chairman shall furnish the board of election  
26 commissioners with the list for his party on or before May 1 of

1 each even-numbered year. The board of election commissioners  
2 shall acknowledge in writing to each county chairman the names  
3 of all persons submitted on such certified list and the total  
4 number of persons listed thereon. If no such list is furnished  
5 or if no names or an insufficient number of names are furnished  
6 for certain precincts, the board of election commissioners  
7 shall make or complete such list from the names contained in  
8 the supplemental list provided for in Section 14-3.2. Judges of  
9 election shall hold their office for 2 years from their  
10 appointment and until their successors are duly appointed in  
11 the manner herein provided. The board of election commissioners  
12 shall, subject to the provisions of Section 14-3.2, fill all  
13 vacancies in the office of judges of election at any time in  
14 the manner herein provided.

15 Such selections under this Section shall be confirmed by  
16 the court as provided in Section 14-5.

17 For purposes of this Article, a leading political party  
18 must be an established political party as defined in Article  
19 10.

20 (Source: P.A. 94-1000, eff. 7-3-06.)

21 (10 ILCS 5/14-3.2) (from Ch. 46, par. 14-3.2)

22 Sec. 14-3.2. In addition to the list provided for in  
23 Section 14-3.1, the chairman of the county central committee of  
24 each of the 2 leading political parties shall furnish to the  
25 board of election commissioners a supplemental list, arranged

1 according to precinct in which they are to serve, of persons  
2 available as judges of election, the names and number of all  
3 persons listed thereon to be acknowledged in writing to the  
4 county chairman submitting such list by the board of election  
5 commissioners. The board of election commissioners shall  
6 select from this supplemental list persons qualified under  
7 Section 14-1, to fill vacancies among the judges of election.  
8 If the list provided for in Section 14-3.1 for any precinct is  
9 exhausted, then selection shall be made from the supplemental  
10 list furnished by the chairman of the county central committee  
11 of the party. If such supplemental list is exhausted for any  
12 precinct, then selection shall be made from any of the persons  
13 on the supplemental list without regard to the precincts in  
14 which they are listed to serve. No selection or appointment  
15 from the supplemental list shall be made more than 21 days  
16 prior to the date of precinct registration for those judges  
17 needed as precinct registrars, and more than 45 days prior to  
18 the date of an election for those additional persons needed as  
19 election judges. In any case where selection cannot be made  
20 from the supplemental list without violating Section 14-1,  
21 selection shall be made from outside the supplemental list of  
22 some person qualified under Section 14-1.

23 (Source: P.A. 93-574, eff. 8-21-03.)

24 (10 ILCS 5/14-4) (from Ch. 46, par. 14-4)

25 Sec. 14-4. The leading political party represented by the

1 greatest number a ~~minority~~ of all the commissioners in the  
2 board shall be entitled to ~~2 of the judges in each precinct~~  
3 ~~with an even number,~~ and 3 of the judges in each precinct with  
4 an even ~~odd~~ number, and the other leading political parties  
5 ~~party~~ shall be entitled to 3 judges in the odd ~~even and 2~~  
6 ~~judges in the odd~~ number precincts; and if only 3 judges of  
7 election serve in each precinct, the leading political party  
8 represented by the greatest number ~~minority~~ of all the  
9 commissioners in the board shall be entitled to 2 ~~one~~ of the  
10 judges of election in each precinct with an even number, ~~and 2~~  
11 ~~of the judges of election in each precinct with an odd number,~~  
12 and the other leading political parties ~~party~~ shall be entitled  
13 to 2 judges of election in the ~~even and one judge of election~~  
14 ~~in the~~ odd number precincts; and it shall be the duty of such  
15 commissioners to observe this division in all respects in  
16 making such appointments; except that this Section does not  
17 apply to appointments by county boards of election  
18 commissioners under Section 14-3.1.

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