

1 AN ACT to amend the Election Code.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Election Code is amended by changing  
5 Sections 7-19, 7-46, 7-47, 7-49, 7-52, 7-53, 7-54, 7-55,  
6 7-66, 11-7, 15-6, 16-3, 16-6, 16-6.1, 16-7, 16-11, 17-9,  
7 17-11, 17-17, 17-18, 17-20, 17-22, 17-43, 18-5, 18-8, 18-9,  
8 18-10, 18-11, 18-13, 18-14, 18-16, 18-40, 19-15, 20-15, and  
9 24-1 and adding Sections 24-1.12, 24-2.5, 24-2.10, 24-2.15,  
10 24-2.20, 24-2.25, 24-2.30, 24-2.35, 24-2.40, 24-2.45,  
11 24-2.50, and 24-2.55 as follows:

12 (10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

13 Sec. 7-19. The primary ballot of each political party for  
14 each precinct shall be arranged and printed substantially in  
15 the manner following:

16 1. Designating words. At the top of the ballot shall be  
17 printed in large capital letters, words designating the  
18 ballot, if a Republican ballot, the designating words shall  
19 be: "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the  
20 designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and  
21 in like manner for each political party.

22 2. Order of Names, Directions to Voters, etc. Beginning  
23 not less than one inch below designating words, the name of  
24 each office to be filled shall be printed in capital letters.  
25 Such names may be printed on the ballot either in a single  
26 column or in 2 or more columns and in the following order,  
27 to-wit:

28 President of the United States, State offices,  
29 congressional offices, delegates and alternate delegates to  
30 be elected from the State at large to National nominating  
31 conventions, delegates and alternate delegates to be elected

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

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

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

24 Below the name of each office shall be printed in capital  
25 letters the names of all candidates, arranged in the order in  
26 which their petitions for nominations were filed, except as  
27 otherwise provided in Sections 7-14 and 7-17 of this Article.  
28 Opposite and in front of the name of each candidate shall be  
29 printed a square and all squares upon the primary ballot  
30 shall be of uniform size. Spaces between the names of  
31 candidates under each office shall be uniform and sufficient  
32 spaces shall separate the names of candidates for one office  
33 from the names of candidates for another office, to avoid  
34 confusion and to permit the writing in of the names of other

1 candidates.

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

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

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

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

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

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

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

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

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

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

(Source: Laws 1965, p. 2220.)

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

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

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

(Source: Laws 1965, p. 2220.)

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

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

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

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

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

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

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

32           (Source: P.A. 80-484.)

33           (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)



1	William Preston	Rep. in Congress	200
2	Frederick John	Circuit Judge	50

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

4 And so on for each candidate.

5 We hereby certify the above and foregoing to be true and  
6 correct.

7 Dated (insert date).

8 .....

9 Name Address

10 .....

11 Name Address

12 .....

13 Name Address

14 .....

15 Name Address

16 .....

17 Name Address

18 Judges of Primary

19 Where voting machines or electronic voting systems are  
20 used, the provisions of this Section may be modified as  
21 required or authorized by Article 24 and ~~Article 24A~~,  
22 ~~whichever is applicable.~~

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

24 (10 ILCS 5/7-54) (from Ch. 46, par. 7-54)

25 Sec. 7-54. After the votes of a political party have been  
26 counted and set down and the tally sheets footed and the  
27 entry made in the primary poll books or return, as above  
28 provided, all the primary ballots of said political party,  
29 except those marked "defective" or "objected to" shall be  
30 securely bound, lengthwise and in width, with a soft cord  
31 having a minimum tensile strength of 60 pounds separately for  
32 each political party in the order in which said primary  
33 ballots have been read, and shall thereupon be carefully

1 sealed in an envelope, which envelope shall be endorsed as  
2 follows:

3 "Primary ballots of the.... party of the.... precinct of  
4 the county of.... and State of Illinois."

5 Below each endorsement, each primary judge shall write  
6 his name.

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

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

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

24 (10 ILCS 5/7-55) (from Ch. 46, par. 7-55)

25 Sec. 7-55. The primary poll books or the official poll  
26 record, and the tally sheets with the certificates of the  
27 primary judges written thereon, together with the envelopes  
28 containing the ballots, including the envelope containing the  
29 ballots marked "defective" or "objected to", shall be  
30 carefully enveloped and sealed up together, properly  
31 endorsed, and the primary judges shall elect 2 judges (one  
32 from each of the major political parties), who shall  
33 immediately deliver the same to the clerk from whom the

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

22 The county clerk or board of election commissioners shall  
23 deliver a copy of each tally sheet to the county chairmen of  
24 the two largest political parties.

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,  
28 whichever-is-applicable.

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

30 (10 ILCS 5/7-66)

31 Sec. 7-66. Precinct tabulation optical scan technology  
32 voting equipment.

33 If the election authority has adopted the use of Precinct

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

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

15 (10 ILCS 5/11-7) (from Ch. 46, par. 11-7)

16 Sec. 11-7. For the purpose of the conduct of any  
17 consolidated election, consolidated primary election, special  
18 municipal primary election or emergency referendum, an  
19 election authority may cluster up to four contiguous  
20 precincts as provided in this Section, which shall constitute  
21 a clustered voting zone. The common polling place for the  
22 clustered voting zone shall be located within the territory  
23 comprising the clustered precincts. Unless the election  
24 authority specifies a larger number, only one election judge  
25 shall be appointed for each of the precincts in each  
26 clustered voting zone.

27 The judges so appointed may not all be affiliated with  
28 the same political party.

29 The conduct of an election in a clustered voting zone  
30 shall be under the general supervision of all the judges of  
31 election designated to serve in the clustered voting zone.  
32 The designated judges may perform the duties of election  
33 judges for the entire clustered voting zone. However, the

1 requirements of Section 17-14 shall apply to voter  
 2 assistance, the requirements of Article 24 ~~Section--24-10~~  
 3 shall apply to voter instruction, the requirement of Article  
 4 24 ~~Section-24A-10~~ shall apply to examination of absentee  
 5 ballots, and any disputes as to entitlement to vote,  
 6 challenges, counting of ballots or other matters pertaining  
 7 directly to voting shall be decided by those designated  
 8 judges appointed for the precinct in which the affected voter  
 9 resides or the disputed vote is to be counted.

10 This Section does not apply to any elections in  
 11 municipalities with more than 1,000,000 inhabitants.

12 (Source: P.A. 90-358, eff. 1-1-98.)

13 (10 ILCS 5/15-6)

14 Sec. 15-6. Precinct tabulation optical scan technology  
 15 voting equipment.

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

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

31 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

32 Sec. 16-3. The names of all candidates to be voted for

1 in each election district or precinct shall be printed on one  
2 ballot, except as is provided in Sections 16-6.1 and 21-1.01  
3 of this Act and except as otherwise provided in this Act with  
4 respect to the odd year regular elections and the emergency  
5 referenda; all nominations of any political party being  
6 placed under the party appellation or title of such party as  
7 designated in the certificates of nomination or petitions.  
8 The names of all independent candidates shall be printed upon  
9 the ballot in a column or columns under the heading  
10 "independent" arranged under the names or titles of the  
11 respective offices for which such independent candidates  
12 shall have been nominated and so far as practicable, the name  
13 or names of any independent candidate or candidates for any  
14 office shall be printed upon the ballot opposite the name or  
15 names of any candidate or candidates for the same office  
16 contained in any party column or columns upon said ballot.  
17 The ballot shall contain no other names, except that in cases  
18 of electors for President and Vice-President of the United  
19 States, the names of the candidates for President and  
20 Vice-President may be added to the party designation and  
21 words calculated to aid the voter in his choice of candidates  
22 may be added, such as "Vote for one," "Vote for three." When  
23 an electronic voting system is used which utilizes a ballot  
24 label booklet, the candidates and questions shall appear on  
25 the pages of such booklet in the order provided by this Code;  
26 and, in any case where candidates for an office appear on a  
27 page which does not contain the name of any candidate for  
28 another office, and where less than 50% of the page is  
29 utilized, the name of no candidate shall be printed on the  
30 lowest 25% of such page. On the back or outside of the  
31 ballot, so as to appear when folded, shall be printed the  
32 words "Official Ballot", followed by the designation of the  
33 polling place for which the ballot is prepared, the date of  
34 the election and a facsimile of the signature of the election

1 authority who has caused the ballots to be printed. The  
2 ballots shall be of plain white paper, through which the  
3 printing or writing cannot be read. However, ballots for use  
4 at the ~~nonpartisan-and~~ consolidated election ~~elections~~ may be  
5 printed on different color paper, except blue paper, whenever  
6 necessary or desirable to facilitate distinguishing between  
7 ballots for different political subdivisions. In the case of  
8 nonpartisan elections for officers of a political  
9 subdivision, unless the statute or an ordinance adopted  
10 pursuant to Article VII of the Constitution providing the  
11 form of government therefor requires otherwise, the column  
12 listing such nonpartisan candidates shall be printed with no  
13 appellation or circle at its head. The party appellation or  
14 title, or the word "independent" at the head of any column  
15 provided for independent candidates, shall be printed in  
16 capital letters not less than one-fourth of an inch in height  
17 and a circle one-half inch in diameter shall be printed at  
18 the beginning of the line in which such appellation or title  
19 is printed, provided, however, that no such circle shall be  
20 printed at the head of any column or columns provided for  
21 such independent candidates. The names of candidates shall be  
22 printed in capital letters not less than one-eighth nor more  
23 than one-fourth of an inch in height, and at the beginning of  
24 each line in which a name of a candidate is printed a square  
25 shall be printed, the sides of which shall be not less than  
26 one-fourth of an inch in length. However, the names of the  
27 candidates for Governor and Lieutenant Governor on the same  
28 ticket shall be printed within a bracket and a single square  
29 shall be printed in front of the bracket. The list of  
30 candidates of the several parties and any such list of  
31 independent candidates shall be placed in separate columns on  
32 the ballot in such order as the election authorities charged  
33 with the printing of the ballots shall decide; provided, that  
34 the names of the candidates of the several political parties,

1 certified by the State Board of Elections to the several  
 2 county clerks shall be printed by the county clerk of the  
 3 proper county on the official ballot in the order certified  
 4 by the State Board of Elections. Any county clerk refusing,  
 5 neglecting or failing to print on the official ballot the  
 6 names of candidates of the several political parties in the  
 7 order certified by the State Board of Elections, and any  
 8 county clerk who prints or causes to be printed upon the  
 9 official ballot the name of a candidate, for an office to be  
 10 filled by the Electors of the entire State, whose name has  
 11 not been duly certified to him upon a certificate signed by  
 12 the State Board of Elections shall be guilty of a Class C  
 13 misdemeanor.

14 When an electronic voting system is used which utilizes a  
 15 ballot card, on the inside flap of each ballot card envelope  
 16 there shall be printed a form for write-in voting which shall  
 17 be substantially as follows:

18 WRITE-IN VOTES

19 (See card of instructions for specific information.  
 20 Duplicate form below by hand for additional write-in votes.)

21 \_\_\_\_\_  
 22 Title of Office  
 23 ( ) \_\_\_\_\_  
 24 Name of Candidate

25 When an electronic voting system is used which uses a  
 26 ballot sheet, the instructions to voters on the ballot sheet  
 27 shall refer the voter to the card of instructions for  
 28 specific information on write-in voting. Below each office  
 29 appearing on such ballot sheet there shall be a provision for  
 30 the casting of a write-in vote.

31 When such electronic system is used, there shall be  
 32 printed on the back of each ballot card, each ballot card  
 33 envelope, and the first page of the ballot label when a  
 34 ballot label is used, the words "Official Ballot," followed

1 by the number of the precinct or other precinct  
2 identification, which may be stamped, in lieu thereof and, as  
3 applicable, the number and name of the township, ward or  
4 other election district for which the ballot card, ballot  
5 card envelope, and ballot label are prepared, the date of the  
6 election and a facsimile of the signature of the election  
7 authority who has caused the ballots to be printed. The back  
8 of the ballot card shall also include a method of identifying  
9 the ballot configuration such as a listing of the political  
10 subdivisions and districts for which votes may be cast on  
11 that ballot, or a number code identifying the ballot  
12 configuration or color coded ballots, except that where there  
13 is only one ballot configuration in a precinct, the precinct  
14 identification, and any applicable ward identification, shall  
15 be sufficient. Ballot card envelopes used in punch card  
16 systems shall be of paper through which no writing or punches  
17 may be discerned and shall be of sufficient length to enclose  
18 all voting positions. However, the election authority may  
19 provide ballot card envelopes on which no precinct number or  
20 township, ward or other election district designation, or  
21 election date are preprinted, if space and a preprinted form  
22 are provided below the space provided for the names of  
23 write-in candidates where such information may be entered by  
24 the judges of election. Whenever an election authority  
25 utilizes ballot card envelopes on which the election date and  
26 precinct is not preprinted, a judge of election shall mark  
27 such information for the particular precinct and election on  
28 the envelope in ink before tallying and counting any write-in  
29 vote written thereon. If some method of insuring ballot  
30 secrecy other than an envelope is used, such information must  
31 be provided on the ballot itself.

32 In the designation of the name of a candidate on the  
33 ballot, the candidate's given name or names, initial or  
34 initials, a nickname by which the candidate is commonly

1 known, or a combination thereof, may be used in addition to  
2 the candidate's surname. No other designation such as a title  
3 or degree or nickname suggesting or implying possession of a  
4 title, degree or professional status, or similar information  
5 may be used in connection with the candidate's surname,  
6 except that the title "Mrs." may be used in the case of a  
7 married woman.

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,  
11 ~~whichever-is-applicable.~~

12 Nothing in this Section shall prohibit election  
13 authorities from using or reusing ballot card envelopes which  
14 were printed before the effective date of this amendatory Act  
15 of 1985.

16 (Source: P.A. 84-1308.)

17 (10 ILCS 5/16-6) (from Ch. 46, par. 16-6)

18 Sec. 16-6. Whenever one or more proposals for amendment  
19 of the constitution or the calling of a constitutional  
20 convention or any combination thereof is or are to be voted  
21 upon by the people, the proposition or propositions for the  
22 adoption or rejection of such amendment or amendments or  
23 convention shall be submitted upon a ballot separate from the  
24 "Official Ballot" containing the names of candidates for  
25 State and other offices to be voted at such election. Such  
26 separate ballot shall be printed upon paper of a distinctly  
27 blue color and shall, as near as may be practicable, be of  
28 uniform size and blue color, but any variation in the size of  
29 such ballots or in the tincture of blue employed shall not  
30 affect or impair the validity thereof. Preceding each  
31 proposal to amend the constitution shall be printed the brief  
32 explanation of the amendment, prepared by the General  
33 Assembly, or in the case of a proposed amendment initiated by

1 petition pursuant to Section 3 of Article XIV of the  
 2 Constitution of the State of Illinois by the principal  
 3 proponents of the amendment as approved by the Attorney  
 4 General, and immediately below the explanation, the  
 5 proposition shall be printed in substantially the following  
 6 form:

7 -----  
 8 YES For the proposed amendment  
 9 to Article \_\_\_\_\_ (or Section  
 10 \_\_\_\_\_ of Article \_\_\_\_\_ of  
 11 NO the Constitution.

12 -----  
 13 In the case of a proposition for the calling of a  
 14 constitutional convention, such proposition shall be printed  
 15 in substantially the following form:

16 -----  
 17 YES For the calling of a Constitutional  
 18 Convention.  
 19 NO

20 -----  
 21 On the back or outside of the ballot so as to appear when  
 22 folded, shall be printed the words "CONSTITUTION BALLOT",  
 23 followed by the designation of the polling place for which  
 24 the ballot is prepared, the date of the election and a  
 25 facsimile of the signature of the clerk or other officer who  
 26 has caused the ballots to be printed. Immediately above the  
 27 words "CONSTITUTION BALLOT" in the case of a proposition for  
 28 the calling of a constitutional convention the following  
 29 legend shall be printed in bold face type:

30 "NOTICE  
 31 THE FAILURE TO VOTE THIS BALLOT IS THE EQUIVALENT OF A  
 32 NEGATIVE VOTE. (THIS IS NOT TO BE CONSTRUED AS A DIRECTION  
 33 THAT YOUR VOTE IS REQUIRED TO BE CAST EITHER IN FAVOR OF OR  
 34 IN OPPOSITION TO THE PROPOSITION HEREIN CONTAINED.)



1 for retention in office in any particular judicial district  
2 or circuit shall appear on the same ballot which shall be  
3 separate from all other ballots voted on at the general  
4 election.

5 Propositions on Supreme Court judges, if any are seeking  
6 retention, shall appear on the ballot in the first group, for  
7 judges of the Appellate Court in the second group immediately  
8 under the first, and for circuit judges in the last group.  
9 The grouping of candidates for the same office shall be  
10 preceded by a heading describing the office and the court.  
11 If there are two or more candidates for each office, the  
12 names of such candidates in each group shall be listed in the  
13 order determined as follows: The name of the person with the  
14 greatest length of time served in the specified office of the  
15 specified court shall be listed first in each group. The  
16 rest of the names shall be listed in the appropriate order  
17 based on the same seniority standard. If two or more  
18 candidates for each office have served identical periods of  
19 time in the specified office, such candidates shall be listed  
20 alphabetically at the appropriate place in the order of names  
21 based on seniority in the office as described. Circuit  
22 judges shall be credited for the purposes of this section  
23 with service as associate judges prior to July 1, 1971 and  
24 with service on any court the judges of which were made  
25 associate judges on January 1, 1964 by virtue of Paragraph 4,  
26 subparagraphs (c) and (d) of the Schedule to Article VI of  
27 the former Illinois Constitution.

28 At the top of the ballot on the same side as the  
29 propositions on the candidates are listed shall be printed an  
30 explanation to read substantially as follows: "Vote on the  
31 proposition with respect to all or any of the judges listed  
32 on this ballot. No judge listed is running against any other  
33 judge. The sole question is whether each judge shall be  
34 retained in his present office".

1           Such separate ballot shall be printed on paper of  
2 sufficient size so that when folded once it shall be large  
3 enough to contain the following words, which shall be printed  
4 on the back, "Ballot for judicial candidates seeking  
5 retention in office". Such ballot shall be handed to the  
6 elector at the same time as the ballot containing the names  
7 of other candidates for the general election and shall be  
8 returned therewith by the elector to the proper officer in  
9 the manner designated by this Act. All provisions of this  
10 Act relating to ballots shall apply to such separate ballot,  
11 except as otherwise specifically provided in this section.  
12 Such separate ballot shall be printed upon paper of a green  
13 color. No other ballot at the same election shall be green  
14 in color.

15           In precincts in which voting machines are used, the  
16 special ballot containing the propositions on the retention  
17 of judges may be placed on the voting machines if such voting  
18 machines permit the casting of votes on such propositions.

19           An electronic voting system authorized by Article 24  
20 ~~Article-24A~~ may be used in voting and tabulating the judicial  
21 retention ballots. When an electronic voting system is used  
22 which utilizes a ballot label booklet and ballot card, there  
23 shall be used in the label booklet a separate ballot label  
24 page or pages as required for such proposition, which page or  
25 pages for such proposition shall be of a green color separate  
26 and distinct from the ballot label page or pages used for any  
27 other proposition or candidates.

28           (Source: P.A. 79-201.)

29           (10 ILCS 5/16-7) (from Ch. 46, par. 16-7)  
30           Sec. 16-7. Whenever a public question is to be submitted  
31 to be voted upon and has been initiated and certified in  
32 accordance with Article 28 of this Code, the election  
33 authorities to whom the question is certified shall print the

1 question on the ballot for the proper election, and shall  
2 cause it to be submitted in the proper precincts to those  
3 electors entitled by reason of their residency to vote on  
4 such question.

5 The substance of such public measure shall be clearly  
6 indicated on a separate ballot, and two spaces shall be left  
7 upon the right-hand margin thereof, one for the votes  
8 favoring the public measure, to be designated by the word,  
9 "Yes", and one for the votes opposing the measure, to be  
10 designated by the word, "No", as in the form herein given:

11 -----  
12 Shall (here print YES  
13 the substance of the -----  
14 public measure). NO  
15 -----

16 The elector shall designate his vote by a cross mark,  
17 thus: (X). Any such separate ballot shall be printed on  
18 paper of sufficient size so that when folded once it shall be  
19 large enough to contain the following words, which shall be  
20 printed on the back, "Ballot for (name of public measure to  
21 be voted on)." Such ballot shall be handed to the elector at  
22 the same time as the ballot containing the names of the  
23 candidates, and returned therewith by the elector to the  
24 proper office in the manner designated by this Act. All  
25 provisions of this Act relating to ballots shall apply to  
26 such separate ballot, except as herein otherwise provided.  
27 Such separate ballot or ballots shall be printed upon paper  
28 of a distinctly different color from any other ballot for  
29 candidates used at such election and from those for the  
30 question of retention in office of judges and of  
31 constitutional amendments and as near as may be practicable,  
32 be of uniform size. Any variation in the size of such ballots  
33 shall not impair their validity.

34 In the case of a public question described in subsection

1 (b) of Section 28-6, the election authority shall include on  
2 the ballot the description of the territory concerning which  
3 the question is to be submitted, as set forth in the  
4 certification of the public question or, where the question  
5 is initiated by petition filed with the authority, as set  
6 forth in such petition. If the election authority determines  
7 the description cannot be included within the space  
8 limitations of the ballot, the election authority shall  
9 prepare large printed copies of a notice of the public  
10 question, which shall include the description. The notice  
11 shall be prominently displayed in the polling place of each  
12 precinct in which the question is to be submitted.

13 In precincts in which voting machines are used, separate  
14 ballots shall not be required if such voting machines permit  
15 the casting of votes on such proposition.

16 An electronic voting system authorized by Article 24  
17 ~~Article--24A~~ may be used in voting and tabulating the ballots  
18 on a public measure. When an electronic voting system is  
19 used, which utilizes a ballot label booklet and ballot card,  
20 there shall be used in the ballot label booklet a separate  
21 ballot label page or pages as required for such public  
22 measures or propositions. The page or pages for such public  
23 measures or propositions shall be of a color separate and  
24 distinct from the ballot label page or pages used for  
25 candidates and from those used for the propositions of  
26 retention in office of judges and of constitutional  
27 amendments. The ballot card provided for recording the  
28 voter's vote or choice on public measures or propositions may  
29 be the same card as is used for recording his vote for  
30 candidates. More than one public measure or proposition may  
31 be placed on the same ballot label page or series of pages  
32 and may be voted or recorded on the same column or series of  
33 columns on the same ballot card, and all columns on the  
34 ballot card may be of the same color.

1           However, at the ~~nonpartisan~~, consolidated primary, and  
 2 consolidated elections, the proposition for a public question  
 3 relating to a political subdivision shall be placed on the  
 4 ballot together with the ballot for the nomination or  
 5 election of officers of such political subdivision to be  
 6 voted upon at the same election, unless such placement is not  
 7 feasible.

8           (Source: P.A. 84-1467.)

9           (10 ILCS 5/16-11)

10          Sec. 16-11. Precinct tabulation optical scan technology  
 11 voting equipment.

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

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

27          (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

28          Sec. 17-9. Any person desiring to vote shall give his  
 29 name and, if required to do so, his residence to the judges  
 30 of election, one of whom shall thereupon announce the same in  
 31 a loud and distinct tone of voice, clear, and audible; the  
 32 judges of elections shall check each application for ballot

1 against the list of voters registered in that precinct to  
2 whom absentee ballots have been issued for that election,  
3 which shall be provided by the election authority and which  
4 list shall be available for inspection by pollwatchers. A  
5 voter applying to vote in the precinct on election day whose  
6 name appears on the list as having been issued an absentee  
7 ballot shall not be permitted to vote in the precinct unless  
8 that voter submits to the judges of election, ~~for~~  
9 ~~cancellation--or--revocation,~~ his absentee ballot. In the case  
10 that the voter's absentee ballot is not present in the  
11 polling place, it shall be sufficient for any such voter to  
12 submit to the judges of election in lieu of his absentee  
13 ballot, either a portion of such ballot if torn or mutilated  
14 or, an affidavit executed before the judges of election  
15 specifying that the voter never received an absentee ballot,  
16 ~~or--an--affidavit--executed--before--the--judges--of--election~~  
17 ~~specifying--that--the--voter--desires--to--cancel--or--revoke--any~~  
18 ~~absentee--ballot--that--may--have--been--cast--in--the--voter's--name.~~  
19 All applicable provisions of Articles 4, 5 or 6 shall be  
20 complied with and if such name is found on the register of  
21 voters by the officer having charge thereof, he shall  
22 likewise repeat said name, and the voter shall be allowed to  
23 enter within the proximity of the voting booths, as above  
24 provided. One of the judges shall give the voter one, and  
25 only one of each ballot to be voted at the election, on the  
26 back of which ballots such judge shall indorse his initials  
27 in such manner that they may be seen when each such ballot is  
28 properly folded, and the voter's name shall be immediately  
29 checked on the register list. In those election jurisdictions  
30 where perforated ballot cards are utilized of the type on  
31 which write-in votes can be cast above the perforation, the  
32 election authority shall provide a space both above and below  
33 the perforation for the judge's initials, and the judge shall  
34 endorse his or her initials in both spaces. Whenever a

1 proposal for a constitutional amendment or for the calling of  
2 a constitutional convention is to be voted upon at the  
3 election, the separate blue ballot or ballots pertaining  
4 thereto shall, when being handed to the voter, be placed on  
5 top of the other ballots to be voted at the election in such  
6 manner that the legend appearing on the back thereof, as  
7 prescribed in Section 16-6 of this Act, shall be plainly  
8 visible to the voter. At all elections, when a registry may  
9 be required, if the name of any person so desiring to vote at  
10 such election is not found on the register of voters, he or  
11 she shall not receive a ballot until he or she shall have  
12 complied with the law prescribing the manner and conditions  
13 of voting by unregistered voters. If any person desiring to  
14 vote at any election shall be challenged, he or she shall not  
15 receive a ballot until he or she shall have established his  
16 right to vote in the manner provided hereinafter; and if he  
17 or she shall be challenged after he has received his ballot,  
18 he shall not be permitted to vote until he or she has fully  
19 complied with such requirements of the law upon being  
20 challenged. Besides the election officer, not more than 2  
21 voters in excess of the whole number of voting booths  
22 provided shall be allowed within the proximity of the voting  
23 booths at one time. The provisions of this Act, so far as  
24 they require the registration of voters as a condition to  
25 their being allowed to vote shall not apply to persons  
26 otherwise entitled to vote, who are, at the time of the  
27 election, or at any time within 60 days prior to such  
28 election have been engaged in the military or naval service  
29 of the United States, and who appear personally at the  
30 polling place on election day and produce to the judges of  
31 election satisfactory evidence thereof, but such persons, if  
32 otherwise qualified to vote, shall be permitted to vote at  
33 such election without previous registration.

34 All such persons shall also make an affidavit which shall

1 be in substantially the following form:

2 State of Illinois,)

3 ) ss.

4 County of .....)

5 ..... Precinct ..... Ward

6 I, ....., do solemnly swear (or affirm) that I am a  
7 citizen of the United States, of the age of 18 years or over,  
8 and that within the past 60 days prior to the date of this  
9 election at which I am applying to vote, I have been engaged  
10 in the .... (military or naval) service of the United States;  
11 and I am qualified to vote under and by virtue of the  
12 Constitution and laws of the State of Illinois, and that I am  
13 a legally qualified voter of this precinct and ward except  
14 that I have, because of such service, been unable to register  
15 as a voter; that I now reside at .... (insert street and  
16 number, if any) in this precinct and ward; that I have  
17 maintained a legal residence in this precinct and ward for 30  
18 days and in this State 30 days next preceding this election.

19 .....

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

21 .....

22 Judge of Election.

23 The affidavit of any such person shall be supported by  
24 the affidavit of a resident and qualified voter of any such  
25 precinct and ward, which affidavit shall be in substantially  
26 the following form:

27 State of Illinois,)

28 ) ss.

29 County of .....)

30 ..... Precinct ..... Ward

31 I, ....., do solemnly swear (or affirm), that I am a  
32 resident of this precinct and ward and entitled to vote at  
33 this election; that I am acquainted with .... (name of the  
34 applicant); that I verily believe him to be an actual bona

1 fide resident of this precinct and ward and that I verily  
2 believe that he or she has maintained a legal residence  
3 therein 30 days and in this State 30 days next preceding this  
4 election.

5 .....

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

7 .....

8 Judge of Election.

9 All affidavits made under the provisions of this Section  
10 shall be enclosed in a separate envelope securely sealed, and  
11 shall be transmitted with the returns of the elections to the  
12 county clerk or to the board of election commissioners, who  
13 shall preserve the said affidavits for the period of 6  
14 months, during which period such affidavits shall be deemed  
15 public records and shall be freely open to examination as  
16 such.

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

18 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

19 Sec. 17-11. On receipt of his ballot the voter shall  
20 forthwith, and without leaving the inclosed space, retire  
21 alone to one of the voting booths so provided and shall  
22 prepare his ballot by making in the appropriate margin or  
23 place a cross (X) opposite the name of the candidate of his  
24 choice for each office to be filled, or by writing in the  
25 name of the candidate of his choice in a blank space on said  
26 ticket, making a cross (X) opposite thereto; and in case of a  
27 question submitted to the vote of the people, by making in  
28 the appropriate margin or place a cross (X) against the  
29 answer he desires to give. A cross (X) in the square in front  
30 of the bracket enclosing the names of a team of candidates  
31 for Governor and Lieutenant Governor counts as one vote for  
32 each of such candidates. Before leaving the voting booth the  
33 voter shall fold his ballot in such manner as to conceal the

1 marks thereon. He shall then vote forthwith in the manner  
2 herein provided, except that the number corresponding to the  
3 number of the voter on the poll books shall not be indorsed  
4 on the back of his ballot. He shall mark and deliver his  
5 ballot without undue delay, and shall quit said inclosed  
6 space as soon as he has voted. No voter shall be allowed to  
7 occupy a voting booth already occupied by another, nor remain  
8 within said inclosed space more than ten minutes, nor to  
9 occupy a voting booth more than five minutes in case all of  
10 said voting booths are in use and other voters waiting to  
11 occupy the same. No voter not an election officer, shall,  
12 after having voted, be allowed to re-enter said inclosed  
13 space during said election. No person shall take or remove  
14 any ballot from the polling place before the close of the  
15 poll. No voter shall vote or offer to vote any ballot except  
16 such as he has received from the judges of election in charge  
17 of the ballots. Any voter who shall, by accident or mistake,  
18 spoil his ballot, may, on returning said spoiled ballot,  
19 receive another in place thereof only after the word  
20 "spoiled" has been written in ink diagonally across the  
21 entire face of the ballot returned by the voter.

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

26 (Source: P.A. 89-700, eff. 1-17-97.)

27 (10 ILCS 5/17-17) (from Ch. 46, par. 17-17)

28 Sec. 17-17. After the opening of the polls no  
29 adjournment shall be had nor shall any recess be taken, until  
30 all the votes cast at such election have been counted and the  
31 result publicly announced, except that when necessary one  
32 judge at a time may leave the polling place for a reasonable  
33 time during the casting of ballots, and except that when a

1 polling place is inaccessible to a disabled voter, one team  
2 of 2 judges of opposite party affiliation may leave the  
3 polling place to deliver a ballot to such voter, as provided  
4 in Sections 7-47.1 and 17-13 of this Code. When a judge  
5 leaves and returns, such judge shall sign a time sheet  
6 indicating the length of the period such judge is absent from  
7 his duties. When absent, the judge shall authorize someone  
8 of the same political party as himself to act for him until  
9 he returns.

10 Where voting machines or electronic voting systems are  
11 used, the provisions of this section may be modified as  
12 required or authorized by Article 24 ~~or--Article---~~24A,  
13 ~~whichever-is-applicable.~~

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

15 (10 ILCS 5/17-18) (from Ch. 46, par. 17-18)

16 Sec. 17-18. Immediately upon closing the polls the  
17 judges shall proceed to canvass the votes polled. They shall  
18 first count the whole number of ballots in the box. If 2 or  
19 more ballots are folded together so as to appear to have been  
20 cast by the same person, all of the ballots so folded  
21 together shall be marked and returned with the other ballots  
22 in the same conditions, as near as may be, in which they were  
23 found when first opened, but shall not be counted. If the  
24 remaining ballots shall be found to exceed the number of  
25 applications for ballot, the ballots shall be replaced in  
26 the box, and the box closed and well shaken and again opened  
27 and one of the judges shall publicly draw out so many ballots  
28 unopened as shall be equal to such excess; and the number of  
29 the ballots agreeing with the poll lists, or being made to  
30 agree. Such excess ballots shall be marked "Excess-Not  
31 Counted" and signed by a majority of the judges and shall be  
32 placed in the "After 6:00 p.m. Defective Ballots Envelope".  
33 The number of excess ballots shall be noted in the remarks

1 section of the Certificate of Results. "Excess" ballots shall  
2 not be counted in the total of "defective" ballots.

3 The judges shall then proceed to count and record the  
4 votes; and when the judges of election shall open and read  
5 the ballots, 3 judges, with at least one from each political  
6 party from which the precinct judges were chosen, shall  
7 carefully and correctly mark down upon the three tally sheets  
8 the vote each candidate has received, in a separate box  
9 prepared for that purpose, with the name of such candidate at  
10 the head of such box, and the office designated by the votes  
11 such candidate shall fill. Whenever a proposition is  
12 submitted to the electors at the same election, the ballots  
13 for or against such proposition shall always be canvassed,  
14 counted or tallied. The votes shall be canvassed in the room  
15 or place where the election is held, and the judges shall not  
16 allow the ballot box, or any of the ballots, or the  
17 applications for ballot, or any of the tally sheets to be  
18 removed or carried away from such room or place, until the  
19 canvass of the vote is completed, and the returns carefully  
20 enveloped and sealed up as provided by law.

21 Where voting machines or electronic voting systems are  
22 used, the provisions of this section may be modified as  
23 required or authorized by Article 24 ~~or--Article--24A,~~  
24 ~~whichever-is-applicable.~~

25 (Source: P.A. 83-333.)

26 (10 ILCS 5/17-20) (from Ch. 46, par. 17-20)

27 Sec. 17-20. When the canvass of the ballots has been  
28 completed, the tally judges shall announce to the judges the  
29 total number of votes received by each candidate; each judge  
30 of the election shall proclaim in a loud voice the total  
31 number of votes received by each of the persons voted for and  
32 the office for which he is designated, and the number of  
33 votes for and number of votes against any proposition which

1 has been submitted to a vote of the people; such proclamation  
2 shall be prima facie evidence of the result of such canvass  
3 of the ballots.

4 Immediately after making such proclamation the judges  
5 shall designate one of their number to go to the nearest  
6 telephone and report to the office of the county clerk the  
7 results announced in such proclamation. The county clerk in  
8 such counties shall keep his office open after the close of  
9 the polls on the day of any election and thereafter until he  
10 has received from each precinct in such county the report  
11 above provided for. Immediately upon receiving such report  
12 the county clerk shall cause the same to be posted in a  
13 public place in his office for inspection by the public.  
14 Immediately after making such report such judge shall return  
15 to the polling place.

16 After making such proclamation and before separating, the  
17 judges of all counties shall fold or roll all of the ballots  
18 which have been counted by them, except those ballots which  
19 have been in the ballot box but have not been counted and  
20 marked "defective" or "objected to", securely bind them,  
21 lengthwise and in width, with a soft cord having a minimum  
22 tensile strength of 60 pounds, and wrap the same with heavy  
23 wrapping paper on which the judges of election shall write  
24 their signature and seal the package with filament over the  
25 signatures and around the package lengthwise and crosswise,  
26 at least twice each way, so that the ballots cannot be  
27 removed from the package without breaking the seal and the  
28 filament tape and disturbing the signatures, and enclose the  
29 ballots so wrapped, together with the envelope containing the  
30 ballots marked "defective" or "objected to", in a secure  
31 canvass covering, which the judges of election shall sign and  
32 seal with filament tape as above specified. The precinct  
33 judges of election shall elect 2 judges (one from each of the  
34 major political parties), who shall immediately return the

1 ballots, in such sealed canvass covering, to the election  
2 authority who shall keep their respective offices, or any  
3 receiving stations designated by them, open for at least 12  
4 consecutive hours after the polls close, or until the ballots  
5 from all precincts within the jurisdiction of any such  
6 election authority are returned to the office of such  
7 election authority, signed and sealed as above specified.  
8 Ballots returned to the office of an election authority which  
9 are not signed and sealed as above specified shall not be  
10 accepted until the judges returning the same sign and  
11 properly seal the same. Upon acceptance of the returned  
12 ballots by the election authority, the judges returning the  
13 same shall take a receipt signed by the election authority  
14 and stamped with the time and date of such return. The  
15 election judges whose duty it is to return any ballots as  
16 above provided shall, in the event such ballots cannot be  
17 found when needed, on proper request, produce the receipt  
18 which they are to take as above provided. Upon receiving the  
19 ballots so returned, the election authority shall carefully  
20 preserve the ballots for 2 months, subject to their  
21 examination in a discovery recount proceeding in accordance  
22 with law. However, where electronic voting systems are used,  
23 the apparatus or frame in which the ballot booklet is  
24 contained shall not be subject to the 2 month preservation  
25 requirement. At the expiration of that time such election  
26 authority shall remove the same from original package and  
27 shall destroy the same, together with all unused ballots  
28 returned from the polling places. If any contest of election  
29 is pending at such time in which such ballots may be required  
30 as evidence, and such election authority has notice thereof  
31 the same shall not be destroyed until after such contest is  
32 finally determined.

33 Where voting machines or electronic voting systems are  
34 used, the provisions of this section may be modified as

1 required or authorized by Article 24 ~~or--Article--24A,~~  
2 ~~whichever-is-applicable.~~  
3 (Source: P.A. 83-1362.)

4 (10 ILCS 5/17-22) (from Ch. 46, par. 17-22)  
5 Sec. 17-22. The judges of election shall make the tally  
6 sheet and certificate of results in triplicate. If, however,  
7 the number of established political parties, as defined in  
8 Section 10-2, exceeds 2, one additional copy shall be made  
9 for each established political party in excess of 2. One list  
10 of voters, or other proper return with such certificate  
11 written thereon, and accompanying tally sheet footed up so as  
12 to show the correct number of votes cast for each person  
13 voted for, shall be carefully enveloped and sealed up by the  
14 judges of election, 2 of whom (one from each of the 2 major  
15 political parties) shall immediately deliver same to the  
16 county clerk, or his deputy, at the office of the county  
17 clerk, or to an officially designated receiving station  
18 established by the county clerk where a duly authorized  
19 representative of the county clerk shall receive said  
20 envelopes for immediate transmission to the office of county  
21 clerk, who shall safely keep them. The other certificates of  
22 results and accompanying tally sheet shall be carefully  
23 enveloped and sealed up and duly directed, respectively, to  
24 the chairman of the county central committee of each then  
25 existing established political party, and by another of the  
26 judges of election deposited immediately in the nearest  
27 United States letter deposit. However, if any county chairman  
28 notifies the county clerk not later than 10 days before the  
29 election of his desire to receive the envelope addressed to  
30 him at the point and at the time same are delivered to the  
31 county clerk, his deputy or receiving station designee the  
32 envelopes shall be delivered to such county chairman or his  
33 designee immediately upon receipt thereof by the county

1 clerk, his deputy or his receiving station designee. The  
2 person or persons so designated by a county chairman shall  
3 sign an official receipt acknowledging receipt of said  
4 envelopes. The poll book and tally list filed with the county  
5 clerk shall be kept one year, and certified copies thereof  
6 shall be evidence in all courts, proceedings and election  
7 contests. Before the returns are sealed up, as aforesaid, the  
8 judges shall compare the tally papers, footings and  
9 certificates and see that they are correct and duplicates of  
10 each other, and certify to the correctness of the same.

11 At the ~~nonpartisan-and~~ consolidated election elections,  
12 the judges of election shall make a tally sheet and  
13 certificate of results for each political subdivision for  
14 which candidates or public questions are on the ballot at  
15 such election, and shall sign, seal in a marked envelope and  
16 deliver them to the county clerk with the other certificates  
17 of results herein required. Such tally sheets and  
18 certificates of results may be duplicates of the tally sheet  
19 and certificate of results otherwise required by this  
20 Section, showing all votes for all candidates and public  
21 questions voted for or upon in the precinct, or may be on  
22 separate forms prepared by the election authority and showing  
23 only those votes cast for candidates and public questions of  
24 each such political subdivision.

25 Within 2 days of delivery of complete returns of the  
26 consolidated election and ~~nonpartisan-elections~~, the county  
27 clerk shall transmit an original, sealed tally sheet and  
28 certificate of results from each precinct in his jurisdiction  
29 in which candidates or public questions of a political  
30 subdivision were on the ballot to the local election official  
31 of such political subdivision. Each local election official,  
32 within 24 hours of receipt of all of the tally sheets and  
33 certificates of results for all precincts in which candidates  
34 or public questions of his political subdivision were on the

1 ballot, shall transmit such sealed tally sheets and  
2 certificates of results to the canvassing board for that  
3 political subdivision.

4 In the case of referenda for the formation of a political  
5 subdivision, the tally sheets and certificates of results  
6 shall be transmitted by the county clerk to the circuit court  
7 that ordered the proposition submitted or to the officials  
8 designated by the court to conduct the canvass of votes. In  
9 the case of school referenda for which a regional  
10 superintendent of schools is responsible for the canvass of  
11 votes, the county clerk shall transmit the tally sheets and  
12 certificates of results to the regional superintendent of  
13 schools.

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

18 (Source: P.A. 80-1469.)

19 (10 ILCS 5/17-43)

20 Sec. 17-43. Precinct tabulation optical scan technology  
21 voting equipment.

22 If the election authority has adopted the use of Precinct  
23 Tabulation Optical Scan Technology voting equipment pursuant  
24 to Article 24 ~~Article 24B~~ of this Code, and the provisions of  
25 the Article are in conflict with the provisions of this  
26 Article 17, the provisions of Article 24 ~~Article 24B~~ shall  
27 govern the procedures followed by the election authority, its  
28 judges of elections, and all employees and agents. In  
29 following the provisions of Article 24 ~~Article 24B~~, the  
30 election authority is authorized to develop and implement  
31 procedures to fully utilize Precinct Tabulation Optical Scan  
32 Technology voting equipment authorized by the State Board of  
33 Elections as long as the procedure is not in conflict with

1 either Article 24 Article-24B or the administrative rules of  
 2 the State Board of Elections.  
 3 (Source: P.A. 89-394, eff. 1-1-97.)

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

5 Sec. 18-5. Questioning of person desiring to vote;  
 6 receipt of ballots. Any person desiring to vote and whose  
 7 name is found upon the register of voters by the person  
 8 having charge thereof, shall then be questioned by one of the  
 9 judges as to his nativity, his term of residence at present  
 10 address, precinct, State and United States, his age, whether  
 11 naturalized and if so the date of naturalization papers and  
 12 court from which secured, and he shall be asked to state his  
 13 residence when last previously registered and the date of the  
 14 election for which he then registered. The judges of  
 15 elections shall check each application for ballot against the  
 16 list of voters registered in that precinct to whom absentee  
 17 ballots have been issued for that election, which shall be  
 18 provided by the election authority and which list shall be  
 19 available for inspection by pollwatchers. A voter applying to  
 20 vote in the precinct on election day whose name appears on  
 21 the list as having been issued an absentee ballot shall not  
 22 be permitted to vote in the precinct unless that voter  
 23 submits to the judges of election, ~~for cancellation or~~  
 24 ~~revocation,~~ his absentee ballot. In the case that the  
 25 voter's absentee ballot is not present in the polling place,  
 26 it shall be sufficient for any such voter to submit to the  
 27 judges of election in lieu of his absentee ballot, either a  
 28 portion of such ballot if torn or mutilated or, an affidavit  
 29 executed before the judges of election specifying that the  
 30 voter never received an absentee ballot, ~~or an affidavit~~  
 31 ~~executed before the judges of election specifying that the~~  
 32 ~~voter desires to cancel or revoke any absentee ballot that~~  
 33 ~~may have been cast in the voter's name.~~ If such person so

1 registered shall be challenged as disqualified, the party  
2 challenging shall assign his reasons therefor, and thereupon  
3 one of the judges shall administer to him an oath to answer  
4 questions, and if he shall take the oath he shall then be  
5 questioned by the judge or judges touching such cause of  
6 challenge, and touching any other cause of disqualification.  
7 And he may also be questioned by the person challenging him  
8 in regard to his qualifications and identity. But if a  
9 majority of the judges are of the opinion that he is the  
10 person so registered and a qualified voter, his vote shall  
11 then be received accordingly. But if his vote be rejected by  
12 such judges, such person may afterward produce and deliver an  
13 affidavit to such judges, subscribed and sworn to by him  
14 before one of the judges, in which it shall be stated how  
15 long he has resided in such precinct, and state; that he is a  
16 citizen of the United States, and is a duly qualified voter  
17 in such precinct, and that he is the identical person so  
18 registered. In addition to such an affidavit, the person so  
19 challenged shall provide to the judges of election proof of  
20 residence by producing 2 forms of identification showing the  
21 person's current residence address, provided that such  
22 identification to the person at his current residence address  
23 and postmarked not earlier than 30 days prior to the date of  
24 the election, or the person shall procure a witness  
25 personally known to the judges of election, and resident in  
26 the precinct (or district), or who shall be proved by some  
27 legal voter of such precinct or district, known to the judges  
28 to be such, who shall take the oath following, viz:

29 I do solemnly swear (or affirm) that I am a resident of  
30 this election precinct (or district), and entitled to vote at  
31 this election, and that I have been a resident of this State  
32 for 30 days last past, and am well acquainted with the person  
33 whose vote is now offered; that he is an actual and bona fide  
34 resident of this election precinct (or district), and has

1 resided herein 30 days, and as I verily believe, in this  
2 State, 30 days next preceding this election.

3 The oath in each case may be administered by one of the  
4 judges of election, or by any officer, resident in the  
5 precinct or district, authorized by law to administer oaths.  
6 Also supported by an affidavit by a registered voter residing  
7 in such precinct, stating his own residence, and that he  
8 knows such person; and that he does reside at the place  
9 mentioned and has resided in such precinct and state for the  
10 length of time as stated by such person, which shall be  
11 subscribed and sworn to in the same way. Whereupon the vote  
12 of such person shall be received, and entered as other votes.  
13 But such judges, having charge of such registers, shall state  
14 in their respective books the facts in such case, and the  
15 affidavits, so delivered to the judges, shall be preserved  
16 and returned to the office of the commissioners of election.  
17 Blank affidavits of the character aforesaid shall be sent out  
18 to the judges of all the precincts, and the judges of  
19 election shall furnish the same on demand and administer the  
20 oaths without criticism. Such oaths, if administered by any  
21 other officer than such judge of election, shall not be  
22 received. Whenever a proposal for a constitutional amendment  
23 or for the calling of a constitutional convention is to be  
24 voted upon at the election, the separate blue ballot or  
25 ballots pertaining thereto shall be placed on top of the  
26 other ballots to be voted at the election in such manner that  
27 the legend appearing on the back thereof, as prescribed in  
28 Section 16-6 of this Act, shall be plainly visible to the  
29 voter, and in this fashion the ballots shall be handed to the  
30 voter by the judge.

31 The voter shall, upon quitting the voting booth, deliver  
32 to one of the judges of election all of the ballots, properly  
33 folded, which he received. The judge of election to whom the  
34 voter delivers his ballots shall not accept the same unless

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

30 The judge of election who receives the ballot or ballots  
31 from the voter shall announce the residence and name of such  
32 voter in a loud voice. The judge shall put the ballot or  
33 ballots received from the voter into the ballot box in the  
34 presence of the voter and the judges of election, and in

1 plain view of the public. The judges having charge of such  
2 registers shall then, in a column prepared thereon, in the  
3 same line of, the name of the voter, mark "Voted" or the  
4 letter "V".

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

16 (Source: P.A. 89-653, eff. 8-14-96.)

17 (10 ILCS 5/18-8) (from Ch. 46, par. 18-8)

18 Sec. 18-8. As soon as the poll of an election shall have  
19 been finally closed, the judges of election, in their several  
20 precincts, shall immediately, and at the place of the poll,  
21 proceed to canvass the vote so cast. Such canvass shall not  
22 be adjourned or postponed until it shall have been fully  
23 completed, nor until the several statements herein required  
24 to be made by the judges shall have been made out and signed  
25 by them. The judges of election shall have the right to  
26 station one or more police officers or officers of the peace,  
27 at such entrance to the room where such canvass is begun, or  
28 about to take place, to exclude disorderly persons, and to  
29 keep the peace.

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

1 (Source: P.A. 83-333.)

2 (10 ILCS 5/18-9) (from Ch. 46, par. 18-9)

3 Sec. 18-9. The judges of election shall first count the  
4 whole number of ballots in the box. If the ballots shall be  
5 found to exceed the number of applications for ballot, they  
6 shall reject the ballots, if any, found folded inside of a  
7 ballot. And if the ballots and the applications for ballot  
8 still do not agree after such rejection, the ballots shall  
9 be replaced in the box and the box closed and well shaken,  
10 and again opened; and one of the judges shall publicly draw  
11 out so many ballots unopened as shall be equal to such  
12 excess. Such excess ballots shall be marked "Excess-Not  
13 Counted" and signed by a majority of judges and shall be  
14 placed in the "After 6:00 p.m. Defective Ballots Envelope".  
15 The number of excess ballots shall be noted in the remarks  
16 section of the Certificate of Results. "Excess" ballots  
17 shall not be counted in the total of "defective" ballots.  
18 And the ballots and applications for ballot being made to  
19 agree in this way, the judges shall proceed to count the  
20 votes in the following manner: The judges shall open the  
21 ballots and place those which contain the same names  
22 together, so that the several kinds shall be in separate  
23 piles or on separate files. Each of the judges shall examine  
24 the separate files which are, or are supposed to be, alike,  
25 and exclude from such files any which may have a name or an  
26 erasure, or in any manner shall be different from the others  
27 of such file. One of the judges shall then take one file of  
28 the kind of ballots which contain the same names, and count  
29 them by tens, carefully examining each name on each of the  
30 ballots. Such judge shall then pass the ten ballots aforesaid  
31 to the judge sitting next to him, who shall count them in the  
32 same manner, who shall then pass them to a third judge, who  
33 shall also count them in the same manner. Then the third

1 judge shall call the names of the persons named in the ten  
2 ballots, and the offices for which they are designated, and 2  
3 of the judges, who did not assist in the counting shall tally  
4 ten votes for each of such persons, except as herein  
5 otherwise provided. When the judges shall have gone through  
6 such file of ballots, containing the same names, and shall  
7 count them by tens in the same way, and shall call the names  
8 of the persons named in the ballots and the office for which  
9 they are designated, the tally judges shall tally the votes  
10 by tens for each of such persons in the same manner as in the  
11 first instance. When the counting of each file of ballots  
12 which contain the same names shall be completed, the tally  
13 judges shall compare their tallies together and ascertain the  
14 total number of ballots of that kind so canvassed; and when  
15 they agree upon the number, one of them shall announce it in  
16 a loud voice to the other judges. The judges shall then  
17 canvass the other kinds of ballots which do not correspond,  
18 those containing names partly from one kind of ballots and  
19 partly from another, being those from which the name of the  
20 person proper to be voted for on such ballots has been  
21 omitted or erased, usually called "scratched tickets". They  
22 shall be canvassed separately by one of the judges sitting  
23 between 2 other judges, which judge shall call each name to  
24 the tally judges and the office for which it is designated,  
25 and the other judges looking at the ballot at the same time,  
26 and the tally judges making tally of the same. When all the  
27 ballots have been canvassed in this manner, the tally judges  
28 shall compare their tallies together, and ascertain the total  
29 number of votes received by each candidate and when they  
30 agree upon the numbers one of them shall announce in a loud  
31 voice to the judges the number of votes received by each  
32 candidate on each of the kinds of ballots containing his  
33 name, the number received by him on scratch tickets, and the  
34 total number of votes received by him.

1           The votes for the offices of Governor and Lieutenant  
2 Governor shall be counted and tallied jointly.

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

7 (Source: P.A. 89-700, eff. 1-17-97.)

8           (10 ILCS 5/18-10) (from Ch. 46, par. 18-10)

9           Sec. 18-10. Each batch of ten ballots counted by the  
10 judges of election shall, as soon as counted, read and  
11 tallied, be strung upon a strong string, thread or twine in  
12 the order in which they have been read; and each batch shall  
13 thus be disposed of before the commencement of the count as  
14 to the next batch.

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

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

20           (10 ILCS 5/18-11) (from Ch. 46, par. 18-11)

21           Sec. 18-11. Whenever any proposition is submitted to a  
22 vote of the people and is printed or written upon the same  
23 ticket, with the names of candidates for office, the names,  
24 together with such proposition, shall be canvassed in the  
25 following manner: All the ballots shall be first separated  
26 into 3 piles; the first pile containing all the ballots in  
27 favor of such proposition; the second pile containing all the  
28 ballots against such proposition, and the third pile  
29 containing all the ballots not mentioning such proposition,  
30 or being neither for nor against such proposition. Each of  
31 the judges shall then examine each pile and see that the  
32 separation has been properly made. Then the first pile shall

1 be counted by tens, and the result announced to the tally  
2 judges who shall tally the same by tens. And so the second  
3 pile shall be counted, announced and tallied, and likewise  
4 the third pile, if necessary. Whereupon the tally judges  
5 shall announce to the judges the number of votes for and the  
6 number of votes against such proposition. The ballots for or  
7 against any proposition submitted shall always be canvassed,  
8 counted and tallied after the names of candidates for any  
9 office are canvassed, counted or tallied.

10 Where voting machines or electronic voting systems are  
11 used, the provisions of this section may be modified as  
12 required or authorized by Article 24 ~~or--Article---~~24A,  
13 ~~whichever-is-applicable.~~

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

15 (10 ILCS 5/18-13) (from Ch. 46, par. 18-13)

16 Sec. 18-13. When the canvass of the ballots has been  
17 completed, and the tally judges have announced to the judges  
18 the total number of votes received by each candidate, each of  
19 the judges of the election in turn shall then proclaim, in a  
20 loud voice, the total number of votes received by each of the  
21 persons voted for in such precinct, and the office for which  
22 he is designated, and the number of votes for and the number  
23 of votes against any proposition which shall have been  
24 submitted to a vote of the people. Such proclamation shall be  
25 prima facie evidence of the result of the canvass of such  
26 ballots.

27 Immediately after making such proclamation the judges  
28 shall designate one of their number to go to the nearest  
29 telephone and report to the office of the board of election  
30 commissioners the result announced in such proclamation. The  
31 board of election commissioners shall keep its office open  
32 after the close of the polls on the day of any election until  
33 it has received from each precinct in the county the report

1 above provided for. Immediately upon receiving such report  
2 the board of election commissioners shall cause the same to  
3 be posted in a public place in its office for inspection by  
4 the public. Immediately after making such report such judge  
5 shall return to the polling place and the judges shall  
6 proceed with their duties prescribed in this Code.

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

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

12 (10 ILCS 5/18-14) (from Ch. 46, par. 18-14)

13 Sec. 18-14. The judges of election shall make duplicate  
14 statements of the result of the canvass, which shall be  
15 written or partly written and partly printed. Each of the  
16 statements shall contain a caption stating the day on which,  
17 and the number of the election precinct and the ward, city  
18 and county, in relation to which such statements shall be  
19 made, and the time of opening and closing of the polls of  
20 such election precinct. It shall also contain a statement  
21 showing the whole number of votes given for each person,  
22 designating the office for which they were given, which  
23 statement shall be written, or partly written and partly  
24 printed, in words at length; and in case a proposition of any  
25 kind has been submitted to a vote at such election, such  
26 statements shall also show the whole number of votes cast for  
27 or against such proposition, written out or partly written  
28 and partly printed, in words at length, and at the end  
29 thereof a certificate that such statement is correct in all  
30 respects; which certificate, and each sheet of paper forming  
31 part of the statement, shall be subscribed by the judges. If  
32 any judge shall decline to sign such return, he shall state  
33 his reason therefor in writing, and a copy thereof, signed by

1 himself, shall be enclosed with each return. Each of the  
2 statements shall be enclosed in an envelope, which shall then  
3 be securely sealed with sealing wax or other adhesive  
4 material; and each of the judges shall write his name across  
5 every fold at which the envelope, if unfastened, could be  
6 opened. One of the envelopes shall be directed to the county  
7 clerk and one to the comptroller of the city, or to the  
8 officer of such city whose duties correspond with those of  
9 comptroller. The judges of election shall make quadruplicate  
10 sets of tallies, and each set of tallies shall also be signed  
11 by the judges of the election. If, however, the number of  
12 established political parties, as defined in Section 10-2,  
13 exceeds 2, one additional set of tallies shall be made and  
14 signed for each established political party in excess of 2.  
15 Each set shall be enclosed in an envelope, securely sealed  
16 and signed in like manner; and one of the envelopes shall be  
17 directed on the outside to the election commissioners and the  
18 other to the city, village or town clerk; the other two  
19 envelopes shall be addressed, respectively, to the chairmen  
20 of the county central committees of the established political  
21 parties. On the outside of every envelope shall be endorsed  
22 whether it contains the statements of the votes cast or the  
23 tallies, and for what precinct and ward, village or town.

24 However, in those jurisdictions where electronic voting  
25 systems utilizing in-precinct counting equipment are used,  
26 one such envelope shall be transmitted to the chairman of the  
27 county central committee of each established political party  
28 and 2 such envelopes shall be transmitted to the board of  
29 election commissioners.

30 Where voting machines or electronic voting systems are  
31 used, the provisions of this Section may be modified as  
32 required or authorized by Article 24 ~~or--Article--24A,~~  
33 ~~whichever-is-applicable.~~

34 At the nonpartisan-and consolidated election elections,

1 the judges of election shall make a tally sheet and  
2 certificate of results for each political subdivision as to  
3 which candidates or public questions are on the ballot at  
4 such election, except where such votes are to be canvassed by  
5 the board of election commissioners or by the city canvassing  
6 board provided in Section 22-8. The judges shall sign, seal  
7 in a marked envelope and deliver them to the county clerk  
8 with the other certificates of results herein required. Such  
9 tally sheets and certificates of results may be duplicates of  
10 the tally sheet and certificate of results otherwise required  
11 by this Section, showing all votes for all candidates and  
12 public questions voted for or upon in the precinct, or may be  
13 on separate forms prepared by the election authority and  
14 showing only those votes cast for candidates and public  
15 questions of each such political subdivision.

16 Within 2 days of delivery of complete returns of the  
17 consolidated election and ~~nonpartisan elections~~, the board of  
18 election commissioners shall transmit an original, sealed  
19 tally sheet and certificate of results from each precinct in  
20 its jurisdiction in which candidates or public questions of a  
21 political subdivision were on the ballot to the local  
22 election official of such political subdivision where a local  
23 canvassing board is designated to canvass such votes. Each  
24 local election official, within 24 hours of receipt of all of  
25 the tally sheets and certificates of results for all  
26 precincts in which candidates or public questions of his  
27 political subdivision were on the ballot, shall transmit such  
28 sealed tally sheets and certificates of results to the  
29 canvassing board for that political subdivision.

30 In the case of referenda for the formation of a political  
31 subdivision the tally sheets and certificates of results  
32 shall be transmitted by the board of election commissioners  
33 to the circuit court that ordered the proposition submitted  
34 or to the officials designated by the court to conduct the

1 canvass of votes. In the case of school referenda for which a  
2 regional superintendent of schools is responsible for the  
3 canvass of votes, the board of election commissioners shall  
4 transmit the tally sheets and certificates of results to the  
5 regional superintendent.

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

7 (10 ILCS 5/18-16) (from Ch. 46, par. 18-16)

8 Sec. 18-16. Thereupon one of the judges of election shall  
9 take charge of the poll books and the key to the ballot box.  
10 Two of the judges shall each take one of the statements of  
11 the votes cast into his possession sealed up in the envelopes  
12 as aforesaid, and each of the remaining 2 judges shall take  
13 one of the tally sheets sealed up in the envelopes as  
14 aforesaid. Thereupon the judge having possession of such poll  
15 books shall immediately deliver the poll books to the Board  
16 of Election Commissioners, or to the person or persons  
17 delegated by the board to receive such envelopes, and at such  
18 place or places within the area served by the board as  
19 pre-determined by the board, with the seal unbroken and shall  
20 receive a receipt therefor; and the other judges shall  
21 immediately deliver the statements and tallies so in their  
22 possession respectively, to the respective officers to whom  
23 addressed as aforesaid and who, by this Act, are entitled to  
24 receive the same, and when delivered, each one shall take a  
25 receipt from the officer to whom delivered. Such envelopes  
26 shall be delivered to such officers or their duly authorized  
27 and appointed representatives, at the time and place where  
28 such envelopes are delivered to the Board of Election  
29 Commissioners or its designated receiving stations as  
30 pre-determined by the board, as hereinabove provided for. And  
31 none of them shall receive pay for their services as such  
32 judges without the production of the receipts so given them  
33 by the officers as aforesaid. It shall be the duty of the

1     respective officers so designated, to whom such statements  
 2     and tallies are ordered to be delivered, to receive the same,  
 3     and to safely keep under lock and key until ordered to be  
 4     surrendered as herein provided; and the Board of Election  
 5     Commissioners shall safely keep such poll books under lock  
 6     and key for one year.

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

11    (Source: P.A. 76-1309.)

12             (10 ILCS 5/18-40)

13             Sec. 18-40. Precinct tabulation optical scan technology  
 14    voting equipment.

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

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

30             (10 ILCS 5/19-15)

31             Sec. 19-15. Precinct tabulation optical scan technology  
 32    voting equipment.

1           If the election authority has adopted the use of Precinct  
2 Tabulation Optical Scan Technology voting equipment pursuant  
3 to Article 24 Article-24B of this Code, and the provisions of  
4 the Article are in conflict with the provisions of this  
5 Article 19, the provisions of Article 24 Article--24B shall  
6 govern the procedures followed by the election authority, its  
7 judges of elections, and all employees and agents. In  
8 following the provisions of Article 24 Article--24B, the  
9 election authority is authorized to develop and implement  
10 procedures to fully utilize Precinct Tabulation Optical Scan  
11 Technology voting equipment authorized by the State Board of  
12 Elections as long as the procedure is not in conflict with  
13 either Article 24 Article-24B or the administrative rules of  
14 the State Board of Elections.

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

16 (10 ILCS 5/20-15)

17 Sec. 20-15. Precinct tabulation optical scan technology  
18 voting equipment.

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

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

(10 ILCS 5/24-1) (from Ch. 46, par. 24-1)

Sec. 24-1. Election authorities may employ, for the  
purpose of casting and counting votes, mechanical or  
electronic voting systems, or both, without limit as to kind  
but only in accordance with the provisions of this Code and  
as approved by the State Board of Elections. The election  
 authority in all jurisdictions when voting systems machines  
 are used shall, except as otherwise provided in this Code,  
 provide a ~~voting-machine-or~~ voting system machines for any-or  
 all of the election precincts or election districts, as the  
 case may be, for which the election authority is by law  
 charged with the duty of conducting an election or elections;  
provided that paper ballots may be used in accordance with  
rules of the State Board of Elections. Voting systems A  
~~voting-machine-or-machines-sufficient-in-number-to-provide--a~~  
~~machine--for--each--400--voters--or-fraction-thereof~~ shall be  
 supplied for use at all elections in numbers that shall be  
prescribed by rule of the State Board of Elections. However,  
 no such voting system or part of a system machine shall be  
offered for sale, used, purchased, or adopted until the State  
Board of Elections has approved the system or part of a  
system for use in accordance with rules prescribed by the  
State Board of Elections. The State Board of Elections shall  
not accept for testing or approve any system or part of a  
system that has not first been evaluated by an independent  
testing laboratory or laboratories for performance and  
reliability using the standards that may from time to time  
be promulgated by the United States Federal Election  
Commission. Voting systems must afford board--of--voting  
~~machine-commissioners-hereinafter-provided-for, or a majority~~  
~~thereof,--shall--have-made-and-filed-a-report-certifying-that~~  
~~they-have-examined-such-machine;-that-it-affords~~ each elector  
 an opportunity to vote: (1) in absolute secrecy; (2) for that  
~~it-enables-each-electer-to-vote~~ a ticket that represents the

1 voter's choices and only those choices, whether they are from  
2 the candidates of a single party, candidates of multiple  
3 parties, or independent candidates, or any mix thereof; (3)  
4 for a person whose name does not appear on the ballot but  
5 ~~selected-in-part-from-the-nominees-of-one-party,-and-in--part~~  
6 ~~from--the--nominees--of-any-or-all-other-parties,-and-in-part~~  
7 ~~from--independent--nominees--printed--in---the---columns---of~~  
8 ~~candidates--for--public-office,-and-in-part-of-persons-not-in~~  
9 ~~nomination-by-any-party-or-upon-any-independent-ticket;--that~~  
10 ~~it--enables--each-electer-to-vote-a-written-or-printed-ballot~~  
11 ~~of-his-own-selection,-for-any-person-for-any-office for whom~~  
12 ~~he may desire to vote; (4) that-it-enables-each-electer-to~~  
13 ~~vote for all candidates for whom he is entitled to vote but~~  
14 must prevent either the casting or the counting of a vote,  
15 ~~and-prevents-him-from-voting~~ for any candidate for any office  
16 more than once, unless the voter he is lawfully entitled to  
17 cast more than one vote for one candidate, and in that event  
18 permits him to cast only as many votes for that candidate as  
19 he is by law entitled, and no more; and (5) that-it-prevents  
20 ~~the-electer-from-voting~~ for no more than one person for the  
21 same office, unless the voter he is lawfully entitled to vote  
22 for more than one person therefore, and in that event must  
23 permit permits him to vote for as many persons for that  
24 office as he is by law entitled, and no more. Each voting  
25 system must: ~~;-and-that-such machine-will~~ register correctly  
26 ~~by--means--of--exact-counters~~ every vote cast for the regular  
27 ~~tickets-thereon; must possess~~ and has the capacity to contain  
28 the tickets of at least 12 5 political parties for a single  
29 office with the names of all the candidates thereon, together  
30 with all propositions in the form provided by law, where such  
31 form is prescribed, and where no such provision is made for  
32 the form thereof, then in brief form, not to exceed 75 words;  
33 ~~that-all-votes-east-on-the-machine-on--a--regular--ballot--or~~  
34 ~~ballots--shall--be--registered;--that-voters-may,-by-means-of~~

1 irregular ballots or otherwise vote for any person for any  
2 office, although such person may not have been nominated by  
3 any party and his name may not appear on such machine; that  
4 when a vote is cast for any person for any such office, when  
5 his name does not appear on the machine, the elector cannot  
6 vote for any other name on the machine for the same office;  
7 that each elector can, understandingly and within the period  
8 of 4 minutes cast his vote for all candidates of his choice;  
9 that the machine is so constructed that the candidates for  
10 presidential electors of any party can be voted for only by  
11 voting for the ballot label containing a bracket within which  
12 are the names of the candidates for President and  
13 Vice-President of the party or group; that the machine is  
14 provided with a lock or locks by the use of which any  
15 movement of the voting or registering mechanism is absolutely  
16 prevented so that it cannot be tampered with or manipulated  
17 for any purpose; that the machine is susceptible of being  
18 closed during the progress of the voting so that no person  
19 can see or know the number of votes registered for any  
20 candidate; and must allow that each voter elector is  
21 permitted to vote for or against any question, proposition or  
22 amendment upon which he is entitled to vote, and either  
23 prevent is prevented the voter from voting for or against any  
24 question, proposition or amendment upon which he is not  
25 entitled to vote or disregard the vote if the voter attempts  
26 to cast it. Voting systems that do not use ballot cards or  
27 ballot sheets must be capable of producing at least one paper  
28 copy of the votes cast verified by each voter using the  
29 system and must be equipped with either a ballot simulation  
30 system or a port for the connection of other electronic data  
31 processing components that will provide ballot simulation for  
32 the purpose of testing large numbers of preaudited test  
33 ballots.; that the machine is capable of adjustment by the  
34 election authority, so as to permit the elector, at a party

1 primary--election,--to--vote--only--for--the--candidates--seeking  
 2 nomination--by--the--political--party--in--which--primary--he--is  
 3 entitled--to--vote;--Provided,--also--that--no--such--machine--or  
 4 machines--shall--be--purchased,--unless--the--party--or--parties  
 5 making--the--sale--shall--guarantee--in--writing--to--keep--the  
 6 machine--or--machines--in--good--working--order--for--5--years--without  
 7 additional--cost--and--shall--give--a--sufficient--bond--conditioned  
 8 to--that--effect.

9 (Source: P.A. 89-700, eff. 1-17-97.)

10 (10 ILCS 5/24-1.12 new)

11 Sec. 24-1.12. Definitions. As used in this Act, unless  
 12 the context requires otherwise:

13 "Ballot card" means an electronically or mechanically  
 14 readable card on which voter choices are recorded by punching  
 15 out a portion of the card.

16 "Ballot label page" means the printed page upon which the  
 17 candidates and propositions to be voted on appear in voting  
 18 devices that employ a separate card for the recording of  
 19 votes.

20 "Ballot sheet" means the card or paper upon which the  
 21 candidates and propositions to be voted on appear in devices  
 22 that require the voter to mark his or her choice directly on  
 23 the card or paper.

24 "Central counting" means the counting of ballots in one  
 25 or more locations selected by the election authority for the  
 26 processing or counting, or both, of ballots. A location for  
 27 central counting shall be within the territorial jurisdiction  
 28 of the election authority unless there is no suitable vote  
 29 tabulating equipment available within the jurisdiction's  
 30 territory. However, in any event a counting location shall  
 31 be within this State.

32 "Computer log" means the record of all actions performed  
 33 on the voting system programs that prepare, cast, examine,

1 tabulate, secure, canvass, report, and print the votes  
2 recorded by a voter on a ballot.

3 "Computer operator" means any person or persons  
4 designated by the election authority to operate the vote  
5 tabulation device during any portion of the vote tallying  
6 process in an election but shall not include judges of  
7 election operating a vote tabulation device in the precinct  
8 polling place.

9 "Computer operator's log" or "tabulation log" means the  
10 record of all actions performed during the vote counting and  
11 canvass process and shall include but not be limited to: (1)  
12 alterations made to programs associated with the counting or  
13 canvass process; (2) console messages relating to the program  
14 or programs and respective responses; (3) the starting time  
15 for each precinct counted, the number of ballots counted, any  
16 vote tabulation device or counting problems, and, insofar as  
17 possible, the number of unprocessable ballots and invalid  
18 security codes; and (4) changes or repairs, or both, made to  
19 the vote tabulation device during the counting and canvass  
20 process.

21 "Computer program" or "program" means the set or sets of  
22 operating instructions used within a voting system to  
23 prepare, cast, examine, tabulate, secure, canvass, report,  
24 and print the votes recorded by a voter on a ballot.

25 "Device" or "voting device" means a self-contained  
26 electronically or mechanically operated piece of equipment  
27 used for the casting and tabulating of votes, whether or not  
28 connected to a central data collection or tabulation point.

29 "Display" means the screen or surface upon which appear  
30 the names of candidates and the propositions to be voted on  
31 in systems that do not use ballot cards or ballot sheets.

32 "In-precinct" means the tabulating of votes and the  
33 public announcement of vote totals in the polling place  
34 where the votes were cast, irrespective of whether vote

1 totals may be cumulated or the official proclamation of  
2 results made.

3 "Redundant count" means a verification of the original  
4 vote tabulation device count by another compatible vote  
5 tabulation device or by hand as part of a discovery recount.

6 "Security designation" means a punched or printed  
7 designation on a ballot card or ballot sheet or an  
8 electronically readable code otherwise incorporated into a  
9 device to identify to the voting device or vote tabulation  
10 device, or both, the officers and propositions for which  
11 votes may be cast and to indicate the manner in which votes  
12 cast should be tabulated while negating and accounting for  
13 any inadmissible votes.

14 "System" or "voting system" means a voting device or a  
15 combination of manually, mechanically, and electronically  
16 operated pieces of equipment used for the preparing, casting,  
17 examining, counting, securing, and tabulating of votes or  
18 ballots and for cumulating and reporting election results.

19 "Vote tabulation device" means the combination of the  
20 mechanical or electrical equipment and programs used to  
21 count, tabulate, cumulate, canvass, secure, and report the  
22 votes cast by a voter and shall include but not be limited to  
23 ballot card and ballot sheet in-precinct tabulators, voting  
24 device tabulators that are either connected to or contained  
25 within the device, and central counting tabulators or a  
26 combination thereof.

27 "Voting system component" means an element serving as one  
28 of the parts of a voting system, including but not limited to  
29 the ballots, voting devices, ballot booths, electronic and  
30 mechanical tabulators, ballot boxes, display screens,  
31 programs, and marking or punching instruments.

32 (10 ILCS 5/24-2.5 new)

33 Sec. 24-2.5. Approval of existing devices; approval of

1 new devices. Mechanical and electronic voting systems in use  
 2 on the effective date of this amendatory Act of the 92nd  
 3 General Assembly shall be deemed to conform to the  
 4 requirements of this Code for those jurisdictions in which  
 5 they are in use on that effective date so long as they remain  
 6 in use and unmodified.

7 The State Board of Elections shall examine and test each  
 8 device proposed for sale to election authorities in Illinois  
 9 to determine if it meets the requirements of this Article.

10 (10 ILCS 5/24-2.10 new)

11 Sec. 24-2.10. Voting booths. In precincts where a voting  
 12 system is used, a sufficient number of voting booths shall be  
 13 provided for the use of the systems according to the  
 14 requirements determined by the State Board of Elections, and  
 15 the booths shall be arranged in the same manner as provided  
 16 for use with paper ballots. Each booth shall be placed so  
 17 that the entrance to each booth faces a wall in such a manner  
 18 that no judge of election, pollwatcher, or other voter is  
 19 able to observe a voter casting a ballot.

20 Whenever at a primary election at which a voting system  
 21 is used there is also an election for officers or on  
 22 propositions in which qualified voters have the right to vote  
 23 without participating in the primary of any party, a separate  
 24 voting booth may be provided for those voters who do not wish  
 25 to participate in the primary of any party. The separate  
 26 voting booth shall contain a voting device containing only  
 27 those offices and propositions on which voters are entitled  
 28 to vote. Nothing in this Section shall require the use of a  
 29 separate voting booth for such voters if the voting system is  
 30 capable of presenting the voter a proper ballot upon  
 31 instruction or programming to do so by a judge of election.

32 (10 ILCS 5/24-2.15 new)

1       Sec. 24-2.15. Instruction of voters; instruction-model;  
2       partiality to political party; manner of instruction. For the  
3       instruction of voters on election day, the election authority  
4       in charge of the election shall provide at each polling place  
5       one instruction-model voting system or the part of the system  
6       used for the casting of votes. Each instruction-model shall  
7       show the arrangement of party rows, office columns, and  
8       questions. The model shall be located at a place that voters  
9       must pass to reach an official voting booth used in the  
10       actual casting of votes.

11       Before entering the voting booth each voter shall be  
12       offered instruction in the operation of the device by use of  
13       the instruction-model, and the voter shall be given ample  
14       opportunity to operate the model by himself or herself. In  
15       instructing voters, no judge of election or other person  
16       present may show partiality to any political party. The  
17       duties of instruction shall be discharged by a judge from  
18       each of the political parties represented, and they shall  
19       alternate serving as instructor so that each judge shall  
20       serve a like time at those duties. No instructions may be  
21       given while the voter is in the voting booth.

22       No judge of election, or person instructing or assisting  
23       a voter may in any manner request, suggest, or seek to  
24       persuade or induce any voter to cast a vote for any  
25       particular ticket, candidate, amendment, or proposition. All  
26       instructions shall be given by judges of election in such a  
27       manner that it may be observed by other persons in the  
28       polling place.

29       (10 ILCS 5/24-2.20 new)

30       Sec. 24-2.20. Ballot information; arrangement;  
31       electronic voting device; absentee ballots; spoiled ballots.  
32       The ballot information on the device shall, as far as  
33       possible, be in the order of arrangement provided for paper

1 ballots, except that the information may be in vertical or  
2 horizontal rows or on a number of separate pages or screens.  
3 Ballots for all propositions to be voted on must be provided  
4 in the same manner and must be arranged within the device in  
5 places provided for those purposes.

6 Where the voting system employs any form of visual  
7 presentation of candidates and issues to be voted on, ballot  
8 label pages, ballot sheets, or displays for candidates shall  
9 be set against a white background, except that in primary  
10 elections the background for the candidates of each  
11 respective political party shall be of the colors designated  
12 by the election authority in charge of the election for that  
13 political party's candidates; provided that blue may be used  
14 as the background color only of constitutional amendment  
15 referenda. The background color for judicial retention  
16 ballots on all systems using a visual presentation shall be  
17 green, and the background for all propositions shall be of  
18 some other distinct and different color. Nothing in this  
19 Section shall require that a voting system employ a visual  
20 presentation of the ballot of any kind.

21 If the system permits the voter to vote both for  
22 candidates for office and for propositions, the election  
23 authority in charge of the election shall cause the portion  
24 of the system that presents the ballot to be apportioned  
25 between the candidates and propositions and shall plainly  
26 indicate by means appropriate to the nature of the system the  
27 division between "Candidates" and "Propositions". However,  
28 the portion of the ballot concerning the calling of a  
29 constitutional convention or constitutional amendments shall  
30 be identified by the words "Constitutional Ballot", and the  
31 presentation of the constitutional ballot shall precede the  
32 presentation of candidates by the system.

33 Absentee ballots may be cast on ballot cards, ballot  
34 sheets, or, when in accordance with rules of the State Board

1 of Elections, on paper ballots. When a ballot card is used  
2 for voting by mail, it must be accompanied by a punching tool  
3 or other appropriate marking device, voter instructions, and  
4 a specimen ballot showing the proper positions to vote on the  
5 ballot card or ballot sheet for each party, candidate, and  
6 proposition, and the ballot card must be mounted on a  
7 suitable material to receive the punched out card. When a  
8 ballot sheet is used, it must be accompanied by a specimen  
9 ballot, an approved marking instrument, and voter  
10 instructions. Absentee ballots shall be counted centrally.

11 (10 ILCS 5/24-2.25 new)

12 Sec. 24-2.25. Preparation for use; operational checks of  
13 devices; pollwatchers. The election authority shall cause  
14 the systems or vote casting parts of systems to be put in  
15 order, set, adjusted, tested, and made ready for voting when  
16 delivered to the polling places.

17 In addition, in those polling places where systems are  
18 used to cast and count votes in the precinct polling place,  
19 the judges of election shall make an operational check of the  
20 systems before the opening of the polls. The judges shall  
21 determine that the totals are all zeroes in the count column  
22 on the printing unit.

23 Pollwatchers as provided by law shall be permitted to  
24 closely observe the judges in these procedures and to  
25 periodically inspect the voting system when not in use by the  
26 voters.

27 (10 ILCS 5/24-2.30 new)

28 Sec. 24-2.30. Testing of equipment and program; custody  
29 of programs, test materials, and ballots. Prior to the public  
30 test, the election authority shall conduct an errorless  
31 pre-test of the voting system, including all devices, to  
32 ascertain that it or they will correctly count the votes cast

1 for all offices and propositions. On any day not less than 5  
2 days prior to the election day, the election authority shall  
3 publicly test the voting system to demonstrate that it will  
4 correctly count the votes cast for all offices and on all  
5 propositions. Public notice of the time and place of the  
6 test shall be given at least 48 hours prior thereto by  
7 publication once in one or more newspapers published within  
8 the election jurisdiction of the election authority if a  
9 newspaper is published therein, otherwise in a newspaper of  
10 general circulation therein. Timely written notice stating  
11 the date, time, and location of the public test shall also be  
12 provided to the State Board of Elections. The test shall be  
13 open to representatives of the political parties, the press,  
14 representatives of the State Board of Elections, and the  
15 public. The test shall be conducted by processing a  
16 preaudited group of ballots so punched or marked, where  
17 applicable, as to record a predetermined number of valid  
18 votes for each candidate and on each proposition and shall  
19 include for each office one or more ballots that have votes  
20 in excess of the number allowed by law in order to test the  
21 ability of the voting system to prevent or reject such  
22 votes. In those election jurisdictions where in-precinct  
23 devices are utilized, a public test of the voting devices  
24 shall be conducted as nearly as possible in the manner  
25 prescribed in this Section. The State Board of Elections may  
26 select as many election jurisdictions as the Board deems  
27 advisable in the interests of the election process of this  
28 State in which to order a special test of the voting systems  
29 prior to any regular election. The Board may order a special  
30 test in any election jurisdiction where, during the preceding  
31 12 months, computer programming errors or other errors in the  
32 use of voting systems resulted in vote tabulation errors.  
33 Not less than 30 days prior to any election, the State Board  
34 of Elections shall provide written notice to those selected

1 jurisdictions of its intent to conduct a test. Within 5 days  
2 after receipt of the State Board of Elections' written notice  
3 of intent to conduct a test, the selected jurisdictions shall  
4 forward to the principal office of the State Board of  
5 Elections a copy of all specimen ballots. The State Board of  
6 Elections' tests shall be conducted and completed not less  
7 than one day prior to the public test utilizing testing  
8 materials supplied by the Board and under the supervision of  
9 the Board. After an errorless public test, materials used in  
10 the public test, including the program, if appropriate, shall  
11 be sealed and remain sealed until the test is conducted again  
12 on election day. If any error is detected, the cause  
13 therefor shall be ascertained and corrected and an errorless  
14 public test shall be made before the system may be used at  
15 the election. Each election authority shall file a sealed  
16 copy of each tested program to be used within its  
17 jurisdiction at an election with the State Board of Elections  
18 prior to the election. The Board shall secure the program or  
19 programs of each election jurisdiction so filed in its office  
20 for the 60 days following the canvass and proclamation of  
21 election results. Upon the expiration of that time, if no  
22 election contest or appeal therefrom is pending in an  
23 election jurisdiction, the Board shall return the sealed  
24 program or programs to the election authority of the  
25 jurisdiction. Except where in-precinct vote tabulation  
26 devices are utilized, the test shall be repeated immediately  
27 before the start of the official count of the ballots, in the  
28 same manner as set forth in this Section. After the  
29 completion of the count, the test shall be re-run using the  
30 same program and materials. Immediately thereafter the  
31 ballots, all materials employed in testing the program, and  
32 the program shall be sealed and retained under the custody of  
33 the election authority for a period of time specified by  
34 State Board of Elections rule. At the expiration of that

1 time the election authority shall destroy the voted paper  
2 copies, ballot cards, ballot sheets, and data files  
3 generated by the voting system, together with all unused  
4 ballots returned from the precincts. If any contest of  
5 election is pending at that time in which the ballots may be  
6 required as evidence and the election authority has notice  
7 thereof, the same shall not be destroyed until after the  
8 contest is finally determined. If the use of back-up  
9 equipment becomes necessary at any time during counting of  
10 ballots, the same testing required for the original equipment  
11 shall be conducted.

12 (10 ILCS 5/24-2.35 new)

13 Sec. 24-2.35. Counting of ballots by the election  
14 authority. The procedure for tabulating the votes by the  
15 voting system shall be under the direction of the election  
16 authority and shall conform to the requirements of the voting  
17 system. During any election-related activity utilizing the  
18 voting system, the election authority shall make a reasonable  
19 effort to dedicate the equipment to vote processing so as to  
20 ensure the security and integrity of the system.

21 A reasonable number of pollwatchers shall be admitted to  
22 the counting location. Persons may observe the tabulating  
23 process at the discretion of the election authority;  
24 however, at least one representative of each established  
25 political party and authorized agents of the State Board of  
26 Elections shall be permitted to observe this process at all  
27 times. No persons except those employed and authorized for  
28 the purpose shall touch any ballot, ballot box, return, or  
29 equipment.

30 The computer operator shall be designated by the election  
31 authority and shall be sworn as a deputy of the election  
32 authority. In conducting the vote tabulation and canvass,  
33 the computer operator must maintain a log that shall include

1 the following information:

2 (1) alterations made to programs associated with  
3 the vote counting or canvassing process;

4 (2) if applicable, console messages relating to the  
5 program and the respective responses made by the  
6 operator;

7 (3) the starting time for each precinct counted,  
8 the number of ballots counted for each precinct, any  
9 equipment problems, vote tabulation or counting problems,  
10 and, insofar as possible, the number of invalid security  
11 codes or unprocessable ballots encountered during that  
12 count; and

13 (4) changes and repairs made to the equipment  
14 during the vote tabulation and canvass.

15 The computer operator's log and canvass shall be  
16 available for public inspection in the office of the election  
17 authority for a period of 60 days following the proclamation  
18 of election results. A copy of the computer operator's log  
19 and the canvass shall be transmitted to the State Board of  
20 Elections upon its request and at its expense.

21 Election authorities may count ballots at one or more  
22 central locations or in the precinct where the votes are  
23 cast. If ballots are to be counted at a central location, the  
24 device, or a data medium bearing the file of the votes cast,  
25 ballot cards, or ballot sheets, as the case may be, shall be  
26 secured and sealed by the election judges and transported by  
27 them to the central counting location. Prior to transporting  
28 the materials, the election judges of the precinct shall  
29 examine ballot cards and ballot sheets for signatures of the  
30 judges, count the number of ballots, and reconcile the number  
31 of ballots with the number of ballot applications. Two  
32 election judges, not of the same political party, shall  
33 transport the device or its data medium, ballot cards, or  
34 ballot sheets to the central location.

1       At the central location, one or more teams of election  
2 judges equally divided between members of the 2 leading  
3 political parties, appointed for the purpose or recruited  
4 from among the election judges working in the polling places,  
5 shall (i) open the ballot materials; (ii) examine the ballot  
6 cards or sheets for write-in votes; (iii) where the voter's  
7 intent is discernible, remake the ballots that are damaged or  
8 unable to be counted; and (iv) process the ballots, devices,  
9 or data media through the tabulating equipment. Pollwatchers  
10 as provided by law from each precinct whose ballots are to be  
11 counted shall be permitted to closely observe the judges in  
12 these procedures while the ballots of the precinct in which  
13 they serve are being counted. Devices may be linked by a  
14 secure telephone line for tabulation at a central location.  
15 In those cases, pollwatchers may observe the transmission and  
16 tabulating procedures both at the polling place and in the  
17 central counting location.

18       When ballots are to be counted in the precinct where they  
19 are cast, the judges of election shall (i) open the ballot  
20 box, if one has been used; (ii) examine the ballot cards or  
21 sheets, if any are used, for write-in votes; (iii) where the  
22 voter's intent is discernible, remake ballots that are  
23 damaged or unable to be counted; and (iv) process the ballots  
24 through the tabulating equipment, if that is required by the  
25 device used by the election authority. Devices that do not  
26 require the use of a ballot box shall be operated by the  
27 judges of election to produce printed totals of the votes  
28 cast on the device. Judges of election shall identify and  
29 examine write-in votes as part of the procedure. Pollwatchers  
30 as provided by law from each precinct whose ballots are to be  
31 counted shall be permitted to closely observe the judges in  
32 these procedures.

33       All absentee ballots shall be counted at a central  
34 location pursuant to Sections 19-8 and 20-8.

1       Each election authority shall ensure that voting systems  
2       are operated in accordance with law and the rules adopted for  
3       the security and integrity of the electoral process. The  
4       State Board of Elections shall prescribe standards and  
5       procedures for the use of the system, including the casting  
6       and counting of ballots, the tabulation of vote totals, and  
7       the care and security of the device as part of the process  
8       for approval of the voting device.

9           (10 ILCS 5/24-2.40 new)

10       Sec. 24-2.40. Official return of precinct; check of  
11       totals; retabulation. The precinct return printed by the  
12       vote tabulation device shall include the number of ballots  
13       cast and votes cast for each candidate and proposition and  
14       shall constitute the official return of each precinct. In  
15       addition to the precinct return, the election authority shall  
16       provide the number of applications for ballots in each  
17       precinct, the write-in votes, the total number of ballots  
18       counted in each precinct for each political subdivision and  
19       district, and the number of registered voters in each  
20       precinct. However, the election authority shall check the  
21       totals shown by the precinct return and, if there is an  
22       obvious discrepancy with respect to the total number of votes  
23       cast in any precinct, shall have the ballots for that  
24       precinct retabulated to correct the return. The procedures  
25       for retabulation shall apply prior to and after the  
26       proclamation is completed; however, after the proclamation  
27       of results, the election authority must obtain a court order  
28       to unseal voted ballots except for election contests and  
29       discovery recounts. Whenever a discrepancy exists during the  
30       canvass of votes between the unofficial results and the  
31       certificate of results, or whenever a discrepancy exists  
32       during the canvass of votes between the certificate of  
33       results and the set of totals that has been affixed to the

1 certificate of results, the ballots for that precinct shall  
2 be retabulated to correct the return. In jurisdictions where  
3 ballots are counted in-precinct, prior to the proclamation of  
4 the results of the election the election authority shall  
5 retabulate the total number of votes cast in 5% of the  
6 precincts within the election jurisdiction. The State Board  
7 of Elections shall design a standard and scientific random  
8 method of selecting the precincts that are to be retabulated.  
9 Retabulation shall consist of counting the votes that were  
10 originally counted or examining the paper copy of votes cast  
11 in cases when voting systems are used that produce a paper  
12 copy and shall not involve any determination as to which  
13 votes were, in fact, properly counted. The ballots from the  
14 precincts selected for the retabulation shall remain at all  
15 times under the custody and control of the election authority  
16 and shall be transported and retabulated by the designated  
17 staff of the election authority.

18 As part of the retabulation, the election authority shall  
19 test the computer program in the selected precincts. The  
20 test shall be conducted by processing or simulating a  
21 preaudited group of ballots consisting of a predetermined  
22 number of valid votes for each candidate and on each  
23 proposition and shall include for each office one or more  
24 ballots that have votes in excess of the number allowed by  
25 law in order to test the ability of the equipment to reject  
26 those votes. If any error is detected, the cause therefor  
27 shall be ascertained and an official retabulation shall be  
28 made prior to the official canvass and proclamation of  
29 election results.

30 The State Board of Elections, the State's Attorney, other  
31 appropriate law enforcement agencies, the county chairman of  
32 each established political party, and qualified civic  
33 organizations shall be given prior written notice of the time  
34 and place of the retabulation and may be represented at the

1 retabulation.

2 (10 ILCS 5/24-2.45 new)

3 Sec. 24-2.45. Discovery recounts and election contests.

4 Except as provided in this Section, discovery recounts and  
5 election contests shall be conducted as otherwise provided in  
6 this Code. The voting devices shall be tested prior to the  
7 discovery recount or election contest as provided in Section  
8 24-2.30, and then the official ballots or ballot cards shall  
9 be recounted on the device if the device uses ballot cards or  
10 sheets. The ballot cards or sheets shall be checked for the  
11 presence or absence of judges' initials and other  
12 distinguishing marks. The ballot card or sheets marked  
13 "Rejected", "Defective", "Objected to", and "Absentee Ballot"  
14 shall be examined to determine the propriety of the labels  
15 and shall be compared with their respective originals to  
16 determine the correctness of the duplicates. The "Duplicate  
17 Absentee Ballots", "Duplicate Overvoted Ballots", and  
18 "Duplicate Damaged Ballots" shall be compared with their  
19 respective originals to determine the correctness of the  
20 duplicates. Where devices that do not use ballot cards or  
21 sheets have been used, the paper copies of votes cast shall  
22 be examined and compared with printed vote totals produced by  
23 the device.

24 Any person who has filed a petition for discovery recount  
25 may request that a redundant count be conducted in those  
26 precincts in which the discovery recount is being conducted.  
27 The additional costs of a redundant count shall be borne by  
28 the requesting party.

29 The log of the computer operator and all materials  
30 retained by the election authority in relation to vote  
31 tabulation and canvass shall be made available for any  
32 discovery recount or election contest.

1 (10 ILCS 5/24-2.50 new)

2 Sec. 24-2.50. Rules; number of voting booths. The State  
3 Board of Elections may make reasonable rules for the  
4 administration of this Article and may prescribe the number  
5 of voting booths required for the various types of voting  
6 devices.

7 (10 ILCS 5/24-2.55 new)

8 Sec. 24-2.55. Specimen ballot labels; publication. When  
9 a mechanical or electronic voting device is used, the  
10 election authority shall cause to be published, at least 5  
11 days before the day of each general and general primary  
12 election, in 2 or more newspapers published in and having a  
13 general circulation in the county, a true and legible copy of  
14 the specimen ballot label containing the offices, names of  
15 candidates, and propositions to be voted on, as near as may  
16 be, in the form in which they will appear on the device on  
17 election day. The true legible copy may be in the form of an  
18 actual duplicate of the ballot as it will appear on the  
19 device and shall be published as required by this Section if  
20 distributed as an insert in 2 or more newspapers published in  
21 and having a general circulation in the county. For each  
22 election prescribed in Article 2A, the specimen ballots shall  
23 be made available for public distribution and shall be  
24 supplied to the judges of election for posting in the polling  
25 place on the day of election. Notice for the consolidated  
26 election shall be given as provided in Article 12.

27 (10 ILCS 5/24-1.1 rep.)

28 (10 ILCS 5/24-1.2 rep.)

29 (10 ILCS 5/24-2 rep.)

30 (10 ILCS 5/24-3 rep.)

31 (10 ILCS 5/24-4 rep.)

32 (10 ILCS 5/24-5 rep.)

- 1 (10 ILCS 5/24-6 rep.)
- 2 (10 ILCS 5/24-7 rep.)
- 3 (10 ILCS 5/24-8 rep.)
- 4 (10 ILCS 5/24-8.1 rep.)
- 5 (10 ILCS 5/24-9 rep.)
- 6 (10 ILCS 5/24-10 rep.)
- 7 (10 ILCS 5/24-11 rep.)
- 8 (10 ILCS 5/24-12 rep.)
- 9 (10 ILCS 5/24-13 rep.)
- 10 (10 ILCS 5/24-14 rep.)
- 11 (10 ILCS 5/24-15 rep.)
- 12 (10 ILCS 5/24-16 rep.)
- 13 (10 ILCS 5/24-17 rep.)
- 14 (10 ILCS 5/24-18 rep.)
- 15 (10 ILCS 5/24-19 rep.)
- 16 (10 ILCS 5/24-20 rep.)
- 17 (10 ILCS 5/24-22 rep.)
- 18 (10 ILCS 5/24-23 rep.)
- 19 (10 ILCS 5/Art. 24A rep.)
- 20 (10 ILCS 5/Art. 24B rep.)

21 Section 90. The Election Code is amended by repealing  
22 Sections 24-1.1, 24-1.2, 24-2, 24-3, 24-4, 24-5, 24-6, 24-7,  
23 24-8, 24-8.1, 24-9, 24-10, 24-11, 24-12, 24-13, 24-14, 24-15,  
24 24-16, 24-17, 24-18, 24-19, 24-20, 24-22, and 24-23 and  
25 Articles 24A and 24B.

26 Section 99. Effective date. This Act takes effect  
27 January 1, 2003.

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