



1 column or in 2 or more columns and in the following order,  
2 to-wit:

3 President of the United States, State offices,  
4 congressional offices, delegates and alternate delegates to  
5 be elected from the State at large to National nominating  
6 conventions, delegates and alternate delegates to be elected  
7 from congressional districts to National nominating  
8 conventions, member or members of the State central  
9 committee, trustees of sanitary districts, county offices,  
10 judicial officers, city, village and incorporated town  
11 offices, town offices, or of such of the said offices as  
12 candidates are to be nominated for at such primary, and  
13 precinct, township or ward committeemen. If two or more  
14 columns are used, the foregoing offices to and including  
15 member of the State central committee shall be listed in the  
16 left-hand column and Senatorial offices, as defined in  
17 Section 8-3, shall be the first offices listed in the second  
18 column.

19 Below the name of each office shall be printed in small  
20 letters the directions to voters: "Vote for one"; "Vote for  
21 two"; "Vote for three"; or a spelled number designating how  
22 many persons under that head are to be voted for.

23 Next to the name of each candidate for delegate or  
24 alternate delegate to a national nominating convention shall  
25 appear either (a) the name of the candidate's preference for  
26 President of the United States or the word "uncommitted" or  
27 (b) no official designation, depending upon the action taken  
28 by the State central committee pursuant to Section 7-10.3 of  
29 this Act.

30 Below the name of each office shall be printed in capital  
31 letters the names of all candidates, arranged in the order in  
32 which their petitions for nominations were filed, except as  
33 otherwise provided in Sections 7-14 and 7-17 of this Article.  
34 Opposite and in front of the name of each candidate shall be

1 printed a square and all squares upon the primary ballot  
2 shall be of uniform size. Spaces between the names of  
3 candidates under each office shall be uniform and sufficient  
4 spaces shall separate the names of candidates for one office  
5 from the names of candidates for another office, to avoid  
6 confusion and to permit the writing in of the names of other  
7 candidates.

8 Where voting machines or electronic voting systems are  
9 used, the provisions of this Section may be modified as  
10 required or authorized by Article 24, ~~or~~ Article 24A, or  
11 Article 24B, whichever is applicable.

12 (Source: P.A. 83-33.)

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

14 Sec. 7-46. On receiving from the primary judges a primary  
15 ballot of his party, the primary elector shall forthwith and  
16 without leaving the polling place, retire alone to one of the  
17 voting booths and prepare such primary ballot by marking a  
18 cross (X) in the square in front of and opposite the name of  
19 each candidate of his choice for each office to be filled,  
20 and for delegates and alternate delegates to national  
21 nominating conventions, and for committeemen, if committeemen  
22 are being elected at such primary.

23 Any primary elector may, instead of voting for any  
24 candidate for nomination or for committeeman or for delegate  
25 or alternate delegate to national nominating conventions,  
26 whose name is printed on the primary ballot, write in the  
27 name of any other person affiliated with such party as a  
28 candidate for the nomination for any office, or for  
29 committeeman, or for delegates or alternate delegates to  
30 national nominating conventions, and indicate his choice of  
31 such candidate or committeeman or delegate or alternate  
32 delegate, by placing to the left of and opposite the name  
33 thus written a square and placing in the square a cross (X).

1           Where voting machines or electronic voting systems are  
2 used, the provisions of this section may be modified as  
3 required or authorized by Article 24, ~~or~~ Article 24A, or  
4 Article 24B, whichever is applicable.

5 (Source: Laws 1965, p. 2220.)

6           (10 ILCS 5/7-47) (from Ch. 46, par. 7-47)

7           Sec. 7-47. Before leaving the booth, the primary elector  
8 shall fold his primary ballot in such manner as to conceal  
9 the marks thereon. Such voter shall then vote forthwith by  
10 handing the primary judge the primary ballot received by such  
11 voter. Thereupon the primary judge shall deposit such primary  
12 ballot in the ballot box. One of the judges shall thereupon  
13 enter in the primary poll book the name of the primary  
14 elector, his residence and his party affiliation or shall  
15 make the entries on the official poll record as required by  
16 articles 4, 5 and 6, if any one of them is applicable.

17           Where voting machines or electronic voting systems are  
18 used, the provisions of this section may be modified as  
19 required or authorized by Article 24, ~~or~~ Article 24A, or  
20 Article 24B, whichever is applicable.

21 (Source: Laws 1965, p. 2220.)

22           (10 ILCS 5/7-49) (from Ch. 46, par. 7-49)

23           Sec. 7-49. After the opening of the polls at a primary no  
24 adjournment shall be had nor recess taken until the canvass  
25 of all the votes is completed and the returns carefully  
26 enveloped and sealed.

27           Where voting machines or electronic voting systems are  
28 used, the provisions of this section may be modified as  
29 required or authorized by Article 24, ~~or~~ Article 24A, or  
30 Article 24B, whichever is applicable.

31 (Source: Laws 1965, p. 2220.)

1 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

2 Sec. 7-52. Immediately upon closing the polls, the  
3 primary judges shall proceed to canvass the votes in the  
4 manner following:

5 (1) They shall separate and count the ballots of each  
6 political party.

7 (2) They shall then proceed to ascertain the number of  
8 names entered on the applications for ballot under each party  
9 affiliation.

10 (3) If the primary ballots of any political party exceed  
11 the number of applications for ballot by voters of such  
12 political party, the primary ballots of such political party  
13 shall be folded and replaced in the ballot box, the box  
14 closed, well shaken and again opened and one of the primary  
15 judges, who shall be blindfolded, shall draw out so many of  
16 the primary ballots of such political party as shall be equal  
17 to such excess. Such excess ballots shall be marked  
18 "Excess-Not Counted" and signed by a majority of the judges  
19 and shall be placed in the "After 6:00 p.m. Defective Ballots  
20 Envelope". The number of excess ballots shall be noted in the  
21 remarks section of the Certificate of Results. "Excess"  
22 ballots shall not be counted in the total of "defective"  
23 ballots;

24 (4) The primary judges shall then proceed to count the  
25 primary ballots of each political party separately; and as  
26 the primary judges shall open and read the primary ballots, 3  
27 of the judges shall carefully and correctly mark upon  
28 separate tally sheets the votes which each candidate of the  
29 party whose name is written or printed on the primary ballot  
30 has received, in a separate column for that purpose, with the  
31 name of such candidate, the name of his political party and  
32 the name of the office for which he is a candidate for  
33 nomination at the head of such column.

34 Where voting machines or electronic voting systems are

1 used, the provisions of this section may be modified as  
2 required or authorized by Article 24, ~~or~~ Article 24A, or  
3 Article 24B, whichever is applicable.

4 (Source: P.A. 80-484.)

5 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

6 Sec. 7-53. As soon as the ballots of a political party  
7 shall have been read and the votes of the political party  
8 counted, as provided in the last above section, the 3 judges  
9 in charge of the tally sheets shall foot up the tally sheets  
10 so as to show the total number of votes cast for each  
11 candidate of the political party and for each candidate for  
12 State Central committeeman and precinct committeeman,  
13 township committeeman or ward committeeman, and delegate and  
14 alternate delegate to National nominating conventions, and  
15 certify the same to be correct. Thereupon, the primary judges  
16 shall set down in a certificate of results on the tally  
17 sheet, under the name of the political party, the name of  
18 each candidate voted for upon the primary ballot, written at  
19 full length, the name of the office for which he is a  
20 candidate for nomination or for committeeman, or delegate or  
21 alternate delegate to National nominating conventions, the  
22 total number of votes which the candidate received, and they  
23 shall also set down the total number of ballots voted by the  
24 primary electors of the political party in the precinct. The  
25 certificate of results shall be made substantially in the  
26 following form:

27 ..... Party

28 At the primary election held in the .... precinct of the  
29 (1) \*township of ....., or (2) \*City of ....., or (3) \*....  
30 ward in the city of .... on (insert date), the primary  
31 electors of the .... party voted .... ballots, and the  
32 respective candidates whose names were written or printed on  
33 the primary ballot of the .... party, received respectively

1 the following votes:

2	Name of	Title of Office,	No. of
3	Candidate,	Title of Office,	Votes
4	John Jones	Governor	100
5	Sam Smith	Governor	70
6	Frank Martin	Attorney General	150
7	William Preston	Rep. in Congress	200
8	Frederick John	Circuit Judge	50

9 \*Fill in either (1), (2) or (3).

10 And so on for each candidate.

11 We hereby certify the above and foregoing to be true and  
12 correct.

13 Dated (insert date).

14 .....

15 Name Address

16 .....

17 Name Address

18 .....

19 Name Address

20 .....

21 Name Address

22 .....

23 Name Address

24 Judges of Primary

25 Where voting machines or electronic voting systems are  
26 used, the provisions of this Section may be modified as  
27 required or authorized by Article 24, and Article 24A, or  
28 Article 24B, whichever is applicable.

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

30 (10 ILCS 5/7-54) (from Ch. 46, par. 7-54)

31 Sec. 7-54. After the votes of a political party have been  
32 counted and set down and the tally sheets footed and the  
33 entry made in the primary poll books or return, as above

1 provided, all the primary ballots of said political party,  
2 except those marked "defective" or "objected to" shall be  
3 securely bound, lengthwise and in width, with a soft cord  
4 having a minimum tensile strength of 60 pounds separately for  
5 each political party in the order in which said primary  
6 ballots have been read, and shall thereupon be carefully  
7 sealed in an envelope, which envelope shall be endorsed as  
8 follows:

9 "Primary ballots of the.... party of the.... precinct of  
10 the county of.... and State of Illinois."

11 Below each endorsement, each primary judge shall write  
12 his name.

13 Immediately thereafter the judges shall designate one of  
14 their number to go to the nearest telephone and report to the  
15 office of the county clerk or board of election commissioners  
16 (as the case may be) the results of such primary. Such clerk  
17 or board shall keep his or its office open after the close of  
18 the polls until he or it has received from each precinct  
19 under his or its jurisdiction the report above provided for.  
20 Immediately upon receiving such report such clerk or board  
21 shall cause the same to be posted in a public place in his or  
22 its office for inspection by the public. Immediately after  
23 making such report such judge shall return to the polling  
24 place.

25 Where voting machines or electronic voting systems are  
26 used, the provisions of this section may be modified as  
27 required or authorized by Article 24, ~~or~~ Article 24A, or  
28 Article 24B, whichever is applicable.

29 (Source: P.A. 81-1433.)

30 (10 ILCS 5/7-55) (from Ch. 46, par. 7-55)

31 Sec. 7-55. The primary poll books or the official poll  
32 record, and the tally sheets with the certificates of the  
33 primary judges written thereon, together with the envelopes



1 containing the ballots, including the envelope containing the  
2 ballots marked "defective" or "objected to", shall be  
3 carefully enveloped and sealed up together, properly  
4 endorsed, and the primary judges shall elect 2 judges (one  
5 from each of the major political parties), who shall  
6 immediately deliver the same to the clerk from whom the  
7 primary ballots were obtained, which clerk shall safely keep  
8 the same for 2 months, and thereafter shall safely keep the  
9 poll books until the next primary. Each election authority  
10 shall keep the office of the election authority, or any  
11 receiving stations designated by such authority, open for at  
12 least 12 consecutive hours after the polls close, or until  
13 the judges of each precinct under the jurisdiction of the  
14 election authority have delivered to the election authority  
15 all the above materials sealed up together and properly  
16 endorsed as provided herein. Materials delivered to the  
17 election authority which are not in the condition required by  
18 this Section shall not be accepted by the election authority  
19 until the judges delivering the same make and sign the  
20 necessary corrections. Upon acceptance of the materials by  
21 the election authority, the judges delivering the same shall  
22 take a receipt signed by the election authority and stamped  
23 with the time and date of such delivery. The election judges  
24 whose duty it is to deliver any materials as above provided  
25 shall, in the event such materials cannot be found when  
26 needed, on proper request, produce the receipt which they are  
27 to take as above provided.

28 The county clerk or board of election commissioners shall  
29 deliver a copy of each tally sheet to the county chairmen of  
30 the two largest political parties.

31 Where voting machines or electronic voting systems are  
32 used, the provisions of this section may be modified as  
33 required or authorized by Article 24, and Article 24A, or  
34 Article 24B, whichever is applicable.

1 (Source: P.A. 83-764.)

2 (10 ILCS 5/7-66)

3 Sec. 7-66. Electronic voting systems; precinct  
4 tabulation optical scan technology voting equipment.

5 If the election authority has adopted the use of  
6 electronic voting systems pursuant to Article 24A of this  
7 Code or Precinct Tabulation Optical Scan Technology voting  
8 equipment pursuant to Article 24B of this Code, and the  
9 provisions of those Articles ~~the-Articles~~ are in conflict with  
10 the provisions of this Article 7, the provisions of Article  
11 24A or Article 24B, as the case may be, shall govern the  
12 procedures followed by the election authority, its judges of  
13 elections, and all employees and agents. In following the  
14 provisions of Article 24A or Article 24B, the election  
15 authority is authorized to develop and implement procedures  
16 to fully utilize electronic voting systems or Precinct  
17 Tabulation Optical Scan Technology voting equipment  
18 authorized by the State Board of Elections as long as the  
19 procedure is not in conflict with Article 24A, either Article  
20 24B, or the administrative rules of the State Board of  
21 Elections.

22 (Source: P.A. 89-394, eff. 1-1-97.)

23 (10 ILCS 5/15-6)

24 Sec. 15-6. Electronic voting systems; precinct  
25 tabulation optical scan technology voting equipment.

26 If the election authority has adopted the use of  
27 electronic voting systems pursuant to Article 24A of this  
28 Code or Precinct Tabulation Optical Scan Technology voting  
29 equipment pursuant to Article 24B of this Code, and the  
30 provisions of those Articles ~~the-Articles~~ are in conflict with  
31 the provisions of this Article 15, the provisions of Article  
32 24A or Article 24B, as the case may be, shall govern the

1 procedures followed by the election authority, its judges of  
 2 elections, and all employees and agents. In following the  
 3 provisions of Article 24A or Article 24B, the election  
 4 authority is authorized to develop and implement procedures  
 5 to fully utilize electronic voting systems or Precinct  
 6 Tabulation Optical Scan Technology voting equipment  
 7 authorized by the State Board of Elections as long as the  
 8 procedure is not in conflict with Article 24A, either Article  
 9 24B, or the administrative rules of the State Board of  
 10 Elections.

11 (Source: P.A. 89-394, eff. 1-1-97.)

12 (10 ILCS 5/16-11)

13 Sec. 16-11. Electronic voting systems; precinct  
 14 tabulation optical scan technology voting equipment.

15 If the election authority has adopted the use of  
 16 electronic voting systems pursuant to Article 24A of this  
 17 Code or Precinct Tabulation Optical Scan Technology voting  
 18 equipment pursuant to Article 24B of this Code, and the  
 19 provisions of those Articles ~~the Article~~ are in conflict with  
 20 the provisions of this Article 16, the provisions of Article  
 21 24A or Article 24B, as the case may be, shall govern the  
 22 procedures followed by the election authority, its judges of  
 23 elections, and all employees and agents. In following the  
 24 provisions of Article 24A or Article 24B, the election  
 25 authority is authorized to develop and implement procedures  
 26 to fully utilize electronic voting systems or Precinct  
 27 Tabulation Optical Scan Technology voting equipment  
 28 authorized by the State Board of Elections as long as the  
 29 procedure is not in conflict with Article 24A, either Article  
 30 24B, or the administrative rules of the State Board of  
 31 Elections.

32 (Source: P.A. 89-394, eff. 1-1-97.)

1 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

2 Sec. 17-14. Any voter who declares upon oath, properly  
3 witnessed and with his or her signature or mark affixed, that  
4 he or she requires assistance to vote by reason of blindness,  
5 physical disability or inability to read, write or speak the  
6 English language shall, upon request, be assisted in marking  
7 his or her ballot, by 2 judges of election of different  
8 political parties, to be selected by all judges of election  
9 of each precinct at the opening of the polls or by a person  
10 of the voter's choice, other than the voter's employer or  
11 agent of that employer or officer or agent of the voter's  
12 union. A voter who presents an Illinois Disabled Person  
13 Identification Card, issued to that person under the  
14 provisions of the Illinois Identification Card Act,  
15 indicating that such voter has a Class 1A or Class 2  
16 disability under the provisions of Section 4A of the Illinois  
17 Identification Card Act, or a voter who declares upon oath,  
18 properly witnessed, that by reason of any physical disability  
19 he is unable to mark his ballot shall, upon request, be  
20 assisted in marking his ballot by 2 of the election officers  
21 of different parties as provided above in this Section or by  
22 a person of the voter's choice other than the voter's  
23 employer or agent of that employer or officer or agent of the  
24 voter's union. Such voter shall state specifically the reason  
25 why he cannot vote without assistance and, in the case of a  
26 physically disabled voter, what his physical disability is  
27 and whether or not the disability is permanent. Prior to  
28 entering the voting booth, the person providing the  
29 assistance, if other than 2 judges of election, shall be  
30 presented with written instructions on how assistance shall  
31 be provided. This instruction shall be prescribed by the  
32 State Board of Elections and shall include the penalties for  
33 attempting to influence the voter's choice of candidates,  
34 party, or votes in relation to any question on the ballot and

1 for not marking the ballot as directed by the voter.  
 2 Additionally, the person providing the assistance shall sign  
 3 an oath, swearing not to influence the voter's choice of  
 4 candidates, party, or votes in relation to any question on  
 5 the ballot and to cast the ballot as directed by the voter.  
 6 The oath shall be prescribed by the State Board of Elections  
 7 and shall include the penalty for violating this Section. In  
 8 the voting booth, such person shall mark the ballot as  
 9 directed by the voter, and shall thereafter give no  
 10 information regarding the same. The judges of election shall  
 11 enter upon the poll lists or official poll record after the  
 12 name of any elector who received such assistance in marking  
 13 his ballot a memorandum of the fact and if the disability is  
 14 permanent. Intoxication shall not be regarded as a physical  
 15 disability, and no intoxicated person shall be entitled to  
 16 assistance in marking his ballot.

17 The assistance a voter may receive under this Section  
 18 includes assistance with inserting his or her ballot in any  
 19 in-precinct automatic tabulating equipment as provided in  
 20 Articles 24A and 24B. Any prohibition in those Articles  
 21 against a person other than the voter inserting his or her  
 22 ballot in the in-precinct automatic tabulating equipment does  
 23 not apply to assistance received by the voter under this  
 24 Section.

25 No person shall secure or attempt to secure assistance in  
 26 voting who is not blind, physically disabled or illiterate as  
 27 herein provided, nor shall any person knowingly assist a  
 28 voter in voting contrary to the provisions of this Section.

29 (Source: P.A. 90-101, eff. 7-11-97.)

30 (10 ILCS 5/17-43)

31 Sec. 17-43. Electronic voting systems; precinct  
 32 tabulation optical scan technology voting equipment.

33 If the election authority has adopted the use of

1 electronic voting systems pursuant to Article 24A of this  
2 Code or Precinct Tabulation Optical Scan Technology voting  
3 equipment pursuant to Article 24B of this Code, and the  
4 provisions of those Articles ~~the-Artiele~~ are in conflict with  
5 the provisions of this Article 17, the provisions of Article  
6 24A or Article 24B, as the case may be, shall govern the  
7 procedures followed by the election authority, its judges of  
8 elections, and all employees and agents. In following the  
9 provisions of Article 24A or Article 24B, the election  
10 authority is authorized to develop and implement procedures  
11 to fully utilize electronic voting systems or Precinct  
12 Tabulation Optical Scan Technology voting equipment  
13 authorized by the State Board of Elections as long as the  
14 procedure is not in conflict with either Article 24A, Article  
15 24B, or the administrative rules of the State Board of  
16 Elections.

17 (Source: P.A. 89-394, eff. 1-1-97.)

18 (10 ILCS 5/18-40)

19 Sec. 18-40. Electronic voting systems; precinct  
20 tabulation optical scan technology voting equipment.

21 If the election authority has adopted the use of  
22 electronic voting systems pursuant to Article 24A of this  
23 Code or Precinct Tabulation Optical Scan Technology voting  
24 equipment pursuant to Article 24B of this Code, and the  
25 provisions of those Articles ~~the-Artiele~~ are in conflict with  
26 the provisions of this Article 18, the provisions of Article  
27 24A or Article 24B, as the case may be, shall govern the  
28 procedures followed by the election authority, its judges of  
29 elections, and all employees and agents. In following the  
30 provisions of Article 24A or Article 24B, the election  
31 authority is authorized to develop and implement procedures  
32 to fully utilize electronic voting systems or Precinct  
33 Tabulation Optical Scan Technology voting equipment

1 authorized by the State Board of Elections as long as the  
2 procedure is not in conflict with either Article 24A, Article  
3 24B, or the administrative rules of the State Board of  
4 Elections.

5 (Source: P.A. 89-394, eff. 1-1-97.)

6 (10 ILCS 5/19-15)

7 Sec. 19-15. Electronic voting systems; precinct  
8 tabulation optical scan technology voting equipment.

9 If the election authority has adopted the use of  
10 electronic voting systems pursuant to Article 24A of this  
11 Code or Precinct Tabulation Optical Scan Technology voting  
12 equipment pursuant to Article 24B of this Code, and the  
13 provisions of those Articles ~~the Article~~ are in conflict with  
14 the provisions of this Article 19, the provisions of Article  
15 24A or Article 24B, as the case may be, shall govern the  
16 procedures followed by the election authority, its judges of  
17 elections, and all employees and agents. In following the  
18 provisions of Article 24A or Article 24B, the election  
19 authority is authorized to develop and implement procedures  
20 to fully utilize electronic voting systems or Precinct  
21 Tabulation Optical Scan Technology voting equipment  
22 authorized by the State Board of Elections as long as the  
23 procedure is not in conflict with Article 24A, either Article  
24 24B, or the administrative rules of the State Board of  
25 Elections.

26 (Source: P.A. 89-394, eff. 1-1-97.)

27 (10 ILCS 5/20-15)

28 Sec. 20-15. Electronic voting systems; precinct  
29 tabulation optical scan technology voting equipment.

30 If the election authority has adopted the use of  
31 electronic voting systems pursuant to Article 24A of this  
32 Code or Precinct Tabulation Optical Scan Technology voting

1 equipment pursuant to Article 24B of this Code, and the  
 2 provisions of those Articles ~~the-Artiele~~ are in conflict with  
 3 the provisions of this Article 20, the provisions of Article  
 4 24A or Article 24B, as the case may be, shall govern the  
 5 procedures followed by the election authority, its judges of  
 6 elections, and all employees and agents. In following the  
 7 provisions of Article 24A or Article 24B, the election  
 8 authority is authorized to develop and implement procedures  
 9 to fully utilize electronic voting systems or Precinct  
 10 Tabulation Optical Scan Technology voting equipment  
 11 authorized by the State Board of Elections as long as the  
 12 procedure is not in conflict with Article 24A, either Article  
 13 24B, or the administrative rules of the State Board of  
 14 Elections.

15 (Source: P.A. 89-394, eff. 1-1-97.)

16 (10 ILCS 5/24A-2) (from Ch. 46, par. 24A-2)

17 Sec. 24A-2. As used in this Article: "Computer",  
 18 "Automatic tabulating equipment" or "equipment" includes  
 19 apparatus necessary to automatically examine and count votes  
 20 as designated on ballots, and data processing machines which  
 21 can be used for counting ballots and tabulating results.

22 "Ballot card" means a ballot which is voted by the  
 23 process of punching.

24 "Ballot configuration" means the particular combination  
 25 of political subdivision ballots including, for each  
 26 political subdivision, the particular combination of offices,  
 27 candidate names and ballot position numbers for each  
 28 candidate and question as it appears for each group of voters  
 29 who may cast the same ballot.

30 "Ballot labels" means the cards, papers, booklet, pages  
 31 or other material containing the names of officers and  
 32 candidates and statements of measures to be voted on.

33 "Ballot sheet" means a paper ballot printed on one or



1 both sides which is (1) designed and prepared so that the  
2 voter may indicate his or her votes in designated areas,  
3 which must be enclosed areas clearly printed or otherwise  
4 delineated for such purpose, and (2) capable of having votes  
5 marked in the designated areas automatically examined,  
6 counted, and tabulated by an electronic scanning process.

7 "Ballot" may include ballot cards, ballot labels and  
8 paper ballots.

9 "Separate ballot", with respect to ballot sheets, means a  
10 separate portion of the ballot sheet in which the color of  
11 the ink used in printing that portion of the ballot sheet is  
12 distinct from the color of the ink used in printing any other  
13 portion of the ballot sheet.

14 "Column" in an electronic voting system which utilizes a  
15 ballot card means a space on a ballot card for punching the  
16 voter's vote arranged in a row running lengthwise on the  
17 ballot card.

18 "Central Counting" means the counting of ballots in one  
19 or more locations selected by the election authority for the  
20 processing or counting, or both, of ballots. A location for  
21 central counting shall be within the territorial jurisdiction  
22 of such election authority unless there is no suitable  
23 tabulating equipment available within his territorial  
24 jurisdiction. However, in any event a counting location shall  
25 be within this State.

26 "In-precinct automatic tabulating equipment" means the  
27 automatic equipment provided by the election authority that  
28 is capable of counting ballots in the same precinct polling  
29 place in which those ballots are cast.

30 "In-precinct counting" means the counting of ballots on  
31 automatic tabulating equipment provided by the election  
32 authority in the same precinct polling place in which those  
33 ballots have been cast.

34 "Computer operator" means any person or persons

1 designated by the election authority to operate the automatic  
2 tabulating equipment during any portion of the vote tallying  
3 process in an election, but shall not include judges of  
4 election operating vote tabulating equipment in the precinct.

5 "Computer program" or "program" means the set of  
6 operating instructions for the automatic tabulating equipment  
7 by which it examines, counts, tabulates, canvasses and prints  
8 votes recorded by a voter on a ballot card or other medium.

9 "Edit listing" means a computer generated listing of the  
10 names and ballot position numbers for each candidate and  
11 proposition as they appear in the program for each precinct.

12 "Voting System" or "Electronic Voting System" means that  
13 combination of equipment and programs used in the casting,  
14 examination and tabulation of ballots and the cumulation and  
15 reporting of results by electronic means.

16 "Header card" or "program card" means a data processing  
17 card which is coded to indicate to the computer the precinct  
18 identity of the ballot cards that will follow immediately and  
19 may indicate to the computer how such ballot cards are to be  
20 tabulated.

21 "Marking device" means either an apparatus in which  
22 ballots or ballot cards are inserted and used in connection  
23 with a punch apparatus for the piercing of ballots by the  
24 voter, or any approved device for marking a paper ballot with  
25 ink or other substance which will enable the ballot to be  
26 tabulated by means of automatic tabulating equipment or by an  
27 electronic scanning process.

28 "Precinct program memory medium" or "PPMM" means the  
29 program disc or pack of an in-precinct computer tabulator  
30 that is programmed for a single precinct and that may be  
31 activated by means other than a header card or precinct  
32 identifier card to indicate to the automatic tabulating  
33 equipment the precinct identity of the ballot cards to be  
34 counted by the tabulator and how such ballot cards are to be

1 counted.

2 "Public counter" means a mechanical or electronic display  
3 on in-precinct automatic tabulating equipment that displays  
4 the number of ballots counted by the equipment. Public  
5 counters shall not display any vote totals.

6 "Redundant count" means a verification of the original  
7 computer count by another count using compatible equipment or  
8 by hand as part of a discovery recount.

9 "Security punch" means a punch placed on a ballot card to  
10 identify to the computer program the offices and propositions  
11 for which votes may be cast and to indicate the manner in  
12 which votes cast should be tabulated while negating any  
13 inadmissible votes.

14 "Security sleeve" or "security envelope" means an opaque  
15 envelope or sleeve into which a voted ballot card shall be  
16 inserted that fully covers all votes cast on the ballot and  
17 that permits the ballot to be inserted into the automatic  
18 tabulating equipment from within the envelope or sleeve  
19 without public observation of the votes cast on the ballot.

20 "Voting defect" means an overvoted ballot or a ballot  
21 that cannot be read by automatic tabulating equipment.

22 "Voting defect identification" means the capability to  
23 detect ballots that contain a voting defect.

24 (Source: P.A. 86-867.)

25 (10 ILCS 5/24A-6.1) (from Ch. 46, par. 24A-6.1)

26 Sec. 24A-6.1. In all elections conducted pursuant to  
27 this Article, ballot cards shall have a security punch. In  
28 precincts where more than one ballot configuration may be  
29 voted upon, ballot cards shall have a different security  
30 punch for each ballot configuration. If a precinct has only  
31 one possible ballot configuration, the ballot cards must have  
32 a security punch to identify the election. Where ballot  
33 cards from more than one precinct are being tabulated,

1 precinct header cards or program cards shall also be used:  
2 official results shall not be generated unless the precinct  
3 identification of the header cards or program cards for any  
4 precinct correspond. Where the tabulating equipment being  
5 used requires entering the program immediately prior to  
6 tabulating the ballot cards for each precinct, the precinct  
7 program may be used in lieu of header cards.  
8 (Source: P.A. 82-1014.)

9 (10 ILCS 5/24A-7) (from Ch. 46, par. 24A-7)

10 Sec. 24A-7. A separate write-in ballot, which may be in  
11 the form of a paper ballot, card, extended stub of a ballot  
12 card, security or envelope, or security sleeve in which the  
13 elector places his ballot card after voting, shall be  
14 designated and provided by the election authority if  
15 necessary to permit electors to write in the names of persons  
16 whose names are not on the ballot. The ballots, ballot cards,  
17 and security ballot--card envelopes or sleeves may, at the  
18 discretion of the election authority, be printed on white  
19 paper and then striped with the appropriate colors. When an  
20 electronic voting system is used which utilizes a ballot stub  
21 of the ballot card, each ballot card envelope shall contain  
22 the write-in form and information required by Section 16-3 of  
23 this Act.  
24 (Source: P.A. 83-110.)

25 (10 ILCS 5/24A-8) (from Ch. 46, par. 24A-8)

26 Sec. 24A-8. The county clerk or board of election  
27 commissioners, as the case may be, shall cause the marking  
28 devices to be put in order, set, adjusted and made ready for  
29 voting when delivered to the polling places. Before the  
30 opening of the polls the judges of election shall compare the  
31 ballots used in the marking devices with the specimen ballots  
32 furnished and see that the names, numbers and letters thereon

1 agree and shall certify thereto on forms provided by the  
2 county clerk or board of election commissioners, as the case  
3 may be.

4 In addition, in those polling places where in-precinct  
5 counting equipment is utilized, the judges of election shall  
6 make an operational check of the automatic tabulating  
7 equipment before the opening of the polls. Either  
8 instructions for activating the precincts program memory  
9 medium or a precinct identification card provided by the  
10 election authority shall be entered into the automatic  
11 tabulating equipment to ensure that the totals are all zeroes  
12 in the count column on the printing unit.

13 Pollwatchers as provided by law shall be permitted to  
14 closely observe the judges in these procedures and to  
15 periodically inspect the equipment when not in use by the  
16 voters to see that the ballot labels are in proper position  
17 and have not been marked upon or mutilated.

18 (Source: P.A. 82-1014.)

19 (10 ILCS 5/24A-9) (from Ch. 46, par. 24A-9)

20 Sec. 24A-9. Prior to the public test, the election  
21 authority shall conduct an errorless pre-test of the  
22 automatic tabulating equipment and program to ascertain that  
23 they will correctly count the votes cast for all offices and  
24 all measures. On any day not less than 5 days prior to the  
25 election day, the election authority shall publicly test the  
26 automatic tabulating equipment and program to ascertain that  
27 they will correctly count the votes cast for all offices and  
28 on all measures. Public notice of the time and place of the  
29 test shall be given at least 48 hours prior thereto by  
30 publication once in one or more newspapers published within  
31 the election jurisdiction of the election authority if a  
32 newspaper is published therein, otherwise in a newspaper of  
33 general circulation therein. Timely written notice stating

1 the date, time and location of the public test shall also be  
2 provided to the State Board of Elections. The test shall be  
3 open to representatives of the political parties, the press,  
4 representatives of the State Board of Elections, and the  
5 public. The test shall be conducted by processing a  
6 preaudited group of ballots so punched or marked as to record  
7 a predetermined number of valid votes for each candidate and  
8 on each measure, and shall include for each office one or  
9 more ballots which have votes in excess of the number allowed  
10 by law in order to test the ability of the automatic  
11 tabulating equipment to reject such votes. Such test shall  
12 also include the use of precinct header cards or precinct  
13 program memory medium and may include the production of an  
14 edit listing. In those election jurisdictions where  
15 in-precinct counting equipment is utilized, a public test of  
16 both such equipment and program shall be conducted as nearly  
17 as possible in the manner prescribed above. The State Board  
18 of Elections may select as many election jurisdictions as the  
19 Board deems advisable in the interests of the election  
20 process of this State in which to order a special test of the  
21 automatic tabulating equipment and program prior to any  
22 regular election. The Board may order a special test in any  
23 election jurisdiction where, during the preceding twelve  
24 months, computer programming errors or other errors in the  
25 use of electronic voting systems resulted in vote tabulation  
26 errors. Not less than 30 days prior to any election, the  
27 State Board of Elections shall provide written notice to  
28 those selected jurisdictions of their intent to conduct a  
29 test. Within 5 days of receipt of the State Board of  
30 Elections' written notice of intent to conduct a test, the  
31 selected jurisdictions shall forward to the principal office  
32 of the State Board of Elections a copy of all specimen  
33 ballots. The State Board of Elections' tests shall be  
34 conducted and completed not less than 2 days prior to the

1 public test utilizing testing materials supplied by the Board  
2 and under the supervision of the Board, and the Board shall  
3 reimburse the election authority for the reasonable cost of  
4 computer time required to conduct the special test. After  
5 an errorless test, materials used in the public test,  
6 including the program, if appropriate, shall be sealed and  
7 remain so until the test is run again on election day. If any  
8 error is detected, the cause therefor shall be ascertained  
9 and corrected and an errorless public test shall be made  
10 before the automatic tabulating equipment is approved. Each  
11 election authority shall file a sealed copy of each tested  
12 program to be used within its jurisdiction at an election  
13 with the State Board of Elections prior to the election. The  
14 Board shall secure the program or programs of each election  
15 jurisdiction so filed in its office for the 60 days following  
16 the canvass and proclamation of election results. Upon the  
17 expiration of that time, if no election contest or appeal  
18 therefrom is pending in an election jurisdiction, the Board  
19 shall return the sealed program or programs to the election  
20 authority of the jurisdiction. Except where in-precinct  
21 counting equipment is utilized, the test shall be repeated  
22 immediately before the start of the official count of the  
23 ballots, in the same manner as set forth above. After the  
24 completion of the count, the test shall be re-run using the  
25 same program. An election jurisdiction that was employing,  
26 as of January 1, 1983, an electronic voting system that,  
27 because of its design, is not technically capable of  
28 compliance with such a post-tabulation testing requirement  
29 shall satisfy the post-tabulation testing requirement by  
30 conducting the post-tabulation test on a duplicate program  
31 until such electronic voting system is replaced or until  
32 November 1, 1992, whichever is earlier. Immediately  
33 thereafter the ballots, all material employed in testing the  
34 program and the program shall be sealed and retained under

1 the custody of the election authority for a period of 60  
2 days. At the expiration of that time the election authority  
3 shall destroy the voted ballot cards, together with all  
4 unused ballots returned from the precincts. Provided, if any  
5 contest of election is pending at such time in which such  
6 ballots may be required as evidence and such election  
7 authority has notice thereof, the same shall not be destroyed  
8 until after such contest is finally determined. If the use of  
9 back-up equipment becomes necessary, the same testing  
10 required for the original equipment shall be conducted.

11 (Source: P.A. 86-873; 86-874; 86-1028; 87-1052.)

12 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

13 Sec. 24A-10.1. In an election jurisdiction where  
14 in-precinct automatic tabulating counting equipment is  
15 utilized, the ~~following~~ procedures for counting and tallying  
16 the ballots set forth in this Section and in Section 24A-14  
17 shall apply:

18 (a) Voter ballot insertion during poll hours.

19 (1) The in-precinct automatic tabulating equipment  
20 shall be set to count each ballot for candidates and for  
21 or against propositions to be voted upon as the ballot is  
22 inserted into the automatic tabulating equipment, and the  
23 equipment shall internally tally accurate vote totals for  
24 all such candidates and for and against all such  
25 propositions. Before the opening of the polls and before  
26 ballots are entered into the counting equipment, the  
27 judges of election shall turn on the automatic tabulating  
28 equipment, activate the precinct program memory medium,  
29 and verify that the public counter is set at zero.

30 (2) After the polls have been declared open, each  
31 ballot shall be inserted into the automatic tabulating  
32 equipment by the voter immediately after the voter has  
33 completed marking his or her ballot and placing it in a



1 security envelope or sleeve. The ballot shall be  
2 inserted into the automatic tabulating equipment from  
3 within the security envelope or sleeve without public  
4 observation of the votes cast on the ballot. The judges  
5 of election shall not handle any voted ballot except as  
6 provided in this Code for uninitialed, spoiled, and  
7 defective and damaged ballots. Each voted ballot shall  
8 be deposited into a secure ballot box immediately after  
9 it has been counted by the automatic tabulating  
10 equipment.

11 (3) The automatic tabulating equipment shall be set  
12 to automatically return to the voter any ballot on which  
13 the number of votes for an office or proposition exceeds  
14 the number of votes that the voter is entitled to cast.  
15 If the voter, after being informed that an overvote has  
16 occurred, determines to have the ballot counted despite  
17 containing an overvote, the automatic tabulating  
18 equipment shall be set to accept the ballot and count the  
19 votes for or against propositions and for candidates for  
20 offices for which there is no overvote.

21 (4) The automatic tabulating equipment shall be set  
22 to return any ballot that is damaged or defective and  
23 cannot properly be read by the automatic tabulating  
24 equipment. The ballot shall be marked "Spoiled Ballot",  
25 initialed by all judges immediately under the words  
26 "Spoiled Ballot", and not counted. The judges shall  
27 initial and issue a new ballot to the voter in lieu of  
28 the original "Spoiled Ballot" and the voter shall then be  
29 permitted to vote the new ballot.

30 (5) Immediately after the closing of the polls and  
31 after the insertion of absentee ballots entitled to be  
32 counted, the automatic tabulating equipment shall be  
33 locked against further processing of ballots and the vote  
34 totals shall be displayed and read.

1           (6) Throughout the election day and before the  
2 close of the polls, no person shall be permitted to check  
3 for vote totals for any candidate or proposition on the  
4 automatic tabulating equipment. However, any voter,  
5 judge of election, or poll watcher may examine the number  
6 of counted ballots shown on the public counter of the  
7 automatic tabulating equipment when the polls are open.  
8 During the time that polling places are open for voting,  
9 no person may reset the equipment for re-insertion of  
10 ballots except upon the specific authorization of the  
11 election authority; the automatic tabulating equipment  
12 shall be programmed to prevent such re-insertion unless  
13 provided a code by an authorized representative of the  
14 election authority. If the automatic tabulating  
15 equipment becomes inoperative during voting hours, until  
16 such time as it is repaired and restarted by a  
17 representative of the election authority, the voters  
18 shall deposit their voted ballots into the secure portion  
19 of the supply carrier case or other secure ballot  
20 container supplied by the election authority and the  
21 judges of election shall open the container used for this  
22 purpose only after the close of the polls and shall then  
23 insert each of the deposited ballots into the automatic  
24 tabulating equipment to be tallied.

25 (b) Procedures after the close of the polls.

26           (1) Immediately after the closing of the polls, the  
27 absentee ballots delivered to the precinct judges of  
28 election by the election authority shall be examined to  
29 determine that such ballots comply with Sections 19-9 and  
30 20-9 of this Act and are entitled to be deposited in the  
31 ballot box; those entitled to be deposited in the ballot  
32 box shall be initialed by the precinct judges of election  
33 and deposited in the ballot box. Those not entitled to  
34 be deposited in the ballot box shall be marked "Rejected"

1 and disposed of as provided in said Sections 19-9 and  
2 20-9.

3 (2) The precinct judges of election shall open the  
4 ballot box and count the number of ballots therein to  
5 determine if such number agrees with the number of voters  
6 voting as shown by the automatic tabulating equipment, by  
7 the public counter on the automatic tabulating equipment  
8 where available, and by applications for ballot. ~~or~~ If  
9 the same do not agree, the judges of election shall make  
10 such ballots agree with the applications for ballot in  
11 the manner provided by Section 17-18 of this Code Act.

12 (3) The judges of election shall then examine all  
13 ballot cards and ballot card envelopes which are in the  
14 ballot box to determine whether the ballot cards and  
15 ballot card envelopes contain the initials of a precinct  
16 judge of election. If any ballot card or ballot card  
17 envelope is not initialed, it shall be marked on the back  
18 "Defective", initialed as to such label by all judges  
19 immediately under the word "Defective" and not counted.  
20 The judges of election shall place an initialed blank  
21 official ballot card in the place of the defective ballot  
22 card, so that the count of the ballot cards to be counted  
23 on the automatic tabulating equipment will be the same,  
24 and each "Defective Ballot" card and "Replacement" card  
25 shall contain the same serial number which shall be  
26 placed thereon by the judges of election, commencing with  
27 number 1 and continuing consecutively for the ballots of  
28 that kind in that precinct. The original "Defective" card  
29 shall be placed in the "Defective Ballot Envelope"  
30 provided for that purpose.

31 (4) When an electronic voting system is used which  
32 utilizes a ballot card, before separating the--remaining  
33 ballot cards from their respective covering envelopes or  
34 sleeves, the judges of election shall examine the ballot

1 cards, ballot card envelopes, ballot card stubs, or  
2 security sleeves for write-in votes. When the voter has  
3 cast a write-in vote, the judges of election shall  
4 compare the write-in vote with the votes on the ballot  
5 card to determine whether such write-in results in an  
6 overvote for any office unless the automatic tabulating  
7 equipment has already done so. In case of an overvote  
8 for any office, the judges of election, consisting in  
9 each case of at least one judge of election of each of  
10 the 2 major political parties, shall make a true  
11 duplicate ballot of all votes on such ballot card except  
12 for the office which is overvoted, by using the ballot  
13 label booklet of the precinct and one of the marking  
14 devices of the precinct so as to transfer all votes of  
15 the voter, except for the office overvoted, to a  
16 duplicate card. The original ballot card and envelope  
17 upon which there is an overvote shall be clearly labeled  
18 "Overvoted Ballot", and each such "Overvoted Ballot" as  
19 well as its "Replacement" shall contain the same serial  
20 number which shall be placed thereon by the judges of  
21 election, commencing with number 1 and continuing  
22 consecutively for the ballots of that kind in that  
23 precinct. The "Overvoted Ballot" card and ballot  
24 envelope shall be placed in an envelope provided for that  
25 purpose labeled "Duplicate Ballot" envelope, and the  
26 judges of election shall initial the "Replacement" ballot  
27 cards and shall place them with the other ballot cards to  
28 be counted on the automatic tabulating equipment.  
29 Envelopes, ballot cards, ballot card stubs, or security  
30 envelopes or sleeves containing write-in votes marked in  
31 the place designated therefor and containing the initials  
32 of a precinct judge of election and not resulting in an  
33 overvote and otherwise complying with the election laws  
34 as to marking shall be counted and tallied and their

1 votes recorded on a tally sheet provided by the election  
2 authority.

3 The ballot cards and ballot card envelopes or  
4 sleeves shall be separated in preparation for counting by  
5 the automatic tabulating equipment provided for that  
6 purpose by the election authority.

7 (5) After closing the polls and examining the  
8 absentee ballots pursuant to subsection (c)(1) of this  
9 Section, the judges of election shall insert into the  
10 automatic tabulating equipment all absentee ballots  
11 entitled to be counted. Thereafter, the judges of  
12 election shall generate vote totals for all candidates  
13 and propositions.

14 Before--the--ballots--are--entered--into--the--automatic  
15 tabulating--equipment,--a--precinct--identification--card  
16 provided--by--the--election--authority--shall--be--entered--into  
17 the--device--to--ensure--that--the--totals--are--all--zeroes--in  
18 the--count--column--on--the--printing--unit.--A--precinct--judge  
19 of--election--shall--then--count--the--ballots--by--entering--each  
20 ballot--card--into--the--automatic--tabulating--equipment,--and  
21 if--any--ballot--or--ballot--card--is--damaged--or--defective--so  
22 that--it--cannot--properly--be--counted--by--the--automatic  
23 tabulating--equipment,--the--judges--of--election,--consisting  
24 in--each--case--of--at--least--one--judge--of--election--of--each--of  
25 the--2--major--political--parties,--shall--make--a--true  
26 duplicate--ballot--of--all--votes--on--such--ballot--card--by  
27 using--the--ballot--label--booklet--of--the--precinct--and--one--of  
28 the--marking--devices--of--the--precinct.--The--original--ballot  
29 or--ballot--card--and--envelope--shall--be--clearly--labeled  
30 "Damaged--Ballot"--and--the--ballot--or--ballot--card--so  
31 produced--shall--be--clearly--labeled--"Duplicate--Damaged  
32 Ballot",--and--each--shall--contain--the--same--serial--number  
33 which--shall--be--placed--thereon--by--the--judges--of--election,  
34 commencing--with--number--1--and--continuing--consecutively--for

1 the--ballots-of-that-kind-in-the-precinct.--The-judges-of  
2 election-shall-initial--the--"Duplicate--Damaged--Ballot"  
3 ballot--or--ballot--cards--and--shall-enter-the-duplicate  
4 damaged-cards-into-the--automatic--tabulating--equipment.  
5 The--"Damaged--Ballot"--cards--shall--be--placed--in--the  
6 "Duplicated--Ballots"--envelope;--after--all-ballot-cards  
7 have-been-successfully-read, the-judges-of-election-shall  
8 check-to-make-certain-that-the-last-number-printed-by-the  
9 printing-unit-is-the-same-as-the-number-of-voters--making  
10 application--for--ballot--in--that--precinct.--The-number  
11 shall-be--listed--on--the--"Statement--of--Ballots"--form  
12 provided-by-the-election-authority.

13 (6) The totals for all candidates and propositions  
14 shall be tabulated; 4 sets shall be attached to the 4  
15 sets of "Certificate of Results", which may be generated  
16 by the automatic tabulating equipment, provided by the  
17 election authority; one set shall be posted in a  
18 conspicuous place inside the polling place; and every  
19 effort shall be made by the judges of election to provide  
20 a set for each authorized pollwatcher or other official  
21 authorized to be present in the polling place to observe  
22 the counting of ballots; but in no case shall the number  
23 of sets to be made available to pollwatchers be fewer  
24 than 4, chosen by lot by the judges of election. In  
25 addition, sufficient time shall be provided by the judges  
26 of election to the pollwatchers to allow them to copy  
27 information from the set which has been posted.

28 (7) The judges of election shall count all unused  
29 ballot cards and enter the number on the "Statement of  
30 Ballots". All "Spoiled", "Defective" and "Duplicated"  
31 ballot cards shall be counted and the number entered on  
32 the "Statement of Ballots".

33 (8) The precinct judges of election shall select a  
34 bi-partisan team of 2 judges, who shall immediately

1 return the ballots in a sealed container, along with all  
2 other election materials as instructed by the election  
3 authority; provided, however, that such container must  
4 first be sealed by the election judges with filament tape  
5 provided for such purpose which shall be wrapped around  
6 the container lengthwise and crosswise, at least twice  
7 each way, in such manner that the ballots cannot be  
8 removed from such container without breaking the seal and  
9 filament tape and disturbing any signatures affixed by  
10 the election judges to the container. The election  
11 authority shall keep the office of the election  
12 authority, or any receiving stations designated by such  
13 authority, open for at least 12 consecutive hours after  
14 the polls close or until the ballots from all precincts  
15 with in-precinct automatic tabulating counting equipment  
16 within the jurisdiction of the election authority have  
17 been returned to the election authority. Ballots returned  
18 to the office of the election authority which are not  
19 signed and sealed as required by law shall not be  
20 accepted by the election authority until the judges  
21 returning the same make and sign the necessary  
22 corrections. Upon acceptance of the ballots by the  
23 election authority, the judges returning the same shall  
24 take a receipt signed by the election authority and  
25 stamped with the time and date of such return. The  
26 election judges whose duty it is to return any ballots as  
27 herein provided shall, in the event such ballots cannot  
28 be found when needed, on proper request, produce the  
29 receipt which they are to take as above provided.

30 (Source: P.A. 83-1362.)

31 (10 ILCS 5/24A-14) (from Ch. 46, par. 24A-14)

32 Sec. 24A-14. Damaged ballots. In precincts that utilize  
33 in-precinct automatic tabulating equipment having voting

1 defect identification capability and in which voters insert  
2 their ballots into the automatic tabulating equipment, if any  
3 ballot is damaged or defective so that it cannot properly be  
4 counted by the automatic tabulating equipment, that ballot  
5 shall be treated as a spoiled ballot as provided in Section  
6 24A-10.1. ~~If any ballot is damaged or defective so that it~~  
7 ~~cannot properly be counted by the automatic tabulating~~  
8 ~~equipment, a true duplicate copy shall be made of the damaged~~  
9 ~~ballot in the presence of witnesses and substituted for the~~  
10 ~~damaged ballot. Likewise, a duplicate ballot shall be made of~~  
11 ~~a defective ballot which shall not include the invalid votes.~~  
12 ~~All duplicate ballots shall be clearly labeled "duplicate",~~  
13 ~~shall bear a serial number which shall be registered on the~~  
14 ~~damaged or defective ballot, and shall be counted in lieu of~~  
15 ~~the damaged or defective ballot.~~

16 (Source: Laws 1965, p. 2220.)

17 (10 ILCS 5/24B-2)

18 Sec. 24B-2. Definitions. As used in this Article:

19 "Computer", "automatic tabulating equipment" or  
20 "equipment" includes apparatus necessary to automatically  
21 examine and count votes as designated on ballots, and data  
22 processing machines which can be used for counting ballots  
23 and tabulating results.

24 "Ballot" means paper ballot sheets.

25 "Ballot configuration" means the particular combination  
26 of political subdivision ballots including, for each  
27 political subdivision, the particular combination of offices,  
28 candidate names and questions as it appears for each group of  
29 voters who may cast the same ballot.

30 "Ballot sheet" means a paper ballot printed on one or  
31 both sides which is (1) designed and prepared so that the  
32 voter may indicate his or her votes in designated areas,  
33 which must be areas clearly printed or otherwise delineated



1 for such purpose, and (2) capable of having votes marked in  
2 the designated areas automatically examined, counted, and  
3 tabulated by an electronic scanning process.

4 "Central counting" means the counting of ballots in one  
5 or more locations selected by the election authority for the  
6 processing or counting, or both, of ballots. A location for  
7 central counting shall be within the territorial jurisdiction  
8 of the election authority unless there is no suitable  
9 tabulating equipment available within his territorial  
10 jurisdiction. However, in any event a counting location  
11 shall be within this State.

12 "Computer operator" means any person or persons  
13 designated by the election authority to operate the automatic  
14 tabulating equipment during any portion of the vote tallying  
15 process in an election, but shall not include judges of  
16 election operating vote tabulating equipment in the precinct.

17 "Computer program" or "program" means the set of  
18 operating instructions for the automatic tabulating equipment  
19 that examines, counts, tabulates, canvasses and prints votes  
20 recorded by a voter on a ballot.

21 "Edit listing" means a computer generated listing of the  
22 names of each candidate and proposition as they appear in the  
23 program for each precinct.

24 "Header sheet" means a data processing document which is  
25 coded to indicate to the computer the precinct identity of  
26 the ballots that will follow immediately and may indicate to  
27 the computer how such ballots are to be tabulated.

28 "In-precinct automatic tabulating equipment" means the  
29 automatic equipment provided by the election authority that  
30 is capable of counting ballots in the same precinct polling  
31 place in which those ballots are cast.

32 "In-precinct counting" means the counting of ballots on  
33 automatic tabulating equipment provided by the election  
34 authority in the same precinct polling place in which those

1 ballots have been cast.

2 "Marking device" means a pen or similar device approved  
3 by the State Board of Elections for marking a paper ballot  
4 with ink or other substance which will enable the ballot to  
5 be tabulated by automatic tabulating equipment or by an  
6 electronic scanning process.

7 "Precinct Tabulation Optical Scan Technology" means the  
8 capability to examine a ballot through electronic means and  
9 tabulate the votes at one or more counting places.

10 "Redundant count" means a verification of the original  
11 computer count by another count using compatible equipment or  
12 by hand as part of a discovery recount.

13 "Security designation" means a printed designation placed  
14 on a ballot to identify to the computer program the offices  
15 and propositions for which votes may be cast and to indicate  
16 the manner in which votes cast should be tabulated while  
17 negating any inadmissible votes.

18 "Separate ballot", with respect to ballot sheets, means a  
19 separate portion of the ballot sheet which is clearly defined  
20 by a border or borders or shading.

21 "Voting defect identification" means the capability to  
22 detect ~~overvoted~~ ballots that contain a voting defect or  
23 ~~ballots-which-cannot-be--read--by--the--automatic--tabulating~~  
24 ~~equipment.~~

25 "Voting defects" means an overvoted ballot, or a ballot  
26 which cannot be read by the automatic tabulating equipment.

27 "Voting system" or "electronic voting system" means that  
28 combination of equipment and programs used in the casting,  
29 examination and tabulation of ballots and the cumulation and  
30 reporting of results by electronic means.

31 (Source: P.A. 89-394, eff. 1-1-97.)

32 (10 ILCS 5/24B-10.1)

33 Sec. 24B-10.1. In-Precinct Counting Equipment;

1 Procedures for Counting and Tallying Ballots. In an election  
2 jurisdiction where Precinct Tabulation Optical Scan  
3 Technology counting equipment is used, the following  
4 procedures for counting and tallying the ballots shall apply:

5 (a) The in-precinct automatic tabulating equipment shall  
6 be set to count each ballot for candidates and for or against  
7 propositions to be voted upon as the ballot is inserted into  
8 the automatic tabulating equipment, and the equipment shall  
9 internally tally accurate vote totals for all such candidates  
10 and for and against all such propositions. Before the opening  
11 of the polls, and before the ballots are entered into the  
12 automatic tabulating equipment, the judges of election shall  
13 turn on the automatic tabulating equipment, activate the  
14 precinct program memory medium, and verify that the public  
15 counter is set at zero shall-be-sure-that-the-totals-are-all  
16 zeros-in-the-counting-column. Ballots-may-then-be-counted-by  
17 entering-each-ballot-into-the-automatic-tabulating-equipment.

18 After the polls have been declared open, each ballot  
19 shall be inserted into the automatic tabulating equipment by  
20 the voter immediately after the voter has completed marking  
21 his or her ballot. The ballot shall be inserted into the  
22 automatic tabulating equipment without public observation of  
23 the votes cast on the ballot. The judges of election shall  
24 not handle any voted ballot except as provided in this Code  
25 for uninitialed, spoiled, and defective and damaged ballots.  
26 Each voted ballot shall be deposited into a secure ballot box  
27 immediately after it has been counted by the automatic  
28 tabulating equipment.

29 Immediately after the closing of the polls and after the  
30 insertion of absentee ballots entitled to be counted, the  
31 automatic tabulating equipment shall be locked against  
32 further processing of ballots and the vote totals shall be  
33 displayed and read.

34 Throughout the election day and before the closing of the

1 polls, no person shall be permitted to may check for any vote  
2 totals for any candidate or proposition on the automatic  
3 tabulating equipment. However, any voter, judge of election,  
4 or poll watcher may examine the number of counted ballots  
5 shown on the public counter of the automatic tabulating  
6 equipment when the polls are open. During the time that  
7 polling places are open for voting, no person may reset the  
8 equipment for re-insertion of ballots except upon the  
9 specific authorization of the election authority; the  
10 automatic tabulating equipment shall be programmed to prevent  
11 such re-insertion unless provided a code by an authorized  
12 representative of the election authority. If the automatic  
13 tabulating equipment becomes inoperative during voting hours,  
14 until such time as it is repaired and restarted by a  
15 representative of the election authority, the voters shall  
16 deposit their voted ballots into the secure portion of the  
17 supply carrier case or other secure ballot container supplied  
18 by the election authority and the judges of election shall  
19 open the container used for this purpose only after the close  
20 of the polls and shall then insert each of the deposited  
21 ballots into the automatic tabulating equipment to be  
22 tallied. Such---automatic--tabulating--equipment--shall--be  
23 programmed--so--that--no--person--may--reset--the--equipment--for  
24 refeeding---of---ballots--unless--provided--a--code--from--an  
25 authorized--representative--of--the--election--authority.--At--the  
26 option--of--the--election--authority,-the--ballots--may--be--fed--into  
27 the--Precinct-Tabulation-Optical-Scan-Technology-equipment-by  
28 the-voters-under-the-direct--supervision--of--the--judges--of  
29 elections-

30 (b) The in-precinct automatic tabulating equipment shall  
31 have the capability to identify voting defects. The election  
32 authority shall develop and implement procedures for the  
33 following:

34 (1) The counting equipment shall be set to

1 automatically return to the voter any ballot on which the  
2 number of votes for an office or proposition exceeds the  
3 number of votes that the voter is entitled to cast. If  
4 the voter, after being informed that an overvote has  
5 occurred, determines to have the ballot counted despite  
6 containing an overvote, the automatic tabulating  
7 equipment shall be set to accept the ballot and count the  
8 votes for or against propositions and for candidates for  
9 offices for which there is no overvote.

10 (2) The equipment shall be set to return any ballot  
11 that is damaged or defective and cannot properly be read  
12 by the automatic tabulating equipment. The ballot shall  
13 be marked "Spoiled Ballot", initialed by all judges  
14 immediately under the words "Spoiled Ballot", and not  
15 counted. The judges shall initial and issue a new ballot  
16 to the voter in lieu of the original "Spoiled Ballot" and  
17 the voter shall then be permitted to vote the new ballot.

18 (c) Immediately after the closing of the polls, the  
19 absentee ballots delivered to the precinct judges of election  
20 by the election authority shall be examined to determine that  
21 the ballots comply with Sections 19-9 and 20-9 of this Code  
22 and are entitled to be scanned by the Precinct Tabulation  
23 Optical Scan Technology equipment and then deposited in the  
24 ballot box; those entitled to be scanned and deposited in the  
25 ballot box shall be initialed by the precinct judges of  
26 election and then scanned and deposited in the ballot box.  
27 Those not entitled to be deposited in the ballot box shall be  
28 marked "Rejected" and disposed of as provided in said  
29 Sections 19-9 and 20-9.

30 The precinct judges of election shall open the ballot box  
31 and count the number of ballots to determine if the number  
32 agrees with the number of voters voting as shown on the  
33 Precinct Tabulation Optical Scan Technology equipment and by  
34 the applications for ballot or, if the same do not agree, the

1 judges of election shall make the ballots agree with the  
2 applications for ballot in the manner provided by Section  
3 17-18 of this Code. The judges of election shall then  
4 examine all ballots which are in the ballot box to determine  
5 whether the ballots contain the initials of a precinct judge  
6 of election. If any ballot is not initialed, it shall be  
7 marked on the back "Defective", initialed as to such label by  
8 all judges immediately under the word "Defective" and not  
9 counted. The judges of election shall place an initialed  
10 blank official ballot in the place of the defective ballot,  
11 so that the count of the ballots to be counted on the  
12 automatic tabulating equipment will be the same, and each  
13 "Defective Ballot" and "Replacement" ballot shall contain the  
14 same serial number which shall be placed thereon by the  
15 judges of election, beginning with number 1 and continuing  
16 consecutively for the ballots of that kind in that precinct.  
17 The original "Defective" ballot shall be placed in the  
18 "Defective Ballot Envelope" provided for that purpose.

19 If the judges of election have removed a ballot pursuant  
20 to Section 17-18, have labeled "Defective" a ballot which is  
21 not initialed, or have otherwise determined under this Code  
22 to not count a ballot originally deposited into a ballot box,  
23 the judges of election shall be sure that the totals on the  
24 automatic tabulating equipment are reset to all zeros in the  
25 counting column. Thereafter the judges of election shall  
26 enter each ballot to be counted in the automatic tabulating  
27 equipment. Resetting the automatic tabulating equipment to  
28 all zeros and re-entering of ballots to be counted may occur  
29 at the precinct polling place, the office of the election  
30 authority, or any receiving station designated by the  
31 election authority. The election authority shall designate  
32 the place for resetting and re-entering.

33 When a Precinct Tabulation Optical Scan Technology  
34 electronic voting system is used which uses a paper ballot,

1 the judges of election shall examine the ballot for write-in  
2 votes. When the voter has cast a write-in vote, the judges  
3 of election shall compare the write-in vote with the votes on  
4 the ballot to determine whether the write-in results in an  
5 overvote for any office, unless the Precinct Tabulation  
6 Optical Scan Technology equipment has already done so. In  
7 case of an overvote for any office, the judges of election,  
8 consisting in each case of at least one judge of election of  
9 each of the 2 major political parties, shall make a true  
10 duplicate ballot of all votes on such ballot except for the  
11 office which is overvoted, by using the ballot of the  
12 precinct and one of the marking devices of the precinct so as  
13 to transfer all votes of the voter, except for the office  
14 overvoted, to a duplicate ballot. The original ballot upon  
15 which there is an overvote shall be clearly labeled  
16 "Overvoted Ballot", and each such "Overvoted Ballot" as well  
17 as its "Replacement" shall contain the same serial number  
18 which shall be placed thereon by the judges of election,  
19 beginning with number 1 and continuing consecutively for the  
20 ballots of that kind in that precinct. The "Overvoted  
21 Ballot" shall be placed in an envelope provided for that  
22 purpose labeled "Duplicate Ballot" envelope, and the judges  
23 of election shall initial the "Replacement" ballots and shall  
24 place them with the other ballots to be counted on the  
25 automatic tabulating equipment.

26 If any ballot is damaged or defective, or if any ballot  
27 contains a Voting Defect, so that it cannot properly be  
28 counted by the automatic tabulating equipment, the voter or  
29 the judges of election, consisting in each case of at least  
30 one judge of election of each of the 2 major political  
31 parties, shall make a true duplicate ballot of all votes on  
32 such ballot by using the ballot of the precinct and one of  
33 the marking devices of the precinct. If a damaged ballot,  
34 the original ballot shall be clearly labeled "Damaged Ballot"

1 and the ballot so produced shall be clearly labeled "Damaged  
2 Ballot" and the ballot so produced shall be clearly labeled  
3 "Duplicate Damaged Ballot", and each shall contain the same  
4 serial number which shall be placed by the judges of  
5 election, beginning with number 1 and continuing  
6 consecutively for the ballots of that kind in the precinct.  
7 The judges of election shall initial the "Duplicate Damaged  
8 Ballot" ballot and shall enter the duplicate damaged ballot  
9 into the automatic tabulating equipment. The "Damaged  
10 Ballots" shall be placed in the "Duplicated Ballots"  
11 envelope; after all ballots have been successfully read, the  
12 judges of election shall check to make certain that the  
13 Precinct Tabulation Optical Scan Technology equipment readout  
14 agrees with the number of voters making application for  
15 ballot in that precinct. The number shall be listed on the  
16 "Statement of Ballots" form provided by the election  
17 authority.

18 The totals for all candidates and propositions shall be  
19 tabulated; and 4 copies of a "Certificate of Results" shall  
20 be generated by the automatic tabulating equipment; one copy  
21 shall be posted in a conspicuous place inside the polling  
22 place; and every effort shall be made by the judges of  
23 election to provide a copy for each authorized pollwatcher or  
24 other official authorized to be present in the polling place  
25 to observe the counting of ballots; but in no case shall the  
26 number of copies to be made available to pollwatchers be  
27 fewer than 4, chosen by lot by the judges of election. In  
28 addition, sufficient time shall be provided by the judges of  
29 election to the pollwatchers to allow them to copy  
30 information from the copy which has been posted.

31 The judges of election shall count all unused ballots and  
32 enter the number on the "Statement of Ballots". All  
33 "Spoiled", "Defective" and "Duplicated" ballots shall be  
34 counted and the number entered on the "Statement of Ballots".



1           The precinct judges of election shall select a  
2 bi-partisan team of 2 judges, who shall immediately return  
3 the ballots in a sealed container, along with all other  
4 election materials as instructed by the election authority;  
5 provided, however, that such container must first be sealed  
6 by the election judges with filament tape or other approved  
7 sealing devices provided for the purpose which shall be  
8 wrapped around the container lengthwise and crosswise, at  
9 least twice each way, in a manner that the ballots cannot be  
10 removed from the container without breaking the seal and  
11 filament tape and disturbing any signatures affixed by the  
12 election judges to the container, or which other approved  
13 sealing devices are affixed in a manner approved by the  
14 election authority. The election authority shall keep the  
15 office of the election authority or any receiving stations  
16 designated by the authority, open for at least 12 consecutive  
17 hours after the polls close or until the ballots from all  
18 precincts with in-precinct automatic tabulating counting  
19 equipment within the jurisdiction of the election authority  
20 have been returned to the election authority. Ballots  
21 returned to the office of the election authority which are  
22 not signed and sealed as required by law shall not be  
23 accepted by the election authority until the judges returning  
24 the ballots make and sign the necessary corrections. Upon  
25 acceptance of the ballots by the election authority, the  
26 judges returning the ballots shall take a receipt signed by  
27 the election authority and stamped with the time and date of  
28 the return. The election judges whose duty it is to return  
29 any ballots as provided shall, in the event the ballots  
30 cannot be found when needed, on proper request, produce the  
31 receipt which they are to take as above provided. The  
32 precinct judges of election shall also deliver the Precinct  
33 Tabulation Optical Scan Technology equipment to the election  
34 authority.

1 (Source: P.A. 89-394, eff. 1-1-97.)

2 (10 ILCS 5/24B-14)

3 Sec. 24B-14. Damaged Ballots; Duplicates. In precincts  
4 that utilize in-precinct automatic tabulating equipment  
5 having voting defect identification capability and in which  
6 voters insert their ballots into the automatic tabulating  
7 equipment, if any ballot is damaged or defective so that it  
8 cannot properly be counted by the automatic Precinct  
9 Tabulation Optical Scan Technology tabulating equipment, that  
10 ballot shall be treated as a spoiled ballot as provided in  
11 Section 24B-10.1. If any ballot is damaged or defective so  
12 that it cannot properly be counted by the automatic Precinct  
13 Tabulation Optical Scan Technology tabulating equipment, a  
14 true duplicate copy shall be made of the damaged ballot in  
15 the presence of witnesses and substituted for the damaged  
16 ballot. Likewise, a duplicate ballot shall be made of a  
17 defective ballot which shall not include the invalid votes.  
18 All duplicate ballots shall be clearly labeled "Duplicate",  
19 shall bear a serial number which shall be registered on the  
20 damaged or defective ballot, and shall be counted in lieu of  
21 the damaged or defective ballot.

22 (Source: P.A. 89-394, eff. 1-1-97.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."