

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 adding Sections
5 1-17 and 1A-55 and by changing Sections 1A-8 and 19-3 as
6 follows:

7 (10 ILCS 5/1-17 new)

8 Sec. 1-17. Election authority voting equipment
9 information. Every 2 years, each election authority shall
10 submit information on the voting equipment used within the
11 jurisdiction of the election authority to the State Board of
12 Elections. The information must include:

13 (1) the age and functionality of each item of voting
14 equipment; and

15 (2) a formal letter containing a general description of
16 the status of the voting equipment, the election
17 authority's perceived need for new voting equipment, and
18 the costs associated with obtaining new equipment.

19 Each election authority must publish the information submitted
20 under this Section online.

21 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

22 Sec. 1A-8. The State Board of Elections shall exercise the

1 following powers and perform the following duties in addition
2 to any powers or duties otherwise provided for by law:

3 (1) Assume all duties and responsibilities of the State
4 Electoral Board and the Secretary of State as heretofore
5 provided in this Code Act;

6 (2) Disseminate information to and consult with
7 election authorities concerning the conduct of elections
8 and registration in accordance with the laws of this State
9 and the laws of the United States;

10 (3) Furnish to each election authority prior to each
11 primary and general election and any other election it
12 deems necessary, a manual of uniform instructions
13 consistent with the provisions of this Code Act which shall
14 be used by election authorities in the preparation of the
15 official manual of instruction to be used by the judges of
16 election in any such election. In preparing such manual,
17 the State Board shall consult with representatives of the
18 election authorities throughout the State. The State Board
19 may provide separate portions of the uniform instructions
20 applicable to different election jurisdictions which
21 administer elections under different options provided by
22 law. The State Board may by regulation require particular
23 portions of the uniform instructions to be included in any
24 official manual of instructions published by election
25 authorities. Any manual of instructions published by any
26 election authority shall be identical with the manual of

1 uniform instructions issued by the Board, but may be
2 adapted by the election authority to accommodate special or
3 unusual local election problems, provided that all manuals
4 published by election authorities must be consistent with
5 the provisions of this Code Act in all respects and must
6 receive the approval of the State Board of Elections prior
7 to publication; provided further that if the State Board
8 does not approve or disapprove of a proposed manual within
9 60 days of its submission, the manual shall be deemed
10 approved.

11 (4) Prescribe and require the use of such uniform
12 forms, notices, and other supplies not inconsistent with
13 the provisions of this Code Act as it shall deem advisable
14 which shall be used by election authorities in the conduct
15 of elections and registrations;

16 (5) Prepare and certify the form of ballot for any
17 proposed amendment to the Constitution of the State of
18 Illinois, or any referendum to be submitted to the electors
19 throughout the State or, when required to do so by law, to
20 the voters of any area or unit of local government of the
21 State;

22 (6) Require such statistical reports regarding the
23 conduct of elections and registration from election
24 authorities as may be deemed necessary;

25 (7) Review and inspect procedures and records relating
26 to conduct of elections and registration as may be deemed

1 necessary, and to report violations of election laws to the
2 appropriate State's Attorney or the Attorney General;

3 (8) Recommend to the General Assembly legislation to
4 improve the administration of elections and registration;

5 (9) Adopt, amend or rescind rules and regulations in
6 the performance of its duties provided that all such rules
7 and regulations must be consistent with the provisions of
8 this Article 1A or issued pursuant to authority otherwise
9 provided by law;

10 (10) Determine the validity and sufficiency of
11 petitions filed under Article XIV, Section 3, of the
12 Constitution of the State of Illinois of 1970;

13 (11) Maintain in its principal office a research
14 library that includes, but is not limited to, abstracts of
15 votes by precinct for general primary elections and general
16 elections, current precinct maps and current precinct poll
17 lists from all election jurisdictions within the State. The
18 research library shall be open to the public during regular
19 business hours. Such abstracts, maps and lists shall be
20 preserved as permanent records and shall be available for
21 examination and copying at a reasonable cost;

22 (12) Supervise the administration of the registration
23 and election laws throughout the State;

24 (13) Obtain from the Department of Central Management
25 Services, under Section 405-250 of the Department of
26 Central Management Services Law (20 ILCS 405/405-250),

1 such use of electronic data processing equipment as may be
2 required to perform the duties of the State Board of
3 Elections and to provide election-related information to
4 candidates, public and party officials, interested civic
5 organizations and the general public in a timely and
6 efficient manner;

7 (14) To take such action as may be necessary or
8 required to give effect to directions of the national
9 committee or State central committee of an established
10 political party under Sections 7-8, 7-11, and 7-14.1 or
11 such other provisions as may be applicable pertaining to
12 the selection of delegates and alternate delegates to an
13 established political party's national nominating
14 conventions or, notwithstanding any candidate
15 certification schedule contained within this ~~the Election~~
16 Code, the certification of the Presidential and Vice
17 Presidential candidate selected by the established
18 political party's national nominating convention;

19 (15) To post all early voting sites separated by
20 election authority and hours of operation on its website at
21 least 5 business days before the period for early voting
22 begins; ~~and~~

23 (16) To post on its website the statewide totals, and
24 totals separated by each election authority, for each of
25 the counts received pursuant to Section 1-9.2; and ~~and~~

26 (17) To post on its website, in a downloadable format,

1 the information received from each election authority
2 under Section 1-17.

3 The Board may by regulation delegate any of its duties or
4 functions under this Article, except that final determinations
5 and orders under this Article shall be issued only by the
6 Board.

7 The requirement for reporting to the General Assembly shall
8 be satisfied by filing copies of the report with the Speaker,
9 the Minority Leader, and the Clerk of the House of
10 Representatives, ~~and~~ the President, the Minority Leader, and
11 the Secretary of the Senate, and the Legislative Research Unit,
12 as required by Section 3.1 of the General Assembly Organization
13 Act ~~"An Act to revise the law in relation to the General~~
14 ~~Assembly", approved February 25, 1874, as amended,~~ and filing
15 such additional copies with the State Government Report
16 Distribution Center for the General Assembly as is required
17 under paragraph (t) of Section 7 of the State Library Act.

18 (Source: P.A. 98-1171, eff. 6-1-15; revised 9-21-17.)

19 (10 ILCS 5/1A-55 new)

20 Sec. 1A-55. Cyber security efforts. The Board shall adopt
21 rules, after at least 2 public hearings of the Board and in
22 consultation with election authorities, establishing a cyber
23 navigator program to support election authorities' efforts to
24 defend against cyber breaches and detect and recover from cyber
25 attacks. The rules shall include the Board's plan to allocate

1 any resources received in accordance with the federal Help
2 America Vote Act and provide that no less than half of any
3 funds received under the federal Help America Vote Act shall be
4 allocated to the cyber navigator program. The cyber navigator
5 program shall be designed to provide equal support to all
6 elections authorities with some modifications allowable based
7 on need. The remaining half of the federal Help America Vote
8 Act funds shall be distributed as the Board sees fit, but no
9 grants may be made to election authorities that do not
10 participate in the cyber navigator program managed by the
11 Board.

12 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

13 Sec. 19-3. The application for vote by mail ballot shall be
14 substantially in the following form:

15 APPLICATION FOR VOTE BY MAIL BALLOT

16 To be voted at the election in the County of and
17 State of Illinois, in the precinct of the (1) *township of
18 (2) *City of or (3) *.... ward in the City of

19 I state that I am a resident of the precinct of the
20 (1) *township of (2) *City of or (3) *.... ward in
21 the city of residing at in such city or town in the
22 county of and State of Illinois; that I have lived at such
23 address for month(s) last past; that I am lawfully
24 entitled to vote in such precinct at the election to be
25 held therein on; and that I wish to vote by vote by mail

1 ballot.

2 I hereby make application for an official ballot or ballots
3 to be voted by me at such election, and I agree that I shall
4 return such ballot or ballots to the official issuing the same
5 prior to the closing of the polls on the date of the election
6 or, if returned by mail, postmarked no later than election day,
7 for counting no later than during the period for counting
8 provisional ballots, the last day of which is the 14th day
9 following election day.

10 I understand that this application is made for an official
11 vote by mail ballot or ballots to be voted by me at the
12 election specified in this application and that I must submit a
13 separate application for an official vote by mail ballot or
14 ballots to be voted by me at any subsequent election.

15 Under penalties as provided by law pursuant to Section
16 29-10 of the Election Code, the undersigned certifies that the
17 statements set forth in this application are true and correct.

18

19 *fill in either (1), (2) or (3).

20 Post office address to which ballot is mailed:

21

22 However, if application is made for a primary election
23 ballot, such application shall require the applicant to
24 designate the name of the political party with which the
25 applicant is affiliated.

26 If application is made electronically, the applicant shall

1 mark the box associated with the above described statement
2 included as part of the online application certifying that the
3 statements set forth in this application are true and correct,
4 and a signature is not required.

5 Any person may produce, reproduce, distribute, or return to
6 an election authority the application for vote by mail ballot.
7 If applications are sent to a post office box controlled by any
8 individual or organization that is not an election authority,
9 those applications shall (i) include a valid and current phone
10 number for the individual or organization controlling the post
11 office box and (ii) be turned over to the appropriate election
12 authority within 7 days of receipt or, if received within 2
13 weeks of the election in which an applicant intends to vote,
14 within 2 days of receipt. Failure to turn over the applications
15 in compliance with this paragraph shall constitute a violation
16 of this Code and shall be punishable as a petty offense with a
17 fine of \$100 per application. Removing, tampering with, or
18 otherwise knowingly making the postmark on the application
19 unreadable by the election authority shall establish a
20 rebuttable presumption of a violation of this paragraph. Upon
21 receipt, the appropriate election authority shall accept and
22 promptly process any application for vote by mail ballot
23 submitted in a form substantially similar to that required by
24 this Section, including any substantially similar production
25 or reproduction generated by the applicant.

26 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;

1 99-522, eff. 6-30-16.)

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