



Rep. Naomi D. Jakobsson

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1 AMENDMENT TO HOUSE BILL 4077

2 AMENDMENT NO. _____. Amend House Bill 4077, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Election Code is amended by changing
6 Sections 4-10, 4-105, 5-9, 5-105, 6-37, 6-105, 17-10, 18-5, and
7 19A-35 as follows:

8 (10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

9 Sec. 4-10. Except as herein provided, no person shall be
10 registered, unless he applies in person to a registration
11 officer, answers such relevant questions as may be asked of him
12 by the registration officer, and executes the affidavit of
13 registration. The registration officer shall require the
14 applicant to furnish two forms of identification, and except in
15 the case of a homeless individual, one of which must include
16 his or her residence address. These forms of identification

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

14 One of the registration officers or a deputy registration
15 officer, county clerk, or clerk in the office of the county
16 clerk, shall administer to all persons who shall personally
17 apply to register the following oath or affirmation:

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

23 The registration officer shall satisfy himself that each
24 applicant for registration is qualified to register before
25 registering him. If the registration officer has reason to
26 believe that the applicant is a resident of a Soldiers' and

1 Sailors' Home or any facility which is licensed or certified
2 pursuant to the Nursing Home Care Act, the following question
3 shall be put, "When you entered the home which is your present
4 address, was it your bona fide intention to become a resident
5 thereof?" Any voter of a township, city, village or
6 incorporated town in which such applicant resides, shall be
7 permitted to be present at the place of any precinct
8 registration and shall have the right to challenge any
9 applicant who applies to be registered.

10 In case the officer is not satisfied that the applicant is
11 qualified he shall forthwith notify such applicant in writing
12 to appear before the county clerk to complete his registration.
13 Upon the card of such applicant shall be written the word
14 "incomplete" and no such applicant shall be permitted to vote
15 unless such registration is satisfactorily completed as
16 hereinafter provided. No registration shall be taken and marked
17 as incomplete if information to complete it can be furnished on
18 the date of the original application.

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

23 "I do solemnly swear that I,, did on (insert date)
24 make application to the board of registry of the precinct
25 of the township of (or to the county clerk of county)
26 and that said board or clerk refused to complete my

1 registration as a qualified voter in said precinct. That I
 2 reside in said precinct, that I intend to reside in said
 3 precinct, and am a duly qualified voter of said precinct and am
 4 entitled to be registered to vote in said precinct at the next
 5 election.

6 (Signature of applicant)"

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

25 Any otherwise qualified person who is absent from his

1 county of residence either due to business of the United States
2 or because he is temporarily outside the territorial limits of
3 the United States may become registered by mailing an
4 application to the county clerk within the periods of
5 registration provided for in this Article, or by simultaneous
6 application for absentee registration and absentee ballot as
7 provided in Article 20 of this Code.

8 Upon receipt of such application the county clerk shall
9 immediately mail an affidavit of registration in duplicate,
10 which affidavit shall contain the following and such other
11 information as the State Board of Elections may think it proper
12 to require for the identification of the applicant:

13 Name. The name of the applicant, giving surname and first
14 or Christian name in full, and the middle name or the initial
15 for such middle name, if any.

16 Sex.

17 Residence. The name and number of the street, avenue or
18 other location of the dwelling, and such additional clear and
19 definite description as may be necessary to determine the exact
20 location of the dwelling of the applicant. Where the location
21 cannot be determined by street and number, then the Section,
22 congressional township and range number may be used, or such
23 other information as may be necessary, including post office
24 mailing address.

25 Term of residence in the State of Illinois and the
26 precinct.

1 Nativity. The State or country in which the applicant was
2 born.

3 Citizenship. Whether the applicant is native born or
4 naturalized. If naturalized, the court, place and date of
5 naturalization.

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

7 Out of State address of

8 AFFIDAVIT OF REGISTRATION

9 State of

10)ss

11 County of

12 I hereby swear (or affirm) that I am a citizen of the
13 United States; that on the day of the next election I shall
14 have resided in the State of Illinois and in the election
15 precinct 30 days; that I am fully qualified to vote, that I am
16 not registered to vote anywhere else in the United States, that
17 I intend to remain a resident of the State of Illinois and of
18 the election precinct, that I intend to return to the State of
19 Illinois, and that the above statements are true.

20

21 (His or her signature or mark)

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

24

25 Signature of officer administering oath.

26 Upon receipt of the executed duplicate affidavit of

1 Registration, the county clerk shall transfer the information
2 contained thereon to duplicate Registration Cards provided for
3 in Section 4-8 of this Article and shall attach thereto a copy
4 of each of the duplicate affidavit of registration and
5 thereafter such registration card and affidavit shall
6 constitute the registration of such person the same as if he
7 had applied for registration in person.

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

9 (10 ILCS 5/4-105)

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

1 either a copy of the applicant's contract or lease for a
2 residence or any postmarked mail delivered to the applicant at
3 his or her current residence address. Persons who apply to
4 register to vote by mail but provide inadequate proof of
5 identity to the election authority shall be notified by the
6 election authority that the registration has not been fully
7 completed and that the person remains ineligible to vote by
8 mail or in person until such proof is presented.

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

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

11 Sec. 5-9. Except as herein provided, no person shall be
12 registered unless he applies in person to registration officer,
13 answers such relevant questions as may be asked of him by the
14 registration officer, and executes the affidavit of
15 registration. The registration officer shall require the
16 applicant to furnish two forms of identification, and except in
17 the case of a homeless individual, one of which must include
18 his or her residence address. These forms of identification
19 shall include, but not be limited to, any of the following:
20 driver's license, social security card, public aid
21 identification card, utility bill, employee or student
22 identification card, lease or contract for a residence, credit
23 card, or a civic, union or professional association membership
24 card. The registration officer shall require a homeless
25 individual to furnish evidence of his or her use of the mailing

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

7 One of the Deputy Registrars, the Judge of Registration, or
8 an Officer of Registration, County Clerk, or clerk in the
9 office of the County Clerk, shall administer to all persons who
10 shall personally apply to register the following oath or
11 affirmation:

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

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

1 permitted to be present at the place of precinct registration,
2 and shall have the right to challenge any applicant who applies
3 to be registered.

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

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

18 "I do solemnly swear that I,, did on (insert
19 date) make application to the Board of Registry of the
20 precinct of ward of the City of or of the
21 District Town of (or to the
22 County Clerk of) and County; that
23 said Board or Clerk refused to complete my registration as a
24 qualified voter in said precinct, that I reside in said
25 precinct (or that I intend to reside in said precinct), am a
26 duly qualified voter and entitled to vote in said precinct at

1 the next election.

2

3 (Signature of Applicant)"

4 All such applications shall be presented to the County
5 Clerk by the applicant, in person between the hours of nine
6 o'clock a.m. and five o'clock p.m., on Monday and Tuesday of
7 the third week subsequent to the weeks in which the 1961 and
8 1962 precinct re-registrations are to be held, and thereafter
9 for the registration provided in Section 5-17 of this Article,
10 all such applications shall be presented to the County Clerk by
11 the applicant in person between the hours of nine o'clock a.m.
12 and nine o'clock p.m. on Monday and Tuesday of the third week
13 prior to the date on which such election is to be held.

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

22 Upon receipt of such application the county clerk shall
23 immediately mail an affidavit of registration in duplicate,
24 which affidavit shall contain the following and such other
25 information as the State Board of Elections may think it proper
26 to require for the identification of the applicant:

1 Name. The name of the applicant, giving surname and first
2 or Christian name in full, and the middle name or the initial
3 for such middle name, if any.

4 Sex.

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

13 Term of residence in the State of Illinois and the
14 precinct.

15 Nativity. The State or country in which the applicant was
16 born.

17 Citizenship. Whether the applicant is native born or
18 naturalized. If naturalized, the court, place and date of
19 naturalization.

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

21 Out of State address of

22 AFFIDAVIT OF REGISTRATION

23 State of

24)ss

25 County of

26 I hereby swear (or affirm) that I am a citizen of the

1 United States; that on the day of the next election I shall
 2 have resided in the State of Illinois for 6 months and in the
 3 election precinct 30 days; that I am fully qualified to vote,
 4 that I am not registered to vote anywhere else in the United
 5 States, that I intend to remain a resident of the State of
 6 Illinois and of the election precinct, that I intend to return
 7 to the State of Illinois, and that the above statements are
 8 true.

9

10 (His or her signature or mark)

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

13

14 Signature of officer administering oath.

15
 16 Upon receipt of the executed duplicate affidavit of
 17 Registration, the county clerk shall transfer the information
 18 contained thereon to duplicate Registration Cards provided for
 19 in Section 5-7 of this Article and shall attach thereto a copy
 20 of each of the duplicate affidavit of registration and
 21 thereafter such registration card and affidavit shall
 22 constitute the registration of such person the same as if he
 23 had applied for registration in person.

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

1 (10 ILCS 5/5-105)

2 Sec. 5-105. 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.

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

1 (10 ILCS 5/6-37) (from Ch. 46, par. 6-37)

2 Sec. 6-37. Except as otherwise provided for in Section 6-29
3 of this Article, no person shall be registered unless he
4 applies in person to a registration officer, answers such
5 relevant questions as may be asked of him by the registration
6 officer, and executes the affidavit of registration. The
7 registration officer shall require the applicant to furnish two
8 forms of identification, and except in the case of a homeless
9 individual, one of which must include his or her residence
10 address. These forms of identification shall include, but not
11 be limited to, any of the following: driver's license, social
12 security card, public aid identification card, utility bill,
13 employee or student identification card, lease or contract for
14 a residence, credit card, or a civic, union or professional
15 association membership card. The registration officer shall
16 require a homeless individual to furnish evidence of his or her
17 use of the mailing address stated. This use may be demonstrated
18 by a piece of mail addressed to that individual and received at
19 that address or by a statement from a person authorizing use of
20 the mailing address. The registration officer shall require
21 each applicant for registration to read or have read to him the
22 affidavit of registration before permitting him to execute the
23 affidavit.

24 The registration officer shall satisfy himself that each
25 applicant for registration is qualified to register before

1 registering him. Any voter of the ward, village or incorporated
2 town in which such applicant resides, shall be permitted to be
3 present at the place of registration, and shall have the right
4 to challenge any applicant who applies to be registered.

5 In case the officer is not satisfied that the applicant is
6 qualified he shall forthwith in writing notify such applicant
7 to appear before the board of election commissioners to furnish
8 further proof of his qualification. Upon the card of such
9 applicant shall be written the word "incomplete" and no such
10 applicant shall be permitted to vote unless such registration
11 is satisfactorily completed as hereinafter provided.

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

17 "I do solemnly swear that I,.... did on make
18 application to the board of registry of the precinct of
19 ward of the city of(or to the board of election
20 commissioners of) and that said board refused to complete
21 my registration as a qualified voter in said precinct, that I
22 reside in said precinct, am a duly qualified voter and entitled
23 to vote in said precinct at the next election.

24(Signature of Applicant)"

25 In all cities, villages or incorporated towns having a
26 population of less than 200,000 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.,
3 and five o'clock p.m. on Tuesday or Wednesday of the second
4 week prior to the week in which such election is to be held,
5 and in all municipalities having a population of more than
6 200,000 and having a board of election commissioners and in all
7 cities, villages and incorporated towns within the
8 jurisdiction of such board, all such applications shall be
9 presented to the board of election commissioners by the
10 applicant, in person between the hours of nine o'clock a.m. and
11 five o'clock p.m., on Monday and Tuesday of the third week
12 prior to the week in which such election is to be held.

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

14 (10 ILCS 5/6-105)

15 Sec. 6-105. First time voting. A person must vote for the
16 first time in person and not by a mailed absentee ballot if the
17 person registered to vote by mail, unless the person first
18 provides the appropriate election authority with sufficient
19 proof of identity and the election authority verifies the
20 person's proof of identity. Sufficient proof of identity shall
21 be demonstrated by submission of the person's driver's license
22 number or State identification card number or, if the person
23 does not have either of those, verification by the last 4
24 digits of the person's social security number, a copy of a
25 current and valid photo identification, or a copy of a current

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

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

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

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

24 State of Illinois)

25)ss.

1 County of)

2 I,, do solemnly swear (or affirm) that I am a citizen
3 of the United States; that I am 18 years of age or over; that I
4 have resided in this State and in this election district 30
5 days next preceding this election; that I have not voted at
6 this election; that I am a duly qualified voter in every
7 respect; that I now reside at (here give the particular house
8 or place of residence, and, if in a town or city, the street
9 and number), in this election district; *1. that I registered
10 to vote from said address; *2. that I changed my residence to
11 the above address from, both of which are in this election
12 district; *3. that I changed my name from to that which I
13 have signed below; *4. that I have not changed my residence but
14 my address has changed as a result of implementation of a 9-1-1
15 emergency telephone system.

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

18

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

20

21 *1. If registration is not required, draw a line through 1
22 above.

23 *2. Fill in the blank ONLY if you have moved within 2
24 years.

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

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

4 In addition to such an affidavit, the person so challenged
5 shall provide to the judges of election proof of residence by
6 producing two forms of identification showing the person's
7 current residence address, provided that such identification
8 may include a lease or contract for a residence and not more
9 than one piece of mail addressed to the person at his current
10 residence address and postmarked not earlier than 30 days prior
11 to the date of the election, or the person shall procure a
12 witness personally known to the judges of election, and
13 resident in the precinct (or district), or who shall be proved
14 by some legal voter of such precinct or district, known to the
15 judges to be such, who shall take the oath following, viz:

16 I do solemnly swear (or affirm) that I am a resident of
17 this election precinct (or district), and entitled to vote at
18 this election, and that I have been a resident of this State
19 for 30 days last past, and am well acquainted with the person
20 whose vote is now offered; that he is an actual and bona fide
21 resident of this election precinct (or district), and has
22 resided herein 30 days, and as I verily believe, in this State,
23 30 days next preceding this election.

24 The oath in each case may be administered by either of the
25 judges of election, or by any officer, resident in the precinct

1 or district, authorized by law to administer oaths.

2 (b) Whenever, at any regular or special election, in any
3 precinct, district, city, village, incorporated town, town or
4 ward, any person offering to vote has moved therefrom within 30
5 days prior to said regular or special election, he shall make
6 and subscribe an affidavit, in the following form, which shall
7 be supported by providing to the judges of election proof of
8 residence by producing two forms of identification showing the
9 person's current residence address, provided that such
10 identification may include not more than one piece of mail
11 addressed to the person at his current residence address and
12 postmarked not earlier than 30 days prior to the date of the
13 election, or by one affidavit of a registered voter in the
14 precinct, as provided herein, both of which shall be retained
15 by the judges of election, and returned by them affixed to the
16 poll books or with the official poll record:

17 State of Illinois)

18)ss.

19 County of)

20 I,, do solemnly swear (or affirm) that I am a
21 citizen of the United States; that I am 18 years of age; that I
22 have not voted at this election; that prior to 30 days
23 preceding this election I was a duly qualified and registered
24 voter in every respect in this election district; that I have
25 recently moved from (here give the particular house or place of
26 residence, and, if in a town or city, the street and number),

1 in this election district; that I now reside at (here give the
2 particular house or place of residence, and, if in a town or
3 city, the street and number), in another election district in
4 the State.

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

7

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

9

10 State of Illinois)

11) ss.

12 County of

13 Precinct Ward

14 I,, do solemnly swear (or affirm), that I am a
15 resident of this precinct and entitled to vote at this
16 election; that I am acquainted with (name of the
17 applicant); that I verily believe him to have been an actual
18 bona fide resident and registered voter of this precinct and
19 that he maintained a legal residence therein, 30 days next
20 preceding this election.

21

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

23

24 Judge of Election.

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

4 (c) For purposes of this Section, the submission of a photo
5 identification issued by a college or university, accompanied
6 by either (i) a copy of the applicant's contract or lease for a
7 residence or (ii) one piece of mail addressed to the person at
8 his or her current residence address and postmarked not earlier
9 than 30 days prior to the date of the election, shall be
10 sufficient to establish proof of residence.

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

12 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

13 Sec. 18-5. Any person desiring to vote and whose name is
14 found upon the register of voters by the person having charge
15 thereof, shall then be questioned by one of the judges as to
16 his nativity, his term of residence at present address,
17 precinct, State and United States, his age, whether naturalized
18 and if so the date of naturalization papers and court from
19 which secured, and he shall be asked to state his residence
20 when last previously registered and the date of the election
21 for which he then registered. The judges of elections shall
22 check each application for ballot against the list of voters
23 registered in that precinct to whom grace period, absentee, and
24 early ballots have been issued for that election, which shall
25 be provided by the election authority and which list shall be

1 available for inspection by pollwatchers. A voter applying to
2 vote in the precinct on election day whose name appears on the
3 list as having been issued a grace period, absentee, or early
4 ballot shall not be permitted to vote in the precinct, except
5 that a voter to whom an absentee ballot was issued may vote in
6 the precinct if the voter submits to the election judges that
7 absentee ballot for cancellation. If the voter is unable to
8 submit the absentee ballot, it shall be sufficient for the
9 voter to submit to the election judges (i) a portion of the
10 absentee ballot if the absentee ballot was torn or mutilated or
11 (ii) an affidavit executed before the election judges
12 specifying that (A) the voter never received an absentee ballot
13 or (B) the voter completed and returned an absentee ballot and
14 was informed that the election authority did not receive that
15 absentee ballot. If such person so registered shall be
16 challenged as disqualified, the party challenging shall assign
17 his reasons therefor, and thereupon one of the judges shall
18 administer to him an oath to answer questions, and if he shall
19 take the oath he shall then be questioned by the judge or
20 judges touching such cause of challenge, and touching any other
21 cause of disqualification. And he may also be questioned by the
22 person challenging him in regard to his qualifications and
23 identity. But if a majority of the judges are of the opinion
24 that he is the person so registered and a qualified voter, his
25 vote shall then be received accordingly. But if his vote be
26 rejected by such judges, such person may afterward produce and

1 deliver an affidavit to such judges, subscribed and sworn to by
2 him before one of the judges, in which it shall be stated how
3 long he has resided in such precinct, and state; that he is a
4 citizen of the United States, and is a duly qualified voter in
5 such precinct, and that he is the identical person so
6 registered. In addition to such an affidavit, the person so
7 challenged shall provide to the judges of election proof of
8 residence by producing 2 forms of identification showing the
9 person's current residence address, provided that such
10 identification may include a lease or contract for a residence
11 and not more than one piece of mail addressed to the person at
12 his current residence address and postmarked not earlier than
13 30 days prior to the date of the election, or the person shall
14 procure a witness personally known to the judges of election,
15 and resident in the precinct (or district), or who shall be
16 proved by some legal voter of such precinct or district, known
17 to the judges to be such, who shall take the oath following,
18 viz:

19 I do solemnly swear (or affirm) that I am a resident of
20 this election precinct (or district), and entitled to vote at
21 this election, and that I have been a resident of this State
22 for 30 days last past, and am well acquainted with the person
23 whose vote is now offered; that he is an actual and bona fide
24 resident of this election precinct (or district), and has
25 resided herein 30 days, and as I verily believe, in this State,
26 30 days next preceding this election.

1 The oath in each case may be administered by one of the
2 judges of election, or by any officer, resident in the precinct
3 or district, authorized by law to administer oaths. Also
4 supported by an affidavit by a registered voter residing in
5 such precinct, stating his own residence, and that he knows
6 such person; and that he does reside at the place mentioned and
7 has resided in such precinct and state for the length of time
8 as stated by such person, which shall be subscribed and sworn
9 to in the same way. For purposes of this Section, the
10 submission of a photo identification issued by a college or
11 university, accompanied by either (i) a copy of the applicant's
12 contract or lease for a residence or (ii) one piece of mail
13 addressed to the person at his or her current residence address
14 and postmarked not earlier than 30 days prior to the date of
15 the election, shall be sufficient to establish proof of
16 residence. Whereupon the vote of such person shall be received,
17 and entered as other votes. But such judges, having charge of
18 such registers, shall state in their respective books the facts
19 in such case, and the affidavits, so delivered to the judges,
20 shall be preserved and returned to the office of the
21 commissioners of election. Blank affidavits of the character
22 aforesaid shall be sent out to the judges of all the precincts,
23 and the judges of election shall furnish the same on demand and
24 administer the oaths without criticism. Such oaths, if
25 administered by any other officer than such judge of election,
26 shall not be received. Whenever a proposal for a constitutional

1 amendment or for the calling of a constitutional convention is
2 to be voted upon at the election, the separate blue ballot or
3 ballots pertaining thereto shall be placed on top of the other
4 ballots to be voted at the election in such manner that the
5 legend appearing on the back thereof, as prescribed in Section
6 16-6 of this Act, shall be plainly visible to the voter, and in
7 this fashion the ballots shall be handed to the voter by the
8 judge.

9 Immediately after voting, the voter shall be instructed
10 whether the voting equipment, if used, accepted or rejected the
11 ballot or identified the ballot as under-voted. A voter whose
12 ballot is identified as under-voted for a statewide
13 constitutional office may return to the voting booth and
14 complete the voting of that ballot. A voter whose ballot is not
15 accepted by the voting equipment may, upon surrendering the
16 ballot, request and vote another ballot. The voter's
17 surrendered ballot shall be initialed by the election judge and
18 handled as provided in the appropriate Article governing that
19 voting equipment.

20 The voter shall, upon quitting the voting booth, deliver to
21 one of the judges of election all of the ballots, properly
22 folded, which he received. The judge of election to whom the
23 voter delivers his ballots shall not accept the same unless all
24 of the ballots given to the voter are returned by him. If a
25 voter delivers less than all of the ballots given to him, the
26 judge to whom the same are offered shall advise him in a voice

1 clearly audible to the other judges of election that the voter
2 must return the remainder of the ballots. The statement of the
3 judge to the voter shall clearly express the fact that the
4 voter is not required to vote such remaining ballots but that
5 whether or not he votes them he must fold and deliver them to
6 the judge. In making such statement the judge of election shall
7 not indicate by word, gesture or intonation of voice that the
8 unreturned ballots shall be voted in any particular manner. No
9 new voter shall be permitted to enter the voting booth of a
10 voter who has failed to deliver the total number of ballots
11 received by him until such voter has returned to the voting
12 booth pursuant to the judge's request and again quit the booth
13 with all of the ballots required to be returned by him. Upon
14 receipt of all such ballots the judges of election shall enter
15 the name of the voter, and his number, as above provided in
16 this Section, and the judge to whom the ballots are delivered
17 shall immediately put the ballots into the ballot box. If any
18 voter who has failed to deliver all the ballots received by him
19 refuses to return to the voting booth after being advised by
20 the judge of election as herein provided, the judge shall
21 inform the other judges of such refusal, and thereupon the
22 ballot or ballots returned to the judge shall be deposited in
23 the ballot box, the voter shall be permitted to depart from the
24 polling place, and a new voter shall be permitted to enter the
25 voting booth.

26 The judge of election who receives the ballot or ballots

1 from the voter shall announce the residence and name of such
2 voter in a loud voice. The judge shall put the ballot or
3 ballots received from the voter into the ballot box in the
4 presence of the voter and the judges of election, and in plain
5 view of the public. The judges having charge of such registers
6 shall then, in a column prepared thereon, in the same line of,
7 the name of the voter, mark "Voted" or the letter "V".

8 No judge of election shall accept from any voter less than
9 the full number of ballots received by such voter without first
10 advising the voter in the manner above provided of the
11 necessity of returning all of the ballots, nor shall any such
12 judge advise such voter in a manner contrary to that which is
13 herein permitted, or in any other manner violate the provisions
14 of this Section; provided, that the acceptance by a judge of
15 election of less than the full number of ballots delivered to a
16 voter who refuses to return to the voting booth after being
17 properly advised by such judge shall not be a violation of this
18 Section.

19 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
20 95-699, eff. 11-9-07.)

21 (10 ILCS 5/19A-35)

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

23 (a) Not more than 23 days before the start of the election,
24 the county clerk shall make available to the election official
25 conducting early voting by personal appearance a sufficient

1 number of early ballots, envelopes, and printed voting
2 instruction slips for the use of early voters. The election
3 official shall receipt for all ballots received and shall
4 return unused or spoiled ballots at the close of the early
5 voting period to the county clerk and must strictly account for
6 all ballots received. The ballots delivered to the election
7 official must include early ballots for each precinct in the
8 election authority's jurisdiction and must include separate
9 ballots for each political subdivision conducting an election
10 of officers or a referendum at that election.

11 (b) In conducting early voting under this Article, the
12 election judge or official is required to verify the signature
13 of the early voter by comparison with the signature on the
14 official registration card, and the judge or official must
15 verify (i) the identity of the applicant, (ii) that the
16 applicant is a registered voter, (iii) the precinct in which
17 the applicant is registered, and (iv) the proper ballots of the
18 political subdivision in which the applicant resides and is
19 entitled to vote before providing an early ballot to the
20 applicant. The applicant's identity must be verified by the
21 applicant's presentation of an Illinois driver's license, a
22 non-driver identification card issued by the Illinois
23 Secretary of State, a photo identification card issued by a
24 university or college, or another government-issued
25 identification document containing the applicant's photograph.
26 The election judge or official must verify the applicant's

1 registration from the most recent poll list provided by the
2 election authority, and if the applicant is not listed on that
3 poll list, by telephoning the office of the election authority.

4 (b-5) A person requesting an early voting ballot to whom an
5 absentee ballot was issued may vote early if the person submits
6 that absentee ballot to the judges of election or official
7 conducting early voting for cancellation. If the voter is
8 unable to submit the absentee ballot, it shall be sufficient
9 for the voter to submit to the judges or official (i) a portion
10 of the absentee ballot if the absentee ballot was torn or
11 mutilated or (ii) an affidavit executed before the judges or
12 official specifying that (A) the voter never received an
13 absentee ballot or (B) the voter completed and returned an
14 absentee ballot and was informed that the election authority
15 did not receive that absentee ballot.

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

23 (b-15) Immediately after voting an early ballot, the voter
24 shall be instructed whether the voting equipment accepted or
25 rejected the ballot or identified that ballot as under-voted
26 for a statewide constitutional office. A voter whose ballot is

1 identified as under-voted may return to the voting booth and
2 complete the voting of that ballot. A voter whose early voting
3 ballot is not accepted by the voting equipment may, upon
4 surrendering the ballot, request and vote another early voting
5 ballot. The voter's surrendered ballot shall be initialed by
6 the election judge or official conducting the early voting and
7 handled as provided in the appropriate Article governing the
8 voting equipment used.

9 (c) The sealed early ballots in their carrier envelope
10 shall be delivered by the election authority to the central
11 ballot counting location before the close of the polls on the
12 day of the election.

13 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
14 95-699, eff. 11-9-07.)".