

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 4-10, 4-105, 5-9, 5-105, 6-37, 6-105, 17-10, 18-5, and
6 19A-35 as follows:

7 (10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

8 Sec. 4-10. Except as herein provided, no person shall be
9 registered, unless he applies in person to a registration
10 officer, answers such relevant questions as may be asked of him
11 by the registration officer, and executes the affidavit of
12 registration. The registration officer shall require the
13 applicant to furnish two forms of identification, and except in
14 the case of a homeless individual, one of which must include
15 his or her residence address. These forms of identification
16 shall include, but not be limited to, any of the following:
17 driver's license, social security card, public aid
18 identification card, utility bill, employee or student
19 identification card, lease or contract for a residence, credit
20 card, or a civic, union or professional association membership
21 card. The registration officer shall require a homeless
22 individual to furnish evidence of his or her use of the mailing
23 address stated. This use may be demonstrated by a piece of mail

1 addressed to that individual and received at that address or by
2 a statement from a person authorizing use of the mailing
3 address. The registration officer shall require each applicant
4 for registration to read or have read to him the affidavit of
5 registration before permitting him to execute the affidavit.

6 One of the registration officers or a deputy registration
7 officer, county clerk, or clerk in the office of the county
8 clerk, shall administer to all persons who shall personally
9 apply to register the following oath or affirmation:

10 "You do solemnly swear (or affirm) that you will fully and
11 truly answer all such questions as shall be put to you touching
12 your name, place of residence, place of birth, your
13 qualifications as an elector and your right as such to register
14 and vote under the laws of the State of Illinois."

15 The registration officer shall satisfy himself that each
16 applicant for registration is qualified to register before
17 registering him. If the registration officer has reason to
18 believe that the applicant is a resident of a Soldiers' and
19 Sailors' Home or any facility which is licensed or certified
20 pursuant to the Nursing Home Care Act, the following question
21 shall be put, "When you entered the home which is your present
22 address, was it your bona fide intention to become a resident
23 thereof?" Any voter of a township, city, village or
24 incorporated town in which such applicant resides, shall be
25 permitted to be present at the place of any precinct
26 registration and shall have the right to challenge any

1 applicant who applies to be registered.

2 In case the officer is not satisfied that the applicant is
3 qualified he shall forthwith notify such applicant in writing
4 to appear before the county clerk to complete his registration.
5 Upon the card of such applicant shall be written the word
6 "incomplete" and no such applicant shall be permitted to vote
7 unless such registration is satisfactorily completed as
8 hereinafter provided. No registration shall be taken and marked
9 as incomplete if information to complete it can be furnished on
10 the date of the original application.

11 Any person claiming to be an elector in any election
12 precinct and whose registration card is marked "Incomplete" may
13 make and sign an application in writing, under oath, to the
14 county clerk in substance in the following form:

15 "I do solemnly swear that I,, did on (insert date)
16 make application to the board of registry of the precinct
17 of the township of (or to the county clerk of county)
18 and that said board or clerk refused to complete my
19 registration as a qualified voter in said precinct. That I
20 reside in said precinct, that I intend to reside in said
21 precinct, and am a duly qualified voter of said precinct and am
22 entitled to be registered to vote in said precinct at the next
23 election.

24 (Signature of applicant)"

25 All such applications shall be presented to the county

1 clerk or to his duly authorized representative by the
2 applicant, in person between the hours of 9:00 a.m. and 5:00
3 p.m. on any day after the days on which the 1969 and 1970
4 precinct re-registrations are held but not on any day within 27
5 days preceding the ensuing general election and thereafter for
6 the registration provided in Section 4-7 all such applications
7 shall be presented to the county clerk or his duly authorized
8 representative by the applicant in person between the hours of
9 9:00 a.m. and 5:00 p.m. on any day prior to 27 days preceding
10 the ensuing general election. Such application shall be heard
11 by the county clerk or his duly authorized representative at
12 the time the application is presented. If the applicant for
13 registration has registered with the county clerk, such
14 application may be presented to and heard by the county clerk
15 or by his duly authorized representative upon the dates
16 specified above or at any time prior thereto designated by the
17 county clerk.

18 Any otherwise qualified person who is absent from his
19 county of residence either due to business of the United States
20 or because he is temporarily outside the territorial limits of
21 the United States may become registered by mailing an
22 application to the county clerk within the periods of
23 registration provided for in this Article, or by simultaneous
24 application for absentee registration and absentee ballot as
25 provided in Article 20 of this Code.

26 Upon receipt of such application the county clerk shall

1 immediately mail an affidavit of registration in duplicate,
2 which affidavit shall contain the following and such other
3 information as the State Board of Elections may think it proper
4 to require for the identification of the applicant:

5 Name. The name of the applicant, giving surname and first
6 or Christian name in full, and the middle name or the initial
7 for such middle name, if any.

8 Sex.

9 Residence. The name and number of the street, avenue or
10 other location of the dwelling, and such additional clear and
11 definite description as may be necessary to determine the exact
12 location of the dwelling of the applicant. Where the location
13 cannot be determined by street and number, then the Section,
14 congressional township and range number may be used, or such
15 other information as may be necessary, including post office
16 mailing address.

17 Term of residence in the State of Illinois and the
18 precinct.

19 Nativity. The State or country in which the applicant was
20 born.

21 Citizenship. Whether the applicant is native born or
22 naturalized. If naturalized, the court, place and date of
23 naturalization.

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

25 Out of State address of

26 AFFIDAVIT OF REGISTRATION

1 State of)

2)ss

3 County of)

4 I hereby swear (or affirm) that I am a citizen of the
5 United States; that on the day of the next election I shall
6 have resided in the State of Illinois and in the election
7 precinct 30 days; that I am fully qualified to vote, that I am
8 not registered to vote anywhere else in the United States, that
9 I intend to remain a resident of the State of Illinois and of
10 the election precinct, that I intend to return to the State of
11 Illinois, and that the above statements are true.

12

13 (His or her signature or mark)

14 Subscribed and sworn to before me, an officer qualified to
15 administer oaths, on (insert date).

16

17 Signature of officer administering oath.

18 Upon receipt of the executed duplicate affidavit of
19 Registration, the county clerk shall transfer the information
20 contained thereon to duplicate Registration Cards provided for
21 in Section 4-8 of this Article and shall attach thereto a copy
22 of each of the duplicate affidavit of registration and
23 thereafter such registration card and affidavit shall
24 constitute the registration of such person the same as if he
25 had applied for registration in person.

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

1 (10 ILCS 5/4-105)

2 Sec. 4-105. First time voting. A person must vote for the
3 first time in person and not by a mailed absentee ballot if the
4 person registered to vote by mail, unless the person first
5 provides the appropriate election authority with sufficient
6 proof of identity and the election authority verifies the
7 person's proof of identity. Sufficient proof of identity shall
8 be demonstrated by submission of the person's driver's license
9 number or State identification card number or, if the person
10 does not have either of those, verification by the last 4
11 digits of the person's social security number, a copy of a
12 current and valid photo identification, or a copy of a current
13 utility bill, bank statement, paycheck, government check, or
14 other federal, State, or local government document that shows
15 the person's name and address. A person may also demonstrate
16 sufficient proof of identity by submission of a photo
17 identification issued by a college or university accompanied by
18 either a copy of the applicant's contract or lease for a
19 residence or any postmarked mail delivered to the applicant at
20 his or her current residence address. Persons who apply to
21 register to vote by mail but provide inadequate proof of
22 identity to the election authority shall be notified by the
23 election authority that the registration has not been fully
24 completed and that the person remains ineligible to vote by
25 mail or in person until such proof is presented.

1 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

2 (10 ILCS 5/5-9) (from Ch. 46, par. 5-9)

3 Sec. 5-9. Except as herein provided, no person shall be
4 registered unless he applies in person to registration officer,
5 answers such relevant questions as may be asked of him by the
6 registration officer, and executes the affidavit of
7 registration. The registration officer shall require the
8 applicant to furnish two forms of identification, and except in
9 the case of a homeless individual, one of which must include
10 his or her residence address. These forms of identification
11 shall include, but not be limited to, any of the following:
12 driver's license, social security card, public aid
13 identification card, utility bill, employee or student
14 identification card, lease or contract for a residence, credit
15 card, or a civic, union or professional association membership
16 card. The registration officer shall require a homeless
17 individual to furnish evidence of his or her use of the mailing
18 address stated. This use may be demonstrated by a piece of mail
19 addressed to that individual and received at that address or by
20 a statement from a person authorizing use of the mailing
21 address. The registration officer shall require each applicant
22 for registration to read or have read to him the affidavit of
23 registration before permitting him to execute the affidavit.

24 One of the Deputy Registrars, the Judge of Registration, or
25 an Officer of Registration, County Clerk, or clerk in the

1 office of the County Clerk, shall administer to all persons who
2 shall personally apply to register the following oath or
3 affirmation:

4 "You do solemnly swear (or affirm) that you will fully and
5 truly answer all such questions as shall be put to you touching
6 your place of residence, name, place of birth, your
7 qualifications as an elector and your right as such to register
8 and vote under the laws of the State of Illinois."

9 The Registration Officer shall satisfy himself that each
10 applicant for registration is qualified to register before
11 registering him. If the registration officer has reason to
12 believe that the applicant is a resident of a Soldiers' and
13 Sailors' Home or any facility which is licensed or certified
14 pursuant to the Nursing Home Care Act, the following question
15 shall be put, "When you entered the home which is your present
16 address, was it your bona fide intention to become a resident
17 thereof?" Any voter of a township, city, village or
18 incorporated town in which such applicant resides, shall be
19 permitted to be present at the place of precinct registration,
20 and shall have the right to challenge any applicant who applies
21 to be registered.

22 In case the officer is not satisfied that the applicant is
23 qualified, he shall forthwith in writing notify such applicant
24 to appear before the County Clerk to furnish further proof of
25 his qualifications. Upon the card of such applicant shall be
26 written the word "Incomplete" and no such applicant shall be

1 permitted to vote unless such registration is satisfactorily
 2 completed as hereinafter provided. No registration shall be
 3 taken and marked as "incomplete" if information to complete it
 4 can be furnished on the date of the original application.

5 Any person claiming to be an elector in any election
 6 precinct in such township, city, village or incorporated town
 7 and whose registration is marked "Incomplete" may make and sign
 8 an application in writing, under oath, to the County Clerk in
 9 substance in the following form:

10 "I do solemnly swear that I,, did on (insert
 11 date) make application to the Board of Registry of the
 12 precinct of ward of the City of or of the
 13 District Town of (or to the
 14 County Clerk of) and County; that
 15 said Board or Clerk refused to complete my registration as a
 16 qualified voter in said precinct, that I reside in said
 17 precinct (or that I intend to reside in said precinct), am a
 18 duly qualified voter and entitled to vote in said precinct at
 19 the next election.

20

21 (Signature of Applicant)"

22 All such applications shall be presented to the County
 23 Clerk by the applicant, in person between the hours of nine
 24 o'clock a.m. and five o'clock p.m., on Monday and Tuesday of
 25 the third week subsequent to the weeks in which the 1961 and
 26 1962 precinct re-registrations are to be held, and thereafter

1 for the registration provided in Section 5-17 of this Article,
2 all such applications shall be presented to the County Clerk by
3 the applicant in person between the hours of nine o'clock a.m.
4 and nine o'clock p.m. on Monday and Tuesday of the third week
5 prior to the date on which such election is to be held.

6 Any otherwise qualified person who is absent from his
7 county of residence either due to business of the United States
8 or because he is temporarily outside the territorial limits of
9 the United States may become registered by mailing an
10 application to the county clerk within the periods of
11 registration provided for in this Article or by simultaneous
12 application for absentee registration and absentee ballot as
13 provided in Article 20 of this Code.

14 Upon receipt of such application the county clerk shall
15 immediately mail an affidavit of registration in duplicate,
16 which affidavit shall contain the following and such other
17 information as the State Board of Elections may think it proper
18 to require for the identification of the applicant:

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

22 Sex.

23 Residence. The name and number of the street, avenue or
24 other location of the dwelling, and such additional clear and
25 definite description as may be necessary to determine the exact
26 location of the dwelling of the applicant. Where the location

1 cannot be determined by street and number, then the Section,
2 congressional township and range number may be used, or such
3 other information as may be necessary, including post office
4 mailing address.

5 Term of residence in the State of Illinois and the
6 precinct.

7 Nativity. The State or country in which the applicant was
8 born.

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

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

13 Out of State address of

14 AFFIDAVIT OF REGISTRATION

15 State of

16) ss

17 County of

18 I hereby swear (or affirm) that I am a citizen of the
19 United States; that on the day of the next election I shall
20 have resided in the State of Illinois for 6 months and in the
21 election precinct 30 days; that I am fully qualified to vote,
22 that I am not registered to vote anywhere else in the United
23 States, that I intend to remain a resident of the State of
24 Illinois and of the election precinct, that I intend to return
25 to the State of Illinois, and that the above statements are
26 true.

1
2

(His or her signature or mark)

3 Subscribed and sworn to before me, an officer qualified to
4 administer oaths, on (insert date).

5

6 Signature of officer administering oath.

7
8 Upon receipt of the executed duplicate affidavit of
9 Registration, the county clerk shall transfer the information
10 contained thereon to duplicate Registration Cards provided for
11 in Section 5-7 of this Article and shall attach thereto a copy
12 of each of the duplicate affidavit of registration and
13 thereafter such registration card and affidavit shall
14 constitute the registration of such person the same as if he
15 had applied for registration in person.

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

17 (10 ILCS 5/5-105)

18 Sec. 5-105. First time voting. A person must vote for the
19 first time in person and not by a mailed absentee ballot if the
20 person registered to vote by mail, unless the person first
21 provides the appropriate election authority with sufficient
22 proof of identity and the election authority verifies the
23 person's proof of identity. Sufficient proof of identity shall
24 be demonstrated by submission of the person's driver's license

1 number or State identification card number or, if the person
2 does not have either of those, verification by the last 4
3 digits of the person's social security number, a copy of a
4 current and valid photo identification, or a copy of a current
5 utility bill, bank statement, paycheck, government check, or
6 other federal, State, or local government document that shows
7 the person's name and address. A person may also demonstrate
8 sufficient proof of identity by submission of a photo
9 identification issued by a college or university accompanied by
10 either a copy of the applicant's contract or lease for a
11 residence or any postmarked mail delivered to the applicant at
12 his or her current residence address. Persons who apply to
13 register to vote by mail but provide inadequate proof of
14 identity to the election authority shall be notified by the
15 election authority that the registration has not been fully
16 completed and that the person remains ineligible to vote by
17 mail or in person until such proof is presented.

18 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

19 (10 ILCS 5/6-37) (from Ch. 46, par. 6-37)

20 Sec. 6-37. Except as otherwise provided for in Section 6-29
21 of this Article, no person shall be registered unless he
22 applies in person to a registration officer, answers such
23 relevant questions as may be asked of him by the registration
24 officer, and executes the affidavit of registration. The
25 registration officer shall require the applicant to furnish two

1 forms of identification, and except in the case of a homeless
2 individual, one of which must include his or her residence
3 address. These forms of identification shall include, but not
4 be limited to, any of the following: driver's license, social
5 security card, public aid identification card, utility bill,
6 employee or student identification card, lease or contract for
7 a residence, credit card, or a civic, union or professional
8 association membership card. The registration officer shall
9 require a homeless individual to furnish evidence of his or her
10 use of the mailing address stated. This use may be demonstrated
11 by a piece of mail addressed to that individual and received at
12 that address or by a statement from a person authorizing use of
13 the mailing address. The registration officer shall require
14 each applicant for registration to read or have read to him the
15 affidavit of registration before permitting him to execute the
16 affidavit.

17 The registration officer shall satisfy himself that each
18 applicant for registration is qualified to register before
19 registering him. Any voter of the ward, village or incorporated
20 town in which such applicant resides, shall be permitted to be
21 present at the place of registration, and shall have the right
22 to challenge any applicant who applies to be registered.

23 In case the officer is not satisfied that the applicant is
24 qualified he shall forthwith in writing notify such applicant
25 to appear before the board of election commissioners to furnish
26 further proof of his qualification. Upon the card of such

1 applicant shall be written the word "incomplete" and no such
2 applicant shall be permitted to vote unless such registration
3 is satisfactorily completed as hereinafter provided.

4 Any person claiming to be an elector in any election
5 precinct in such city, village or incorporated town and whose
6 registration is marked "incomplete" may make and sign an
7 application in writing, under oath, to the board of election
8 commissioners in substance in the following form:

9 "I do solemnly swear that I,.... did on make
10 application to the board of registry of the precinct of
11 ward of the city of(or to the board of election
12 commissioners of) and that said board refused to complete
13 my registration as a qualified voter in said precinct, that I
14 reside in said precinct, am a duly qualified voter and entitled
15 to vote in said precinct at the next election.

16(Signature of Applicant)"

17 In all cities, villages or incorporated towns having a
18 population of less than 200,000 all such applications shall be
19 presented to the board of election commissioners by the
20 applicant, in person, between the hours of nine o'clock a.m.,
21 and five o'clock p.m. on Tuesday or Wednesday of the second
22 week prior to the week in which such election is to be held,
23 and in all municipalities having a population of more than
24 200,000 and having a board of election commissioners and in all
25 cities, villages and incorporated towns within the
26 jurisdiction of such board, all such applications shall be

1 presented to the board of election commissioners by the
2 applicant, in person between the hours of nine o'clock a.m. and
3 five o'clock p.m., on Monday and Tuesday of the third week
4 prior to the week in which such election is to be held.

5 (Source: P.A. 87-1241.)

6 (10 ILCS 5/6-105)

7 Sec. 6-105. First time voting. A person must vote for the
8 first time in person and not by a mailed absentee ballot if the
9 person registered to vote by mail, unless the person first
10 provides the appropriate election authority with sufficient
11 proof of identity and the election authority verifies the
12 person's proof of identity. Sufficient proof of identity shall
13 be demonstrated by submission of the person's driver's license
14 number or State identification card number or, if the person
15 does not have either of those, verification by the last 4
16 digits of the person's social security number, a copy of a
17 current and valid photo identification, or a copy of a current
18 utility bill, bank statement, paycheck, government check, or
19 other federal, State, or local government document that shows
20 the person's name and address. A person may also demonstrate
21 sufficient proof of identity by submission of a photo
22 identification issued by a college or university accompanied by
23 either a copy of the applicant's contract or lease for a
24 residence or any postmarked mail delivered to the applicant at
25 his or her current residence address. Persons who apply to

1 register to vote by mail but provide inadequate proof of
2 identity to the election authority shall be notified by the
3 election authority that the registration has not been fully
4 completed and that the person remains ineligible to vote by
5 mail or in person until such proof is presented.

6 (Source: P.A. 94-645, eff. 8-22-05; 95-699, eff. 11-9-07.)

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

8 Sec. 17-10. (a) Whenever, at any election, in any precinct,
9 any person offering to vote is not personally known to the
10 judges of election to have the qualifications required in this
11 Act, if his vote is challenged by a legal voter at such
12 election, he or she shall make and subscribe an affidavit, in
13 the following form, which shall be retained by the judges of
14 election, and returned by them affixed to the poll books or
15 with the official poll record:

16 State of Illinois)

17)ss.

18 County of)

19 I,, do solemnly swear (or affirm) that I am a citizen
20 of the United States; that I am 18 years of age or over; that I
21 have resided in this State and in this election district 30
22 days next preceding this election; that I have not voted at
23 this election; that I am a duly qualified voter in every
24 respect; that I now reside at (here give the particular house
25 or place of residence, and, if in a town or city, the street

1 and number), in this election district; *1. that I registered
 2 to vote from said address; *2. that I changed my residence to
 3 the above address from, both of which are in this election
 4 district; *3. that I changed my name from to that which I
 5 have signed below; *4. that I have not changed my residence but
 6 my address has changed as a result of implementation of a 9-1-1
 7 emergency telephone system.

8 So help me God, (or "This I do solemnly and sincerely
 9 affirm", as the case may be).

10

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

12

13 *1. If registration is not required, draw a line through 1
 14 above.

15 *2. Fill in the blank ONLY if you have moved within 2
 16 years.

17 *3. Fill in the blank ONLY if you have changed your name
 18 within 2 years.

19 *4. Fill in the blank ONLY if you have not changed your
 20 residence but your address has changed as a result of
 21 implementation of a 9-1-1 emergency telephone system.

22 In addition to such an affidavit, the person so challenged
 23 shall provide to the judges of election proof of residence by
 24 producing two forms of identification showing the person's
 25 current residence address, provided that such identification

1 may include a lease or contract for a residence and not more
2 than one piece of mail addressed to the person at his current
3 residence address and postmarked not earlier than 30 days prior
4 to the date of the election, or the person shall procure a
5 witness personally known to the judges of election, and
6 resident in the precinct (or district), or who shall be proved
7 by some legal voter of such precinct or district, known to the
8 judges to be such, who shall take the oath following, viz:

9 I do solemnly swear (or affirm) that I am a resident of
10 this election precinct (or district), and entitled to vote at
11 this election, and that I have been a resident of this State
12 for 30 days last past, and am well acquainted with the person
13 whose vote is now offered; that he is an actual and bona fide
14 resident of this election precinct (or district), and has
15 resided herein 30 days, and as I verily believe, in this State,
16 30 days next preceding this election.

17 The oath in each case may be administered by either of the
18 judges of election, or by any officer, resident in the precinct
19 or district, authorized by law to administer oaths.

20 (b) Whenever, at any regular or special election, in any
21 precinct, district, city, village, incorporated town, town or
22 ward, any person offering to vote has moved therefrom within 30
23 days prior to said regular or special election, he shall make
24 and subscribe an affidavit, in the following form, which shall
25 be supported by providing to the judges of election proof of
26 residence by producing two forms of identification showing the

1 person's current residence address, provided that such
 2 identification may include not more than one piece of mail
 3 addressed to the person at his current residence address and
 4 postmarked not earlier than 30 days prior to the date of the
 5 election, or by one affidavit of a registered voter in the
 6 precinct, as provided herein, both of which shall be retained
 7 by the judges of election, and returned by them affixed to the
 8 poll books or with the official poll record:

9 State of Illinois)

10)ss.

11 County of)

12 I,, do solemnly swear (or affirm) that I am a
 13 citizen of the United States; that I am 18 years of age; that I
 14 have not voted at this election; that prior to 30 days
 15 preceding this election I was a duly qualified and registered
 16 voter in every respect in this election district; that I have
 17 recently moved from (here give the particular house or place of
 18 residence, and, if in a town or city, the street and number),
 19 in this election district; that I now reside at (here give the
 20 particular house or place of residence, and, if in a town or
 21 city, the street and number), in another election district in
 22 the State.

23 So help me God, (or "This I do solemnly and sincerely
 24 affirm", as the case may be).

25

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

1
2

3 State of Illinois)

4)ss.

5 County of)

6 Precinct Ward

7 I,, do solemnly swear (or affirm), that I am a
8 resident of this precinct and entitled to vote at this
9 election; that I am acquainted with (name of the
10 applicant); that I verily believe him to have been an actual
11 bona fide resident and registered voter of this precinct and
12 that he maintained a legal residence therein, 30 days next
13 preceding this election.

14
15

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

17
18

19 Judge of Election.

20 The oath may be administered by either of the judges of
21 election, or by any officer, resident in the precinct or
22 district, authorized by law to administer oaths.

23 (c) For purposes of this Section, the submission of a photo
24 identification issued by a college or university, accompanied
25 by either (i) a copy of the applicant's contract or lease for a
residence or (ii) one piece of mail addressed to the person at
his or her current residence address and postmarked not earlier

1 than 30 days prior to the date of the election, shall be
2 sufficient to establish proof of residence.

3 (Source: P.A. 90-664, eff. 7-30-98; 91-357, eff. 7-29-99.)

4 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

5 Sec. 18-5. Any person desiring to vote and whose name is
6 found upon the register of voters by the person having charge
7 thereof, shall then be questioned by one of the judges as to
8 his nativity, his term of residence at present address,
9 precinct, State and United States, his age, whether naturalized
10 and if so the date of naturalization papers and court from
11 which secured, and he shall be asked to state his residence
12 when last previously registered and the date of the election
13 for which he then registered. The judges of elections shall
14 check each application for ballot against the list of voters
15 registered in that precinct to whom grace period, absentee, and
16 early ballots have been issued for that election, which shall
17 be provided by the election authority and which list shall be
18 available for inspection by pollwatchers. A voter applying to
19 vote in the precinct on election day whose name appears on the
20 list as having been issued a grace period, absentee, or early
21 ballot shall not be permitted to vote in the precinct, except
22 that a voter to whom an absentee ballot was issued may vote in
23 the precinct if the voter submits to the election judges that
24 absentee ballot for cancellation. If the voter is unable to
25 submit the absentee ballot, it shall be sufficient for the

1 voter to submit to the election judges (i) a portion of the
2 absentee ballot if the absentee ballot was torn or mutilated or
3 (ii) an affidavit executed before the election judges
4 specifying that (A) the voter never received an absentee ballot
5 or (B) the voter completed and returned an absentee ballot and
6 was informed that the election authority did not receive that
7 absentee ballot. If such person so registered shall be
8 challenged as disqualified, the party challenging shall assign
9 his reasons therefor, and thereupon one of the judges shall
10 administer to him an oath to answer questions, and if he shall
11 take the oath he shall then be questioned by the judge or
12 judges touching such cause of challenge, and touching any other
13 cause of disqualification. And he may also be questioned by the
14 person challenging him in regard to his qualifications and
15 identity. But if a majority of the judges are of the opinion
16 that he is the person so registered and a qualified voter, his
17 vote shall then be received accordingly. But if his vote be
18 rejected by such judges, such person may afterward produce and
19 deliver an affidavit to such judges, subscribed and sworn to by
20 him before one of the judges, in which it shall be stated how
21 long he has resided in such precinct, and state; that he is a
22 citizen of the United States, and is a duly qualified voter in
23 such precinct, and that he is the identical person so
24 registered. In addition to such an affidavit, the person so
25 challenged shall provide to the judges of election proof of
26 residence by producing 2 forms of identification showing the

1 person's current residence address, provided that such
2 identification may include a lease or contract for a residence
3 and not more than one piece of mail addressed to the person at
4 his current residence address and postmarked not earlier than
5 30 days prior to the date of the election, or the person shall
6 procure a witness personally known to the judges of election,
7 and resident in the precinct (or district), or who shall be
8 proved by some legal voter of such precinct or district, known
9 to the judges to be such, who shall take the oath following,
10 viz:

11 I do solemnly swear (or affirm) that I am a resident of
12 this election precinct (or district), and entitled to vote at
13 this election, and that I have been a resident of this State
14 for 30 days last past, and am well acquainted with the person
15 whose vote is now offered; that he is an actual and bona fide
16 resident of this election precinct (or district), and has
17 resided herein 30 days, and as I verily believe, in this State,
18 30 days next preceding this election.

19 The oath in each case may be administered by one of the
20 judges of election, or by any officer, resident in the precinct
21 or district, authorized by law to administer oaths. Also
22 supported by an affidavit by a registered voter residing in
23 such precinct, stating his own residence, and that he knows
24 such person; and that he does reside at the place mentioned and
25 has resided in such precinct and state for the length of time
26 as stated by such person, which shall be subscribed and sworn

1 to in the same way. For purposes of this Section, the
2 submission of a photo identification issued by a college or
3 university, accompanied by either (i) a copy of the applicant's
4 contract or lease for a residence or (ii) one piece of mail
5 addressed to the person at his or her current residence address
6 and postmarked not earlier than 30 days prior to the date of
7 the election, shall be sufficient to establish proof of
8 residence. Whereupon the vote of such person shall be received,
9 and entered as other votes. But such judges, having charge of
10 such registers, shall state in their respective books the facts
11 in such case, and the affidavits, so delivered to the judges,
12 shall be preserved and returned to the office of the
13 commissioners of election. Blank affidavits of the character
14 aforesaid shall be sent out to the judges of all the precincts,
15 and the judges of election shall furnish the same on demand and
16 administer the oaths without criticism. Such oaths, if
17 administered by any other officer than such judge of election,
18 shall not be received. Whenever a proposal for a constitutional
19 amendment or for the calling of a constitutional convention is
20 to be voted upon at the election, the separate blue ballot or
21 ballots pertaining thereto shall be placed on top of the other
22 ballots to be voted at the election in such manner that the
23 legend appearing on the back thereof, as prescribed in Section
24 16-6 of this Act, shall be plainly visible to the voter, and in
25 this fashion the ballots shall be handed to the voter by the
26 judge.

1 Immediately after voting, the voter shall be instructed
2 whether the voting equipment, if used, accepted or rejected the
3 ballot or identified the ballot as under-voted. A voter whose
4 ballot is identified as under-voted for a statewide
5 constitutional office may return to the voting booth and
6 complete the voting of that ballot. A voter whose ballot is not
7 accepted by the voting equipment may, upon surrendering the
8 ballot, request and vote another ballot. The voter's
9 surrendered ballot shall be initialed by the election judge and
10 handled as provided in the appropriate Article governing that
11 voting equipment.

12 The voter shall, upon quitting the voting booth, deliver to
13 one of the judges of election all of the ballots, properly
14 folded, which he received. The judge of election to whom the
15 voter delivers his ballots shall not accept the same unless all
16 of the ballots given to the voter are returned by him. If a
17 voter delivers less than all of the ballots given to him, the
18 judge to whom the same are offered shall advise him in a voice
19 clearly audible to the other judges of election that the voter
20 must return the remainder of the ballots. The statement of the
21 judge to the voter shall clearly express the fact that the
22 voter is not required to vote such remaining ballots but that
23 whether or not he votes them he must fold and deliver them to
24 the judge. In making such statement the judge of election shall
25 not indicate by word, gesture or intonation of voice that the
26 unreturned ballots shall be voted in any particular manner. No

1 new voter shall be permitted to enter the voting booth of a
2 voter who has failed to deliver the total number of ballots
3 received by him until such voter has returned to the voting
4 booth pursuant to the judge's request and again quit the booth
5 with all of the ballots required to be returned by him. Upon
6 receipt of all such ballots the judges of election shall enter
7 the name of the voter, and his number, as above provided in
8 this Section, and the judge to whom the ballots are delivered
9 shall immediately put the ballots into the ballot box. If any
10 voter who has failed to deliver all the ballots received by him
11 refuses to return to the voting booth after being advised by
12 the judge of election as herein provided, the judge shall
13 inform the other judges of such refusal, and thereupon the
14 ballot or ballots returned to the judge shall be deposited in
15 the ballot box, the voter shall be permitted to depart from the
16 polling place, and a new voter shall be permitted to enter the
17 voting booth.

18 The judge of election who receives the ballot or ballots
19 from the voter shall announce the residence and name of such
20 voter in a loud voice. The judge shall put the ballot or
21 ballots received from the voter into the ballot box in the
22 presence of the voter and the judges of election, and in plain
23 view of the public. The judges having charge of such registers
24 shall then, in a column prepared thereon, in the same line of,
25 the name of the voter, mark "Voted" or the letter "V".

26 No judge of election shall accept from any voter less than

1 the full number of ballots received by such voter without first
2 advising the voter in the manner above provided of the
3 necessity of returning all of the ballots, nor shall any such
4 judge advise such voter in a manner contrary to that which is
5 herein permitted, or in any other manner violate the provisions
6 of this Section; provided, that the acceptance by a judge of
7 election of less than the full number of ballots delivered to a
8 voter who refuses to return to the voting booth after being
9 properly advised by such judge shall not be a violation of this
10 Section.

11 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
12 95-699, eff. 11-9-07.)

13 (10 ILCS 5/19A-35)

14 Sec. 19A-35. Procedure for voting.

15 (a) Not more than 23 days before the start of the election,
16 the county clerk shall make available to the election official
17 conducting early voting by personal appearance a sufficient
18 number of early ballots, envelopes, and printed voting
19 instruction slips for the use of early voters. The election
20 official shall receipt for all ballots received and shall
21 return unused or spoiled ballots at the close of the early
22 voting period to the county clerk and must strictly account for
23 all ballots received. The ballots delivered to the election
24 official must include early ballots for each precinct in the
25 election authority's jurisdiction and must include separate

1 ballots for each political subdivision conducting an election
2 of officers or a referendum at that election.

3 (b) In conducting early voting under this Article, the
4 election judge or official is required to verify the signature
5 of the early voter by comparison with the signature on the
6 official registration card, and the judge or official must
7 verify (i) the identity of the applicant, (ii) that the
8 applicant is a registered voter, (iii) the precinct in which
9 the applicant is registered, and (iv) the proper ballots of the
10 political subdivision in which the applicant resides and is
11 entitled to vote before providing an early ballot to the
12 applicant. The applicant's identity must be verified by the
13 applicant's presentation of an Illinois driver's license, a
14 non-driver identification card issued by the Illinois
15 Secretary of State, a photo identification card issued by a
16 university or college, or another government-issued
17 identification document containing the applicant's photograph.
18 The election judge or official must verify the applicant's
19 registration from the most recent poll list provided by the
20 election authority, and if the applicant is not listed on that
21 poll list, by telephoning the office of the election authority.

22 (b-5) A person requesting an early voting ballot to whom an
23 absentee ballot was issued may vote early if the person submits
24 that absentee ballot to the judges of election or official
25 conducting early voting for cancellation. If the voter is
26 unable to submit the absentee ballot, it shall be sufficient

1 for the voter to submit to the judges or official (i) a portion
2 of the absentee ballot if the absentee ballot was torn or
3 mutilated or (ii) an affidavit executed before the judges or
4 official specifying that (A) the voter never received an
5 absentee ballot or (B) the voter completed and returned an
6 absentee ballot and was informed that the election authority
7 did not receive that absentee ballot.

8 (b-10) Within one day after a voter casts an early voting
9 ballot, the election authority shall transmit the voter's name,
10 street address, and precinct, ward, township, and district
11 numbers, as the case may be, to the State Board of Elections,
12 which shall maintain those names and that information in an
13 electronic format on its website, arranged by county and
14 accessible to State and local political committees.

15 (b-15) Immediately after voting an early ballot, the voter
16 shall be instructed whether the voting equipment accepted or
17 rejected the ballot or identified that ballot as under-voted
18 for a statewide constitutional office. A voter whose ballot is
19 identified as under-voted may return to the voting booth and
20 complete the voting of that ballot. A voter whose early voting
21 ballot is not accepted by the voting equipment may, upon
22 surrendering the ballot, request and vote another early voting
23 ballot. The voter's surrendered ballot shall be initialed by
24 the election judge or official conducting the early voting and
25 handled as provided in the appropriate Article governing the
26 voting equipment used.

1 (c) The sealed early ballots in their carrier envelope
2 shall be delivered by the election authority to the central
3 ballot counting location before the close of the polls on the
4 day of the election.

5 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
6 95-699, eff. 11-9-07.)