



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0439

by Rep. Jeanne M Ives

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-16	from Ch. 46, par. 4-16
10 ILCS 5/4-50	
10 ILCS 5/5-23	from Ch. 46, par. 5-23
10 ILCS 5/5-50	
10 ILCS 5/6-53	from Ch. 46, par. 6-53
10 ILCS 5/6-100	
10 ILCS 5/10-8	from Ch. 46, par. 10-8
10 ILCS 5/19-8	from Ch. 46, par. 19-8
10 ILCS 5/19A-10	
10 ILCS 5/20-8	from Ch. 46, par. 20-8

Amends the Election Code. Creates a pilot program for DuPage County that allows the election authority to obtain driver's license pictures to help verify a voter's identity. Removes provisions that an unregistered qualified elector may register to vote or a registered voter may submit a change of address form at any other early voting site beginning 15 days prior to the election, and provides that registration or changes to address may be submitted at a permanent polling place (rather than a polling place). Provides that certain election authorities may opt out of registration in the polling place if, among other requirements, the election authority establishes grace period registration and voting in a polling place in each municipality where 20% or more of the county's registered voters (rather than residents) reside. Requires any individual challenging the validity of petitions to notify the applicable election authority when a challenge is filed in court contesting the decision of the election authority. Provides that votes by mail may be processed as they arrive in the mail, and that election authorities shall have more than 15 days to process votes by mail. Removes provision that any person entitled to vote early by personal appearance may do so at any polling place established for early voting. Effective immediately.

LRB100 05372 MLM 15383 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 4-16, 4-50, 5-23, 5-50, 6-53, 6-100, 10-8, 19-8,
6 19A-10, and 20-8 as follows:

7 (10 ILCS 5/4-16) (from Ch. 46, par. 4-16)

8 Sec. 4-16. Any registered voter who changes his residence
9 from one address to another within the same county wherein this
10 Article is in effect, may have his registration transferred to
11 his new address by making and signing an application for change
12 of residence address upon a form to be provided by the county
13 clerk. Such application must be made to the office of the
14 county clerk and may be made either in person or by mail. In
15 case the person is unable to sign his name, the county clerk
16 shall require him to execute the application in the presence of
17 the county clerk or of his properly authorized representative,
18 by his mark, and if satisfied of the identity of the person,
19 the county clerk shall make the transfer.

20 Upon receipt of the application, the county clerk, or one
21 of his employees deputized to take registrations shall cause
22 the signature of the voter and the data appearing upon the
23 application to be compared with the signature and data on the

1 registration record card, and if it appears that the applicant
2 is the same person as the person previously registered under
3 that name the transfer shall be made. Notwithstanding any other
4 provision of law to the contrary, the Board of Elections shall,
5 by rule, create a pilot program for DuPage County that allows
6 election authorities to obtain the photograph and signature
7 from a voter's driver's license on file with the Secretary of
8 State to compare with the voter's signature and to confirm that
9 the person presenting themselves as the registered voter is the
10 same person pictured on such license. The pictures obtained
11 from the Secretary of State shall be affixed to the voter's
12 poll book to aide in the visual identification of the voter.
13 Registered voters shall, by rule, be allowed the option to
14 opt-in to having their picture checked to ensure greater voter
15 confidence and guarantee that no voter's vote is stolen. The
16 Board of Elections shall establish this pilot program before
17 the 2018 general election.

18 No transfers of registration under the provisions of this
19 Section shall be made during the 27 days preceding any election
20 at which such voter would be entitled to vote. When a removal
21 of a registered voter takes place from one address to another
22 within the same precinct within a period during which a
23 transfer of registration cannot be made before any election or
24 primary, he shall be entitled to vote upon presenting the
25 judges of election his affidavit substantially in the form
26 prescribed in Section 17-10 of this Act of a change of

1 residence address within the precinct on a date therein
2 specified.

3 The county clerk may obtain information from utility
4 companies, city, village, incorporated town and township
5 records, the post office, or from other sources, regarding the
6 removal of registered voters, and may treat such information,
7 and information procured from his death and marriage records on
8 file in his office, as an application to erase from the
9 register any name concerning which he may so have information
10 that the voter is no longer qualified to vote under the name,
11 or from the address from which registered, and give notice
12 thereof in the manner provided by Section 4-12 of this Article,
13 and notify voters who have changed their address that a
14 transfer of registration may be made in the manner provided in
15 this Section enclosing a form therefor.

16 If any person be registered by error in a precinct other
17 than that in which he resides, the county clerk may transfer
18 his registration to the proper precinct, and if the error is or
19 may be on the part of the registration officials, and is
20 disclosed too late before an election or primary to mail the
21 certificate required by Section 4-15, such certificate may be
22 personally delivered to the voter and he may vote thereon as
23 therein provided, but such certificates so issued shall be
24 specially listed with the reason for the issuance thereof.

25 Where a revision or rearrangement of precincts is made by
26 the county board, the county clerk shall immediately transfer

1 to the proper precinct the registration of any voter affected
2 by such revision or rearrangement of the precinct; make the
3 proper notations on the registration cards of a voter affected
4 by the revision or rearrangement and shall issue revised
5 certificates to each registrant of such change.

6 Any registered voter who changes his or her name by
7 marriage or otherwise shall be required to register anew and
8 authorize the cancellation of the previous registration; but if
9 the voter still resides in the same precinct the elector may,
10 if otherwise qualified, vote upon making an affidavit at the
11 polling place attesting that the voter is the same person who
12 is registered to vote under his or her former name. The
13 affidavit shall be treated by the election authority as
14 authorization to cancel the registration under the former name,
15 and the election authority shall register the person under his
16 or her current name.

17 The precinct election officials shall report to the county
18 clerk the names and addresses of all persons who have changed
19 their addresses and voted, which shall be treated as an
20 application to change address accordingly, and the names and
21 addresses of all persons otherwise voting by affidavit as in
22 this Section provided, which shall be treated as an application
23 to erase under Section 4-12 hereof.

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

25 (10 ILCS 5/4-50)

1 Sec. 4-50. Grace period. Notwithstanding any other
2 provision of this Code to the contrary, each election authority
3 shall establish procedures for the registration of voters and
4 for change of address during the period from the close of
5 registration for an election until and including the day of the
6 election. During this grace period, an unregistered qualified
7 elector may register to vote, and a registered voter may submit
8 a change of address form, in person in the office of the
9 election authority, at a permanent polling place established
10 under Section 19A-10, ~~at any other early voting site beginning~~
11 ~~15 days prior to the election,~~ at a permanent polling place on
12 election day, or at a voter registration location specifically
13 designated for this purpose by the election authority. The
14 election authority shall register that individual, or change a
15 registered voter's address, in the same manner as otherwise
16 provided by this Article for registration and change of
17 address.

18 If a voter who registers or changes address during this
19 grace period wishes to vote at the election or primary
20 occurring during the grace period, he or she must do so by
21 grace period voting. The election authority shall offer
22 in-person grace period voting at the authority's office, any
23 permanent polling place established under Section 19A-10, and
24 at any other early voting site beginning 15 days prior to the
25 election, at a polling place on election day, where grace
26 period registration is required by this Section; and may offer

1 in-person grace period voting at additional hours and locations
2 specifically designated for the purpose of grace period voting
3 by the election authority. The election authority may allow
4 grace period voting by mail only if the election authority has
5 no ballots prepared at the authority's office. Grace period
6 voting shall be in a manner substantially similar to voting
7 under Article 19A.

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

22 A person who casts a grace period ballot shall not be
23 permitted to revoke that ballot and vote another ballot with
24 respect to that primary or election. Ballots cast by persons
25 who register or change address during the grace period at a
26 location other than their designated polling place on election

1 day must be transmitted to and counted at the election
2 authority's central ballot counting location and shall not be
3 transmitted to and counted at precinct polling places. The
4 grace period ballots determined to be valid shall be added to
5 the vote totals for the precincts for which they were cast in
6 the order in which the ballots were opened.

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

20 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;
21 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

22 (10 ILCS 5/5-23) (from Ch. 46, par. 5-23)

23 Sec. 5-23. Any registered voter who changes his residence
24 from one address, number or place to another within the same
25 county wherein this Article 5 is in effect, may have his

1 registration transferred to his new address by making and
2 signing an application for such change of residence upon a form
3 to be provided by the county clerk. Such application must be
4 made to the office of the county clerk. In case the person is
5 unable to sign his name the county clerk shall require such
6 person to execute the request in the presence of the county
7 clerk or of his properly authorized representative, by his
8 mark, and if satisfied of the identity of the person, the
9 county clerk shall make the transfer.

10 Upon receipt of such application, the county clerk, or one
11 of his employees deputized to take registrations shall cause
12 the signature of the voter and the data appearing upon the
13 application to be compared with the signature and data on the
14 registration record, and if it appears that the applicant is
15 the same person as the party previously registered under that
16 name the transfer shall be made. Notwithstanding any other
17 provision of law to the contrary, the Board of Elections shall,
18 by rule, create a pilot program for DuPage County that allows
19 election authorities to obtain the photograph and signature
20 from a voter's driver's license on file with the Secretary of
21 State to compare with the voter's signature and to confirm that
22 the person presenting themselves as the registered voter is the
23 same person pictured on such license. The pictures obtained
24 from the Secretary of State shall be affixed to the voter's
25 poll book to aide in the visual identification of the voter.
26 Registered voters shall, by rule, be allowed the option to

1 opt-in to having their picture checked to ensure greater voter
2 confidence and guarantee that no voter's vote is stolen. The
3 Board of Elections shall establish this pilot program before
4 the 2018 general election.

5 Transfer of registration under the provisions of this
6 section may not be made within the period when the county
7 clerk's office is closed to registration prior to an election
8 at which such voter would be entitled to vote.

9 Any registered voter who changes his or her name by
10 marriage or otherwise, shall be required to register anew and
11 authorize the cancellation of the previous registration;
12 provided, however, that if the change of name takes place
13 within a period during which such new registration cannot be
14 made, next preceding any election or primary, the elector may,
15 if otherwise qualified, vote upon making the following
16 affidavit before the judges of election:

17 I do solemnly swear that I am the same person now
18 registered in the precinct of the ward of the city of
19 or District Town of under the name of and
20 that I still reside in said precinct or district.

21 (Signed)

22 If the voter whose name has changed still resides in the
23 same precinct, the voter may vote after making the affidavit at
24 the polling place regardless of when the change of name
25 occurred. In that event, the affidavit shall not state that the
26 voter is required to register; the affidavit shall be treated

1 by the election authority as authorization to cancel the
2 registration under the former name, and the election authority
3 shall register the voter under his or her current name.

4 Suitable forms for this purpose shall be provided by the
5 county clerk. The form in all cases shall be similar to the
6 form furnished by the county clerk for county and state
7 elections.

8 The precinct election officials shall report to the county
9 clerk the names and addresses of all such persons who have
10 changed their addresses and voted. The city, village, town and
11 incorporated town clerks shall within five days after every
12 election report to the county clerk the names and addresses of
13 the persons reported to them as having voted by affidavit as in
14 this Section provided.

15 The county clerk may obtain information from utility
16 companies, city, village, town and incorporated town records,
17 the post office or from other sources regarding the removal of
18 registered voters and notify such voters that a transfer of
19 registration may be made in the manner provided by this
20 Section.

21 If any person be registered by error in a precinct other
22 than that in which he resides the county clerk shall be
23 empowered to transfer his registration to the proper precinct.

24 Where a revision or rearrangement of precincts is made by
25 the board of county commissioners, the county clerk shall
26 immediately transfer to the proper precinct the registration of

1 any voter affected by such revision or rearrangement of the
2 precincts; make the proper notations on the registration cards
3 of a voter affected by the revision of registration and shall
4 notify the registrant of such change.

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

6 (10 ILCS 5/5-50)

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

24 If a voter who registers or changes address during this
25 grace period wishes to vote at the election or primary

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

15 Within one day after a voter casts a grace period ballot,
16 or within one day after the ballot is received by the election
17 authority if the election authority allows grace period voting
18 by mail, the election authority shall transmit by electronic
19 means pursuant to a process established by the State Board of
20 Elections the voter's name, street address, e-mail address, and
21 precinct, ward, township, and district numbers, as the case may
22 be, to the State Board of Elections, which shall maintain those
23 names and that information in an electronic format on its
24 website, arranged by county and accessible to State and local
25 political committees. The name of each person issued a grace
26 period ballot shall also be placed on the appropriate precinct

1 list of persons to whom vote by mail and early ballots have
2 been issued, for use as provided in Sections 17-9 and 18-5.

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

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

1 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;
2 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

3 (10 ILCS 5/6-53) (from Ch. 46, par. 6-53)

4 Sec. 6-53. Any registered elector who changes his residence
5 from one address number or place to another within the same
6 precinct, city or village or incorporated town, may have his
7 registration transferred to his new address by making and
8 signing an application for such change of residence address
9 upon a form to be provided by such board of election
10 commissioners. Such application may be made to the office of
11 such board or at any place designated in accordance with
12 Section 6-51 of this Article.

13 Upon receipt of such application the board of election
14 commissioners or officer, employee or deputy registrar
15 designated by such board shall cause the signature of the voter
16 and the data appearing upon the application to be compared with
17 the signature and data on the registration record, and if it
18 appears that the applicant is the same person as the party
19 previously registered under that name, the transfer shall be
20 made. In case the person is unable to sign his name the board
21 of election commissioners shall require such person to execute
22 the request in the presence of the board or of its properly
23 authorized representative, by his mark, and if satisfied of the
24 identity of the person, the board of election commissioners
25 shall make the transfer. The person in charge of the

1 registration shall draw a line through the last address, ward
2 and precinct number on the original and duplicate and write the
3 new address, ward and precinct number on the original and
4 duplicate registration records. Notwithstanding any other
5 provision of law to the contrary, the Board of Elections shall,
6 by rule, create a pilot program for DuPage County that allows
7 election authorities to obtain the photograph and signature
8 from a voter's driver's license on file with the Secretary of
9 State to compare with the voter's signature and to confirm that
10 the person presenting themselves as the registered voter is the
11 same person pictured on such license. The pictures obtained
12 from the Secretary of State shall be affixed to the voter's
13 poll book to aide in the visual identification of the voter.
14 Registered voters shall, by rule, be allowed the option to
15 opt-in to having their picture checked to ensure greater voter
16 confidence and guarantee that no voter's vote is stolen. The
17 Board of Elections shall establish this pilot program before
18 the 2018 general election.

19 Any registered elector may transfer his registration only
20 at any such time as is provided by this Article for the
21 registration of voters at the office of the board. When a
22 removal of a registered voter takes place from one address to
23 another within the same precinct within a period during which
24 such transfer of registration cannot be made, before any
25 election or primary, he shall be entitled to vote upon
26 presenting to the judges of election an affidavit of a change

1 and having said affidavit supported by the affidavit of a
2 qualified voter who is a householder in the same precinct.
3 Suitable forms for this purpose shall be provided by the board
4 of election commissioners whose duty it is to conduct the
5 election; and thereupon the precinct election officials shall
6 report to the board of election commissioners the names of all
7 such persons who have changed their address and voted.

8 The board of election commissioners may obtain information
9 from utility companies, city records, the post office or from
10 other sources regarding the removal of registered voters, and
11 notify such voters that a transfer of registration may be made
12 in the manner provided by this section.

13 If any person be registered by error in a precinct other
14 than that in which he resides, a transfer of registration to
15 the precinct in which he resides may be made in the manner
16 provided by this section.

17 Where a revision or rearrangement of precincts is made by
18 the board of election commissioners under the power conferred
19 by Section 11-3 of Article 11 of this Act, such board shall
20 immediately transfer to the proper precinct the registration of
21 any voter affected by such revision or rearrangement of
22 precincts; make the proper notations on the cards in the master
23 and precinct files; and shall notify the registrant of such
24 change.

25 (Source: Laws 1967, p. 3449.)

1 (10 ILCS 5/6-100)

2 Sec. 6-100. Grace period. Notwithstanding any other
3 provision of this Code to the contrary, each election authority
4 shall establish procedures for the registration of voters and
5 for change of address during the period from the close of
6 registration for an election until and including the day of the
7 election. During this grace period, an unregistered qualified
8 elector may register to vote, and a registered voter may submit
9 a change of address form, in person in the office of the
10 election authority, at a permanent polling place established
11 under Section 19A-10, ~~at any other early voting site beginning~~
12 ~~15 days prior to the election,~~ at a permanent polling place on
13 election day, or at a voter registration location specifically
14 designated for this purpose by the election authority. The
15 election authority shall register that individual, or change a
16 registered voter's address, in the same manner as otherwise
17 provided by this Article for registration and change of
18 address.

19 If a voter who registers or changes address during this
20 grace period wishes to vote at the election or primary
21 occurring during the grace period. The election authority shall
22 offer in-person grace period voting at the authority's office,
23 any permanent polling place established under Section 19A-10,
24 and at any other early voting site beginning 15 days prior to
25 the election, at a polling place on election day, where grace
26 period registration is required by this Section; and may offer

1 in-person grace period voting at additional hours and locations
2 specifically designated for the purpose of grace period voting
3 by the election authority. The election authority may allow
4 grace period voting by mail only if the election authority has
5 no ballots prepared at the authority's office. Grace period
6 voting shall be in a manner substantially similar to voting
7 under Article 19A.

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

22 A person who casts a grace period ballot shall not be
23 permitted to revoke that ballot and vote another ballot with
24 respect to that primary or election. Ballots cast by persons
25 who register or change address during the grace period at a
26 location other than their designated polling place on election

1 day must be transmitted to and counted at the election
2 authority's central ballot counting location and shall not be
3 transmitted to and counted at precinct polling places. The
4 grace period ballots determined to be valid shall be added to
5 the vote totals for the precincts for which they were cast in
6 the order in which the ballots were opened.

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

20 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13;
21 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

22 (10 ILCS 5/10-8) (from Ch. 46, par. 10-8)

23 Sec. 10-8. Certificates of nomination and nomination
24 papers, and petitions to submit public questions to a
25 referendum, being filed as required by this Code, and being in

1 apparent conformity with the provisions of this Act, shall be
2 deemed to be valid unless objection thereto is duly made in
3 writing within 5 business days after the last day for filing
4 the certificate of nomination or nomination papers or petition
5 for a public question, with the following exceptions:

6 A. In the case of petitions to amend Article IV of the
7 Constitution of the State of Illinois, there shall be a
8 period of 35 business days after the last day for the
9 filing of such petitions in which objections can be filed.

10 B. In the case of petitions for advisory questions of
11 public policy to be submitted to the voters of the entire
12 State, there shall be a period of 35 business days after
13 the last day for the filing of such petitions in which
14 objections can be filed.

15 Any legal voter of the political subdivision or district in
16 which the candidate or public question is to be voted on, or
17 any legal voter in the State in the case of a proposed
18 amendment to Article IV of the Constitution or an advisory
19 public question to be submitted to the voters of the entire
20 State, having objections to any certificate of nomination or
21 nomination papers or petitions filed, shall file an objector's
22 petition together with 2 copies thereof in the principal office
23 or the permanent branch office of the State Board of Elections,
24 or in the office of the election authority or local election
25 official with whom the certificate of nomination, nomination
26 papers or petitions are on file. Objection petitions that do

1 not include 2 copies thereof, shall not be accepted. In the
2 case of nomination papers or certificates of nomination, the
3 State Board of Elections, election authority or local election
4 official shall note the day and hour upon which such objector's
5 petition is filed, and shall, not later than 12:00 noon on the
6 second business day after receipt of the petition, transmit by
7 registered mail or receipted personal delivery the certificate
8 of nomination or nomination papers and the original objector's
9 petition to the chairman of the proper electoral board
10 designated in Section 10-9 hereof, or his authorized agent, and
11 shall transmit a copy by registered mail or receipted personal
12 delivery of the objector's petition, to the candidate whose
13 certificate of nomination or nomination papers are objected to,
14 addressed to the place of residence designated in said
15 certificate of nomination or nomination papers. In the case of
16 objections to a petition for a proposed amendment to Article IV
17 of the Constitution or for an advisory public question to be
18 submitted to the voters of the entire State, the State Board of
19 Elections shall note the day and hour upon which such
20 objector's petition is filed and shall transmit a copy of the
21 objector's petition by registered mail or receipted personal
22 delivery to the person designated on a certificate attached to
23 the petition as the principal proponent of such proposed
24 amendment or public question, or as the proponents' attorney,
25 for the purpose of receiving notice of objections. In the case
26 of objections to a petition for a public question, to be

1 submitted to the voters of a political subdivision, or district
2 thereof, the election authority or local election official with
3 whom such petition is filed shall note the day and hour upon
4 which such objector's petition was filed, and shall, not later
5 than 12:00 noon on the second business day after receipt of the
6 petition, transmit by registered mail or receipted personal
7 delivery the petition for the public question and the original
8 objector's petition to the chairman of the proper electoral
9 board designated in Section 10-9 hereof, or his authorized
10 agent, and shall transmit a copy by registered mail or
11 receipted personal delivery, of the objector's petition to the
12 person designated on a certificate attached to the petition as
13 the principal proponent of the public question, or as the
14 proponent's attorney, for the purposes of receiving notice of
15 objections.

16 The objector's petition shall give the objector's name and
17 residence address, and shall state fully the nature of the
18 objections to the certificate of nomination or nomination
19 papers or petitions in question, and shall state the interest
20 of the objector and shall state what relief is requested of the
21 electoral board.

22 The provisions of this Section and of Sections 10-9, 10-10
23 and 10-10.1 shall also apply to and govern objections to
24 petitions for nomination filed under Article 7 or Article 8,
25 except as otherwise provided in Section 7-13 for cases to which
26 it is applicable, and also apply to and govern petitions for

1 the submission of public questions under Article 28.

2 Notwithstanding any other provision of law to the contrary,
3 any individual challenging the validity of petitions shall
4 notify the applicable election authority when that individual
5 files a challenge in court contesting the decision of that
6 election authority.

7 (Source: P.A. 98-691, eff. 7-1-14.)

8 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

9 Sec. 19-8. Time and place of counting ballots.

10 (a) (Blank.)

11 (b) Each vote by mail voter's ballot returned to an
12 election authority, by any means authorized by this Article,
13 and received by that election authority before the closing of
14 the polls on election day shall be endorsed by the receiving
15 election authority with the day and hour of receipt and may be
16 processed by the election authority beginning on the day it is
17 received by the election authority in the central ballot
18 counting location of the election authority, but the results of
19 the processing may not be counted until the day of the election
20 after 7:00 p.m., except as provided in subsections (g) and
21 (g-5).

22 (c) Each vote by mail voter's ballot that is mailed to an
23 election authority and postmarked no later than election day,
24 but that is received by the election authority after the polls
25 close on election day and before the close of the period for

1 counting provisional ballots cast at that election, shall be
2 endorsed by the receiving authority with the day and hour of
3 receipt and shall be counted at the central ballot counting
4 location of the election authority during the period for
5 counting provisional ballots.

6 Each vote by mail voter's ballot that is mailed to an
7 election authority absent a postmark or a barcode usable with
8 an intelligent mail barcode tracking system, but that is
9 received by the election authority after the polls close on
10 election day and before the close of the period for counting
11 provisional ballots cast at that election, shall be endorsed by
12 the receiving authority with the day and hour of receipt,
13 opened to inspect the date inserted on the certification, and,
14 if the certification date is election day or earlier and the
15 ballot is otherwise found to be valid under the requirements of
16 this Section, counted at the central ballot counting location
17 of the election authority during the period for counting
18 provisional ballots. Absent a date on the certification, the
19 ballot shall not be counted.

20 If an election authority is using an intelligent mail
21 barcode tracking system, a ballot that is mailed to an election
22 authority absent a postmark may be counted if the intelligent
23 mail barcode tracking system verifies the envelope was mailed
24 no later than election day.

25 (d) Special write-in vote by mail voter's blank ballots
26 returned to an election authority, by any means authorized by

1 this Article, and received by the election authority at any
2 time before the closing of the polls on election day shall be
3 endorsed by the receiving election authority with the day and
4 hour of receipt and shall be counted at the central ballot
5 counting location of the election authority during the same
6 period provided for counting vote by mail voters' ballots under
7 subsections (b), (g), and (g-5). Special write-in vote by mail
8 voter's blank ballots that are mailed to an election authority
9 and postmarked no later than election day, but that are
10 received by the election authority after the polls close on
11 election day and before the closing of the period for counting
12 provisional ballots cast at that election, shall be endorsed by
13 the receiving authority with the day and hour of receipt and
14 shall be counted at the central ballot counting location of the
15 election authority during the same periods provided for
16 counting vote by mail voters' ballots under subsection (c).

17 Notwithstanding any other provision of law to the contrary,
18 votes by mail ballots may be processed as they arrive in the
19 mail. Notwithstanding any other provision of law to the
20 contrary, election authorities shall have more than 15 days to
21 process vote by mail ballots.

22 (e) Except as otherwise provided in this Section, vote by
23 mail voters' ballots and special write-in vote by mail voter's
24 blank ballots received by the election authority after the
25 closing of the polls on an election day shall be endorsed by
26 the election authority receiving them with the day and hour of

1 receipt and shall be safely kept unopened by the election
2 authority for the period of time required for the preservation
3 of ballots used at the election, and shall then, without being
4 opened, be destroyed in like manner as the used ballots of that
5 election.

6 (f) Counting required under this Section to begin on
7 election day after the closing of the polls shall commence no
8 later than 8:00 p.m. and shall be conducted by a panel or
9 panels of election judges appointed in the manner provided by
10 law. The counting shall continue until all vote by mail voters'
11 ballots and special write-in vote by mail voter's blank ballots
12 required to be counted on election day have been counted.

13 (g) The procedures set forth in Articles 17 and 18 of this
14 Code shall apply to all ballots counted under this Section. In
15 addition, within 2 days after a vote by mail ballot is
16 received, but in all cases before the close of the period for
17 counting provisional ballots, the election judge or official
18 shall compare the voter's signature on the certification
19 envelope of that vote by mail ballot with the signature of the
20 voter on file in the office of the election authority. If the
21 election judge or official determines that the 2 signatures
22 match, and that the vote by mail voter is otherwise qualified
23 to cast a vote by mail ballot, the election authority shall
24 cast and count the ballot on election day or the day the ballot
25 is determined to be valid, whichever is later, adding the
26 results to the precinct in which the voter is registered. If

1 the election judge or official determines that the signatures
2 do not match, or that the vote by mail voter is not qualified
3 to cast a vote by mail ballot, then without opening the
4 certification envelope, the judge or official shall mark across
5 the face of the certification envelope the word "Rejected" and
6 shall not cast or count the ballot.

7 In addition to the voter's signatures not matching, a vote
8 by mail ballot may be rejected by the election judge or
9 official:

10 (1) if the ballot envelope is open or has been opened
11 and resealed;

12 (2) if the voter has already cast an early or grace
13 period ballot;

14 (3) if the voter voted in person on election day or the
15 voter is not a duly registered voter in the precinct; or

16 (4) on any other basis set forth in this Code.

17 If the election judge or official determines that any of
18 these reasons apply, the judge or official shall mark across
19 the face of the certification envelope the word "Rejected" and
20 shall not cast or count the ballot.

21 (g-5) If a vote by mail ballot is rejected by the election
22 judge or official for any reason, the election authority shall,
23 within 2 days after the rejection but in all cases before the
24 close of the period for counting provisional ballots, notify
25 the vote by mail voter that his or her ballot was rejected. The
26 notice shall inform the voter of the reason or reasons the

1 ballot was rejected and shall state that the voter may appear
2 before the election authority, on or before the 14th day after
3 the election, to show cause as to why the ballot should not be
4 rejected. The voter may present evidence to the election
5 authority supporting his or her contention that the ballot
6 should be counted. The election authority shall appoint a panel
7 of 3 election judges to review the contested ballot,
8 application, and certification envelope, as well as any
9 evidence submitted by the vote by mail voter. No more than 2
10 election judges on the reviewing panel shall be of the same
11 political party. The reviewing panel of election judges shall
12 make a final determination as to the validity of the contested
13 vote by mail ballot. The judges' determination shall not be
14 reviewable either administratively or judicially.

15 A vote by mail ballot subject to this subsection that is
16 determined to be valid shall be counted before the close of the
17 period for counting provisional ballots.

18 (g-10) All vote by mail ballots determined to be valid
19 shall be added to the vote totals for the precincts for which
20 they were cast in the order in which the ballots were opened.

21 (h) Each political party, candidate, and qualified civic
22 organization shall be entitled to have present one pollwatcher
23 for each panel of election judges therein assigned.

24 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

1 Sec. 19A-10. Permanent polling places for early voting.

2 (a) An election authority may establish permanent polling
3 places for early voting by personal appearance at locations
4 throughout the election authority's jurisdiction, including
5 but not limited to a municipal clerk's office, a township
6 clerk's office, a road district clerk's office, or a county or
7 local public agency office. ~~Any person entitled to vote early
8 by personal appearance may do so at any polling place
9 established for early voting.~~

10 (b) (Blank).

11 (c) During each general primary and general election, each
12 election authority in a county with a population over 250,000
13 shall establish at least one permanent polling place for early
14 voting by personal appearance at a location within each of the
15 3 largest municipalities within its jurisdiction. If any of the
16 3 largest municipalities is over 80,000, the election authority
17 shall establish at least 2 permanent polling places within the
18 municipality. All population figures shall be determined by the
19 federal census.

20 (d) During each general primary and general election, each
21 board of election commissioners established under Article 6 of
22 this Code in any city, village, or incorporated town with a
23 population over 100,000 shall establish at least 2 permanent
24 polling places for early voting by personal appearance. All
25 population figures shall be determined by the federal census.

26 (e) During each general primary and general election, each

1 election authority in a county with a population of over
2 100,000 but under 250,000 persons shall establish at least one
3 permanent polling place for early voting by personal
4 appearance. The location for early voting may be the election
5 authority's main office or another location designated by the
6 election authority. The election authority may designate
7 additional sites for early voting by personal appearance. All
8 population figures shall be determined by the federal census.

9 (f) No permanent polling place required by this Section
10 shall be located within 1.5 miles from another permanent
11 polling place required by this Section, unless such permanent
12 polling place is within a municipality with a population of
13 500,000 or more.

14 (Source: P.A. 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

15 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

16 Sec. 20-8. Time and place of counting ballots.

17 (a) (Blank.)

18 (b) Each vote by mail voter's ballot returned to an
19 election authority, by any means authorized by this Article,
20 and received by that election authority may be processed by the
21 election authority beginning on the day it is received by the
22 election authority in the central ballot counting location of
23 the election authority, but the results of the processing may
24 not be counted until the day of the election after 7:00 p.m.,
25 except as provided in subsections (g) and (g-5).

1 (c) Each vote by mail voter's ballot that is mailed to an
2 election authority and postmarked no later than election day,
3 but that is received by the election authority after the polls
4 close on election day and before the close of the period for
5 counting provisional ballots cast at that election, shall be
6 endorsed by the receiving authority with the day and hour of
7 receipt and shall be counted at the central ballot counting
8 location of the election authority during the period for
9 counting provisional ballots.

10 Each vote by mail voter's ballot that is mailed to an
11 election authority absent a postmark or a barcode usable with
12 an intelligent mail barcode tracking system, but that is
13 received by the election authority after the polls close on
14 election day and before the close of the period for counting
15 provisional ballots cast at that election, shall be endorsed by
16 the receiving authority with the day and hour of receipt,
17 opened to inspect the date inserted on the certification, and,
18 if the certification date is election day or earlier and the
19 ballot is otherwise found to be valid under the requirements of
20 this Section, counted at the central ballot counting location
21 of the election authority during the period for counting
22 provisional ballots. Absent a date on the certification, the
23 ballot shall not be counted.

24 If an election authority is using an intelligent mail
25 barcode tracking system, a ballot that is mailed to an election
26 authority absent a postmark may be counted if the intelligent

1 mail barcode tracking system verifies the envelope was mailed
2 no later than election day.

3 (d) Special write-in vote by mail voter's blank ballots
4 returned to an election authority, by any means authorized by
5 this Article, and received by the election authority at any
6 time before the closing of the polls on election day shall be
7 endorsed by the receiving election authority with the day and
8 hour of receipt and shall be counted at the central ballot
9 counting location of the election authority during the same
10 period provided for counting vote by mail voters' ballots under
11 subsections (b), (g), and (g-5). Special write-in vote by mail
12 voter's blank ballot that are mailed to an election authority
13 and postmarked no later than election day, but that are
14 received by the election authority after the polls close on
15 election day and before the closing of the period for counting
16 provisional ballots cast at that election, shall be endorsed by
17 the receiving authority with the day and hour of receipt and
18 shall be counted at the central ballot counting location of the
19 election authority during the same periods provided for
20 counting vote by mail voters' ballots under subsection (c).

21 Notwithstanding any other provision of law to the contrary,
22 votes by mail ballots may be processed as they arrive in the
23 mail. Notwithstanding any other provision of law to the
24 contrary, election authorities shall have more than 15 days to
25 process vote by mail ballots.

26 (e) Except as otherwise provided in this Section, vote by

1 mail voters' ballots and special write-in vote by mail voter's
2 blank ballots received by the election authority after the
3 closing of the polls on the day of election shall be endorsed
4 by the person receiving the ballots with the day and hour of
5 receipt and shall be safely kept unopened by the election
6 authority for the period of time required for the preservation
7 of ballots used at the election, and shall then, without being
8 opened, be destroyed in like manner as the used ballots of that
9 election.

10 (f) Counting required under this Section to begin on
11 election day after the closing of the polls shall commence no
12 later than 8:00 p.m. and shall be conducted by a panel or
13 panels of election judges appointed in the manner provided by
14 law. The counting shall continue until all vote by mail voters'
15 ballots and special write-in vote by mail voter's blank ballots
16 required to be counted on election day have been counted.

17 (g) The procedures set forth in Articles 17 and 18 of this
18 Code shall apply to all ballots counted under this Section. In
19 addition, within 2 days after a ballot subject to this Article
20 is received, but in all cases before the close of the period
21 for counting provisional ballots, the election judge or
22 official shall compare the voter's signature on the
23 certification envelope of that ballot with the signature of the
24 voter on file in the office of the election authority. If the
25 election judge or official determines that the 2 signatures
26 match, and that the voter is otherwise qualified to cast a

1 ballot under this Article, the election authority shall cast
2 and count the ballot on election day or the day the ballot is
3 determined to be valid, whichever is later, adding the results
4 to the precinct in which the voter is registered. If the
5 election judge or official determines that the signatures do
6 not match, or that the voter is not qualified to cast a ballot
7 under this Article, then without opening the certification
8 envelope, the judge or official shall mark across the face of
9 the certification envelope the word "Rejected" and shall not
10 cast or count the ballot.

11 In addition to the voter's signatures not matching, a
12 ballot subject to this Article may be rejected by the election
13 judge or official:

14 (1) if the ballot envelope is open or has been opened
15 and resealed;

16 (2) if the voter has already cast an early or grace
17 period ballot;

18 (3) if the voter voted in person on election day or the
19 voter is not a duly registered voter in the precinct; or

20 (4) on any other basis set forth in this Code.

21 If the election judge or official determines that any of
22 these reasons apply, the judge or official shall mark across
23 the face of the certification envelope the word "Rejected" and
24 shall not cast or count the ballot.

25 (g-5) If a ballot subject to this Article is rejected by
26 the election judge or official for any reason, the election

1 authority shall, within 2 days after the rejection but in all
2 cases before the close of the period for counting provisional
3 ballots, notify the voter that his or her ballot was rejected.
4 The notice shall inform the voter of the reason or reasons the
5 ballot was rejected and shall state that the voter may appear
6 before the election authority, on or before the 14th day after
7 the election, to show cause as to why the ballot should not be
8 rejected. The voter may present evidence to the election
9 authority supporting his or her contention that the ballot
10 should be counted. The election authority shall appoint a panel
11 of 3 election judges to review the contested ballot,
12 application, and certification envelope, as well as any
13 evidence submitted by the vote by mail voter. No more than 2
14 election judges on the reviewing panel shall be of the same
15 political party. The reviewing panel of election judges shall
16 make a final determination as to the validity of the contested
17 ballot. The judges' determination shall not be reviewable
18 either administratively or judicially.

19 A ballot subject to this subsection that is determined to
20 be valid shall be counted before the close of the period for
21 counting provisional ballots.

22 (g-10) All ballots determined to be valid shall be added to
23 the vote totals for the precincts for which they were cast in
24 the order in which the ballots were opened.

25 (h) Each political party, candidate, and qualified civic
26 organization shall be entitled to have present one pollwatcher

1 for each panel of election judges therein assigned.

2 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.