

SB3523



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3523

Introduced 2/16/2018, by Sen. Don Harmon

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-17 new

10 ILCS 5/1A-8

from Ch. 46, par. 1A-8

Amends the Election Code. Provides that every 2 years, each election authority shall submit specified information on the voting equipment used within the jurisdiction of the election authority to the State Board of Elections. Requires each election authority and the State Board of Elections to post the information online.

LRB100 20691 MJP 36149 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Section
5 1A-8 and by adding Section 1-17 as follows:

6 (10 ILCS 5/1-17 new)

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

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

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

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

20 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

21 Sec. 1A-8. The State Board of Elections shall exercise the
22 following powers and perform the following duties in addition

1 to any powers or duties otherwise provided for by law:

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

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

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

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

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

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

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

24 (7) Review and inspect procedures and records relating
25 to conduct of elections and registration as may be deemed
26 necessary, and to report violations of election laws to the

1 appropriate State's Attorney or the Attorney General;

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

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

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

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

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

23 (13) Obtain from the Department of Central Management
24 Services, under Section 405-250 of the Department of
25 Central Management Services Law (20 ILCS 405/405-250),
26 such use of electronic data processing equipment as may be

1 required to perform the duties of the State Board of
2 Elections and to provide election-related information to
3 candidates, public and party officials, interested civic
4 organizations and the general public in a timely and
5 efficient manner;

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

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

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

25 (17) To post on its website, in a downloadable format,
26 the information received from each election authority

1 under Section 1-17.

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

6 The requirement for reporting to the General Assembly shall
7 be satisfied by filing copies of the report with the Speaker,
8 the Minority Leader, and the Clerk of the House of
9 Representatives, and the President, the Minority Leader, and
10 the Secretary of the Senate, and the Legislative Research Unit,
11 as required by Section 3.1 of the General Assembly Organization
12 Act ~~"An Act to revise the law in relation to the General~~
13 ~~Assembly", approved February 25, 1874, as amended,~~ and filing
14 such additional copies with the State Government Report
15 Distribution Center for the General Assembly as is required
16 under paragraph (t) of Section 7 of the State Library Act.
17 (Source: P.A. 98-1171, eff. 6-1-15; revised 9-21-17.)