



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2239

Introduced 2/7/2025, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-50
10 ILCS 5/5-50
10 ILCS 5/6-100
10 ILCS 5/18A-5
10 ILCS 5/18A-15

Amends the Election Code. Provides that, if a person chooses to register to vote on the day of election, the person shall only be allowed to cast a provisional ballot and the election authority shall mail to the provisional voter a voter registration application to the provisional voter's address. Provides that a provisional ballot cast under the provision is valid and shall be counted as a vote if the voter completes and returns the voter registration application that the election authority mailed to the voter upon casting the provisional ballot within 14 days after the day of election.

LRB104 09172 SPS 19228 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 4-50, 5-50, 6-100, 18A-5, and 18A-15 as follows:

6 (10 ILCS 5/4-50)

7 Sec. 4-50. Grace period. Notwithstanding any other
8 provision of this Code to the contrary, each election
9 authority shall establish procedures for the registration of
10 voters and for change of address during the period from the
11 close of registration for an election until and including the
12 day of the election. During this grace period, an unregistered
13 qualified elector may register to vote, and a registered voter
14 may submit a change of address form, in person in the office of
15 the election authority, at a permanent polling place
16 established under Section 19A-10, at any other early voting
17 site beginning 15 days prior to the election, at a polling
18 place on election day, or at a voter registration location
19 specifically designated for this purpose by the election
20 authority. Grace period registration and changes of address
21 shall also be conducted for eligible residents in connection
22 with voting at facilities under Section 19-12.2 of this Code.
23 The election authority shall register that individual, or

1 change a registered voter's address, in the same manner as
2 otherwise provided by this Article for registration and change
3 of address.

4 If a voter who registers or changes address during this
5 grace period wishes to vote at the election or primary
6 occurring during the grace period, he or she must do so by
7 grace period voting. The election authority shall offer
8 in-person grace period voting at the authority's office, any
9 permanent polling place established under Section 19A-10, and
10 at any other early voting site beginning 15 days prior to the
11 election, at a polling place on election day, where grace
12 period registration is required by this Section; and may offer
13 in-person grace period voting at additional hours and
14 locations specifically designated for the purpose of grace
15 period voting by the election authority. The election
16 authority may allow grace period voting by mail only if the
17 election authority has no ballots prepared at the authority's
18 office. Grace period voting shall be in a manner substantially
19 similar to voting under Article 19A.

20 Within one day after a voter casts a grace period ballot,
21 or within one day after the ballot is received by the election
22 authority if the election authority allows grace period voting
23 by mail, the election authority shall transmit by electronic
24 means pursuant to a process established by the State Board of
25 Elections the voter's name, street address, e-mail address,
26 and precinct, ward, township, and district numbers, as the

1 case may be, to the State Board of Elections, which shall
2 maintain those names and that information in an electronic
3 format on its website, arranged by county and accessible to
4 State and local political committees. The name of each person
5 issued a grace period ballot shall also be placed on the
6 appropriate precinct list of persons to whom vote by mail and
7 early ballots have been issued, for use as provided in
8 Sections 17-9 and 18-5.

9 A person who casts a grace period ballot shall not be
10 permitted to revoke that ballot and vote another ballot with
11 respect to that primary or election. Ballots cast by persons
12 who register or change address during the grace period at a
13 location other than their designated polling place on election
14 day must be transmitted to and counted at the election
15 authority's central ballot counting location and shall not be
16 transmitted to and counted at precinct polling places. The
17 grace period ballots determined to be valid shall be added to
18 the vote totals for the precincts for which they were cast in
19 the order in which the ballots were opened.

20 If a person registers to vote on the day of the election
21 under this Section, the election authority shall only allow
22 that person to vote a provisional ballot as described in
23 Section 18A-5.

24 In counties with a population of less than 100,000 that do
25 not have electronic poll books, the election authority may opt
26 out of registration in the polling place if the election

1 authority establishes grace period registration and voting at
2 other sites on election day at the following sites: (i) the
3 election authority's main office and (ii) a polling place in
4 each municipality where 20% or more of the county's residents
5 reside if the election authority's main office is not located
6 in that municipality. The election authority may establish
7 other grace period registration and voting sites on election
8 day provided that the election authority has met the notice
9 requirements of Section 19A-25 for permanent and temporary
10 early voting sites.

11 (Source: P.A. 100-442, eff. 8-25-17.)

12 (10 ILCS 5/5-50)

13 Sec. 5-50. Grace period. Notwithstanding any other
14 provision of this Code to the contrary, each election
15 authority shall establish procedures for the registration of
16 voters and for change of address during the period from the
17 close of registration for an election until and including the
18 day of the election. During this grace period, an unregistered
19 qualified elector may register to vote, and a registered voter
20 may submit a change of address form, in person in the office of
21 the election authority, at a permanent polling place
22 established under Section 19A-10, at any other early voting
23 site beginning 15 days prior to the election, at a polling
24 place on election day, or at a voter registration location
25 specifically designated for this purpose by the election

1 authority. Grace period registration and changes of address
2 shall also be conducted for eligible residents in connection
3 with voting at facilities under Section 19-12.2 of this Code.
4 The election authority shall register that individual, or
5 change a registered voter's address, in the same manner as
6 otherwise provided by this Article for registration and change
7 of address.

8 If a voter who registers or changes address during this
9 grace period wishes to vote at the election or primary
10 occurring during the grace period, he or she must do so by
11 grace period voting. The election authority shall offer
12 in-person grace period voting at his or her office, any
13 permanent polling place established under Section 19A-10, and
14 at any other early voting site beginning 15 days prior to the
15 election, at a polling place on election day, where grace
16 period registration is required by this Section; and may offer
17 in-person grace period voting at additional hours and
18 locations specifically designated for the purpose of grace
19 period voting by the election authority. The election
20 authority may allow grace period voting by mail only if the
21 election authority has no ballots prepared at the authority's
22 office. Grace period voting shall be in a manner substantially
23 similar to voting under Article 19A.

24 Within one day after a voter casts a grace period ballot,
25 or within one day after the ballot is received by the election
26 authority if the election authority allows grace period voting

1 by mail, the election authority shall transmit by electronic
2 means pursuant to a process established by the State Board of
3 Elections the voter's name, street address, e-mail address,
4 and precinct, ward, township, and district numbers, as the
5 case may be, to the State Board of Elections, which shall
6 maintain those names and that information in an electronic
7 format on its website, arranged by county and accessible to
8 State and local political committees. The name of each person
9 issued a grace period ballot shall also be placed on the
10 appropriate precinct list of persons to whom vote by mail and
11 early ballots have been issued, for use as provided in
12 Sections 17-9 and 18-5.

13 A person who casts a grace period ballot shall not be
14 permitted to revoke that ballot and vote another ballot with
15 respect to that primary or election. Ballots cast by persons
16 who register or change address during the grace period at a
17 location other than their designated polling place on election
18 day must be transmitted to and counted at the election
19 authority's central ballot counting location and shall not be
20 transmitted to and counted at precinct polling places. The
21 grace period ballots determined to be valid shall be added to
22 the vote totals for the precincts for which they were cast in
23 the order in which the ballots were opened.

24 If a person registers to vote on the day of the election
25 under this Section, the election authority shall only allow
26 that person to vote a provisional ballot as described in

1 Section 18A-5.

2 In counties with a population of less than 100,000 that do
3 not have electronic poll books, the election authority may opt
4 out of registration in the polling place if the election
5 authority establishes grace period registration and voting at
6 other sites on election day at the following sites: (i) the
7 election authority's main office and (ii) a polling place in
8 each municipality where 20% or more of the county's residents
9 reside if the election authority's main office is not located
10 in that municipality. The election authority may establish
11 other grace period registration and voting sites on election
12 day provided that the election authority has met the notice
13 requirements of Section 19A-25 for permanent and temporary
14 early voting sites.

15 (Source: P.A. 100-442, eff. 8-25-17.)

16 (10 ILCS 5/6-100)

17 Sec. 6-100. Grace period. Notwithstanding any other
18 provision of this Code to the contrary, each election
19 authority shall establish procedures for the registration of
20 voters and for change of address during the period from the
21 close of registration for an election until and including the
22 day of the election. During this grace period, an unregistered
23 qualified elector may register to vote, and a registered voter
24 may submit a change of address form, in person in the office of
25 the election authority, at a permanent polling place

1 established under Section 19A-10, at any other early voting
2 site beginning 15 days prior to the election, at a polling
3 place on election day, or at a voter registration location
4 specifically designated for this purpose by the election
5 authority. Grace period registration and changes of address
6 shall also be conducted for eligible residents in connection
7 with voting at facilities under Section 19-12.2 of this Code.
8 The election authority shall register that individual, or
9 change a registered voter's address, in the same manner as
10 otherwise provided by this Article for registration and change
11 of address.

12 If a voter who registers or changes address during this
13 grace period wishes to vote at the election or primary
14 occurring during the grace period. The election authority
15 shall offer in-person grace period voting at the authority's
16 office, any permanent polling place established under Section
17 19A-10, and at any other early voting site beginning 15 days
18 prior to the election, at a polling place on election day,
19 where grace period registration is required by this Section;
20 and may offer in-person grace period voting at additional
21 hours and locations specifically designated for the purpose of
22 grace period voting by the election authority. The election
23 authority may allow grace period voting by mail only if the
24 election authority has no ballots prepared at the authority's
25 office. Grace period voting shall be in a manner substantially
26 similar to voting under Article 19A.

1 Within one day after a voter casts a grace period ballot,
2 or within one day after the ballot is received by the election
3 authority if the election authority allows grace period voting
4 by mail, the election authority shall transmit by electronic
5 means pursuant to a process established by the State Board of
6 Elections the voter's name, street address, e-mail address,
7 and precinct, ward, township, and district numbers, as the
8 case may be, to the State Board of Elections, which shall
9 maintain those names and that information in an electronic
10 format on its website, arranged by county and accessible to
11 State and local political committees. The name of each person
12 issued a grace period ballot shall also be placed on the
13 appropriate precinct list of persons to whom vote by mail and
14 early ballots have been issued, for use as provided in
15 Sections 17-9 and 18-5.

16 A person who casts a grace period ballot shall not be
17 permitted to revoke that ballot and vote another ballot with
18 respect to that primary or election. Ballots cast by persons
19 who register or change address during the grace period at a
20 location other than their designated polling place on election
21 day must be transmitted to and counted at the election
22 authority's central ballot counting location and shall not be
23 transmitted to and counted at precinct polling places. The
24 grace period ballots determined to be valid shall be added to
25 the vote totals for the precincts for which they were cast in
26 the order in which the ballots were opened.

1 If a person registers to vote on the day of the election
2 under this Section, the election authority shall only allow
3 that person to vote a provisional ballot as described in
4 Section 18A-5.

5 In counties with a population of less than 100,000 that do
6 not have electronic poll books, the election authority may opt
7 out of registration in the polling place if the election
8 authority establishes grace period registration and voting at
9 other sites on election day at the following sites: (i) the
10 election authority's main office and (ii) a polling place in
11 each municipality where 20% or more of the county's residents
12 reside if the election authority's main office is not located
13 in that municipality. The election authority may establish
14 other grace period registration and voting sites on election
15 day provided that the election authority has met the notice
16 requirements of Section 19A-25 for permanent and temporary
17 early voting sites.

18 (Source: P.A. 100-442, eff. 8-25-17.)

19 (10 ILCS 5/18A-5)

20 Sec. 18A-5. Provisional voting; general provisions.

21 (a) A person who claims to be a registered voter is
22 entitled to cast a provisional ballot under the following
23 circumstances:

24 (1) The person's name does not appear on the official
25 list of eligible voters for the precinct in which the

1 person seeks to vote ~~and the person has refused an~~
2 ~~opportunity to register at the polling location or another~~
3 ~~grace period registration site.~~ If the person chooses to
4 register to vote on the day of the election, the person
5 shall only be allowed to cast a provisional ballot, and
6 the election authority shall mail to the provisional voter
7 a voter registration application to the address listed on
8 the affidavit described in paragraph (2). The official
9 list is the centralized statewide voter registration list
10 established and maintained in accordance with Section
11 1A-25;

12 (2) The person's voting status has been challenged by
13 an election judge, a pollwatcher, or any legal voter and
14 that challenge has been sustained by a majority of the
15 election judges;

16 (3) A federal or State court order extends the time
17 for closing the polls beyond the time period established
18 by State law and the person votes during the extended time
19 period;

20 (4) The voter registered to vote by mail and is
21 required by law to present identification when voting
22 either in person or by early voting ballot, but fails to do
23 so;

24 (5) The voter's name appears on the list of voters who
25 voted during the early voting period, but the voter claims
26 not to have voted during the early voting period;

1 (6) The voter received a vote by mail ballot but did
2 not return the vote by mail ballot to the election
3 authority; or

4 (7) The voter attempted to register to vote on
5 election day, but failed to provide the necessary
6 documentation.

7 (b) The procedure for obtaining and casting a provisional
8 ballot at the polling place shall be as follows:

9 (1) After first verifying through an examination of
10 the precinct register that the person's address is within
11 the precinct boundaries, an election judge at the polling
12 place shall notify a person who is entitled to cast a
13 provisional ballot pursuant to subsection (a) that he or
14 she may cast a provisional ballot in that election. An
15 election judge must accept any information provided by a
16 person who casts a provisional ballot that the person
17 believes supports his or her claim that he or she is a duly
18 registered voter and qualified to vote in the election.
19 However, if the person's residence address is outside the
20 precinct boundaries, the election judge shall inform the
21 person of that fact, give the person the appropriate
22 telephone number of the election authority in order to
23 locate the polling place assigned to serve that address,
24 and instruct the person to go to the proper polling place
25 to vote.

26 (2) The person shall execute a written form provided

1 by the election judge that shall state or contain all of
2 the following that is available:

3 (i) an affidavit stating the following:

4 State of Illinois, County of,
5 Township, Precinct, Ward
6, I,, do solemnly
7 swear (or affirm) that: I am a citizen of the
8 United States; I am 18 years of age or older; I
9 have resided in this State and in this precinct
10 for 30 days preceding this election; I have not
11 voted in this election; I am a duly registered
12 voter in every respect; and I am eligible to vote
13 in this election. Signature Printed Name of
14 Voter Printed Residence Address of Voter
15 City State Zip Code
16 Telephone Number Date of Birth and
17 Illinois Driver's License Number or Last 4
18 digits of Social Security Number or State
19 Identification Card Number issued to you by the
20 Illinois Secretary of State

21 (ii) A box for the election judge to check one of
22 the reasons why the person was given a provisional
23 ballot under subsection (a) of this Section.

24 (iii) An area for the election judge to affix his
25 or her signature and to set forth any facts that
26 support or oppose the allegation that the person is

1 not qualified to vote in the precinct in which the
2 person is seeking to vote.

3 The written affidavit form described in this
4 subsection (b)(2) must be printed on a multi-part form
5 prescribed by the county clerk or board of election
6 commissioners, as the case may be.

7 (3) After the person executes the portion of the
8 written affidavit described in subsection (b)(2)(i) of
9 this Section, the election judge shall complete the
10 portion of the written affidavit described in subsection
11 (b)(2)(iii) and (b)(2)(iv).

12 (4) The election judge shall give a copy of the
13 completed written affidavit to the person. The election
14 judge shall place the original written affidavit in a
15 self-adhesive clear plastic packing list envelope that
16 must be attached to a separate envelope marked as a
17 "provisional ballot envelope". The election judge shall
18 also place any information provided by the person who
19 casts a provisional ballot in the clear plastic packing
20 list envelope. Each county clerk or board of election
21 commissioners, as the case may be, must design, obtain or
22 procure self-adhesive clear plastic packing list envelopes
23 and provisional ballot envelopes that are suitable for
24 implementing this subsection (b)(4) of this Section.

25 (5) The election judge shall provide the person with a
26 provisional ballot, written instructions for casting a

1 provisional ballot, and the provisional ballot envelope
2 with the clear plastic packing list envelope affixed to
3 it, which contains the person's original written affidavit
4 and, if any, information provided by the provisional voter
5 to support his or her claim that he or she is a duly
6 registered voter. An election judge must also give the
7 person written information that states that any person who
8 casts a provisional ballot shall be able to ascertain,
9 pursuant to guidelines established by the State Board of
10 Elections, whether the provisional vote was counted in the
11 official canvass of votes for that election and, if the
12 provisional vote was not counted, the reason that the vote
13 was not counted.

14 (6) After the person has completed marking his or her
15 provisional ballot, he or she shall place the marked
16 ballot inside of the provisional ballot envelope, close
17 and seal the envelope, and return the envelope to an
18 election judge, who shall then deposit the sealed
19 provisional ballot envelope into a securable container
20 separately identified and utilized for containing sealed
21 provisional ballot envelopes. Ballots that are provisional
22 because they are cast after 7:00 p.m. by court order shall
23 be kept separate from other provisional ballots. Upon the
24 closing of the polls, the securable container shall be
25 sealed with filament tape provided for that purpose, which
26 shall be wrapped around the box lengthwise and crosswise,

1 at least twice each way, and each of the election judges
2 shall sign the seal.

3 (c) Instead of the affidavit form described in subsection
4 (b), the county clerk or board of election commissioners, as
5 the case may be, may design and use a multi-part affidavit form
6 that is imprinted upon or attached to the provisional ballot
7 envelope described in subsection (b). If a county clerk or
8 board of election commissioners elects to design and use its
9 own multi-part affidavit form, then the county clerk or board
10 of election commissioners shall establish a mechanism for
11 accepting any information the provisional voter has supplied
12 to the election judge to support his or her claim that he or
13 she is a duly registered voter. In all other respects, a county
14 clerk or board of election commissioners shall establish
15 procedures consistent with subsection (b).

16 (d) The county clerk or board of election commissioners,
17 as the case may be, shall use the completed affidavit form
18 described in subsection (b) to update the person's voter
19 registration information in the State voter registration
20 database and voter registration database of the county clerk
21 or board of election commissioners, as the case may be. If a
22 person is later determined not to be a registered voter based
23 on Section 18A-15 of this Code, then the affidavit shall be
24 processed by the county clerk or board of election
25 commissioners, as the case may be, as a voter registration
26 application.

1 (Source: P.A. 100-201, eff. 8-18-17.)

2 (10 ILCS 5/18A-15)

3 Sec. 18A-15. Validating and counting provisional ballots.

4 (a) The county clerk or board of election commissioners
5 shall complete the validation and counting of provisional
6 ballots within 14 calendar days of the day of the election. The
7 county clerk or board of election commissioners shall have 7
8 calendar days from the completion of the validation and
9 counting of provisional ballots to conduct its final canvass.
10 The State Board of Elections shall complete within 31 calendar
11 days of the election or sooner if all the returns are received,
12 its final canvass of the vote for all public offices.

13 (b) If a county clerk or board of election commissioners
14 determines that all of the following apply, then a provisional
15 ballot is valid and shall be counted as a vote:

16 (1) the provisional voter cast the provisional ballot
17 in the correct precinct based on the address provided by
18 the provisional voter. The provisional voter's affidavit
19 shall serve as a change of address request by that voter
20 for registration purposes for the next ensuing election if
21 it bears an address different from that in the records of
22 the election authority. Votes for federal and statewide
23 offices on a provisional ballot cast in the incorrect
24 precinct that meet the other requirements of this
25 subsection shall be valid and counted in accordance with

1 this Article. As used in this item, "federal office" is
2 defined as provided in Section 20-1 and "statewide office"
3 means the Governor, Attorney General, Secretary of State,
4 Comptroller, and Treasurer. Votes for General Assembly,
5 countywide, citywide, or township office on a provisional
6 ballot cast in the incorrect precinct but in the correct
7 legislative district, representative district, county,
8 municipality, or township, as the case may be, shall be
9 valid and counted in accordance with this Article. As used
10 in this item, "citywide office" means an office elected by
11 the electors of an entire municipality. As used in this
12 item, "township office" means an office elected by the
13 electors of an entire township;

14 (2) the affidavit executed by the provisional voter
15 pursuant to subsection (b) (2) of Section 18A-5 contains,
16 at a minimum, the provisional voter's first and last name,
17 house number and street name, and signature or mark;

18 (3) except as permitted by item (5) of subsection (b)
19 of this Section, the provisional voter is a registered
20 voter based on information available to the county clerk
21 or board of election commissioners provided by or obtained
22 from any of the following:

23 i. the provisional voter;

24 ii. an election judge;

25 iii. the statewide voter registration database
26 maintained by the State Board of Elections;

1 iv. the records of the county clerk or board of
2 election commissioners' database; or

3 v. the records of the Secretary of State; and

4 (4) for a provisional ballot cast under item (6) of
5 subsection (a) of Section 18A-5, the voter did not vote by
6 mail ballot in the election at which the provisional
7 ballot was cast; ~~or~~

8 (5) for a provisional ballot cast under item (7) of
9 subsection (a) of Section 18A-5, the voter provides the
10 election authority with the necessary documentation within
11 7 days of election day; or ~~or~~

12 (6) for a provisional ballot cast under paragraph (1)
13 of subsection (a) of Section 18A-5, the voter completes
14 and returns the voter registration application that the
15 election authority mailed to the voter upon casting a
16 provisional ballot within 14 days after the day of the
17 election.

18 (c) With respect to subsection (b) (3) of this Section, the
19 county clerk or board of election commissioners shall
20 investigate and record whether or not the specified
21 information is available from each of the 5 identified
22 sources. If the information is available from one or more of
23 the identified sources, then the county clerk or board of
24 election commissioners shall seek to obtain the information
25 from each of those sources until satisfied, with information
26 from at least one of those sources, that the provisional voter

1 is registered and entitled to vote. The county clerk or board
2 of election commissioners shall use any information it obtains
3 as the basis for determining the voter registration status of
4 the provisional voter. If a conflict exists among the
5 information available to the county clerk or board of election
6 commissioners as to the registration status of the provisional
7 voter, then the county clerk or board of election
8 commissioners shall make a determination based on the totality
9 of the circumstances. In a case where the above information
10 equally supports or opposes the registration status of the
11 voter, the county clerk or board of election commissioners
12 shall decide in favor of the provisional voter as being duly
13 registered to vote. If the statewide voter registration
14 database maintained by the State Board of Elections indicates
15 that the provisional voter is registered to vote, but the
16 county clerk's or board of election commissioners' voter
17 registration database indicates that the provisional voter is
18 not registered to vote, then the information found in the
19 statewide voter registration database shall control the matter
20 and the provisional voter shall be deemed to be registered to
21 vote. If the records of the county clerk or board of election
22 commissioners indicates that the provisional voter is
23 registered to vote, but the statewide voter registration
24 database maintained by the State Board of Elections indicates
25 that the provisional voter is not registered to vote, then the
26 information found in the records of the county clerk or board

1 of election commissioners shall control the matter and the
2 provisional voter shall be deemed to be registered to vote. If
3 the provisional voter's signature on his or her provisional
4 ballot request varies from the signature on an otherwise valid
5 registration application solely because of the substitution of
6 initials for the first or middle name, the election authority
7 may not reject the provisional ballot.

8 (d) In validating the registration status of a person
9 casting a provisional ballot, the county clerk or board of
10 election commissioners shall not require a provisional voter
11 to complete any form other than the affidavit executed by the
12 provisional voter under subsection (b) (2) of Section 18A-5. In
13 addition, the county clerk or board of election commissioners
14 shall not require all provisional voters or any particular
15 class or group of provisional voters to appear personally
16 before the county clerk or board of election commissioners or
17 as a matter of policy require provisional voters to submit
18 additional information to verify or otherwise support the
19 information already submitted by the provisional voter. Within
20 2 calendar days after the election, the election authority
21 shall transmit by electronic means pursuant to a process
22 established by the State Board of Elections the name, street
23 address, e-mail address, and precinct, ward, township, and
24 district numbers, as the case may be, of each person casting a
25 provisional ballot to the State Board of Elections, which
26 shall maintain those names and that information in an

1 electronic format on its website, arranged by county and
2 accessible to State and local political committees. The
3 provisional voter may, within 7 calendar days after the
4 election, submit additional information to the county clerk or
5 board of election commissioners. This information must be
6 received by the county clerk or board of election
7 commissioners within the 7-calendar-day period.

8 (e) If the county clerk or board of election commissioners
9 determines that subsection (b) (1), (b) (2), or (b) (3) does not
10 apply, then the provisional ballot is not valid and may not be
11 counted. The provisional ballot envelope containing the ballot
12 cast by the provisional voter may not be opened. The county
13 clerk or board of election commissioners shall write on the
14 provisional ballot envelope the following: "Provisional ballot
15 determined invalid."

16 (f) If the county clerk or board of election commissioners
17 determines that a provisional ballot is valid under this
18 Section, then the provisional ballot envelope shall be opened.
19 The outside of each provisional ballot envelope shall also be
20 marked to identify the precinct and the date of the election.

21 (g) Provisional ballots determined to be valid shall be
22 counted at the election authority's central ballot counting
23 location and shall not be counted in precincts. The
24 provisional ballots determined to be valid shall be added to
25 the vote totals for the precincts from which they were cast in
26 the order in which the ballots were opened. The validation and

1 counting of provisional ballots shall be subject to the
2 provisions of this Code that apply to pollwatchers. If the
3 provisional ballots are a ballot of a punch card voting
4 system, then the provisional ballot shall be counted in a
5 manner consistent with Article 24A. If the provisional ballots
6 are a ballot of optical scan or other type of approved
7 electronic voting system, then the provisional ballots shall
8 be counted in a manner consistent with Article 24B.

9 (h) As soon as the ballots have been counted, the election
10 judges or election officials shall, in the presence of the
11 county clerk or board of election commissioners, place each of
12 the following items in a separate envelope or bag: (1) all
13 provisional ballots, voted or spoiled; (2) all provisional
14 ballot envelopes of provisional ballots voted or spoiled; and
15 (3) all executed affidavits of the provisional ballots voted
16 or spoiled. All provisional ballot envelopes for provisional
17 voters who have been determined not to be registered to vote
18 shall remain sealed. The county clerk or board of election
19 commissioners shall treat the provisional ballot envelope
20 containing the written affidavit as a voter registration
21 application for that person for the next election and process
22 that application. The election judges or election officials
23 shall then securely seal each envelope or bag, initial the
24 envelope or bag, and plainly mark on the outside of the
25 envelope or bag in ink the precinct in which the provisional
26 ballots were cast. The election judges or election officials

1 shall then place each sealed envelope or bag into a box, secure
2 and seal it in the same manner as described in item (6) of
3 subsection (b) of Section 18A-5. Each election judge or
4 election official shall take and subscribe an oath before the
5 county clerk or board of election commissioners that the
6 election judge or election official securely kept the ballots
7 and papers in the box, did not permit any person to open the
8 box or otherwise touch or tamper with the ballots and papers in
9 the box, and has no knowledge of any other person opening the
10 box. For purposes of this Section, the term "election
11 official" means the county clerk, a member of the board of
12 election commissioners, as the case may be, and their
13 respective employees.

14 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;
15 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)