



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3252

Introduced 2/3/2026, by Sen. Neil Anderson

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-26 new	
10 ILCS 5/17-11	from Ch. 46, par. 17-11
10 ILCS 5/18A-218.20	
10 ILCS 5/19A-25.5	
10 ILCS 5/23-50	
10 ILCS 5/24-0.5 new	
10 ILCS 5/24A-2	from Ch. 46, par. 24A-2
10 ILCS 5/24A-16	from Ch. 46, par. 24A-16
10 ILCS 5/24B-2	
10 ILCS 5/24B-9.1	
10 ILCS 5/19A-75 rep.	
10 ILCS 5/24A-20 rep.	
10 ILCS 5/Art. 24C rep.	

Amends the Election Code. Provides that only voting machines or voting systems approved by the State Board of Elections, as allowed under this Code, may be used by an election authority. Repeals the Direct Recording Electronic Voting Systems Article. Makes conforming changes. Provides that a "voting machine", "voting system", or "electronic voting system" does not mean a direct recording electronic voting machine or system or a machine or system that uses a computer as the marking device to mark a ballot sheet. Effective January 1, 2027.

LRB104 19625 SPS 33074 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 17-11, 18A-218.20, 19A-25.5, 23-50, 24A-2, 24A-16,  
6 24B-2, and 24B-9.1 and by adding Sections 1-26 and 24-0.5 as  
7 follows:

8 (10 ILCS 5/1-26 new)

9 Sec. 1-26. Voting machines and voting systems. Only voting  
10 machines or voting systems approved by the State Board of  
11 Elections, as allowed under this Code, may be used by an  
12 election authority.

13 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

14 Sec. 17-11. On receipt of his ballot the voter shall  
15 forthwith, and without leaving the inclosed space, retire  
16 alone, or accompanied by children as provided in Section 17-8,  
17 to one of the voting booths so provided and shall prepare his  
18 ballot by making in the appropriate margin or place a cross (X)  
19 opposite the name of the candidate of his choice for each  
20 office to be filled, or by writing in the name of the candidate  
21 of his choice in a blank space on said ticket, making a cross  
22 (X) opposite thereto; and in case of a question submitted to

1 the vote of the people, by making in the appropriate margin or  
2 place a cross (X) against the answer he desires to give. A  
3 cross (X) in the square in front of the bracket enclosing the  
4 names of a team of candidates for Governor and Lieutenant  
5 Governor counts as one vote for each of such candidates.  
6 Before leaving the voting booth the voter shall fold his  
7 ballot in such manner as to conceal the marks thereon. He shall  
8 then vote forthwith in the manner herein provided, except that  
9 the number corresponding to the number of the voter on the poll  
10 books shall not be indorsed on the back of his ballot. He shall  
11 mark and deliver his ballot without undue delay, and shall  
12 quit said inclosed space as soon as he has voted; except that  
13 immediately after voting, the voter shall be instructed  
14 whether the voting equipment, if used, accepted or rejected  
15 the ballot or identified the ballot as under-voted for a  
16 statewide constitutional office. A voter whose ballot is  
17 identified as under-voted may return to the voting booth and  
18 complete the voting of that ballot. A voter whose ballot is not  
19 accepted by the voting equipment may, upon surrendering the  
20 ballot, request and vote another ballot. The voter's  
21 surrendered ballot shall be initialed by the election judge  
22 and handled as provided in the appropriate Article governing  
23 that voting equipment.

24 No voter shall be allowed to occupy a voting booth already  
25 occupied by another, nor remain within said inclosed space  
26 more than ten minutes, nor to occupy a voting booth more than

1 five minutes in case all of said voting booths are in use and  
2 other voters waiting to occupy the same. No voter not an  
3 election officer, shall, after having voted, be allowed to  
4 re-enter said inclosed space during said election. No person  
5 shall take or remove any ballot from the polling place before  
6 the close of the poll. No voter shall vote or offer to vote any  
7 ballot except such as he has received from the judges of  
8 election in charge of the ballots. Any voter who shall, by  
9 accident or mistake, spoil his ballot, may, on returning said  
10 spoiled ballot, receive another in place thereof only after  
11 the word "spoiled" has been written in ink diagonally across  
12 the entire face of the ballot returned by the voter.

13 Where voting machines or electronic voting systems are  
14 used, the provisions of this section may be modified as  
15 required or authorized by Article 24, 24A, or 24B, ~~or 24C,~~  
16 whichever is applicable, except that the requirements of this  
17 Section that (i) the voter must be notified of the voting  
18 equipment's acceptance or rejection of the voter's ballot or  
19 identification of an under-vote for a statewide constitutional  
20 office and (ii) the voter shall have the opportunity to  
21 correct an under-vote or surrender the ballot that was not  
22 accepted and vote another ballot shall not be modified.

23 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

24 (10 ILCS 5/18A-218.20)

25 Sec. 18A-218.20. Counting procedures for provisional

1 ballots cast in an incorrect precinct within the same election  
2 authority's jurisdiction.

3 (a) The election authority shall:

4 (1) transmit to the State Board of Elections the  
5 provisional voter's identifying information and voting  
6 jurisdiction within 2 calendar days. Following that, and  
7 subject to paragraph (2) below, if the election authority  
8 having jurisdiction over the provisional voter determines  
9 that the voter has cast a provisional ballot in an  
10 incorrect precinct, the ballot shall still be counted  
11 using the procedures established in subsection (b) of this  
12 Section or Section 18A-218.30 if applicable. Jurisdictions  
13 that use election machines authorized pursuant to Article  
14 24C of this Code for casting provisional ballots may vary  
15 procedures of this Section and Section 18A-218.30 as  
16 appropriate for the counting of provisional ballots cast  
17 on those machines.

18 (2) determine whether the voter was entitled to cast a  
19 provisional ballot. The voter is entitled to cast a  
20 provisional ballot if:

21 (A) the affidavit executed by the voter contains,  
22 at a minimum, the provisional voter's first and last  
23 name, house number and street name, and signature or  
24 mark;

25 (B) the provisional voter is a registered voter  
26 based on information available to the county clerk or

1 board of election commissioners provided by or  
2 obtained from the provisional voter, an election  
3 judge, the Statewide voter registration database  
4 maintained by the State Board of Elections, the  
5 records of the county clerk or board of election  
6 commissioners' database, or the records of the  
7 Secretary of State or the voter is attempting to  
8 register but lacks the necessary documentation; and

9 (C) the provisional voter did not vote using the  
10 vote by mail ballot and did not vote during the period  
11 for early voting.

12 (b) Once it has been determined by the election authority  
13 that the voter was entitled to vote a provisional ballot, even  
14 though it had been cast in an incorrect precinct, the election  
15 authority shall select a team or teams of 2 duly commissioned  
16 election judges, one from each of the two leading established  
17 political parties in Illinois, to count the votes that are  
18 eligible to be cast on the provisional ballot. In those  
19 jurisdictions that use election officials as defined in  
20 subsection (h) of Section 18A-15 of this Code, these duties  
21 may be performed by those election officials.

22 (1) Votes cast for Statewide offices, the Office of  
23 President of the United States (including votes cast in  
24 the Presidential Preference Primary), and United States  
25 Senate shall be counted on all provisional ballots cast in  
26 the incorrect precinct.

1           (2) Votes cast for Representative in Congress,  
2           delegate or alternate delegate to a national nominating  
3           convention, State Senator, State Representative, or  
4           countywide, citywide, villagewide, or township office  
5           shall be counted if it is determined by the election  
6           judges or officials that the voter would have been  
7           entitled to vote for one or more of these offices had the  
8           voter voted in the precinct in which he or she is  
9           registered to vote (the correct precinct) and had the  
10          voter voted a ballot of the correct ballot style  
11          containing all the offices and candidates for which the  
12          voter was entitled to cast a ballot (the correct ballot  
13          style). This determination shall be made by comparing a  
14          sample ballot of the correct ballot style with the actual  
15          provisional ballot cast by the voter. If the same office  
16          (including the same district number for a Congressional,  
17          Legislative or Representative district) appears on both  
18          the correct ballot style sample ballot and the provisional  
19          ballot cast by the voter, votes for that office shall be  
20          counted. All votes cast for any remaining offices (offices  
21          for which the voter would not have been entitled to vote  
22          had he or she voted in the correct precinct) shall not be  
23          counted.

24          (3) No votes shall be counted for an office when the  
25          voter voted for more candidates than he or she was  
26          allowed.

1           (4) Once it has been determined which offices are to  
2 be counted and the provisional ballot contains no other  
3 votes, the provisional ballot shall be counted pursuant to  
4 the procedures set forth in this subsection (b).

5           (5) If a provisional ballot does not contain any valid  
6 votes, the provisional ballot shall be marked invalid and  
7 shall not be counted.

8           (6) Any provisional voting verification system  
9 established by an election authority shall inform the  
10 provisional voter that his or her provisional ballot was  
11 partially counted because it was cast in an incorrect  
12 precinct.

13           (7) If a provisional ballot only contains votes cast  
14 for eligible offices, and does not contain any votes cast  
15 for ineligible offices, the ballot may be tabulated  
16 without having to be remade.

17           (8) If a provisional ballot contains both valid votes  
18 that must be counted and invalid votes that cannot be  
19 counted, ~~the~~ ~~(A)~~ the election judges, consisting in each  
20 case of at least one of each of the 2 leading political  
21 parties, shall, if the provisional ballot was cast on a  
22 paper ballot sheet, proceed to remake the voted ballot  
23 onto a blank ballot that includes all of the offices for  
24 which valid votes were cast, transferring only valid  
25 votes. The original provisional ballot shall be marked  
26 "Original Provisional Ballot" with a serial number

1 commencing at "1" and continuing consecutively for ballots  
2 of that kind in the precinct. The duplicate provisional  
3 ballot shall be marked "Duplicate Provisional Ballot" and  
4 be given the same serial number as the original ballot  
5 from which it was duplicated. The duplicate provisional  
6 ballot shall then be treated in the same manner as other  
7 provisional ballots.

8 ~~(B) if the provisional ballot was cast on a direct~~  
9 ~~recording electronic voting device, the election~~  
10 ~~judges shall mark the original provisional ballot as a~~  
11 ~~partially counted defective electronic provisional~~  
12 ~~ballot because it was cast in the incorrect precinct~~  
13 ~~(or bear some similar notation) and proceed to either:~~

14 ~~(i) remake the voted ballot by transferring~~  
15 ~~all valid votes to a duplicate paper ballot sheet~~  
16 ~~of the correct ballot style, marking the duplicate~~  
17 ~~ballot "Duplicate Electronic Provisional Ballot"~~  
18 ~~and then counting the duplicate provisional ballot~~  
19 ~~in the same manner as the other provisional~~  
20 ~~ballots marked on paper ballot sheets; or~~

21 ~~(ii) transfer, or cause to be transferred, all~~  
22 ~~valid votes electronically to the correct~~  
23 ~~precinct, which shall be counted and added to the~~  
24 ~~vote totals for the correct precinct, excluding~~  
25 ~~any votes that cannot be counted. If this method~~  
26 ~~is used, a permanent paper record must be~~

1                   ~~generated for both the defective provisional~~  
2                   ~~ballot and the duplicate electronic provisional~~  
3                   ~~ballot.~~

4           (c) For provisional ballots cast at a partisan primary  
5 election, the judges shall use a duplicate ballot of the  
6 correct ballot style for the same political party as the  
7 ballot chosen by the voter.

8           (d) At least one qualified pollwatcher for each candidate,  
9 political party, and civic organization, as authorized by  
10 Section 17-23 of this Code, shall be permitted to observe the  
11 ballot remaking process.

12           (Source: P.A. 98-1171, eff. 6-1-15.)

13           (10 ILCS 5/19A-25.5)

14           Sec. 19A-25.5. Voting machines, automatic tabulating  
15 equipment, and precinct tabulation optical scan technology  
16 voting equipment.

17           (a) In all jurisdictions in which voting machines are  
18 used, the provisions of this Code that are not inconsistent  
19 with this Article relating to the furnishing of ballot boxes,  
20 printing and furnishing ballots and supplies, the canvassing  
21 of ballots, and the making of returns, apply with full force  
22 and effect to the extent necessary to make this Article  
23 effective, provided that the number of ballots to be printed  
24 shall be in the discretion of the election authority, and  
25 provided further that early ballots shall not be counted until

1 after the polls are closed on election day.

2 (b) If the election authority has adopted the use of  
3 automatic tabulating equipment under Article 24A of this Code,  
4 and the provisions of that Article are in conflict with the  
5 provisions of this Article 19A, the provisions of Article 24A  
6 shall govern the procedures followed by the election  
7 authority, its judges of election, and all employees and  
8 agents; provided that early ballots shall be counted at the  
9 election authority's central ballot counting location and  
10 shall not be counted until after the polls are closed on  
11 election day.

12 (c) If the election authority has adopted the use of  
13 tabulation optical scan technology voting equipment under  
14 Article 24B of this Code, and the provisions of that Article  
15 are in conflict with the provisions of this Article 19A, the  
16 provisions of Article 24B shall govern the procedures followed  
17 by the election authority, its judges of election, and all  
18 employees and agents; provided that early ballots shall be  
19 counted at the election authority's central ballot counting  
20 location and shall not be counted until after the polls are  
21 closed on election day.

22 (d) (Blank). ~~If the election authority has adopted the use~~  
23 ~~of Direct Recording Electronic Voting Systems under Article~~  
24 ~~24C of this Code, and the provisions of that Article are in~~  
25 ~~conflict with the provisions of this Article 19A, the~~  
26 ~~provisions of Article 24C shall govern the procedures followed~~

1 ~~by the election authority, its judges of election, and all~~  
2 ~~employees and agents; provided that early ballots shall be~~  
3 ~~counted at the election authority's central ballot counting~~  
4 ~~location and shall not be counted until after the polls are~~  
5 ~~closed on election day.~~

6 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

7 (10 ILCS 5/23-50)

8 Sec. 23-50. Definition of a vote. For the purpose of any  
9 recount of votes under this Code, a vote is defined as provided  
10 in Sections 7-100, 17-100, 18-100, 24A-22, or 24B-9.1, ~~or~~  
11 ~~24C-10~~, depending upon the type of voting equipment or system  
12 used to cast the vote.

13 (Source: P.A. 94-645, eff. 8-22-05.)

14 (10 ILCS 5/24-0.5 new)

15 Sec. 24-0.5. Definition. As used in this Article, "voting  
16 machine" does not mean a direct recording electronic voting  
17 machine or a machine that uses a computer as the marking device  
18 to mark a ballot sheet.

19 (10 ILCS 5/24A-2) (from Ch. 46, par. 24A-2)

20 Sec. 24A-2. As used in this Article:

21 "Computer", "Automatic tabulating equipment" or  
22 "equipment" includes apparatus necessary to automatically  
23 examine and count votes as designated on ballots, and data

1 processing machines which can be used for counting ballots and  
2 tabulating results.

3 "Ballot card" means a ballot which is voted by the process  
4 of punching.

5 "Ballot configuration" means the particular combination of  
6 political subdivision ballots including, for each political  
7 subdivision, the particular combination of offices, candidate  
8 names and ballot position numbers for each candidate and  
9 question as it appears for each group of voters who may cast  
10 the same ballot.

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

14 "Ballot sheet" means a paper ballot printed on one or both  
15 sides which is (1) designed and prepared so that the voter may  
16 indicate his or her votes in designated areas, which must be  
17 enclosed areas clearly printed or otherwise delineated for  
18 such purpose, and (2) capable of having votes marked in the  
19 designated areas automatically examined, counted, and  
20 tabulated by an electronic scanning process.

21 "Ballot" may include ballot cards, ballot labels and paper  
22 ballots.

23 "Separate ballot", with respect to ballot sheets, means a  
24 separate portion of the ballot sheet in which the color of the  
25 ink used in printing that portion of the ballot sheet is  
26 distinct from the color of the ink used in printing any other

1 portion of the ballot sheet.

2 "Column" in an electronic voting system which utilizes a  
3 ballot card means a space on a ballot card for punching the  
4 voter's vote arranged in a row running lengthwise on the  
5 ballot card.

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

14 "In-precinct counting" means the counting of ballots on  
15 automatic tabulating equipment provided by the election  
16 authority in the same precinct polling place in which those  
17 ballots have been cast.

18 "Computer operator" means any person or persons designated  
19 by the election authority to operate the automatic tabulating  
20 equipment during any portion of the vote tallying process in  
21 an election, but shall not include judges of election  
22 operating vote tabulating equipment in the precinct.

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

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

4 "Voting System" or "Electronic Voting System" means that  
5 combination of equipment and programs used in the casting,  
6 examination and tabulation of ballots and the cumulation and  
7 reporting of results by electronic means. "Voting System" or  
8 "Electronic Voting System" does not mean a direct recording  
9 electronic voting system or a system that uses a computer as  
10 the marking device to mark a ballot sheet.

11 "Header card" means a data processing card which is coded  
12 to indicate to the computer the precinct identity of the  
13 ballot cards that will follow immediately and may indicate to  
14 the computer how such ballot cards are to be tabulated.

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

22 "Redundant count" means a verification of the original  
23 computer count by another count using compatible equipment or  
24 by hand as part of a discovery recount.

25 "Security punch" means a punch placed on a ballot card to  
26 identify to the computer program the offices and propositions

1 for which votes may be cast and to indicate the manner in which  
2 votes cast should be tabulated while negating any inadmissible  
3 votes.

4 (Source: P.A. 95-331, eff. 8-21-07.)

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

6 Sec. 24A-16. The State Board of Elections shall approve  
7 all voting systems provided by this Article.

8 No voting system shall be approved unless it fulfills the  
9 following requirements:

10 (1) It enables a voter to vote in absolute secrecy;

11 (2) (Blank);

12 (3) It enables a voter to vote a ticket selected in  
13 part from the nominees of one party, and in part from the  
14 nominees of any or all parties, and in part from  
15 independent candidates and in part of candidates whose  
16 names are written in by the voter;

17 (4) It enables a voter to vote a written or printed  
18 ticket of his own selection for any person for any office  
19 for whom he may desire to vote;

20 (5) It will reject all votes for an office or upon a  
21 proposition when the voter has cast more votes for such  
22 office or upon such proposition than he is entitled to  
23 cast;

24 (5.5) It will identify when a voter has not voted for  
25 all statewide constitutional offices;

1           (6) It will accommodate all propositions to be  
2           submitted to the voters in the form provided by law or,  
3           where no such form is provided, then in brief form, not to  
4           exceed 75 words;

5           (7) It will accommodate the tabulation programming  
6           requirements of Sections 24A-6.2, and 24B-6.2,~~—and~~  
7           ~~24C-6.2.~~

8           The State Board of Elections shall not approve any voting  
9           equipment or system that includes an external Infrared Data  
10          Association (IrDA) communications port.

11          The State Board of Elections is authorized to withdraw its  
12          approval of a voting system if the system fails to fulfill the  
13          above requirements.

14          The vendor, person, or other private entity shall be  
15          solely responsible for the production and cost of: all  
16          application fees; all ballots; additional temporary workers;  
17          and other equipment or facilities needed and used in the  
18          testing of the vendor's, person's, or other private entity's  
19          respective equipment and software.

20          Any voting system vendor, person, or other private entity  
21          seeking the State Board of Elections' approval of a voting  
22          system shall, as part of the approval application, submit to  
23          the State Board a non-refundable fee. The State Board of  
24          Elections by rule shall establish an appropriate fee  
25          structure, taking into account the type of voting system  
26          approval that is requested (such as approval of a new system, a

1 modification of an existing system, the size of the  
2 modification, etc.). No voting system or modification of a  
3 voting system shall be approved unless the fee is paid.

4 No vendor, person, or other entity may sell, lease, or  
5 loan, or have a written contract, including a contract  
6 contingent upon State Board approval of the voting system or  
7 voting system component, to sell, lease, or loan, a voting  
8 system or voting system component to any election jurisdiction  
9 unless the voting system or voting system component is first  
10 approved by the State Board of Elections pursuant to this  
11 Section.

12 (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14.)

13 (10 ILCS 5/24B-2)

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

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

20 "Ballot" means paper ballot sheets.

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

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

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

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

21 "Computer program" or "program" means the set of operating  
22 instructions for the automatic tabulating equipment that  
23 examines, counts, tabulates, canvasses and prints votes  
24 recorded by a voter on a ballot.

25 "Edit listing" means a computer generated listing of the  
26 names of each candidate and proposition as they appear in the

1 program for each precinct.

2 "Header sheet" means a data processing document which is  
3 coded to indicate to the computer the precinct identity of the  
4 ballots that will follow immediately and may indicate to the  
5 computer how such ballots are to be tabulated.

6 "In-precinct counting" means the counting of ballots on  
7 automatic tabulating equipment provided by the election  
8 authority in the same precinct polling place in which those  
9 ballots have been cast.

10 "Marking device" means a pen, ~~computer,~~ or other device  
11 approved by the State Board of Elections for marking, or  
12 causing to be marked, a paper ballot with ink or other  
13 substance which will enable the ballot to be tabulated by  
14 automatic tabulating equipment or by an electronic scanning  
15 process.

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

19 "Redundant count" means a verification of the original  
20 computer count by another count using compatible equipment or  
21 by hand as part of a discovery recount.

22 "Security designation" means a printed designation placed  
23 on a ballot to identify to the computer program the offices and  
24 propositions for which votes may be cast and to indicate the  
25 manner in which votes cast should be tabulated while negating  
26 any inadmissible votes.

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

4 "Specimen ballot" means a representation of names of  
5 offices and candidates and statements of measures to be voted  
6 on which will appear on the official ballot or marking device  
7 on election day. The specimen ballot also contains the party  
8 and position number where applicable.

9 "Voting defect identification" means the capability to  
10 detect overvoted ballots or ballots which cannot be read by  
11 the automatic tabulating equipment.

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

14 "Voting system" or "electronic voting system" means that  
15 combination of equipment and programs used in the casting,  
16 examination and tabulation of ballots and the cumulation and  
17 reporting of results by electronic means. "Voting System" or  
18 "Electronic Voting System" does not mean a direct recording  
19 electronic voting system or a system that uses a computer as  
20 the marking device to mark a ballot sheet.

21 (Source: P.A. 93-574, eff. 8-21-03.)

22 (10 ILCS 5/24B-9.1)

23 Sec. 24B-9.1. Examination of votes by electronic Precinct  
24 Tabulation Optical Scan Technology Scanning Process or other  
25 authorized electronic process; definition of a vote.

1           (a) Whenever a Precinct Tabulation Optical Scan Technology  
2 process is used to automatically examine and count the votes  
3 on ballot sheets, the provisions of this Section shall apply.  
4 A voter shall cast a proper vote on a ballot sheet by making a  
5 mark, or causing a mark to be made, in the designated area for  
6 the casting of a vote for any party or candidate or for or  
7 against any proposition. For this purpose, a mark is an  
8 intentional darkening of the designated area on the ballot,  
9 and not an identifying mark.

10          (b) For any ballot sheet that does not register a vote for  
11 one or more ballot positions on the ballot sheet on an  
12 electronic Precinct Tabulation Optical Scan Technology  
13 Scanning Process, the following shall constitute a vote on the  
14 ballot sheet:

15           (1) the designated area for casting a vote for a  
16 particular ballot position on the ballot sheet is fully  
17 darkened or shaded in;

18           (2) the designated area for casting a vote for a  
19 particular ballot position on the ballot sheet is  
20 partially darkened or shaded in;

21           (3) the designated area for casting a vote for a  
22 particular ballot position on the ballot sheet contains a  
23 dot or ".", a check, or a plus or "+";

24           (4) the designated area for casting a vote for a  
25 particular ballot position on the ballot sheet contains  
26 some other type of mark that indicates the clearly

1           ascertainable intent of the voter to vote based on the  
2           totality of the circumstances, including, but not limited  
3           to, any pattern or frequency of marks on other ballot  
4           positions from the same ballot sheet; or

5           (5) the designated area for casting a vote for a  
6           particular ballot position on the ballot sheet is not  
7           marked, but the ballot sheet contains other markings  
8           associated with a particular ballot position, such as  
9           circling a candidate's name, that indicates the clearly  
10          ascertainable intent of the voter to vote, based on the  
11          totality of the circumstances, including, but not limited  
12          to, any pattern or frequency of markings on other ballot  
13          positions from the same ballot sheet.

14          (c) (Blank). ~~For other electronic voting systems that use~~  
15 ~~a computer as the marking device to mark a ballot sheet, the~~  
16 ~~bar code found on the ballot sheet shall constitute the votes~~  
17 ~~found on the ballot. If, however, the county clerk or board of~~  
18 ~~election commissioners determines that the votes represented~~  
19 ~~by the tally on the bar code for one or more ballot positions~~  
20 ~~is inconsistent with the votes represented by numerical ballot~~  
21 ~~positions identified on the ballot sheet produced using a~~  
22 ~~computer as the marking device, then the numerical ballot~~  
23 ~~positions identified on the ballot sheet shall constitute the~~  
24 ~~votes for purposes of any official canvass or recount~~  
25 ~~proceeding. An electronic voting system that uses a computer~~  
26 ~~as the marking device to mark a ballot sheet shall be capable~~

1 ~~of producing a ballot sheet that contains all numerical ballot~~  
2 ~~positions selected by the voter and provides a place for the~~  
3 ~~voter to cast a write-in vote for a candidate for a particular~~  
4 ~~numerical ballot position.~~

5 (d) The election authority shall provide an envelope,  
6 sleeve, or other device to each voter so the voter can deliver  
7 the voted ballot sheet to the counting equipment and ballot  
8 box without the votes indicated on the ballot sheet being  
9 visible to other persons in the polling place.

10 (Source: P.A. 103-605, eff. 7-1-24.)

11 (10 ILCS 5/19A-75 rep.)

12 (10 ILCS 5/24A-20 rep.)

13 (10 ILCS 5/Art. 24C rep.)

14 Section 10. The Election Code is amended by repealing  
15 Sections 19A-75 and 24A-20 and Article 24C.

16 Section 99. Effective date. This Act takes effect January  
17 1, 2027.