



Rep. Gregory Harris

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LRB101 10839 SMS 61360 a

1 AMENDMENT TO SENATE BILL 1863

2 AMENDMENT NO. _____. Amend Senate Bill 1863 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Freedom of Information Act is amended by
5 changing Section 7 as follows:

6 (5 ILCS 140/7) (from Ch. 116, par. 207)

7 Sec. 7. Exemptions.

8 (1) When a request is made to inspect or copy a public
9 record that contains information that is exempt from disclosure
10 under this Section, but also contains information that is not
11 exempt from disclosure, the public body may elect to redact the
12 information that is exempt. The public body shall make the
13 remaining information available for inspection and copying.
14 Subject to this requirement, the following shall be exempt from
15 inspection and copying:

16 (a) Information specifically prohibited from

1 disclosure by federal or State law or rules and regulations
2 implementing federal or State law.

3 (b) Private information, unless disclosure is required
4 by another provision of this Act, a State or federal law or
5 a court order.

6 (b-5) Files, documents, and other data or databases
7 maintained by one or more law enforcement agencies and
8 specifically designed to provide information to one or more
9 law enforcement agencies regarding the physical or mental
10 status of one or more individual subjects.

11 (c) Personal information contained within public
12 records, the disclosure of which would constitute a clearly
13 unwarranted invasion of personal privacy, unless the
14 disclosure is consented to in writing by the individual
15 subjects of the information. "Unwarranted invasion of
16 personal privacy" means the disclosure of information that
17 is highly personal or objectionable to a reasonable person
18 and in which the subject's right to privacy outweighs any
19 legitimate public interest in obtaining the information.
20 The disclosure of information that bears on the public
21 duties of public employees and officials shall not be
22 considered an invasion of personal privacy.

23 (d) Records in the possession of any public body
24 created in the course of administrative enforcement
25 proceedings, and any law enforcement or correctional
26 agency for law enforcement purposes, but only to the extent

1 that disclosure would:

2 (i) interfere with pending or actually and
3 reasonably contemplated law enforcement proceedings
4 conducted by any law enforcement or correctional
5 agency that is the recipient of the request;

6 (ii) interfere with active administrative
7 enforcement proceedings conducted by the public body
8 that is the recipient of the request;

9 (iii) create a substantial likelihood that a
10 person will be deprived of a fair trial or an impartial
11 hearing;

12 (iv) unavoidably disclose the identity of a
13 confidential source, confidential information
14 furnished only by the confidential source, or persons
15 who file complaints with or provide information to
16 administrative, investigative, law enforcement, or
17 penal agencies; except that the identities of
18 witnesses to traffic accidents, traffic accident
19 reports, and rescue reports shall be provided by
20 agencies of local government, except when disclosure
21 would interfere with an active criminal investigation
22 conducted by the agency that is the recipient of the
23 request;

24 (v) disclose unique or specialized investigative
25 techniques other than those generally used and known or
26 disclose internal documents of correctional agencies

1 related to detection, observation or investigation of
2 incidents of crime or misconduct, and disclosure would
3 result in demonstrable harm to the agency or public
4 body that is the recipient of the request;

5 (vi) endanger the life or physical safety of law
6 enforcement personnel or any other person; or

7 (vii) obstruct an ongoing criminal investigation
8 by the agency that is the recipient of the request.

9 (d-5) A law enforcement record created for law
10 enforcement purposes and contained in a shared electronic
11 record management system if the law enforcement agency that
12 is the recipient of the request did not create the record,
13 did not participate in or have a role in any of the events
14 which are the subject of the record, and only has access to
15 the record through the shared electronic record management
16 system.

17 (e) Records that relate to or affect the security of
18 correctional institutions and detention facilities.

19 (e-5) Records requested by persons committed to the
20 Department of Corrections, Department of Human Services
21 Division of Mental Health, or a county jail if those
22 materials are available in the library of the correctional
23 institution or facility or jail where the inmate is
24 confined.

25 (e-6) Records requested by persons committed to the
26 Department of Corrections, Department of Human Services

1 Division of Mental Health, or a county jail if those
2 materials include records from staff members' personnel
3 files, staff rosters, or other staffing assignment
4 information.

5 (e-7) Records requested by persons committed to the
6 Department of Corrections or Department of Human Services
7 Division of Mental Health if those materials are available
8 through an administrative request to the Department of
9 Corrections or Department of Human Services Division of
10 Mental Health.

11 (e-8) Records requested by a person committed to the
12 Department of Corrections, Department of Human Services
13 Division of Mental Health, or a county jail, the disclosure
14 of which would result in the risk of harm to any person or
15 the risk of an escape from a jail or correctional
16 institution or facility.

17 (e-9) Records requested by a person in a county jail or
18 committed to the Department of Corrections or Department of
19 Human Services Division of Mental Health, containing
20 personal information pertaining to the person's victim or
21 the victim's family, including, but not limited to, a
22 victim's home address, home telephone number, work or
23 school address, work telephone number, social security
24 number, or any other identifying information, except as may
25 be relevant to a requester's current or potential case or
26 claim.

1 (e-10) Law enforcement records of other persons
2 requested by a person committed to the Department of
3 Corrections, Department of Human Services Division of
4 Mental Health, or a county jail, including, but not limited
5 to, arrest and booking records, mug shots, and crime scene
6 photographs, except as these records may be relevant to the
7 requester's current or potential case or claim.

8 (f) Preliminary drafts, notes, recommendations,
9 memoranda and other records in which opinions are
10 expressed, or policies or actions are formulated, except
11 that a specific record or relevant portion of a record
12 shall not be exempt when the record is publicly cited and
13 identified by the head of the public body. The exemption
14 provided in this paragraph (f) extends to all those records
15 of officers and agencies of the General Assembly that
16 pertain to the preparation of legislative documents.

17 (g) Trade secrets and commercial or financial
18 information obtained from a person or business where the
19 trade secrets or commercial or financial information are
20 furnished under a claim that they are proprietary,
21 privileged or confidential, and that disclosure of the
22 trade secrets or commercial or financial information would
23 cause competitive harm to the person or business, and only
24 insofar as the claim directly applies to the records
25 requested.

26 The information included under this exemption includes

1 all trade secrets and commercial or financial information
2 obtained by a public body, including a public pension fund,
3 from a private equity fund or a privately held company
4 within the investment portfolio of a private equity fund as
5 a result of either investing or evaluating a potential
6 investment of public funds in a private equity fund. The
7 exemption contained in this item does not apply to the
8 aggregate financial performance information of a private
9 equity fund, nor to the identity of the fund's managers or
10 general partners. The exemption contained in this item does
11 not apply to the identity of a privately held company
12 within the investment portfolio of a private equity fund,
13 unless the disclosure of the identity of a privately held
14 company may cause competitive harm.

15 Nothing contained in this paragraph (g) shall be
16 construed to prevent a person or business from consenting
17 to disclosure.

18 (h) Proposals and bids for any contract, grant, or
19 agreement, including information which if it were
20 disclosed would frustrate procurement or give an advantage
21 to any person proposing to enter into a contractor
22 agreement with the body, until an award or final selection
23 is made. Information prepared by or for the body in
24 preparation of a bid solicitation shall be exempt until an
25 award or final selection is made.

26 (i) Valuable formulae, computer geographic systems,

1 designs, drawings and research data obtained or produced by
2 any public body when disclosure could reasonably be
3 expected to produce private gain or public loss. The
4 exemption for "computer geographic systems" provided in
5 this paragraph (i) does not extend to requests made by news
6 media as defined in Section 2 of this Act when the
7 requested information is not otherwise exempt and the only
8 purpose of the request is to access and disseminate
9 information regarding the health, safety, welfare, or
10 legal rights of the general public.

11 (j) The following information pertaining to
12 educational matters:

13 (i) test questions, scoring keys and other
14 examination data used to administer an academic
15 examination;

16 (ii) information received by a primary or
17 secondary school, college, or university under its
18 procedures for the evaluation of faculty members by
19 their academic peers;

20 (iii) information concerning a school or
21 university's adjudication of student disciplinary
22 cases, but only to the extent that disclosure would
23 unavoidably reveal the identity of the student; and

24 (iv) course materials or research materials used
25 by faculty members.

26 (k) Architects' plans, engineers' technical

1 submissions, and other construction related technical
2 documents for projects not constructed or developed in
3 whole or in part with public funds and the same for
4 projects constructed or developed with public funds,
5 including but not limited to power generating and
6 distribution stations and other transmission and
7 distribution facilities, water treatment facilities,
8 airport facilities, sport stadiums, convention centers,
9 and all government owned, operated, or occupied buildings,
10 but only to the extent that disclosure would compromise
11 security.

12 (l) Minutes of meetings of public bodies closed to the
13 public as provided in the Open Meetings Act until the
14 public body makes the minutes available to the public under
15 Section 2.06 of the Open Meetings Act.

16 (m) Communications between a public body and an
17 attorney or auditor representing the public body that would
18 not be subject to discovery in litigation, and materials
19 prepared or compiled by or for a public body in
20 anticipation of a criminal, civil or administrative
21 proceeding upon the request of an attorney advising the
22 public body, and materials prepared or compiled with
23 respect to internal audits of public bodies.

24 (n) Records relating to a public body's adjudication of
25 employee grievances or disciplinary cases; however, this
26 exemption shall not extend to the final outcome of cases in

1 which discipline is imposed.

2 (o) Administrative or technical information associated
3 with automated data processing operations, including but
4 not limited to software, operating protocols, computer
5 program abstracts, file layouts, source listings, object
6 modules, load modules, user guides, documentation
7 pertaining to all logical and physical design of
8 computerized systems, employee manuals, and any other
9 information that, if disclosed, would jeopardize the
10 security of the system or its data or the security of
11 materials exempt under this Section.

12 (p) Records relating to collective negotiating matters
13 between public bodies and their employees or
14 representatives, except that any final contract or
15 agreement shall be subject to inspection and copying.

16 (q) Test questions, scoring keys, and other
17 examination data used to determine the qualifications of an
18 applicant for a license or employment.

19 (r) The records, documents, and information relating
20 to real estate purchase negotiations until those
21 negotiations have been completed or otherwise terminated.
22 With regard to a parcel involved in a pending or actually
23 and reasonably contemplated eminent domain proceeding
24 under the Eminent Domain Act, records, documents and
25 information relating to that parcel shall be exempt except
26 as may be allowed under discovery rules adopted by the

1 Illinois Supreme Court. The records, documents and
2 information relating to a real estate sale shall be exempt
3 until a sale is consummated.

4 (s) Any and all proprietary information and records
5 related to the operation of an intergovernmental risk
6 management association or self-insurance pool or jointly
7 self-administered health and accident cooperative or pool.
8 Insurance or self insurance (including any
9 intergovernmental risk management association or self
10 insurance pool) claims, loss or risk management
11 information, records, data, advice or communications.

12 (t) Information contained in or related to
13 examination, operating, or condition reports prepared by,
14 on behalf of, or for the use of a public body responsible
15 for the regulation or supervision of financial
16 institutions or insurance companies, unless disclosure is
17 otherwise required by State law.

18 (u) Information that would disclose or might lead to
19 the disclosure of secret or confidential information,
20 codes, algorithms, programs, or private keys intended to be
21 used to create electronic or digital signatures under the
22 Electronic Commerce Security Act.

23 (v) Vulnerability assessments, security measures, and
24 response policies or plans that are designed to identify,
25 prevent, or respond to potential attacks upon a community's
26 population or systems, facilities, or installations, the

1 destruction or contamination of which would constitute a
2 clear and present danger to the health or safety of the
3 community, but only to the extent that disclosure could
4 reasonably be expected to jeopardize the effectiveness of
5 the measures or the safety of the personnel who implement
6 them or the public. Information exempt under this item may
7 include such things as details pertaining to the
8 mobilization or deployment of personnel or equipment, to
9 the operation of communication systems or protocols, or to
10 tactical operations.

11 (w) (Blank).

12 (x) Maps and other records regarding the location or
13 security of generation, transmission, distribution,
14 storage, gathering, treatment, or switching facilities
15 owned by a utility, by a power generator, or by the
16 Illinois Power Agency.

17 (y) Information contained in or related to proposals,
18 bids, or negotiations related to electric power
19 procurement under Section 1-75 of the Illinois Power Agency
20 Act and Section 16-111.5 of the Public Utilities Act that
21 is determined to be confidential and proprietary by the
22 Illinois Power Agency or by the Illinois Commerce
23 Commission.

24 (z) Information about students exempted from
25 disclosure under Sections 10-20.38 or 34-18.29 of the
26 School Code, and information about undergraduate students

1 enrolled at an institution of higher education exempted
2 from disclosure under Section 25 of the Illinois Credit
3 Card Marketing Act of 2009.

4 (aa) Information the disclosure of which is exempted
5 under the Viatical Settlements Act of 2009.

6 (bb) Records and information provided to a mortality
7 review team and records maintained by a mortality review
8 team appointed under the Department of Juvenile Justice
9 Mortality Review Team Act.

10 (cc) Information regarding interments, entombments, or
11 inurnments of human remains that are submitted to the
12 Cemetery Oversight Database under the Cemetery Care Act or
13 the Cemetery Oversight Act, whichever is applicable.

14 (dd) Correspondence and records (i) that may not be
15 disclosed under Section 11-9 of the Illinois Public Aid
16 Code or (ii) that pertain to appeals under Section 11-8 of
17 the Illinois Public Aid Code.

18 (ee) The names, addresses, or other personal
19 information of persons who are minors and are also
20 participants and registrants in programs of park
21 districts, forest preserve districts, conservation
22 districts, recreation agencies, and special recreation
23 associations.

24 (ff) The names, addresses, or other personal
25 information of participants and registrants in programs of
26 park districts, forest preserve districts, conservation

1 districts, recreation agencies, and special recreation
2 associations where such programs are targeted primarily to
3 minors.

4 (gg) Confidential information described in Section
5 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

6 (hh) The report submitted to the State Board of
7 Education by the School Security and Standards Task Force
8 under item (8) of subsection (d) of Section 2-3.160 of the
9 School Code and any information contained in that report.

10 (ii) Records requested by persons committed to or
11 detained by the Department of Human Services under the
12 Sexually Violent Persons Commitment Act or committed to the
13 Department of Corrections under the Sexually Dangerous
14 Persons Act if those materials: (i) are available in the
15 library of the facility where the individual is confined;
16 (ii) include records from staff members' personnel files,
17 staff rosters, or other staffing assignment information;
18 or (iii) are available through an administrative request to
19 the Department of Human Services or the Department of
20 Corrections.

21 (jj) Confidential information described in Section
22 5-535 of the Civil Administrative Code of Illinois.

23 (kk) Risk and vulnerability assessments, security
24 measures, schedules, certifications, and response policies
25 or plans that are designed to detect, defend against,
26 prevent, or respond to potential cyber attacks upon the

1 State's or an election authority's network systems, or
2 records that the disclosure of which would, in any way,
3 constitute a risk to the proper administration of elections
4 or voter registration. Information under this paragraph is
5 exempt only to the extent that disclosure could reasonably
6 be expected to jeopardize the effectiveness of the measures
7 or the safety of computer systems. Information exempt under
8 this paragraph includes, but is not limited to, details
9 pertaining to the mobilization or deployment of personnel
10 or equipment, to the operation of communication systems or
11 protocols, or to tactical operations. This exemption
12 applies to records held by the State Board of Elections,
13 the Department of Innovation and Technology, election
14 authorities, and any other necessary party to protect the
15 administration of elections.

16 (1.5) Any information exempt from disclosure under the
17 Judicial Privacy Act shall be redacted from public records
18 prior to disclosure under this Act.

19 (2) A public record that is not in the possession of a
20 public body but is in the possession of a party with whom the
21 agency has contracted to perform a governmental function on
22 behalf of the public body, and that directly relates to the
23 governmental function and is not otherwise exempt under this
24 Act, shall be considered a public record of the public body,
25 for purposes of this Act.

26 (3) This Section does not authorize withholding of

1 information or limit the availability of records to the public,
2 except as stated in this Section or otherwise provided in this
3 Act.

4 (Source: P.A. 99-298, eff. 8-6-15; 99-346, eff. 1-1-16; 99-642,
5 eff. 7-28-16; 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
6 100-732, eff. 8-3-18.)

7 Section 10. The Election Code is amended by changing the
8 heading of Article 24C and Sections 1A-8, 1A-55, 4-8, 4-8.03,
9 5-7, 6-35, 7-2, 7-10.2, 7-17, 8-2, 9-8.10, 9-13, 10-3, 10-5.1,
10 10-10.1, 16-3, 18A-15, 19-2, 19-4, 19-7, 19-8, 24B-2, 24B-4,
11 24B-6, 24B-9, 24C-1, 24C-2, 24C-3, 24C-3.1, 24C-4, 24C-5,
12 24C-5.1, 24C-5.2, 24C-6, 24C-6.1, 24C-7, 24C-8, 24C-9, 24C-10,
13 24C-11, 24C-12, 24C-13, 24C-14, 24C-15, 24C-15.01, 24C-15.1,
14 24C-16, 24C-17, 24C-18, and 24C-19 and by adding Section 19-2.3
15 as follows:

16 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

17 Sec. 1A-8. The State Board of Elections shall exercise the
18 following powers and perform the following duties in addition
19 to any powers or duties otherwise provided for by law:

20 (1) Assume all duties and responsibilities of the State
21 Electoral Board and the Secretary of State as heretofore
22 provided in this Code;

23 (2) Disseminate information to and consult with
24 election authorities concerning the conduct of elections

1 and registration in accordance with the laws of this State
2 and the laws of the United States;

3 (3) Furnish to each election authority prior to each
4 primary and general election and any other election it
5 deems necessary, a manual of uniform instructions
6 consistent with the provisions of this Code which shall be
7 used by election authorities in the preparation of the
8 official manual of instruction to be used by the judges of
9 election in any such election. In preparing such manual,
10 the State Board shall consult with representatives of the
11 election authorities throughout the State. The State Board
12 may provide separate portions of the uniform instructions
13 applicable to different election jurisdictions which
14 administer elections under different options provided by
15 law. The State Board may by regulation require particular
16 portions of the uniform instructions to be included in any
17 official manual of instructions published by election
18 authorities. Any manual of instructions published by any
19 election authority shall be identical with the manual of
20 uniform instructions issued by the Board, but may be
21 adapted by the election authority to accommodate special or
22 unusual local election problems, provided that all manuals
23 published by election authorities must be consistent with
24 the provisions of this Code in all respects and must
25 receive the approval of the State Board of Elections prior
26 to publication; provided further that if the State Board

1 does not approve or disapprove of a proposed manual within
2 60 days of its submission, the manual shall be deemed
3 approved.

4 (4) Prescribe and require the use of such uniform
5 forms, notices, and other supplies not inconsistent with
6 the provisions of this Code as it shall deem advisable
7 which shall be used by election authorities in the conduct
8 of elections and registrations;

9 (5) Prepare and certify the form of ballot for any
10 proposed amendment to the Constitution of the State of
11 Illinois, or any referendum to be submitted to the electors
12 throughout the State or, when required to do so by law, to
13 the voters of any area or unit of local government of the
14 State;

15 (6) Require such statistical reports regarding the
16 conduct of elections and registration from election
17 authorities as may be deemed necessary;

18 (7) Review and inspect procedures and records relating
19 to conduct of elections and registration as may be deemed
20 necessary, and to report violations of election laws to the
21 appropriate State's Attorney or the Attorney General;

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

24 (9) Adopt, amend or rescind rules and regulations in
25 the performance of its duties provided that all such rules
26 and regulations must be consistent with the provisions of

1 this Article 1A or issued pursuant to authority otherwise
2 provided by law;

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

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

15 (12) Supervise the administration of the registration
16 and election laws throughout the State;

17 (13) Obtain from the Department of Central Management
18 Services, under Section 405-250 of the Department of
19 Central Management Services Law (20 ILCS 405/405-250),
20 such use of electronic data processing equipment as may be
21 required to perform the duties of the State Board of
22 Elections and to provide election-related information to
23 candidates, public and party officials, interested civic
24 organizations and the general public in a timely and
25 efficient manner;

26 (14) To take such action as may be necessary or

1 required to give effect to directions of the national
2 committee or State central committee of an established
3 political party under Sections 7-8, 7-11, and 7-14.1 or
4 such other provisions as may be applicable pertaining to
5 the selection of delegates and alternate delegates to an
6 established political party's national nominating
7 conventions or, notwithstanding any candidate
8 certification schedule contained within this Code, the
9 certification of the Presidential and Vice Presidential
10 candidate selected by the established political party's
11 national nominating convention;

12 (15) To post all early voting sites separated by
13 election authority and hours of operation on its website at
14 least 5 business days before the period for early voting
15 begins;

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

19 (17) To post on its website, in a downloadable format,
20 the information received from each election authority
21 under Section 1-17.

22 (18) To facilitate the State's responsibility for the
23 collection of data as required by the U.S. Census Bureau
24 and provide the necessary resources to enable the General
25 Assembly to carry out their responsibilities related to
26 redistricting contained in subsection (b) of Section 3 of

1 Article IV of the Illinois Constitution.

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 as required by
8 Section 3.1 of the General Assembly Organization Act, and
9 filing such additional copies with the State Government Report
10 Distribution Center for the General Assembly as is required
11 under paragraph (t) of Section 7 of the State Library Act.

12 (Source: P.A. 100-623, eff. 7-20-18; 100-863, eff. 8-14-18;
13 100-1148, eff. 12-10-18.)

14 (10 ILCS 5/1A-55)

15 (Text of Section from P.A. 100-587)

16 Sec. 1A-55. ~~Cyber security efforts. The State Board of~~
17 ~~Elections shall provide by rule, after at least 2 public~~
18 ~~hearings of the Board and in consultation with the election~~
19 ~~authorities, a Cyber Navigator Program to support the efforts~~
20 ~~of election authorities to defend against cyber breaches and~~
21 ~~detect and recover from cyber attacks. The rules shall include~~
22 ~~the Board's plan to allocate any resources received in~~
23 ~~accordance with the Help America Vote Act and provide that no~~
24 ~~less than half of any such funds received shall be allocated to~~
25 ~~the Cyber Navigator Program. The Cyber Navigator Program should~~

1 ~~be designed to provide equal support to all election~~
2 ~~authorities, with allowable modifications based on need. The~~
3 ~~remaining half of the Help America Vote Act funds shall be~~
4 ~~distributed as the State Board of Elections may determine, but~~
5 ~~no grants may be made to election authorities that do not~~
6 ~~participate in the Cyber Navigator Program.~~

7 (Source: P.A. 100-587, eff. 6-4-18.)

8 (Text of Section from P.A. 100-623)

9 Sec. 1A-55. Cyber security efforts. The Board shall adopt
10 rules, after at least 2 public hearings of the Board and in
11 consultation with election authorities, establishing a cyber
12 navigator program to support election authorities' efforts to
13 defend against cyber breaches and detect and recover from cyber
14 attacks. The rules shall include the Board's plan to allocate
15 any resources received in accordance with the 2018 federal Help
16 America Vote Act Election Security Grant and provide that no
17 less than half of the any funds received under the 2018 federal
18 Help America Vote Act Election Security Grant shall be
19 allocated to the cyber navigator program. The cyber navigator
20 program shall be designed to provide equal support to all
21 elections authorities with some modifications allowable based
22 on need. The remaining half of the 2018 federal Help America
23 Vote Act Election Security Grant funds shall be distributed as
24 the Board sees fit, but no grants may be made to election
25 authorities that do not participate in the cyber navigator

1 program managed by the Board.

2 (Source: P.A. 100-623, eff. 7-20-18.)

3 (10 ILCS 5/4-8) (from Ch. 46, par. 4-8)

4 Sec. 4-8. Blank forms; duplicate record cards;
5 identification of applicants' affidavit of registration;
6 registration record. The county clerk shall provide a
7 sufficient number of blank forms for the registration of
8 electors, which shall be known as registration record cards and
9 which shall consist of loose leaf sheets or cards, of suitable
10 size to contain in plain writing and figures the data
11 hereinafter required thereon or shall consist of computer cards
12 of suitable nature to contain the data required thereon. The
13 registration record cards, which shall include an affidavit of
14 registration as hereinafter provided, shall be executed in
15 duplicate.

16 The registration record card shall contain the following
17 and such other information as the county clerk may think it
18 proper to require for the identification of the applicant for
19 registration:

20 Name. The name of the applicant, giving surname and first
21 or Christian name in full, and the middle name or the initial
22 for such middle name, if any.

23 Sex.

24 Residence. The name and number of the street, avenue, or
25 other location of the dwelling, including the apartment, unit

1 or room number, if any, and in the case of a mobile home the lot
2 number, and such additional clear and definite description as
3 may be necessary to determine the exact location of the
4 dwelling of the applicant. Where the location cannot be
5 determined by street and number, then the section,
6 congressional township and range number may be used, or such
7 other description as may be necessary, including post-office
8 mailing address. In the case of a homeless individual, the
9 individual's voting residence that is his or her mailing
10 address shall be included on his or her registration record
11 card.

12 Term of residence in the State of Illinois and precinct.
13 This information shall be furnished by the applicant stating
14 the place or places where he resided and the dates during which
15 he resided in such place or places during the year next
16 preceding the date of the next ensuing election.

17 Nativity. The state or country in which the applicant was
18 born.

19 Citizenship. Whether the applicant is native born or
20 naturalized. If naturalized, the court, place, and date of
21 naturalization.

22 Date of application for registration, i.e., the day, month
23 and year when applicant presented himself for registration.

24 Age. Date of birth, by month, day and year.

25 Physical disability of the applicant, if any, at the time
26 of registration, which would require assistance in voting.

1 The county and state in which the applicant was last
2 registered.

3 Electronic mail address, if any.

4 Signature of voter. The applicant, after the registration
5 and in the presence of a deputy registrar or other officer of
6 registration shall be required to sign his or her name in ink
7 or digitized form to the affidavit on both the original and
8 duplicate registration record cards.

9 Signature of deputy registrar or officer of registration.

10 In case applicant is unable to sign his name, he may affix
11 his mark to the affidavit. In such case the officer empowered
12 to give the registration oath shall write a detailed
13 description of the applicant in the space provided on the back
14 or at the bottom of the card or sheet; and shall ask the
15 following questions and record the answers thereto:

16 Father's first name.

17 Mother's first name.

18 From what address did the applicant last register?

19 Reason for inability to sign name.

20 Each applicant for registration shall make an affidavit in
21 substantially the following form:

22 AFFIDAVIT OF REGISTRATION

23 STATE OF ILLINOIS

24 COUNTY OF

25 I hereby swear (or affirm) that I am a citizen of the
26 United States; that on the date of the next election I shall

1 have resided in the State of Illinois and in the election
2 precinct in which I reside 30 days and that I intend that this
3 location shall be my residence; that I am fully qualified to
4 vote, and that the above statements are true.

5
6 (His or her signature or mark)

7 Subscribed and sworn to before me on (insert date).

8

9 Signature of registration officer.

10 (To be signed in presence of registrant.)

11 Space shall be provided upon the face of each registration
12 record card for the notation of the voting record of the person
13 registered thereon.

14 Each registration record card shall be numbered according
15 to precincts, and may be serially or otherwise marked for
16 identification in such manner as the county clerk may
17 determine.

18 The registration cards shall be deemed public records and
19 shall be open to inspection during regular business hours,
20 except during the 27 days immediately preceding any election.
21 On written request of any candidate or objector or any person
22 intending to object to a petition, the election authority shall
23 extend its hours for inspection of registration cards and other
24 records of the election authority during the period beginning
25 with the filing of petitions under Sections 7-10, 8-8, 10-6 or

1 28-3 and continuing through the termination of electoral board
2 hearings on any objections to petitions containing signatures
3 of registered voters in the jurisdiction of the election
4 authority. The extension shall be for a period of hours
5 sufficient to allow adequate opportunity for examination of the
6 records but the election authority is not required to extend
7 its hours beyond the period beginning at its normal opening for
8 business and ending at midnight. If the business hours are so
9 extended, the election authority shall post a public notice of
10 such extended hours. Registration record cards may also be
11 inspected, upon approval of the officer in charge of the cards,
12 during the 27 days immediately preceding any election.
13 Registration record cards shall also be open to inspection by
14 certified judges and poll watchers and challengers at the
15 polling place on election day, but only to the extent necessary
16 to determine the question of the right of a person to vote or
17 to serve as a judge of election. At no time shall poll watchers
18 or challengers be allowed to physically handle the registration
19 record cards.

20 ~~Updated copies of computer tapes or computer discs or other~~
21 ~~electronic data processing information containing voter~~
22 ~~registration information shall be furnished by the county clerk~~
23 ~~within 10 days after December 15 and May 15 each year and~~
24 ~~within 10 days after each registration period is closed to the~~
25 ~~State Board of Elections in a form prescribed by the Board. For~~
26 ~~the purposes of this Section, a registration period is closed~~

1 ~~27 days before the date of any regular or special election.~~
2 ~~Registration information shall include, but not be limited to,~~
3 ~~the following information: name, sex, residence, telephone~~
4 ~~number, if any, age, party affiliation, if applicable,~~
5 ~~precinct, ward, township, county, and representative,~~
6 ~~legislative and congressional districts. In the event of~~
7 ~~noncompliance, the State Board of Elections is directed to~~
8 ~~obtain compliance forthwith with this nondiscretionary duty of~~
9 ~~the election authority by instituting legal proceedings in the~~
10 ~~circuit court of the county in which the election authority~~
11 ~~maintains the registration information. The costs of~~
12 ~~furnishing updated copies of tapes or discs shall be paid at a~~
13 ~~rate of \$.00034 per name of registered voters in the election~~
14 ~~jurisdiction, but not less than \$50 per tape or disc and shall~~
15 ~~be paid from appropriations made to the State Board of~~
16 ~~Elections for reimbursement to the election authority for such~~
17 ~~purpose.~~ The State Board shall furnish copies of ~~such tapes,~~
18 ~~discs,~~ other electronic data or compilations thereof,
19 including, but not limited to, the following information: name,
20 sex, residence, telephone number, if any, age, party
21 affiliation, if applicable, precinct, ward, township, county,
22 and representative, legislative, and congressional districts,
23 to state political committees registered pursuant to the
24 Illinois Campaign Finance Act or the Federal Election Campaign
25 Act and to governmental entities, at their request and at a
26 reasonable cost. To protect the privacy and confidentiality of

1 voter registration information, the disclosure of electronic
2 voter registration records to any person or entity other than
3 to a State or local political committee and other than to a
4 governmental entity for a governmental purpose is specifically
5 prohibited except as follows: subject to security measures
6 adopted by the State Board of Elections which, at a minimum,
7 shall include the keeping of a catalog or database, available
8 for public view, including the name, address, and telephone
9 number of the person viewing the list as well as the time of
10 that viewing, any person may view the centralized statewide
11 voter registration list on a computer screen at the Springfield
12 office of the State Board of Elections, during normal business
13 hours other than during the 27 days before an election, but the
14 person viewing the list under this exception may not print,
15 duplicate, transmit, or alter the list. Copies of the tapes,
16 discs, or other electronic data shall be furnished by the
17 county clerk to local political committees and governmental
18 entities at their request and at a reasonable cost. Reasonable
19 cost of the tapes, discs, et cetera for this purpose would be
20 the cost of duplication plus 15% for administration. The
21 individual representing a political committee requesting
22 copies of such tapes shall make a sworn affidavit that the
23 information shall be used only for bona fide political
24 purposes, including by or for candidates for office or
25 incumbent office holders. Such tapes, discs or other electronic
26 data shall not be used under any circumstances by any political

1 committee or individuals for purposes of commercial
2 solicitation or other business purposes. If such tapes contain
3 information on county residents related to the operations of
4 county government in addition to registration information,
5 that information shall not be used under any circumstances for
6 commercial solicitation or other business purposes. The
7 prohibition in this Section against using the computer tapes or
8 computer discs or other electronic data processing information
9 containing voter registration information for purposes of
10 commercial solicitation or other business purposes shall be
11 prospective only from the effective date of this amended Act of
12 1979. Any person who violates this provision shall be guilty of
13 a Class 4 felony.

14 The State Board of Elections shall promulgate, by October
15 1, 1987, such regulations as may be necessary to ensure
16 uniformity throughout the State in electronic data processing
17 of voter registration information. The regulations shall
18 include, but need not be limited to, specifications for uniform
19 medium, communications protocol and file structure to be
20 employed by the election authorities of this State in the
21 electronic data processing of voter registration information.
22 Each election authority utilizing electronic data processing
23 of voter registration information shall comply with such
24 regulations on and after May 15, 1988.

25 If the applicant for registration was last registered in
26 another county within this State, he shall also sign a

1 certificate authorizing cancellation of the former
2 registration. The certificate shall be in substantially the
3 following form:

4 To the County Clerk of.... County, Illinois. (or)

5 To the Election Commission of the City of, Illinois.

6 This is to certify that I am registered in your (county)
7 (city) and that my residence was

8 Having moved out of your (county) (city), I hereby authorize
9 you to cancel said registration in your office.

10 Dated at, Illinois, on (insert date).

11

12 (Signature of Voter)

13 Attest:, County Clerk,

14 County, Illinois.

15 The cancellation certificate shall be mailed immediately
16 by the County Clerk to the County Clerk (or election commission
17 as the case may be) where the applicant was formerly
18 registered. Receipt of such certificate shall be full authority
19 for cancellation of any previous registration.

20 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

21 (10 ILCS 5/4-8.03) (from Ch. 46, par. 4-8.03)

22 Sec. 4-8.03. The State Board of Elections shall design a
23 registration record card which, except as otherwise provided in
24 this Section, shall be used in triplicate by all election
25 authorities in the State, except those election authorities

1 adopting a computer-based voter registration file authorized
2 under Section 4-33. The Board shall prescribe the form and
3 specifications, ~~including but not limited to the weight of~~
4 ~~paper, color and print of such cards~~. Such cards shall contain
5 boxes or spaces for the information required under Sections 4-8
6 and 4-21 of this Code; provided, that such cards shall also
7 contain a box or space for the applicant's social security
8 number, which shall be required to the extent allowed by law
9 but in no case shall the applicant provide fewer than the last
10 4 digits of the social security number, and a box for the
11 applicant's telephone number, if available.

12 Except for those election authorities adopting a
13 computer-based voter registration file authorized under
14 Section 4-33, the original and duplicate cards shall
15 respectively constitute the master file and precinct binder
16 registration records of the voter. A copy shall be given to the
17 applicant upon completion of his or her registration or
18 completed transfer of registration.

19 Whenever a voter moves to another precinct within the same
20 election jurisdiction or to another election jurisdiction in
21 the State, such voter may transfer his or her registration by
22 presenting his or her copy to the election authority or a
23 deputy registrar. If such voter is not in possession of or has
24 lost his or her copy, he or she may effect a transfer of
25 registration by executing an Affidavit of Cancellation of
26 Previous Registration.

1 In the case of a transfer of registration to a new election
2 jurisdiction, the election authority shall transmit the
3 voter's copy or such affidavit to the election authority of the
4 voter's former election jurisdiction, which shall immediately
5 cause the transmission of the voter's previous registration
6 card to the voter's new election authority. No transfer of
7 registration to a new election jurisdiction shall be complete
8 until the voter's old election authority receives
9 notification.

10 Deputy registrars shall return all copies of registration
11 record cards or Affidavits of Cancellation of Previous
12 Registration to the election authority within 7 working days
13 after the receipt thereof, except that such copies or
14 Affidavits of Cancellation of Previous Registration received
15 by the deputy registrars between the 35th and 28th day
16 preceding an election shall be returned by the deputy
17 registrars to the election authority within 48 hours after
18 receipt. The deputy registrars shall return the copies or
19 Affidavits of Cancellation of Previous Registration received
20 by them on the 28th day preceding an election to the election
21 authority within 24 hours after receipt thereof.

22 (Source: P.A. 91-73, eff. 7-9-99; 92-816, eff. 8-21-02.)

23 (10 ILCS 5/5-7) (from Ch. 46, par. 5-7)

24 Sec. 5-7. The county clerk shall provide a sufficient
25 number of blank forms for the registration of electors which

1 shall be known as registration record cards and which shall
2 consist of loose leaf sheets or cards, of suitable size to
3 contain in plain writing and figures the data hereinafter
4 required thereon or shall consist of computer cards of suitable
5 nature to contain the data required thereon. The registration
6 record cards, which shall include an affidavit of registration
7 as hereinafter provided, shall be executed in duplicate.

8 The registration record card shall contain the following
9 and such other information as the county clerk may think it
10 proper to require for the identification of the applicant for
11 registration:

12 Name. The name of the applicant, giving surname and first
13 or Christian name in full, and the middle name or the initial
14 for such middle name, if any.

15 Sex.

16 Residence. The name and number of the street, avenue, or
17 other location of the dwelling, including the apartment, unit
18 or room number, if any, and in the case of a mobile home the lot
19 number, and such additional clear and definite description as
20 may be necessary to determine the exact location of the
21 dwelling of the applicant, including post-office mailing
22 address. In the case of a homeless individual, the individual's
23 voting residence that is his or her mailing address shall be
24 included on his or her registration record card.

25 Term of residence in the State of Illinois and the
26 precinct. Which questions may be answered by the applicant

1 stating, in excess of 30 days in the State and in excess of 30
2 days in the precinct.

3 Nativity. The State or country in which the applicant was
4 born.

5 Citizenship. Whether the applicant is native born or
6 naturalized. If naturalized, the court, place and date of
7 naturalization.

8 Date of application for registration, i.e., the day, month
9 and year when applicant presented himself for registration.

10 Age. Date of birth, by month, day and year.

11 Physical disability of the applicant, if any, at the time
12 of registration, which would require assistance in voting.

13 The county and state in which the applicant was last
14 registered.

15 Electronic mail address, if any.

16 Signature of voter. The applicant, after the registration
17 and in the presence of a deputy registrar or other officer of
18 registration shall be required to sign his or her name in ink
19 or digitized form to the affidavit on the original and
20 duplicate registration record card.

21 Signature of Deputy Registrar.

22 In case applicant is unable to sign his name, he may affix
23 his mark to the affidavit. In such case the officer empowered
24 to give the registration oath shall write a detailed
25 description of the applicant in the space provided at the
26 bottom of the card or sheet; and shall ask the following

1 questions and record the answers thereto:

2 Father's first name

3 Mother's first name

4 From what address did you last register?

5 Reason for inability to sign name.

6 Each applicant for registration shall make an affidavit in
7 substantially the following form:

8 AFFIDAVIT OF REGISTRATION

9 State of Illinois)

10)ss

11 County of)

12 I hereby swear (or affirm) that I am a citizen of the
13 United States; that on the date of the next election I shall
14 have resided in the State of Illinois and in the election
15 precinct in which I reside 30 days; that I am fully qualified
16 to vote. That I intend that this location shall be my residence
17 and that the above statements are true.

18

19 (His or her signature or mark)

20 Subscribed and sworn to before me on (insert date).

21

22 Signature of Registration Officer.

23 (To be signed in presence of Registrant.)

24 Space shall be provided upon the face of each registration
25 record card for the notation of the voting record of the person

1 registered thereon.

2 Each registration record card shall be numbered according
3 to towns and precincts, wards, cities and villages, as the case
4 may be, and may be serially or otherwise marked for
5 identification in such manner as the county clerk may
6 determine.

7 The registration cards shall be deemed public records and
8 shall be open to inspection during regular business hours,
9 except during the 27 days immediately preceding any election.
10 On written request of any candidate or objector or any person
11 intending to object to a petition, the election authority shall
12 extend its hours for inspection of registration cards and other
13 records of the election authority during the period beginning
14 with the filing of petitions under Sections 7-10, 8-8, 10-6 or
15 28-3 and continuing through the termination of electoral board
16 hearings on any objections to petitions containing signatures
17 of registered voters in the jurisdiction of the election
18 authority. The extension shall be for a period of hours
19 sufficient to allow adequate opportunity for examination of the
20 records but the election authority is not required to extend
21 its hours beyond the period beginning at its normal opening for
22 business and ending at midnight. If the business hours are so
23 extended, the election authority shall post a public notice of
24 such extended hours. Registration record cards may also be
25 inspected, upon approval of the officer in charge of the cards,
26 during the 27 days immediately preceding any election.

1 Registration record cards shall also be open to inspection by
2 certified judges and poll watchers and challengers at the
3 polling place on election day, but only to the extent necessary
4 to determine the question of the right of a person to vote or
5 to serve as a judge of election. At no time shall poll watchers
6 or challengers be allowed to physically handle the registration
7 record cards.

8 ~~Updated copies of computer tapes or computer discs or other~~
9 ~~electronic data processing information containing voter~~
10 ~~registration information shall be furnished by the county clerk~~
11 ~~within 10 days after December 15 and May 15 each year and~~
12 ~~within 10 days after each registration period is closed to the~~
13 ~~State Board of Elections in a form prescribed by the Board. For~~
14 ~~the purposes of this Section, a registration period is closed~~
15 ~~27 days before the date of any regular or special election.~~
16 ~~Registration information shall include, but not be limited to,~~
17 ~~the following information: name, sex, residence, telephone~~
18 ~~number, if any, age, party affiliation, if applicable,~~
19 ~~precinct, ward, township, county, and representative,~~
20 ~~legislative and congressional districts. In the event of~~
21 ~~noncompliance, the State Board of Elections is directed to~~
22 ~~obtain compliance forthwith with this nondiscretionary duty of~~
23 ~~the election authority by instituting legal proceedings in the~~
24 ~~circuit court of the county in which the election authority~~
25 ~~maintains the registration information. The costs of~~
26 ~~furnishing updated copies of tapes or discs shall be paid at a~~

1 ~~rate of \$.00034 per name of registered voters in the election~~
2 ~~jurisdiction, but not less than \$50 per tape or disc and shall~~
3 ~~be paid from appropriations made to the State Board of~~
4 ~~Elections for reimbursement to the election authority for such~~
5 ~~purpose.~~ The State Board shall furnish copies of ~~such tapes,~~
6 ~~discs,~~ other electronic data or compilations thereof,
7 including, but not limited to, the following information: name,
8 sex, residence, telephone number, if any, age, party
9 affiliation, if applicable, precinct, ward, township, county,
10 and representative, legislative, and congressional districts,
11 to state political committees registered pursuant to the
12 Illinois Campaign Finance Act or the Federal Election Campaign
13 Act and to governmental entities, at their request and at a
14 reasonable cost. To protect the privacy and confidentiality of
15 voter registration information, the disclosure of electronic
16 voter registration records to any person or entity other than
17 to a State or local political committee and other than to a
18 governmental entity for a governmental purpose is specifically
19 prohibited except as follows: subject to security measures
20 adopted by the State Board of Elections which, at a minimum,
21 shall include the keeping of a catalog or database, available
22 for public view, including the name, address, and telephone
23 number of the person viewing the list as well as the time of
24 that viewing, any person may view the centralized statewide
25 voter registration list on a computer screen at the Springfield
26 office of the State Board of Elections, during normal business

1 hours other than during the 27 days before an election, but the
2 person viewing the list under this exception may not print,
3 duplicate, transmit, or alter the list. Copies of the tapes,
4 discs or other electronic data shall be furnished by the county
5 clerk to local political committees and governmental entities
6 at their request and at a reasonable cost. Reasonable cost of
7 the tapes, discs, et cetera for this purpose would be the cost
8 of duplication plus 15% for administration. The individual
9 representing a political committee requesting copies of such
10 tapes shall make a sworn affidavit that the information shall
11 be used only for bona fide political purposes, including by or
12 for candidates for office or incumbent office holders. Such
13 tapes, discs or other electronic data shall not be used under
14 any circumstances by any political committee or individuals for
15 purposes of commercial solicitation or other business
16 purposes. If such tapes contain information on county residents
17 related to the operations of county government in addition to
18 registration information, that information shall not be used
19 under any circumstances for commercial solicitation or other
20 business purposes. The prohibition in this Section against
21 using the computer tapes or computer discs or other electronic
22 data processing information containing voter registration
23 information for purposes of commercial solicitation or other
24 business purposes shall be prospective only from the effective
25 date of this amended Act of 1979. Any person who violates this
26 provision shall be guilty of a Class 4 felony.

1 The State Board of Elections shall promulgate, by October
 2 1, 1987, such regulations as may be necessary to ensure
 3 uniformity throughout the State in electronic data processing
 4 of voter registration information. The regulations shall
 5 include, but need not be limited to, specifications for uniform
 6 medium, communications protocol and file structure to be
 7 employed by the election authorities of this State in the
 8 electronic data processing of voter registration information.
 9 Each election authority utilizing electronic data processing
 10 of voter registration information shall comply with such
 11 regulations on and after May 15, 1988.

12 If the applicant for registration was last registered in
 13 another county within this State, he shall also sign a
 14 certificate authorizing cancellation of the former
 15 registration. The certificate shall be in substantially the
 16 following form:

17 To the County Clerk of County, Illinois. To the Election
 18 Commission of the City of, Illinois.

19 This is to certify that I am registered in your (county)
 20 (city) and that my residence was

21 Having moved out of your (county) (city), I hereby
 22 authorize you to cancel said registration in your office.

23 Dated at Illinois, on (insert date).

24
 25 (Signature of Voter)

26 Attest, County Clerk, County, Illinois.

1 The cancellation certificate shall be mailed immediately
2 by the county clerk to the county clerk (or election commission
3 as the case may be) where the applicant was formerly
4 registered. Receipt of such certificate shall be full authority
5 for cancellation of any previous registration.

6 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

7 (10 ILCS 5/6-35) (from Ch. 46, par. 6-35)

8 Sec. 6-35. The Boards of Election Commissioners shall
9 provide a sufficient number of blank forms for the registration
10 of electors which shall be known as registration record cards
11 and which shall consist of loose leaf sheets or cards, of
12 suitable size to contain in plain writing and figures the data
13 hereinafter required thereon or shall consist of computer cards
14 of suitable nature to contain the data required thereon. The
15 registration record cards, which shall include an affidavit of
16 registration as hereinafter provided, shall be executed in
17 duplicate. The duplicate of which may be a carbon copy of the
18 original or a copy of the original made by the use of other
19 method or material used for making simultaneous true copies or
20 duplications.

21 The registration record card shall contain the following
22 and such other information as the Board of Election
23 Commissioners may think it proper to require for the
24 identification of the applicant for registration:

25 Name. The name of the applicant, giving surname and first

1 or Christian name in full, and the middle name or the initial
2 for such middle name, if any.

3 Sex.

4 Residence. The name and number of the street, avenue, or
5 other location of the dwelling, including the apartment, unit
6 or room number, if any, and in the case of a mobile home the lot
7 number, and such additional clear and definite description as
8 may be necessary to determine the exact location of the
9 dwelling of the applicant, including post-office mailing
10 address. In the case of a homeless individual, the individual's
11 voting residence that is his or her mailing address shall be
12 included on his or her registration record card.

13 Term of residence in the State of Illinois and the
14 precinct.

15 Nativity. The state or country in which the applicant was
16 born.

17 Citizenship. Whether the applicant is native born or
18 naturalized. If naturalized, the court, place, and date of
19 naturalization.

20 Date of application for registration, i.e., the day, month
21 and year when the applicant presented himself for registration.

22 Age. Date of birth, by month, day and year.

23 Physical disability of the applicant, if any, at the time
24 of registration, which would require assistance in voting.

25 The county and state in which the applicant was last
26 registered.

1 Electronic mail address, if any.

2 Signature of voter. The applicant, after registration and
3 in the presence of a deputy registrar or other officer of
4 registration shall be required to sign his or her name in ink
5 or digitized form to the affidavit on both the original and the
6 duplicate registration record card.

7 Signature of deputy registrar.

8 In case applicant is unable to sign his name, he may affix
9 his mark to the affidavit. In such case the registration
10 officer shall write a detailed description of the applicant in
11 the space provided at the bottom of the card or sheet; and
12 shall ask the following questions and record the answers
13 thereto:

14 Father's first name

15 Mother's first name

16 From what address did you last register?

17 Reason for inability to sign name

18 Each applicant for registration shall make an affidavit in
19 substantially the following form:

20 AFFIDAVIT OF REGISTRATION

21 State of Illinois)

22)ss

23 County of)

24 I hereby swear (or affirm) that I am a citizen of the
25 United States, that on the day of the next election I shall
26 have resided in the State of Illinois and in the election

1 precinct 30 days and that I intend that this location is my
2 residence; that I am fully qualified to vote, and that the
3 above statements are true.

4

5 (His or her signature or mark)

6 Subscribed and sworn to before me on (insert date).

7

8 Signature of registration officer
9 (to be signed in presence of registrant).

10 Space shall be provided upon the face of each registration
11 record card for the notation of the voting record of the person
12 registered thereon.

13 Each registration record card shall be numbered according
14 to wards or precincts, as the case may be, and may be serially
15 or otherwise marked for identification in such manner as the
16 Board of Election Commissioners may determine.

17 The registration cards shall be deemed public records and
18 shall be open to inspection during regular business hours,
19 except during the 27 days immediately preceding any election.
20 On written request of any candidate or objector or any person
21 intending to object to a petition, the election authority shall
22 extend its hours for inspection of registration cards and other
23 records of the election authority during the period beginning
24 with the filing of petitions under Sections 7-10, 8-8, 10-6 or
25 28-3 and continuing through the termination of electoral board
26 hearings on any objections to petitions containing signatures

1 of registered voters in the jurisdiction of the election
2 authority. The extension shall be for a period of hours
3 sufficient to allow adequate opportunity for examination of the
4 records but the election authority is not required to extend
5 its hours beyond the period beginning at its normal opening for
6 business and ending at midnight. If the business hours are so
7 extended, the election authority shall post a public notice of
8 such extended hours. Registration record cards may also be
9 inspected, upon approval of the officer in charge of the cards,
10 during the 27 days immediately preceding any election.
11 Registration record cards shall also be open to inspection by
12 certified judges and poll watchers and challengers at the
13 polling place on election day, but only to the extent necessary
14 to determine the question of the right of a person to vote or
15 to serve as a judge of election. At no time shall poll watchers
16 or challengers be allowed to physically handle the registration
17 record cards.

18 ~~Updated copies of computer tapes or computer discs or other~~
19 ~~electronic data processing information containing voter~~
20 ~~registration information shall be furnished by the Board of~~
21 ~~Election Commissioners within 10 days after December 15 and May~~
22 ~~15 each year and within 10 days after each registration period~~
23 ~~is closed to the State Board of Elections in a form prescribed~~
24 ~~by the State Board. For the purposes of this Section, a~~
25 ~~registration period is closed 27 days before the date of any~~
26 ~~regular or special election. Registration information shall~~

1 ~~include, but not be limited to, the following information:~~
2 ~~name, sex, residence, telephone number, if any, age, party~~
3 ~~affiliation, if applicable, precinct, ward, township, county,~~
4 ~~and representative, legislative and congressional districts.~~
5 ~~In the event of noncompliance, the State Board of Elections is~~
6 ~~directed to obtain compliance forthwith with this~~
7 ~~nondiscretionary duty of the election authority by instituting~~
8 ~~legal proceedings in the circuit court of the county in which~~
9 ~~the election authority maintains the registration information.~~
10 ~~The costs of furnishing updated copies of tapes or discs shall~~
11 ~~be paid at a rate of \$.00034 per name of registered voters in~~
12 ~~the election jurisdiction, but not less than \$50 per tape or~~
13 ~~disc and shall be paid from appropriations made to the State~~
14 ~~Board of Elections for reimbursement to the election authority~~
15 ~~for such purpose.~~ The State Board shall furnish copies of ~~such~~
16 ~~tapes, discs, other~~ electronic data or compilations thereof,
17 including, but not limited to, the following information: name,
18 sex, residence, telephone number, if any, age, party
19 affiliation, if applicable, precinct, ward, township, county,
20 and representative, legislative, and congressional districts,
21 to state political committees registered pursuant to the
22 Illinois Campaign Finance Act or the Federal Election Campaign
23 Act and to governmental entities, at their request and at a
24 reasonable cost. To protect the privacy and confidentiality of
25 voter registration information, the disclosure of electronic
26 voter registration records to any person or entity other than

1 to a State or local political committee and other than to a
2 governmental entity for a governmental purpose is specifically
3 prohibited except as follows: subject to security measures
4 adopted by the State Board of Elections which, at a minimum,
5 shall include the keeping of a catalog or database, available
6 for public view, including the name, address, and telephone
7 number of the person viewing the list as well as the time of
8 that viewing, any person may view the centralized statewide
9 voter registration list on a computer screen at the Springfield
10 office of the State Board of Elections, during normal business
11 hours other than during the 27 days before an election, but the
12 person viewing the list under this exception may not print,
13 duplicate, transmit, or alter the list. Copies of the tapes,
14 discs or other electronic data shall be furnished by the Board
15 of Election Commissioners to local political committees and
16 governmental entities at their request and at a reasonable
17 cost. Reasonable cost of the tapes, discs, et cetera for this
18 purpose would be the cost of duplication plus 15% for
19 administration. The individual representing a political
20 committee requesting copies of such tapes shall make a sworn
21 affidavit that the information shall be used only for bona fide
22 political purposes, including by or for candidates for office
23 or incumbent office holders. Such tapes, discs or other
24 electronic data shall not be used under any circumstances by
25 any political committee or individuals for purposes of
26 commercial solicitation or other business purposes. If such

1 tapes contain information on county residents related to the
2 operations of county government in addition to registration
3 information, that information shall not be used under any
4 circumstances for commercial solicitation or other business
5 purposes. The prohibition in this Section against using the
6 computer tapes or computer discs or other electronic data
7 processing information containing voter registration
8 information for purposes of commercial solicitation or other
9 business purposes shall be prospective only from the effective
10 date of this amended Act of 1979. Any person who violates this
11 provision shall be guilty of a Class 4 felony.

12 The State Board of Elections shall promulgate, by October
13 1, 1987, such regulations as may be necessary to ensure
14 uniformity throughout the State in electronic data processing
15 of voter registration information. The regulations shall
16 include, but need not be limited to, specifications for uniform
17 medium, communications protocol and file structure to be
18 employed by the election authorities of this State in the
19 electronic data processing of voter registration information.
20 Each election authority utilizing electronic data processing
21 of voter registration information shall comply with such
22 regulations on and after May 15, 1988.

23 If the applicant for registration was last registered in
24 another county within this State, he shall also sign a
25 certificate authorizing cancellation of the former
26 registration. The certificate shall be in substantially the

1 following form:

2 To the County Clerk of County, Illinois.

3 To the Election Commission of the City of, Illinois.

4 This is to certify that I am registered in your (county)
5 (city) and that my residence was, Having moved out of your
6 (county), (city), I hereby authorize you to cancel that
7 registration in your office.

8 Dated at, Illinois, on (insert date).

9

10 (Signature of Voter)

11 Attest, Clerk, Election Commission of the City of,
12 Illinois.

13 The cancellation certificate shall be mailed immediately
14 by the clerk of the Election Commission to the county clerk,
15 (or Election Commission as the case may be) where the applicant
16 was formerly registered. Receipt of such certificate shall be
17 full authority for cancellation of any previous registration.

18 (Source: P.A. 98-115, eff. 10-1-13; 99-522, eff. 6-30-16.)

19 (10 ILCS 5/7-2) (from Ch. 46, par. 7-2)

20 Sec. 7-2. A political party, which at the general election
21 for State and county officers then next preceding a primary,
22 polled more than 5 per cent of the entire vote cast in the
23 State, is hereby declared to be a political party within the
24 State, and shall nominate all candidates provided for in this
25 Article 7 under the provisions hereof, and shall elect

1 precinct, township, ward, and State central committeepersons
2 as herein provided.

3 A political party, which at the general election for State
4 and county officers then next preceding a primary, cast more
5 than 5 per cent of the entire vote cast within any
6 congressional district, is hereby declared to be a political
7 party within the meaning of this Article, within such
8 congressional district, and shall nominate its candidate for
9 Representative in Congress, under the provisions hereof. A
10 political party, which at the general election, beginning in
11 2018, cast 5% or more of the vote cast for governor within any
12 legislative or representative district, is hereby declared to
13 be a political party for purposes of this Article 7 and Article
14 8, within such legislative or representative district, and
15 shall nominate its candidate for Representative or Senator in
16 the General Assembly, under the provisions hereof.

17 A political party, which at the general election for State
18 and county officers then next preceding a primary, cast more
19 than 5 per cent of the entire vote cast in any county, is
20 hereby declared to be a political party within the meaning of
21 this Article, within said county, and shall nominate all county
22 officers in said county under the provisions hereof, and shall
23 elect precinct, township, and ward committeepersons, as herein
24 provided.†

25 A political party, which at the municipal election for
26 city, village, or incorporated town officers then next

1 preceding a primary, cast more than 5 per cent of the entire
2 vote cast in any city, ~~or~~ village, or incorporated town is
3 hereby declared to be a political party within the meaning of
4 this Article, within said city, village, or incorporated town,
5 and shall nominate all city, village, or incorporated town
6 officers in said city, ~~or~~ village, or incorporated town under
7 the provisions hereof to the extent and in the cases provided
8 in Section 7-1.

9 A political party, which at the municipal election for town
10 officers then next preceding a primary, cast more than 5 per
11 cent of the entire vote cast in said town, is hereby declared
12 to be a political party within the meaning of this Article,
13 within said town, and shall nominate all town officers in said
14 town under the provisions hereof to the extent and in the cases
15 provided in Section 7-1.

16 A political party, which at the municipal election in any
17 other municipality or political subdivision, (except townships
18 and school districts), for municipal or other officers therein
19 then next preceding a primary, cast more than 5 per cent of the
20 entire vote cast in such municipality or political subdivision,
21 is hereby declared to be a political party within the meaning
22 of this Article, within said municipality or political
23 subdivision, and shall nominate all municipal or other officers
24 therein under the provisions hereof to the extent and in the
25 cases provided in Section 7-1.

26 Provided, that no political organization or group shall be

1 qualified as a political party hereunder, or given a place on a
2 ballot, which organization or group is associated, directly or
3 indirectly, with Communist, Fascist, Nazi, or other
4 un-American principles and engages in activities or propaganda
5 designed to teach subservience to the political principles and
6 ideals of foreign nations or the overthrow by violence of the
7 established constitutional form of government of the United
8 States and the State of Illinois.

9 (Source: P.A. 100-1027, eff. 1-1-19; revised 9-18-18.)

10 (10 ILCS 5/7-10.2) (from Ch. 46, par. 7-10.2)

11 Sec. 7-10.2. In the designation of the name of a candidate
12 on a petition for nomination or certificate of nomination the
13 candidate's given name or names, initial or initials, a
14 nickname by which the candidate is commonly known, or a
15 combination thereof, may be used in addition to the candidate's
16 surname. If a candidate, except a judicial candidate or a
17 candidate for State's Attorney, has changed his or her name,
18 whether by a statutory or common law procedure in Illinois or
19 any other jurisdiction, within 3 years before the last day for
20 filing the petition or certificate for that office, whichever
21 is applicable, then (i) the candidate's name on the petition or
22 certificate must be followed by "formerly known as (list all
23 prior names during the 3-year period) until name changed on
24 (list date of each such name change)" and (ii) the petition or
25 certificate must be accompanied by the candidate's affidavit

1 stating the candidate's previous names during the period
2 specified in (i) and the date or dates each of those names was
3 changed; failure to meet these requirements shall be grounds
4 for denying certification of the candidate's name for the
5 ballot or removing the candidate's name from the ballot, as
6 appropriate.

7 If a judicial candidate or candidate for State's Attorney
8 has changed his or her name, whether by a statutory or common
9 law procedure in Illinois or any other jurisdiction, at any
10 time after being admitted to practice law in Illinois and
11 before the last day for filing the petition or certificate for
12 that office, whichever is applicable, then (i) the candidate's
13 name on the petition or certificate must be followed by
14 "formerly known as (list prior names, including his or her name
15 at the time he or she was admitted to practice law in Illinois
16 and any subsequent names) until name changed on (list date of
17 each such name change)" and (ii) the petition or certificate
18 must be accompanied by the candidate's affidavit stating the
19 candidate's previous names during the period specified in item
20 (i) and the date or dates each of those names was changed;
21 failure to meet these requirements shall be grounds for denying
22 certification of the candidate's name for the ballot or
23 removing the candidate's name from the ballot, as appropriate.

24 These , ~~but these~~ requirements do not apply to name changes
25 resulting from adoption to assume an adoptive parent's or
26 parents' surname, marriage to assume a spouse's surname, or

1 dissolution of marriage or declaration of invalidity of
2 marriage to assume a former surname. No other designation such
3 as a political slogan, as defined by Section 7-17, title or
4 degree, or nickname suggesting or implying possession of a
5 title, degree or professional status, or similar information
6 may be used in connection with the candidate's surname.

7 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

8 (10 ILCS 5/7-17) (from Ch. 46, par. 7-17)

9 Sec. 7-17. Candidate ballot name procedures.

10 (a) Each election authority in each county shall cause to
11 be printed upon the general primary ballot of each party for
12 each precinct in his jurisdiction the name of each candidate
13 whose petition for nomination or for committeeperson has been
14 filed in the office of the county clerk, as herein provided;
15 and also the name of each candidate whose name has been
16 certified to his office by the State Board of Elections, and in
17 the order so certified, except as hereinafter provided.

18 It shall be the duty of the election authority to cause to
19 be printed upon the consolidated primary ballot of each
20 political party for each precinct in his jurisdiction the name
21 of each candidate whose name has been certified to him, as
22 herein provided and which is to be voted for in such precinct.

23 (b) In the designation of the name of a candidate on the
24 primary ballot the candidate's given name or names, initial or
25 initials, a nickname by which the candidate is commonly known,

1 or a combination thereof, may be used in addition to the
2 candidate's surname. If a candidate, except a judicial
3 candidate or a candidate for State's Attorney, has changed his
4 or her name, whether by a statutory or common law procedure in
5 Illinois or any other jurisdiction, within 3 years before the
6 last day for filing the petition for nomination, nomination
7 papers, or certificate of nomination for that office, whichever
8 is applicable, then (i) the candidate's name on the primary
9 ballot must be followed by "formerly known as (list all prior
10 names during the 3-year period) until name changed on (list
11 date of each such name change)" and (ii) the petition, papers,
12 or certificate must be accompanied by the candidate's affidavit
13 stating the candidate's previous names during the period
14 specified in (i) and the date or dates each of those names was
15 changed; failure to meet these requirements shall be grounds
16 for denying certification of the candidate's name for the
17 ballot or removing the candidate's name from the ballot, as
18 appropriate.

19 If a judicial candidate or candidate for State's Attorney
20 has changed his or her name, whether by a statutory or common
21 law procedure in Illinois or any other jurisdiction, at any
22 time after being admitted to practice law in Illinois and
23 before the last day for filing the petition for nomination,
24 nomination papers, or certificate of nomination for that
25 office, whichever is applicable, then (i) the candidate's name
26 on the primary ballot must be followed by "formerly known as

1 (list prior names, including his or her name at the time he or
2 she was admitted to practice law in Illinois and any subsequent
3 names) until name changed on (list date of each such name
4 change)" and (ii) the petition, papers, or certificate must be
5 accompanied by the candidate's affidavit stating the
6 candidate's previous names during the period specified in item
7 (i) and the date or dates each of those names was changed;
8 failure to meet these requirements shall be grounds for denying
9 certification of the candidate's name for the ballot or
10 removing the candidate's name from the ballot, as appropriate.

11 These ~~, but these~~ requirements do not apply to name changes
12 resulting from adoption to assume an adoptive parent's or
13 parents' surname, marriage to assume a spouse's surname, or
14 dissolution of marriage or declaration of invalidity of
15 marriage to assume a former surname. No other designation such
16 as a political slogan, title, or degree, or nickname suggesting
17 or implying possession of a title, degree or professional
18 status, or similar information may be used in connection with
19 the candidate's surname. For purposes of this Section, a
20 "political slogan" is defined as any word or words expressing
21 or connoting a position, opinion, or belief that the candidate
22 may espouse, including but not limited to, any word or words
23 conveying any meaning other than that of the personal identity
24 of the candidate. A candidate may not use a political slogan as
25 part of his or her name on the ballot, notwithstanding that the
26 political slogan may be part of the candidate's name.

1 (c) The State Board of Elections, a local election
2 official, or an election authority shall remove any candidate's
3 name designation from a ballot that is inconsistent with
4 subsection (b) of this Section. In addition, the State Board of
5 Elections, a local election official, or an election authority
6 shall not certify to any election authority any candidate name
7 designation that is inconsistent with subsection (b) of this
8 Section.

9 (d) If the State Board of Elections, a local election
10 official, or an election authority removes a candidate's name
11 designation from a ballot under subsection (c) of this Section,
12 then the aggrieved candidate may seek appropriate relief in
13 circuit court.

14 (Source: P.A. 100-1027, eff. 1-1-19.)

15 (10 ILCS 5/8-2) (from Ch. 46, par. 8-2)

16 Sec. 8-2. The term "political party" as used in this
17 article shall mean (i) a political party which, at the next
18 preceding election for governor, polled at least five per cent
19 of the entire vote cast in the State , or (ii) beginning with
20 the 2018 general election, a political party that, at the
21 preceding election for governor, polled at least 5 percent of
22 the vote cast for governor within any legislative district or
23 representative district; Provided, that no political
24 organization or group shall be qualified as a political party
25 hereunder, or given a place on a ballot, which organization or

1 group is associated, directly or indirectly, with Communist,
2 Fascist, Nazi or other un-American principles and engages in
3 activities or propaganda designed to teach subservience to the
4 political principles and ideals of foreign nations or the
5 overthrow by violence of the established constitutional form of
6 government of the United States and the State of Illinois.

7 (Source: Laws 1943, vol. 2, p. 1.)

8 (10 ILCS 5/9-8.10)

9 Sec. 9-8.10. Use of political committee and other reporting
10 organization funds.

11 (a) A political committee shall not make expenditures:

12 (1) In violation of any law of the United States or of
13 this State.

14 (2) Clearly in excess of the fair market value of the
15 services, materials, facilities, or other things of value
16 received in exchange.

17 (3) For satisfaction or repayment of any debts other
18 than loans made to the committee or to the public official
19 or candidate on behalf of the committee or repayment of
20 goods and services purchased by the committee under a
21 credit agreement. Nothing in this Section authorizes the
22 use of campaign funds to repay personal loans. The
23 repayments shall be made by check written to the person who
24 made the loan or credit agreement. The terms and conditions
25 of any loan or credit agreement to a committee shall be set

1 forth in a written agreement, including but not limited to
2 the method and amount of repayment, that shall be executed
3 by the chair or treasurer of the committee at the time of
4 the loan or credit agreement. The loan or agreement shall
5 also set forth the rate of interest for the loan, if any,
6 which may not substantially exceed the prevailing market
7 interest rate at the time the agreement is executed.

8 (4) For the satisfaction or repayment of any debts or
9 for the payment of any expenses relating to a personal
10 residence. Campaign funds may not be used as collateral for
11 home mortgages.

12 (5) For clothing or personal laundry expenses, except
13 clothing items rented by the public official or candidate
14 for his or her own use exclusively for a specific
15 campaign-related event, provided that committees may
16 purchase costumes, novelty items, or other accessories
17 worn primarily to advertise the candidacy.

18 (6) For the travel expenses of any person unless the
19 travel is necessary for fulfillment of political,
20 governmental, or public policy duties, activities, or
21 purposes.

22 (7) For membership or club dues charged by
23 organizations, clubs, or facilities that are primarily
24 engaged in providing health, exercise, or recreational
25 services; provided, however, that funds received under
26 this Article may be used to rent the clubs or facilities

1 for a specific campaign-related event.

2 (8) In payment for anything of value or for
3 reimbursement of any expenditure for which any person has
4 been reimbursed by the State or any person. For purposes of
5 this item (8), a per diem allowance is not a reimbursement.

6 (9) For the purchase of or installment payment for a
7 motor vehicle unless the political committee can
8 demonstrate that purchase of a motor vehicle is more
9 cost-effective than leasing a motor vehicle as permitted
10 under this item (9). A political committee may lease or
11 purchase and insure, maintain, and repair a motor vehicle
12 if the vehicle will be used primarily for campaign purposes
13 or for the performance of governmental duties. A committee
14 shall not make expenditures for use of the vehicle for
15 non-campaign or non-governmental purposes. Persons using
16 vehicles not purchased or leased by a political committee
17 may be reimbursed for actual mileage for the use of the
18 vehicle for campaign purposes or for the performance of
19 governmental duties. The mileage reimbursements shall be
20 made at a rate not to exceed the standard mileage rate
21 method for computation of business expenses under the
22 Internal Revenue Code.

23 (10) Directly for an individual's tuition or other
24 educational expenses, except for governmental or political
25 purposes directly related to a candidate's or public
26 official's duties and responsibilities.

1 (11) For payments to a public official or candidate or
2 his or her family member unless for compensation for
3 services actually rendered by that person. The provisions
4 of this item (11) do not apply to expenditures by a
5 political committee in an aggregate amount not exceeding
6 the amount of funds reported to and certified by the State
7 Board or county clerk as available as of June 30, 1998, in
8 the semi-annual report of contributions and expenditures
9 filed by the political committee for the period concluding
10 June 30, 1998.

11 (12) To advertise, promote, operate, or otherwise
12 support a private business owned by or that employs a
13 candidate or office holder.

14 (b) The Board shall have the authority to investigate, upon
15 receipt of a verified complaint, violations of the provisions
16 of this Section. The Board may levy a fine on any person who
17 knowingly makes expenditures in violation of this Section and
18 on any person who knowingly makes a malicious and false
19 accusation of a violation of this Section. The Board may act
20 under this subsection only upon the affirmative vote of at
21 least 5 of its members. The fine shall not exceed \$500 for each
22 expenditure of \$500 or less and shall not exceed the amount of
23 the expenditure plus \$500 for each expenditure greater than
24 \$500. The Board shall also have the authority to render rulings
25 and issue opinions relating to compliance with this Section.

26 (c) Nothing in this Section prohibits the expenditure of

1 funds of a political committee controlled by an officeholder or
2 by a candidate to defray the customary and reasonable expenses
3 of an officeholder in connection with the performance of
4 governmental and public service functions.

5 (d) Nothing in this Section prohibits the funds of a
6 political committee which is controlled by a person convicted
7 of a violation of any of the offenses listed in subsection (a)
8 of Section 10 of the Public Corruption Profit Forfeiture Act
9 from being forfeited to the State under Section 15 of the
10 Public Corruption Profit Forfeiture Act.

11 (Source: P.A. 100-1027, eff. 1-1-19.)

12 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

13 Sec. 9-13. Audits of political committees.

14 (a) The Board shall have the authority to order a political
15 committee to conduct an audit of the financial records required
16 to be maintained by the committee to ensure compliance with
17 Sections 9-8.5 and 9-10. Audits ordered by the Board shall be
18 conducted as provided in this Section and as provided by Board
19 rule.

20 (b) The Board may order a political committee to conduct an
21 audit of its financial records for any of the following
22 reasons: (i) a discrepancy between the ending balance of a
23 reporting period and the beginning balance of the next
24 reporting period, (ii) failure to account for previously
25 reported investments or loans, or (iii) a discrepancy between

1 reporting contributions received by or expenditures made for a
2 political committee that are reported by another political
3 committee, except the Board shall not order an audit pursuant
4 to this item (iii) unless there is a willful pattern of
5 inaccurate reporting or there is a pattern of similar
6 inaccurate reporting involving similar contributions by the
7 same contributor. Prior to ordering an audit, the Board shall
8 afford the political committee due notice and an opportunity
9 for a closed preliminary hearing. A political committee shall
10 hire an entity qualified to perform an audit; except, a
11 political committee shall not hire a person that has
12 contributed to the political committee during the previous 4
13 years.

14 (c) In each calendar year, the Board shall randomly order
15 no more than 3% of registered political committees that meet
16 the following criteria to conduct an audit: (i) a fund balance
17 of \$10,000 or more as of the close of the most recent reporting
18 period, (ii) an average closing fund balance of \$10,000 or more
19 on quarterly reports occurring during the 2-year period to be
20 covered by the audit, or (iii) average total receipts of \$4,000
21 or more on quarterly reports occurring during the 2-year period
22 to be covered by the audit; except that any committee owing
23 unpaid fines at the time of the random selection shall not be
24 exempt from selection even if it does not meet any of the 3
25 criteria in this subsection (c). Additionally, only committees
26 required to have filed at least one quarterly report during the

1 period covered by the audit shall be eligible for selection.

2 The Board shall establish a standard, scientific method of
3 selecting the political committees that are to be audited so
4 that every political committee that meets the criteria
5 established in this subsection (c) has an equal mathematical
6 chance of being selected.

7 (d) Upon receipt of notification from the Board ordering an
8 audit, a political committee shall conduct an audit of the
9 financial records required to be maintained by the committee to
10 ensure compliance with the contribution limitations
11 established in Section 9-8.5 and the reporting requirements
12 established in Section 9-3 and Section 9-10 for a period of 2
13 years from the close of the most recent reporting period or the
14 period since the committee was previously ordered to conduct an
15 audit, whichever is shorter. The entity performing the audit
16 shall review the amount of funds and investments maintained by
17 the political committee and ensure the financial records
18 accurately account for any contributions and expenditures made
19 by the political committee. A certified copy of the audit shall
20 be delivered to the Board within 60 calendar days after receipt
21 of notice from the Board, unless the Board grants an extension
22 to complete the audit. A political committee ordered to conduct
23 an audit through the random selection process shall not be
24 required to conduct another audit for a minimum of 5 years
25 unless the Board has reason to believe the political committee
26 is in violation of Section 9-3, 9-8.5, or 9-10.

1 (e) The Board shall not disclose the name of any political
2 committee ordered to conduct an audit or any documents in
3 possession of the Board related to an audit unless, after
4 review of the audit findings, the Board has reason to believe
5 the political committee is in violation of Section 9-3, 9-8.5,
6 or 9-10 and the Board imposed a fine.

7 (f) Failure to deliver a certified audit in a timely manner
8 is a business offense punishable by a fine of \$250 per day that
9 the audit is late, up to a maximum of \$5,000.

10 (Source: P.A. 100-784, eff. 8-10-18.)

11 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

12 Sec. 10-3. Nomination of independent or nonpartisan
13 candidates (not candidates of any political party), for any
14 office to be filled by the voters of the State at large may
15 also be made by nomination papers signed in the aggregate for
16 each candidate by 1% of the number of voters who voted in the
17 next preceding Statewide general election or 25,000 qualified
18 voters of the State, whichever is less. Nominations of
19 independent candidates for public office within any district or
20 political subdivision less than the State, may be made by
21 nomination papers signed in the aggregate for each candidate by
22 qualified voters of such district, or political subdivision,
23 equaling not less than 5%, nor more than 8% (or 50 more than
24 the minimum, whichever is greater) of the number of persons,
25 who voted at the next preceding regular election in such

1 district or political subdivision in which such district or
2 political subdivision voted as a unit for the election of
3 officers to serve its respective territorial area. However,
4 whenever the minimum signature requirement for an independent
5 candidate petition for a district or political subdivision
6 office shall exceed the minimum number of signatures for an
7 independent candidate petition for an office to be filled by
8 the voters of the State at large at the next preceding
9 State-wide general election, such State-wide petition
10 signature requirement shall be the minimum for an independent
11 candidate petition for such district or political subdivision
12 office. For the first election following a redistricting of
13 congressional districts, nomination papers for an independent
14 candidate for congressman shall be signed by at least 5,000
15 qualified voters of the congressional district. For the first
16 election following a redistricting of legislative districts,
17 nomination papers for an independent candidate for State
18 Senator in the General Assembly shall be signed by at least
19 3,000 qualified voters of the legislative district. For the
20 first election following a redistricting of representative
21 districts, nomination papers for an independent candidate for
22 State Representative in the General Assembly shall be signed by
23 at least 1,500 qualified voters of the representative district.
24 For the first election following redistricting of county board
25 districts, or of municipal wards or districts, or for the first
26 election following the initial establishment of such districts

1 or wards in a county or municipality, nomination papers for an
2 independent candidate for county board member, or for alderman
3 or trustee of such municipality, shall be signed by qualified
4 voters of the district or ward equal to not less than 5% nor
5 more than 8% (or 50 more than the minimum, whichever is
6 greater) of the total number of votes cast at the preceding
7 general or general municipal election, as the case may be, for
8 the county or municipal office voted on throughout such county
9 or municipality for which the greatest total number of votes
10 were cast for all candidates, divided by the number of
11 districts or wards, but in any event not less than 25 qualified
12 voters of the district or ward. Each voter signing a nomination
13 paper shall add to his signature his place of residence, and
14 each voter may subscribe to one nomination for such office to
15 be filled, and no more: Provided that the name of any candidate
16 whose name may appear in any other place upon the ballot shall
17 not be so added by petition for the same office.

18 The person circulating the petition, or the candidate on
19 whose behalf the petition is circulated, may strike any
20 signature from the petition, provided that;

21 (1) the person striking the signature shall initial the
22 petition at the place where the signature is struck; and

23 (2) the person striking the signature shall sign a
24 certification listing the page number and line number of
25 each signature struck from the petition. Such
26 certification shall be filed as a part of the petition.

1 (3) the persons striking signatures from the petition
2 shall each sign an additional certificate specifying the
3 number of certification pages listing stricken signatures
4 which are attached to the petition and the page numbers
5 indicated on such certifications. The certificate shall be
6 filed as a part of the petition, shall be numbered, and
7 shall be attached immediately following the last page of
8 voters' signatures and before the certifications of
9 stricken signatures.

10 (4) all of the foregoing requirements shall be
11 necessary to effect a valid striking of any signature. The
12 provisions of this Section authorizing the striking of
13 signatures shall not impose any criminal liability on any
14 person so authorized for signatures which may be
15 fraudulent.

16 In the case of the offices of Governor and Lieutenant
17 Governor a joint petition including one candidate for each of
18 those offices must be filed.

19 A candidate for whom a nomination paper has been filed as a
20 partisan candidate at a primary election, and who is defeated
21 for his or her nomination at the primary election, is
22 ineligible to be placed on the ballot as an independent
23 candidate for election in that general or consolidated
24 election.

25 A candidate seeking election to an office for which
26 candidates of political parties are nominated by caucus who is

1 a participant in the caucus and who is defeated for his or her
2 nomination at such caucus, is ineligible to be listed on the
3 ballot at that general or consolidated election as an
4 independent candidate.

5 (Source: P.A. 95-699, eff. 11-9-07.)

6 (10 ILCS 5/10-5.1) (from Ch. 46, par. 10-5.1)

7 Sec. 10-5.1. In the designation of the name of a candidate
8 on a certificate of nomination or nomination papers the
9 candidate's given name or names, initial or initials, a
10 nickname by which the candidate is commonly known, or a
11 combination thereof, may be used in addition to the candidate's
12 surname. If a candidate, except a judicial candidate or a
13 candidate for State's Attorney, has changed his or her name,
14 whether by a statutory or common law procedure in Illinois or
15 any other jurisdiction, within 3 years before the last day for
16 filing the certificate of nomination or nomination papers for
17 that office, whichever is applicable, then (i) the candidate's
18 name on the certificate or papers must be followed by "formerly
19 known as (list all prior names during the 3-year period) until
20 name changed on (list date of each such name change)" and (ii)
21 the certificate or paper must be accompanied by the candidate's
22 affidavit stating the candidate's previous names during the
23 period specified in (i) and the date or dates each of those
24 names was changed; failure to meet these requirements shall be
25 grounds for denying certification of the candidate's name for

1 the ballot or removing the candidate's name from the ballot, as
2 appropriate.

3 If a judicial candidate or candidate for State's Attorney
4 has changed his or her name, whether by a statutory or common
5 law procedure in Illinois or any other jurisdiction, at any
6 time after being admitted to practice law in Illinois and
7 before the last day for filing the certificate of nomination or
8 nomination papers for that office, whichever is applicable,
9 then (i) the candidate's name on the certificate or papers must
10 be followed by "formerly known as (list prior names, including
11 his or her name at the time he or she was admitted to practice
12 law in Illinois and any subsequent names) until name changed on
13 (list date of each such name change)" and (ii) the certificate
14 or paper must be accompanied by the candidate's affidavit
15 stating the candidate's previous names during the period
16 specified in item (i) and the date or dates each of those names
17 was changed; failure to meet these requirements shall be
18 grounds for denying certification of the candidate's name for
19 the ballot or removing the candidate's name from the ballot, as
20 appropriate.

21 These ~~, but these~~ requirements do not apply to name changes
22 resulting from adoption to assume an adoptive parent's or
23 parents' surname, marriage to assume a spouse's surname, or
24 dissolution of marriage or declaration of invalidity of
25 marriage to assume a former surname. No other designation such
26 as a political slogan, title, or degree, or nickname suggesting

1 or implying possession of a title, degree or professional
2 status, or similar information may be used in connection with
3 the candidate's surname.

4 (Source: P.A. 93-574, eff. 8-21-03; 94-1090, eff. 6-1-07.)

5 (10 ILCS 5/10-10.1) (from Ch. 46, par. 10-10.1)

6 Sec. 10-10.1. (a) Except as otherwise provided in this
7 Section, a candidate or objector aggrieved by the decision of
8 an electoral board may secure judicial review of such decision
9 in the circuit court of the county in which the hearing of the
10 electoral board was held. The party seeking judicial review
11 must file a petition with the clerk of the court and must serve
12 a copy of the petition upon the electoral board and other
13 parties to the proceeding by registered or certified mail
14 within 5 days after service of the decision of the electoral
15 board as provided in Section 10-10. The petition shall contain
16 a brief statement of the reasons why the decision of the board
17 should be reversed. The petitioner shall file proof of service
18 with the clerk of the court within 5 days after service of the
19 decision. No answer to the petition need be filed, but the
20 electoral board shall cause the record of proceedings before
21 the electoral board to be filed with the clerk of the court on
22 or before the date of the hearing on the petition or as ordered
23 by the court.

24 The court shall set the matter for hearing to be held
25 within 30 days after the filing of the petition and shall make

1 its decision promptly after such hearing.

2 (b) An objector or proponent aggrieved by the decision of
3 an electoral board regarding a petition filed pursuant to
4 Section 18-120 of the Property Tax Code may secure a review of
5 such decision by the State Board of Elections. The party
6 seeking such review must file a petition therefor with the
7 State Board of Elections within 10 days after the decision of
8 the electoral board. Any such objector or proponent may apply
9 for and obtain judicial review of a decision of the State Board
10 of Elections entered under this amendatory Act of 1985, in
11 accordance with the provisions of the Administrative Review
12 Law, as amended.

13 (Source: P.A. 96-1008, eff. 7-6-10.)

14 (10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

15 Sec. 16-3. (a) The names of all candidates to be voted for
16 in each election district or precinct shall be printed on one
17 ballot, except as is provided in Sections 16-6.1 and 21-1.01 of
18 this Act and except as otherwise provided in this Act with
19 respect to the odd year regular elections and the emergency
20 referenda; all nominations of any political party being placed
21 under the party appellation or title of such party as
22 designated in the certificates of nomination or petitions. The
23 names of all independent candidates shall be printed upon the
24 ballot in a column or columns under the heading "independent"
25 arranged under the names or titles of the respective offices

1 for which such independent candidates shall have been nominated
2 and so far as practicable, the name or names of any independent
3 candidate or candidates for any office shall be printed upon
4 the ballot opposite the name or names of any candidate or
5 candidates for the same office contained in any party column or
6 columns upon said ballot. The ballot shall contain no other
7 names, except that in cases of electors for President and
8 Vice-President of the United States, the names of the
9 candidates for President and Vice-President may be added to the
10 party designation and words calculated to aid the voter in his
11 choice of candidates may be added, such as "Vote for one,"
12 "Vote for not more than three." If no candidate or candidates
13 file for an office and if no person or persons file a
14 declaration as a write-in candidate for that office, then below
15 the title of that office the election authority instead shall
16 print "No Candidate". When an electronic voting system is used
17 which utilizes a ballot label booklet, the candidates and
18 questions shall appear on the pages of such booklet in the
19 order provided by this Code; and, in any case where candidates
20 for an office appear on a page which does not contain the name
21 of any candidate for another office, and where less than 50% of
22 the page is utilized, the name of no candidate shall be printed
23 on the lowest 25% of such page. On the back or outside of the
24 ballot, so as to appear when folded, shall be printed the words
25 "Official Ballot", followed by the designation of the polling
26 place for which the ballot is prepared, the date of the

1 election and a facsimile of the signature of the election
2 authority who has caused the ballots to be printed. The ballots
3 shall be of plain white paper, through which the printing or
4 writing cannot be read. However, ballots for use at the
5 nonpartisan and consolidated elections may be printed on
6 different color paper, except blue paper, whenever necessary or
7 desirable to facilitate distinguishing between ballots for
8 different political subdivisions. In the case of nonpartisan
9 elections for officers of a political subdivision, unless the
10 statute or an ordinance adopted pursuant to Article VII of the
11 Constitution providing the form of government therefor
12 requires otherwise, the column listing such nonpartisan
13 candidates shall be printed with no appellation or circle at
14 its head. The party appellation or title, or the word
15 "independent" at the head of any column provided for
16 independent candidates, shall be printed in letters not less
17 than one-fourth of an inch in height and a circle one-half inch
18 in diameter shall be printed at the beginning of the line in
19 which such appellation or title is printed, provided, however,
20 that no such circle shall be printed at the head of any column
21 or columns provided for such independent candidates. The names
22 of candidates shall be printed in letters not less than
23 one-eighth nor more than one-fourth of an inch in height, and
24 at the beginning of each line in which a name of a candidate is
25 printed a square shall be printed, the sides of which shall be
26 not less than one-fourth of an inch in length. However, the

1 names of the candidates for Governor and Lieutenant Governor on
2 the same ticket shall be printed within a bracket and a single
3 square shall be printed in front of the bracket. The list of
4 candidates of the several parties and any such list of
5 independent candidates shall be placed in separate columns on
6 the ballot in such order as the election authorities charged
7 with the printing of the ballots shall decide; provided, that
8 the names of the candidates of the several political parties,
9 certified by the State Board of Elections to the several county
10 clerks shall be printed by the county clerk of the proper
11 county on the official ballot in the order certified by the
12 State Board of Elections. Any county clerk refusing, neglecting
13 or failing to print on the official ballot the names of
14 candidates of the several political parties in the order
15 certified by the State Board of Elections, and any county clerk
16 who prints or causes to be printed upon the official ballot the
17 name of a candidate, for an office to be filled by the Electors
18 of the entire State, whose name has not been duly certified to
19 him upon a certificate signed by the State Board of Elections
20 shall be guilty of a Class C misdemeanor.

21 (b) When an electronic voting system is used which utilizes
22 a ballot card, on the inside flap of each ballot card envelope
23 there shall be printed a form for write-in voting which shall
24 be substantially as follows:

25 WRITE-IN VOTES

26 (See card of instructions for specific information.)

1 Duplicate form below by hand for additional write-in votes.)

2 _____
3 Title of Office

4 () _____
5 Name of Candidate

6 Write-in lines equal to the number of candidates for which
7 a voter may vote shall be printed for an office only if one or
8 more persons filed declarations of intent to be write-in
9 candidates or qualify to file declarations to be write-in
10 candidates under Sections 17-16.1 and 18-9.1 when the
11 certification of ballot contains the words "OBJECTION
12 PENDING".

13 (c) When an electronic voting system is used which uses a
14 ballot sheet, the instructions to voters on the ballot sheet
15 shall refer the voter to the card of instructions for specific
16 information on write-in voting. Below each office appearing on
17 such ballot sheet there shall be a provision for the casting of
18 a write-in vote. Write-in lines equal to the number of
19 candidates for which a voter may vote shall be printed for an
20 office only if one or more persons filed declarations of intent
21 to be write-in candidates or qualify to file declarations to be
22 write-in candidates under Sections 17-16.1 and 18-9.1 when the
23 certification of ballot contains the words "OBJECTION
24 PENDING".

25 (d) When such electronic system is used, there shall be
26 printed on the back of each ballot card, each ballot card

1 envelope, and the first page of the ballot label when a ballot
2 label is used, the words "Official Ballot," followed by the
3 number of the precinct or other precinct identification, which
4 may be stamped, in lieu thereof and, as applicable, the number
5 and name of the township, ward or other election district for
6 which the ballot card, ballot card envelope, and ballot label
7 are prepared, the date of the election and a facsimile of the
8 signature of the election authority who has caused the ballots
9 to be printed. The back of the ballot card shall also include a
10 method of identifying the ballot configuration such as a
11 listing of the political subdivisions and districts for which
12 votes may be cast on that ballot, or a number code identifying
13 the ballot configuration or color coded ballots, except that
14 where there is only one ballot configuration in a precinct, the
15 precinct identification, and any applicable ward
16 identification, shall be sufficient. Ballot card envelopes
17 used in punch card systems shall be of paper through which no
18 writing or punches may be discerned and shall be of sufficient
19 length to enclose all voting positions. However, the election
20 authority may provide ballot card envelopes on which no
21 precinct number or township, ward or other election district
22 designation, or election date are preprinted, if space and a
23 preprinted form are provided below the space provided for the
24 names of write-in candidates where such information may be
25 entered by the judges of election. Whenever an election
26 authority utilizes ballot card envelopes on which the election

1 date and precinct is not preprinted, a judge of election shall
2 mark such information for the particular precinct and election
3 on the envelope in ink before tallying and counting any
4 write-in vote written thereon. If some method of insuring
5 ballot secrecy other than an envelope is used, such information
6 must be provided on the ballot itself.

7 (e) In the designation of the name of a candidate on the
8 ballot, the candidate's given name or names, initial or
9 initials, a nickname by which the candidate is commonly known,
10 or a combination thereof, may be used in addition to the
11 candidate's surname. If a candidate, except a judicial
12 candidate or a candidate for State's Attorney, has changed his
13 or her name, whether by a statutory or common law procedure in
14 Illinois or any other jurisdiction, within 3 years before the
15 last day for filing the petition for nomination, nomination
16 papers, or certificate of nomination for that office, whichever
17 is applicable, then (i) the candidate's name on the ballot must
18 be followed by "formerly known as (list all prior names during
19 the 3-year period) until name changed on (list date of each
20 such name change)" and (ii) the petition, papers, or
21 certificate must be accompanied by the candidate's affidavit
22 stating the candidate's previous names during the period
23 specified in (i) and the date or dates each of those names was
24 changed; failure to meet these requirements shall be grounds
25 for denying certification of the candidate's name for the
26 ballot or removing the candidate's name from the ballot, as

1 appropriate.

2 If a judicial candidate or candidate for State's Attorney
3 has changed his or her name, whether by a statutory or common
4 law procedure in Illinois or any other jurisdiction, at any
5 time after being admitted to practice law in Illinois and
6 before the last day for filing the petition for nomination,
7 nomination papers, or certificate of nomination for that
8 office, whichever is applicable, then (i) the candidate's name
9 on the ballot must be followed by "formerly known as (list
10 prior names, including his or her name at the time he or she
11 was admitted to practice law in Illinois and any subsequent
12 names) until name changed on (list date of each such name
13 change)" and (ii) the petition, papers, or certificate must be
14 accompanied by the candidate's affidavit stating the
15 candidate's previous names during the period specified in item
16 (i) and the date or dates each of those names was changed;
17 failure to meet these requirements shall be grounds for denying
18 certification of the candidate's name for the ballot or
19 removing the candidate's name from the ballot, as appropriate.

20 These ~~, but these~~ requirements do not apply to name changes
21 resulting from adoption to assume an adoptive parent's or
22 parents' surname, marriage to assume a spouse's surname, or
23 dissolution of marriage or declaration of invalidity of
24 marriage to assume a former surname. No other designation such
25 as a political slogan, title, or degree or nickname suggesting
26 or implying possession of a title, degree or professional

1 status, or similar information may be used in connection with
2 the candidate's surname. For purposes of this Section, a
3 "political slogan" is defined as any word or words expressing
4 or connoting a position, opinion, or belief that the candidate
5 may espouse, including but not limited to, any word or words
6 conveying any meaning other than that of the personal identity
7 of the candidate. A candidate may not use a political slogan as
8 part of his or her name on the ballot, notwithstanding that the
9 political slogan may be part of the candidate's name.

10 (f) The State Board of Elections, a local election
11 official, or an election authority shall remove any candidate's
12 name designation from a ballot that is inconsistent with
13 subsection (e) of this Section. In addition, the State Board of
14 Elections, a local election official, or an election authority
15 shall not certify to any election authority any candidate name
16 designation that is inconsistent with subsection (e) of this
17 Section.

18 (g) If the State Board of Elections, a local election
19 official, or an election authority removes a candidate's name
20 designation from a ballot under subsection (f) of this Section,
21 then the aggrieved candidate may seek appropriate relief in
22 circuit court.

23 Where voting machines or electronic voting systems are
24 used, the provisions of this Section may be modified as
25 required or authorized by Article 24 or Article 24A, whichever
26 is applicable.

1 Nothing in this Section shall prohibit election
2 authorities from using or reusing ballot card envelopes which
3 were printed before the effective date of this amendatory Act
4 of 1985.

5 (Source: P.A. 94-1090, eff. 6-1-07; 95-699, eff. 11-9-07;
6 95-862, eff. 8-19-08.)

7 (10 ILCS 5/18A-15)

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

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

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

21 (1) the provisional voter cast the provisional ballot
22 in the correct precinct based on the address provided by
23 the provisional voter. The provisional voter's affidavit
24 shall serve as a change of address request by that voter
25 for registration purposes for the next ensuing election if

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

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

23 (3) except as permitted by item (5) of subsection (b)
24 of this Section, the provisional voter is a registered
25 voter based on information available to the county clerk or
26 board of election commissioners provided by or obtained

1 from any of the following:

2 i. the provisional voter;

3 ii. an election judge;

4 iii. the statewide voter registration database
5 maintained by the State Board of Elections;

6 iv. the records of the county clerk or board of
7 election commissioners' database; or

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

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

13 (5) for a provisional ballot cast under item (7) of
14 subsection (a) of Section 18A-5, the voter provides the
15 election authority with the necessary documentation before
16 the close of the period for counting provisional ballots
17 ~~within 7 days of election day.~~

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

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

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

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

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

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

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

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

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

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

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

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

15 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

16 Sec. 19-2. Any elector as defined in Section 19-1 may by
17 mail or electronically on the website of the appropriate
18 election authority, not more than 90 nor less than 5 days prior
19 to the date of such election, or by personal delivery not more
20 than 90 nor less than one day prior to the date of such
21 election, make application to the county clerk or to the Board
22 of Election Commissioners for an official ballot for the
23 voter's precinct to be voted at such election. The URL address
24 at which voters may electronically request a vote by mail
25 ballot shall be fixed no later than 90 calendar days before an

1 election and shall not be changed until after the election.
2 Such a ballot shall be delivered to the elector only upon
3 separate application by the elector for each election. No later
4 than 90 days before the 2020 general election, an election
5 authority shall provide an email address at which voters may
6 electronically request a vote by mail ballot or return a
7 completed application for a vote by mail ballot.

8 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13; 98-691,
9 eff. 7-1-14; 98-1171, eff. 6-1-15.)

10 (10 ILCS 5/19-2.3 new)

11 Sec. 19-2.3. Vote By Mail Pilot Program. No more than 90
12 days, nor less than 45 days, before the general election in
13 2020, each election authority shall deliver an application for
14 a vote by mail ballot that meets the requirements of this
15 Article to any registered voter within its jurisdiction who
16 submitted an application to vote by mail in the 2018 general
17 election. An election authority may deliver the application by
18 U.S. mail or email.

19 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

20 Sec. 19-4. Mailing or delivery of ballots; time.
21 Immediately upon the receipt of such application either by mail
22 or electronic means, not more than 90 days nor less than 5 days
23 prior to such election, or by personal delivery not more than
24 90 days nor less than one day prior to such election, at the

1 office of such election authority, it shall be the duty of such
2 election authority to examine the records to ascertain whether
3 or not such applicant is lawfully entitled to vote as
4 requested, including a verification of the applicant's
5 signature by comparison with the signature on the official
6 registration record card, and if found so to be entitled to
7 vote, to post within one business day thereafter the name,
8 street address, ward and precinct number or township and
9 district number, as the case may be, of such applicant given on
10 a list, the pages of which are to be numbered consecutively to
11 be kept by such election authority for such purpose in a
12 conspicuous, open and public place accessible to the public at
13 the entrance of the office of such election authority, and in
14 such a manner that such list may be viewed without necessity of
15 requesting permission therefor. Within one day after posting
16 the name and other information of an applicant for a vote by
17 mail ballot, the election authority shall transmit by
18 electronic means pursuant to a process established by the State
19 Board of Elections that name and other posted information to
20 the State Board of Elections, which shall maintain those names
21 and other information in an electronic format on its website,
22 arranged by county and accessible to State and local political
23 committees. Within 2 business days after posting a name and
24 other information on the list within its office, but no sooner
25 than 40 days before an election, the election authority shall
26 mail, postage prepaid, or deliver in person in such office an

1 official ballot or ballots if more than one are to be voted at
2 said election. If the election authority determines the
3 applicant is not entitled to vote as requested or otherwise
4 rejects an application for a vote by mail ballot for any
5 reason, the election authority shall, within 2 business days,
6 notify the applicant that his or her application was rejected.
7 The notice shall inform the voter of the reason or reasons the
8 application was rejected and shall state how the applicant may
9 otherwise vote, if so entitled. The election authority shall
10 also report the name and address of an applicant whose
11 application for a vote by mail ballot was rejected to the State
12 Board of Elections within 2 business days.

13 Mail delivery of Temporarily Absent Student ballot
14 applications pursuant to Section 19-12.3 shall be by
15 nonforwardable mail. However, for the consolidated election,
16 vote by mail ballots for certain precincts may be delivered to
17 applicants not less than 25 days before the election if so much
18 time is required to have prepared and printed the ballots
19 containing the names of persons nominated for offices at the
20 consolidated primary. The election authority shall enclose
21 with each vote by mail ballot or application written
22 instructions on how voting assistance shall be provided
23 pursuant to Section 17-14 and a document, written and approved
24 by the State Board of Elections, informing the vote by mail
25 voter of the required postage for returning the application and
26 ballot, and enumerating the circumstances under which a person

1 is authorized to vote by vote by mail ballot pursuant to this
2 Article; such document shall also include a statement informing
3 the applicant that if he or she falsifies or is solicited by
4 another to falsify his or her eligibility to cast a vote by
5 mail ballot, such applicant or other is subject to penalties
6 pursuant to Section 29-10 and Section 29-20 of the Election
7 Code. Each election authority shall maintain a list of the
8 name, street address, ward and precinct, or township and
9 district number, as the case may be, of all applicants who have
10 returned vote by mail ballots to such authority, and the name
11 of such vote by mail voter shall be added to such list within
12 one business day from receipt of such ballot. If the vote by
13 mail ballot envelope indicates that the voter was assisted in
14 casting the ballot, the name of the person so assisting shall
15 be included on the list. The list, the pages of which are to be
16 numbered consecutively, shall be kept by each election
17 authority in a conspicuous, open, and public place accessible
18 to the public at the entrance of the office of the election
19 authority and in a manner that the list may be viewed without
20 necessity of requesting permission for viewing.

21 Each election authority shall maintain a list for each
22 election of the voters to whom it has issued vote by mail
23 ballots. The list shall be maintained for each precinct within
24 the jurisdiction of the election authority. Prior to the
25 opening of the polls on election day, the election authority
26 shall deliver to the judges of election in each precinct the

1 list of registered voters in that precinct to whom vote by mail
2 ballots have been issued by mail.

3 Each election authority shall maintain a list for each
4 election of voters to whom it has issued temporarily absent
5 student ballots. The list shall be maintained for each election
6 jurisdiction within which such voters temporarily abide.
7 Immediately after the close of the period during which
8 application may be made by mail or electronic means for vote by
9 mail ballots, each election authority shall mail to each other
10 election authority within the State a certified list of all
11 such voters temporarily abiding within the jurisdiction of the
12 other election authority.

13 In the event that the return address of an application for
14 ballot by a physically incapacitated elector is that of a
15 facility licensed or certified under the Nursing Home Care Act,
16 the Specialized Mental Health Rehabilitation Act of 2013, the
17 ID/DD Community Care Act, or the MC/DD Act, within the
18 jurisdiction of the election authority, and the applicant is a
19 registered voter in the precinct in which such facility is
20 located, the ballots shall be prepared and transmitted to a
21 responsible judge of election no later than 9 a.m. on the
22 Friday, Saturday, Sunday, or Monday immediately preceding the
23 election as designated by the election authority under Section
24 19-12.2. Such judge shall deliver in person on the designated
25 day the ballot to the applicant on the premises of the facility
26 from which application was made. The election authority shall

1 by mail notify the applicant in such facility that the ballot
2 will be delivered by a judge of election on the designated day.

3 All applications for vote by mail ballots shall be
4 available at the office of the election authority for public
5 inspection upon request from the time of receipt thereof by the
6 election authority until 30 days after the election, except
7 during the time such applications are kept in the office of the
8 election authority pursuant to Section 19-7, and except during
9 the time such applications are in the possession of the judges
10 of election.

11 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 7-29-13;
12 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
13 7-29-15; 99-522, eff. 6-30-16.)

14 (10 ILCS 5/19-7) (from Ch. 46, par. 19-7)

15 Sec. 19-7. (a) Upon receipt of such vote by mail voter's
16 ballot, the election authority shall forthwith enclose the same
17 unopened, together with the application made by said vote by
18 mail voter in a large or carrier envelope which shall be
19 securely sealed and endorsed with the name and official title
20 of such officer and the words, "This envelope contains a vote
21 by mail ballot and must be opened on election day," together
22 with the number and description of the precinct in which said
23 ballot is to be voted, and such officer shall thereafter safely
24 keep the same in his office until counted by him as provided in
25 the next section.

1 (b) Within one day after receipt of such vote by mail
2 voter's ballot, the election authority shall transmit, by
3 electronic means pursuant to a process established by the State
4 Board of Elections, the voter's name, street address, e-mail
5 address, and precinct, ward, township, and district numbers, as
6 the case may be, to the State Board of Elections, which shall
7 maintain those names and that information in an electronic
8 format on its website, arranged by county and accessible to
9 State and local political committees.

10 (c) An election authority shall not refuse to pay postage
11 costs associated with a returned ballot that lacks proper
12 postage, nor shall an election authority fail to count an
13 otherwise valid returned vote by mail ballot solely because it
14 lacks proper postage.

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

16 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

18 (a) (Blank.)

19 (b) Each vote by mail voter's ballot returned to an
20 election authority, by any means authorized by this Article,
21 and received by that election authority before the closing of
22 the polls on election day shall be endorsed by the receiving
23 election authority with the day and hour of receipt and may be
24 processed by the election authority beginning on the day it is
25 received by the election authority in the central ballot

1 counting location of the election authority, but the results of
2 the processing may not be counted until the day of the election
3 after 7:00 p.m., except as provided in subsections (g) and
4 (g-5).

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

14 Each vote by mail voter's ballot that is mailed to an
15 election authority absent a postmark or a barcode usable with
16 an intelligent mail barcode tracking system, but that is
17 received by the election authority after the polls close on
18 election day and before the close of the period for counting
19 provisional ballots cast at that election, shall be endorsed by
20 the receiving authority with the day and hour of receipt,
21 opened to inspect the date inserted on the certification, and,
22 if the certification date is election day or earlier and the
23 ballot is otherwise found to be valid under the requirements of
24 this Section, counted at the central ballot counting location
25 of the election authority during the period for counting
26 provisional ballots. Absent a date on the certification, the

1 ballot shall not be counted.

2 If an election authority is using an intelligent mail
3 barcode tracking system, a ballot that is mailed to an election
4 authority absent a postmark may be counted if the intelligent
5 mail barcode tracking system verifies the envelope was mailed
6 no later than election day.

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

25 (e) Except as otherwise provided in this Section, vote by
26 mail voters' ballots and special write-in vote by mail voter's

1 blank ballots received by the election authority after the
2 closing of the polls on an election day shall be endorsed by
3 the election authority receiving them with the day and hour of
4 receipt and shall be safely kept unopened by the election
5 authority for the period of time required for the preservation
6 of ballots used at the election, and shall then, without being
7 opened, be destroyed in like manner as the used ballots of that
8 election.

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

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

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

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

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

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

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

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

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

24 (g-5) If a vote by mail ballot is rejected by the election
25 judge or official for any reason, the election authority shall,
26 within 2 business days after the rejection but in all cases

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

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

23 Upon receiving a letter of request from a political party
24 or campaign for a candidate within the jurisdiction of the
25 election authority, the election authority shall disclose the
26 name and address of any disqualified or rejected vote by mail

1 ballot voter within 2 business days, or within 12 hours if the
2 request is received within 7 days of the election for which the
3 disqualified or rejected ballot was intending to vote. The
4 letter of request and disclosure of the voter's name and
5 address may be submitted by email.

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

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

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

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 purpose,
5 and (2) capable of having votes marked in the designated areas
6 automatically examined, counted, and tabulated by an
7 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 an
19 election, but shall not include judges of election operating
20 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 "Direct recording electronic tabulator" means an
26 electronic tabulator that provides a ballot display provided

1 with mechanical or electro-optical devices that can be
2 activated by the voters to mark their choices for the
3 candidates of their preference and for or against public
4 questions and be capable of instantaneously recording such
5 votes, storing such votes, producing a permanent paper record,
6 and tabulating such votes at the precinct or at one or more
7 counting stations.

8 "Edit listing" means a computer generated listing of the
9 names of each candidate and proposition as they appear in the
10 program for each precinct.

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

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

19 "Marking device" means a pen, computer, or other device
20 approved by the State Board of Elections for marking, or
21 causing to be marked, a paper ballot with ink or other
22 substance which will enable the ballot to be tabulated by
23 automatic tabulating equipment or by an electronic scanning
24 process.

25 "Precinct Tabulation Optical Scan Technology" means the
26 capability to examine a ballot through electronic means and

1 tabulate the votes at one or more counting places.

2 "Redundant count" means a verification of the original
3 computer count by another count using compatible equipment or
4 by hand as part of a discovery recount.

5 "Security designation" means a printed designation placed
6 on a ballot to identify to the computer program the offices and
7 propositions for which votes may be cast and to indicate the
8 manner in which votes cast should be tabulated while negating
9 any inadmissible votes.

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

13 "Specimen ballot" means a representation of names of
14 offices and candidates and statements of measures to be voted
15 on which will appear on the official ballot or marking device
16 on election day. The specimen ballot also contains the party
17 and position number where applicable.

18 "Voting defect identification" means the capability to
19 detect overvoted ballots or ballots which cannot be read by the
20 automatic tabulating equipment.

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

23 "Voting system" or "electronic voting system" means the
24 total ~~that~~ combination of mechanical, electromechanical, or
25 electronic equipment, and programs, and practices used to
26 define ballots, cast and count votes, report or display

1 election results, maintain and produce any audit trail
2 information, identify all system components, test the system
3 during development, maintenance and operation, maintain
4 records of system errors and defects, determine specific system
5 changes to be made to a system after initial qualification, and
6 make available any materials to the voter, such as notices,
7 instructions, forms, or paper ballots. ~~in the casting,~~
8 ~~examination and tabulation of ballots and the cumulation and~~
9 ~~reporting of results by electronic means.~~

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

11 (10 ILCS 5/24B-4)

12 Sec. 24B-4. Use of Precinct Tabulation Optical Scan
13 Technology System; Requisites; Applicable procedure. Precinct
14 Tabulation Optical Scan Technology voting systems may be used
15 in elections provided that the Precinct Tabulation Optical Scan
16 Technology systems enable the voter to cast a vote for all
17 offices and on all public questions ~~measures~~ on which he or she
18 is entitled to vote, and that the automatic Precinct Tabulation
19 Optical Scan Technology tabulating equipment may be set to
20 return any ballot sheet on which the number of votes for an
21 office or proposition exceeds the number of votes which the
22 voter is entitled to cast, or any ballot sheet which cannot be
23 read by the automatic tabulating equipment, and provided that
24 such systems are approved for use by the State Board of
25 Elections.

1 So far as applicable, the procedure provided for voting
2 paper ballots shall apply when Precinct Tabulation Optical Scan
3 Technology electronic voting systems are used. However, the
4 provisions of this Article 24B will govern when there are
5 conflicts.

6 (Source: P.A. 89-394, eff. 1-1-97.)

7 (10 ILCS 5/24B-6)

8 Sec. 24B-6. Ballot Information; Arrangement; Electronic
9 Precinct Tabulation Optical Scan Technology Voting System;
10 Vote by Mail Ballots; Spoiled Ballots. The ballot information,
11 shall, as far as practicable, be in the order of arrangement
12 provided for paper ballots, except that the information may be
13 in vertical or horizontal rows, or on a number of separate
14 pages or displays on the marking device. Ballots for all
15 questions or propositions to be voted on should be provided in
16 a similar manner and must be arranged on the ballot sheet or
17 marking device in the places provided for such purposes.
18 Ballots shall be of white paper unless provided otherwise by
19 administrative rule of the State Board of Elections or
20 otherwise specified.

21 All propositions, including but not limited to
22 propositions calling for a constitutional convention,
23 constitutional amendment, judicial retention, and public
24 questions ~~measures~~ to be voted upon shall be placed on separate
25 portions of the ballot sheet or marking device by utilizing

1 borders or grey screens. Candidates shall be listed on a
2 separate portion of the ballot sheet or marking device by
3 utilizing borders or grey screens. Whenever a person has
4 submitted a declaration of intent to be a write-in candidate as
5 required in Sections 17-16.1 and 18-9.1, a line or lines on
6 which the voter may select a write-in candidate shall be
7 printed below the name of the last candidate nominated for such
8 office. Such line or lines shall be proximate to an area
9 provided for marking votes for the write-in candidate or
10 candidates. The number of write-in lines for an office shall
11 equal the number of persons who have filed declarations of
12 intent to be write-in candidates plus an additional line or
13 lines for write-in candidates who qualify to file declarations
14 to be write-in candidates under Sections 17-16.1 and 18-9.1
15 when the certification of ballot contains the words "OBJECTION
16 PENDING" next to the name of that candidate, up to the number
17 of candidates for which a voter may vote. In the case of
18 write-in lines for the offices of Governor and Lieutenant
19 Governor, 2 lines shall be printed within a bracket and a
20 single square shall be printed in front of the bracket. More
21 than one amendment to the constitution may be placed on the
22 same portion of the ballot sheet or marking device.
23 Constitutional convention or constitutional amendment
24 propositions shall be printed or displayed on a separate
25 portion of the ballot sheet or marking device and designated by
26 borders or grey screens, unless otherwise provided by

1 administrative rule of the State Board of Elections. More than
2 one public question ~~measure~~ or proposition may be placed on the
3 same portion of the ballot sheet or marking device. More than
4 one proposition for retention of judges in office may be placed
5 on the same portion of the ballot sheet or marking device.
6 Names of candidates shall be printed in black. The party
7 affiliation of each candidate or the word "independent" shall
8 appear near or under the candidate's name, and the names of
9 candidates for the same office shall be listed vertically under
10 the title of that office, on separate pages of the marking
11 device, or as otherwise approved by the State Board of
12 Elections. If no candidate or candidates file for an office and
13 if no person or persons file a declaration as a write-in
14 candidate for that office, then below the title of that office
15 the election authority instead shall print "No Candidate". In
16 the case of nonpartisan elections for officers of political
17 subdivisions, unless the statute or an ordinance adopted
18 pursuant to Article VII of the Constitution requires otherwise,
19 the listing of nonpartisan candidates shall not include any
20 party or "independent" designation. Judicial retention
21 questions and ballot questions for all public questions
22 ~~measures~~ and other propositions shall be designated by borders
23 or grey screens on the ballot or marking device. In primary
24 elections, a separate ballot, or displays on the marking
25 device, shall be used for each political party holding a
26 primary, with the ballot or marking device arranged to include

1 names of the candidates of the party and public questions
2 ~~measures~~ and other propositions to be voted upon on the day of
3 the primary election.

4 If the ballot includes both candidates for office and
5 public questions ~~measures~~ or propositions to be voted on, the
6 election official in charge of the election shall divide the
7 ballot or displays on the marking device in sections for
8 "Candidates" and "Propositions", or separate ballots may be
9 used.

10 Vote by Mail ballots may consist of envelopes, paper
11 ballots, or ballot sheets. Where a Precinct Tabulation Optical
12 Scan Technology ballot is used for voting by mail it must be
13 accompanied by voter instructions.

14 Any voter who spoils his or her ballot, makes an error, or
15 has a ballot returned by the automatic tabulating equipment may
16 return the ballot to the judges of election and get another
17 ballot.

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

19 (10 ILCS 5/24B-9)

20 Sec. 24B-9. Testing of Precinct Tabulation Optical Scan
21 Technology Equipment and Program; Custody of Programs, Test
22 Materials and Ballots. Prior to the public test, the election
23 authority shall conduct an errorless pre-test of the automatic
24 Precinct Tabulation Optical Scan Technology tabulating
25 equipment and program and marking device to determine that they

1 will correctly detect Voting Defects and count the votes cast
2 for all offices, candidates, and all public questions ~~measures~~.
3 On any day not less than 5 days prior to the election day, the
4 election authority shall publicly test the automatic Precinct
5 Tabulation Optical Scan Technology tabulating equipment and
6 program to determine that they will correctly detect Voting
7 Defects and count the votes cast for all offices, candidates,
8 and ~~on~~ all public questions ~~measures~~. Public notice of the time
9 and place of the test shall be given at least 48 hours before
10 the test by publishing the notice in one or more newspapers
11 within the election jurisdiction of the election authority, if
12 a newspaper is published in that jurisdiction. If a newspaper
13 is not published in that jurisdiction, notice shall be
14 published in a newspaper of general circulation in that
15 jurisdiction. Timely written notice stating the date, time, and
16 location of the public test shall also be provided to the State
17 Board of Elections. The test shall be open to representatives
18 of the political parties, the press, representatives of the
19 State Board of Elections, and the public. The test shall be
20 conducted by processing a preaudited group of ballots marked to
21 record a predetermined number of valid votes for each candidate
22 and on each public question ~~measure~~, and shall include for each
23 office one or more ballots having votes exceeding the number
24 allowed by law to test the ability of the automatic tabulating
25 equipment or marking device to reject the votes. The test shall
26 also include producing an edit listing. In those election

1 jurisdictions where in-precinct counting equipment is used, a
2 public test of both the equipment and program shall be
3 conducted as nearly as possible in the manner prescribed above.
4 The State Board of Elections may select as many election
5 jurisdictions as the Board deems advisable in the interests of
6 the election process of this State, to order a special test of
7 the automatic tabulating equipment and program before any
8 regular election. The Board may order a special test in any
9 election jurisdiction where, during the preceding 12 months,
10 computer programming errors or other errors in the use of
11 electronic voting systems resulted in vote tabulation errors.
12 Not less than 30 days before any election, the State Board of
13 Elections shall provide written notice to those selected
14 jurisdictions of their intent to conduct a test. Within 5 days
15 of receipt of the State Board of Elections' written notice of
16 intent to conduct a test, the selected jurisdictions shall
17 forward to the principal office of the State Board of Elections
18 a copy of all specimen ballots. The State Board of Elections'
19 tests shall be conducted and completed not less than 2 days
20 before the public test and under the supervision of the Board.
21 The vendor, person, or other private entity shall be solely
22 responsible for the production and cost of: all ballots;
23 additional temporary workers; and other equipment or
24 facilities needed and used in the testing of the vendor's,
25 person's, or other private entity's respective equipment and
26 software. After an errorless test, materials used in the public

1 test, including the program, if appropriate, shall be sealed
2 and remain sealed until the test is run again on election day.
3 If any error is detected, the cause of the error shall be
4 determined and corrected, and an errorless public test shall be
5 made before the automatic tabulating equipment is approved.
6 Each election authority shall file a sealed copy of each tested
7 program to be used within its jurisdiction at an election with
8 the State Board of Elections before the election. The Board
9 shall secure the program or programs of each election
10 jurisdiction so filed in its office until the next election of
11 the same type (general primary, general election, consolidated
12 primary, or consolidated election) for which the program or
13 programs were filed. At the expiration of that time, if no
14 election contest or appeal is pending in an election
15 jurisdiction, the Board shall destroy the sealed program or
16 programs. Except where in-precinct counting equipment is used,
17 the test shall be repeated immediately before the start of the
18 official counting of the ballots, in the same manner as set
19 forth above. After the completion of the count, the test shall
20 be re-run using the same program. Immediately after the re-run,
21 all material used in testing the program and the programs shall
22 be sealed and retained under the custody of the election
23 authority for a period of 60 days. At the expiration of that
24 time the election authority shall destroy the voted ballots,
25 together with all unused ballots returned from the precincts.
26 Provided, if any contest of election is pending at the time in

1 which the ballots may be required as evidence and the election
2 authority has notice of the contest, the same shall not be
3 destroyed until after the contest is finally determined. If the
4 use of back-up equipment becomes necessary, the same testing
5 required for the original equipment shall be conducted.

6 (Source: P.A. 93-574, eff. 8-21-03; 94-1000, eff. 7-3-06.)

7 (10 ILCS 5/Art. 24C heading)

8 ARTICLE 24C. DIRECT RECORDING ELECTRONIC TABULATORS AND
9 ELECTRONIC BALLOT MARKING DEVICES ~~VOTING SYSTEMS~~

10 (10 ILCS 5/24C-1)

11 Sec. 24C-1. Purpose. The purpose of this Article is to
12 authorize the use of direct recording electronic tabulators and
13 electronic ballot marking devices ~~Direct Recording Electronic~~
14 ~~Voting Systems~~ approved by the State Board of Elections. In a
15 ~~Direct Recording Electronic~~ direct recording electronic
16 tabulator or electronic ballot marking device ~~Voting System~~,
17 voters cast votes by means of a ballot display provided with
18 mechanical or electro-optical devices that can be activated by
19 the voters to mark their choices for the candidates of their
20 preference and for or against public questions. Direct
21 recording electronic tabulators ~~Such voting devices~~ shall be
22 capable of instantaneously recording such votes, storing such
23 votes, producing a permanent paper record and tabulating such
24 votes at the precinct or at one or more counting stations.

1 Electronic ballot marking devices shall be capable of
2 instantaneously marking such votes, producing a permanent
3 paper record, and enabling such votes to be tabulated at the
4 precinct or at one or more counting stations. This Article
5 authorizes the use of direct recording electronic tabulators
6 and electronic ballot marking devices ~~Direct Recording~~
7 ~~Electronic Voting Systems~~ for in-precinct counting
8 applications and for early voting in the office of the election
9 authority and in the offices of local officials authorized by
10 the election authority to conduct such early voting. All other
11 early ballots must be counted at the office of the election
12 authority.

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

14 (10 ILCS 5/24C-2)

15 Sec. 24C-2. Definitions. As used in this Article:

16 "Audit trail" or "audit capacity" means a continuous trail
17 of evidence linking individual transactions related to the
18 casting of a vote, the vote count and the summary record of
19 vote totals, but which shall not allow for the identification
20 of the voter. It shall permit verification of the accuracy of
21 the count and detection and correction of problems and shall
22 provide a record of each step taken in: defining and producing
23 ballots and generating related software for specific
24 elections; installing ballots and software; testing system
25 readiness; casting and tabulating ballots; and producing

1 images of votes cast and reports of vote totals. The record
2 shall incorporate system status and error messages generated
3 during election processing, including a log of machine
4 activities and routine and unusual intervention by authorized
5 and unauthorized individuals. Also part of an audit trail is
6 the documentation of such items as ballots delivered and
7 collected, administrative procedures for system security,
8 pre-election testing of voting systems, and maintenance
9 performed on voting equipment. All test plans, test results,
10 documentation, and other records used to plan, execute, and
11 record the results of the testing and verification, including
12 all material prepared or used by independent testing
13 authorities or other third parties, shall be made part of the
14 public record and shall be freely available via the Internet
15 and paper copy to anyone. "Audit trail" or "audit capacity"
16 also means that the voting system is capable of producing and
17 shall produce immediately after a ballot is cast a permanent
18 paper record of each ballot cast that shall be available as an
19 official record for any recount, redundant count, or
20 verification or retabulation of the vote count conducted with
21 respect to any election in which the voting system is used.

22 "Ballot" means an electronic audio or video display or any
23 other medium, including paper, used to record a voter's choices
24 for the candidates of their preference and for or against
25 public questions.

26 "Ballot configuration" means the particular combination of

1 political subdivision or district ballots including, for each
2 political subdivision or district, the particular combination
3 of offices, candidate names and public questions as it appears
4 for each group of voters who may cast the same ballot.

5 "Ballot image" means a corresponding representation in
6 electronic or paper form of the mark or vote position of a
7 ballot.

8 "Ballot label" or "ballot screen" means the display of
9 material containing the names of offices and candidates and
10 public questions to be voted on.

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

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

24 "Computer operator" means any person or persons designated
25 by the election authority to operate the automatic tabulating
26 equipment during any portion of the vote tallying process in an

1 election, but shall not include judges of election operating
2 vote tabulating equipment in the precinct.

3 "Computer program" or "program" means the set of operating
4 instructions for the automatic tabulating equipment that
5 examines, records, displays, counts, tabulates, canvasses, or
6 prints votes recorded by a voter on a ballot or that displays
7 any and all information, graphics, or other visual or audio
8 information or images used in presenting voting information,
9 instructions, or voter choices.

10 "Direct recording electronic tabulator ~~voting system~~",
11 ~~"voting system" or "system"~~ means an electronic tabulator that
12 provides a ballot display provided with mechanical or
13 electro-optical devices that can be activated by the voters to
14 mark their choices for the candidates of their preference and
15 for or against public questions and be capable of
16 instantaneously recording such votes, storing such votes,
17 producing a permanent paper record, and tabulating such votes
18 at the precinct or at one or more counting stations. ~~the total~~
19 ~~combination of mechanical, electromechanical or electronic~~
20 ~~equipment, programs and practices used to define ballots, cast~~
21 ~~and count votes, report or display election results, maintain~~
22 ~~or produce any audit trail information, identify all system~~
23 ~~components, test the system during development, maintenance~~
24 ~~and operation, maintain records of system errors and defects,~~
25 ~~determine specific system changes to be made to a system after~~
26 ~~initial qualification, and make available any materials to the~~

1 ~~voter such as notices, instructions, forms or paper ballots.~~

2 "Edit listing" means a computer generated listing of the
3 names of each candidate and public question as they appear in
4 the program for each precinct.

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

9 "Electronic ballot marking device ~~Marking device~~" means
10 any electronic device approved by the State Board of Elections
11 for marking a ballot so as to enable the ballot to be recorded,
12 counted and tabulated by automatic tabulating equipment.

13 "Permanent paper record" means a paper record upon which
14 shall be printed in human readable form the votes cast for each
15 candidate and for or against each public question on each
16 ballot recorded in the voting system. Each permanent paper
17 record shall be printed by the voting device upon activation of
18 the marking device by the voter and shall contain a unique,
19 randomly assigned identifying number that shall correspond to
20 the number randomly assigned by the voting system to each
21 ballot as it is electronically recorded.

22 "Redundant count" means a verification of the original
23 computer count of ballots by another count using compatible
24 equipment or other means as part of a discovery recount,
25 including a count of the permanent paper record of each ballot
26 cast by using compatible equipment, different equipment

1 approved by the State Board of Elections for that purpose, or
2 by hand.

3 "Separate ballot" means a separate page or display screen
4 of the ballot that is clearly defined and distinguishable from
5 other portions of the ballot.

6 "Voting device" or "voting machine" means an apparatus that
7 contains the ballot label or ballot screen and allows the voter
8 to record his or her vote.

9 "Voting system" or "system" means the total combination of
10 mechanical, electro-mechanical, or electronic equipment,
11 programs and practices used to define ballots, cast and count
12 votes, report or display election results, maintain or produce
13 any audit trail information, identify all system components,
14 test the system during development, maintenance, and
15 operation, maintain records of system errors and defects,
16 determine specific system changes to be made to a system after
17 initial qualification, and make available any materials to the
18 voter, such as notices, instructions, forms, or paper ballots.

19 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

20 (10 ILCS 5/24C-3)

21 Sec. 24C-3. Adoption, experimentation or abandonment of
22 direct recording electronic tabulators and electronic ballot
23 marking devices ~~Direct Recording Electronic Voting System;~~
24 boundaries ~~Boundaries~~ of precincts; notice ~~Notice~~. Except as
25 otherwise provided in this Section, any county board, board of

1 county commissioners and any board of election commissioners,
2 with respect to territory within its jurisdiction, may adopt,
3 experiment with, or abandon a direct electronic tabulator or
4 electronic ballot marking device ~~Direct Recording Electronic~~
5 ~~Voting System~~ approved for use by the State Board of Elections
6 and may use such System in all or some of the precincts within
7 its jurisdiction, or in combination with paper ballots or other
8 voting systems. Any county board, board of county commissioners
9 or board of election commissioners may contract for the
10 tabulation of votes at a location outside its territorial
11 jurisdiction when there is no suitable tabulating equipment
12 available within its territorial jurisdiction. In no case may a
13 county board, board of county commissioners or board of
14 election commissioners contract or arrange for the purchase,
15 lease or loan of a direct recording electronic tabulator,
16 electronic ballot marking device, ~~Direct Recording Electronic~~
17 ~~Voting System~~ or system ~~System~~ component without the approval
18 of the State Board of Elections as provided by Section 24C-16.

19 Before any direct recording electronic tabulator or
20 electronic ballot marking device ~~Direct Recording Electronic~~
21 ~~Voting System~~ is introduced, adopted or used in any precinct or
22 territory at least 2 months public notice must be given before
23 the date of the first election where the system ~~System~~ is to be
24 used. The election authority shall publish the notice at least
25 once in one or more newspapers published within the county or
26 other jurisdiction, where the election is held. If there is no

1 such newspaper, the notice shall be published in a newspaper
2 published in the county and having a general circulation within
3 such jurisdiction. The notice shall be substantially as
4 follows:

5 "Notice is hereby given that on ... (give date) ..., at ...
6 (give place where election is held) ... in the county of ...,
7 an election will be held for ... (give name of offices to be
8 filled) ... at which a direct recording electronic tabulator or
9 electronic ballot marking device ~~Direct Recording Electronic~~
10 ~~Voting System~~ will be used."

11 Dated at ... this ... day of ... 20....?

12 This notice referred to shall be given only at the first
13 election at which the direct recording electronic tabulator or
14 electronic ballot marking device ~~Direct Recording Electronic~~
15 ~~Voting System~~ is used.

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

17 (10 ILCS 5/24C-3.1)

18 Sec. 24C-3.1. Retention or consolidation or alteration of
19 existing precincts; change ~~Change~~ of location. When a direct
20 recording electronic tabulator or electronic ballot marking
21 device ~~Direct Recording Electronic Voting System~~ is used, the
22 county board or board of election commissioners may retain
23 existing precincts or may consolidate, combine, alter,
24 decrease or enlarge the boundaries of the precincts to change
25 the number of registered voters of the precincts using the

1 System, establishing the number of registered voters within
2 each precinct at a number not to exceed 800 as the appropriate
3 county board or board of election commissioners determines will
4 afford adequate voting facilities and efficient and economical
5 elections.

6 Except in the event of a fire, flood or total loss of heat
7 in a place fixed or established pursuant to law by any county
8 board or board of election commissioners as a polling place for
9 an election, no election authority shall change the location of
10 a polling place established for any precinct after notice of
11 the place of holding the election for that precinct has been
12 given as required under Article 12 unless the election
13 authority notifies all registered voters in the precinct of the
14 change in location by first class mail in sufficient time for
15 the notice to be received by the registered voters in the
16 precinct at least one day prior to the date of the election.

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

18 (10 ILCS 5/24C-4)

19 Sec. 24C-4. Use of direct recording electronic tabulators
20 and electronic ballot marking devices ~~Direct Recording~~
21 ~~Electronic Voting System~~; requisites ~~Requisites~~; applicable
22 procedure ~~Applicable procedure~~. Direct recording electronic
23 tabulators and electronic ballot marking devices ~~Recording~~
24 ~~Electronic Voting Systems~~ may be used in elections provided
25 that such systems ~~Systems~~ are approved for use by the State

1 Board of Elections. So far as applicable, the procedure
2 provided for voting paper ballots shall apply when direct
3 recording electronic tabulators or electronic ballot marking
4 devices ~~Direct Recording Electronic Voting Systems~~ are used.
5 However, the provisions of this Article 24C will govern when
6 there are conflicts.

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

8 (10 ILCS 5/24C-5)

9 Sec. 24C-5. Voting stations ~~Stations~~. In precincts where a
10 direct recording electronic tabulator or electronic ballot
11 marking device ~~Direct Recording Electronic Voting System~~ is
12 used, a sufficient number of voting stations shall be provided
13 for the use of the system ~~System~~ according to the requirements
14 determined by the State Board of Elections. Each station shall
15 be placed in a manner so that no judge of election or
16 pollwatcher is able to observe a voter casting a ballot.

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

18 (10 ILCS 5/24C-5.1)

19 Sec. 24C-5.1. Instruction of voters ~~Voters~~; instruction
20 model ~~Instruction Model~~; partiality ~~Partiality~~ to political
21 party ~~Political Party~~; manner ~~Manner~~ of instruction
22 ~~Instruction~~. Before entering the voting booth each voter shall
23 be offered instruction in using the direct recording electronic
24 tabulator or electronic ballot marking device ~~Direct Recording~~

1 ~~Electronic Voting System~~. In instructing voters, no precinct
2 official may show partiality to any political party or
3 candidate. The duties of instruction shall be discharged by a
4 judge from each of the political parties represented and they
5 shall alternate serving as instructor so that each judge shall
6 serve a like time at such duties. No instructions may be given
7 inside a voting booth after the voter has entered the voting
8 booth.

9 No precinct official or person assisting a voter may in any
10 manner request, suggest, or seek to persuade or induce any
11 voter to cast his or her vote for any particular ticket,
12 candidate, amendment, question or proposition. All
13 instructions shall be given by precinct officials in a manner
14 that it may be observed by other persons in the polling place.

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

16 (10 ILCS 5/24C-5.2)

17 Sec. 24C-5.2. Demonstration of direct recording electronic
18 tabulators and electronic ballot marking devices ~~Direct~~
19 ~~Recording Electronic Voting System~~; placement ~~Placement~~ in
20 public library ~~Public Library~~. When a direct recording
21 electronic tabulator or electronic ballot marking device
22 ~~Direct Recording Electronic Voting System~~ is used in a
23 forthcoming election, the election authority may provide, for
24 the purpose of instructing voters in the election, one
25 demonstrator direct recording electronic tabulator or

1 electronic ballot marking device ~~Direct Recording Electronic~~
2 ~~Voting System~~ unit for placement in any public library or in
3 any other public or private building within the political
4 subdivision where the election occurs. If the placement of a
5 demonstrator takes place it shall be made available at least 30
6 days before the election.

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

8 (10 ILCS 5/24C-6)

9 Sec. 24C-6. Ballot information ~~Information~~; arrangement
10 ~~Arrangement~~; direct recording electronic tabulators ~~Direct~~
11 ~~Recording Electronic Voting System~~; electronic ballot marking
12 devices; vote ~~Vote~~ by mail ballots ~~Mail Ballots~~; spoiled
13 ballots ~~Spoiled Ballots~~. The ballot information, shall, as far
14 as practicable, be in the order of arrangement provided for
15 paper ballots, except that the information may be in vertical
16 or horizontal rows, or on a number of separate pages or display
17 screens.

18 Ballots for all public questions to be voted on should be
19 provided in a similar manner and must be arranged on the ballot
20 in the places provided for such purposes. All public questions,
21 including but not limited to public questions calling for a
22 constitutional convention, constitutional amendment, or
23 judicial retention, shall be placed on the ballot separate and
24 apart from candidates. Ballots for all public questions shall
25 be clearly designated by borders or different color screens.

1 More than one amendment to the constitution may be placed on
2 the same portion of the ballot sheet. Constitutional convention
3 or constitutional amendment propositions shall be placed on a
4 separate portion of the ballot and designated by borders or
5 unique color screens, unless otherwise provided by
6 administrative rule of the State Board of Elections. More than
7 one public question may be placed on the same portion of the
8 ballot. More than one proposition for retention of judges in
9 office may be placed on the same portion of the ballot.

10 The party affiliation, if any, of each candidate or the
11 word "independent", where applicable, shall appear near or
12 under the candidate's name, and the names of candidates for the
13 same office shall be listed vertically under the title of that
14 office. In the case of nonpartisan elections for officers of
15 political subdivisions, unless the statute or an ordinance
16 adopted pursuant to Article VII of the Constitution requires
17 otherwise, the listing of nonpartisan candidates shall not
18 include any party or "independent" designation. If no candidate
19 or candidates file for an office and if no person or persons
20 file a declaration as a write-in candidate for that office,
21 then below the title of that office the election authority
22 shall print "No Candidate". In primary elections, a separate
23 ballot shall be used for each political party holding a
24 primary, with the ballot arranged to include names of the
25 candidates of the party and public questions and other
26 propositions to be voted upon on the day of the primary

1 election.

2 If the ballot includes both candidates for office and
3 public questions or propositions to be voted on, the election
4 official in charge of the election shall divide the ballot in
5 sections for "Candidates" and "Public Questions", or separate
6 ballots may be used.

7 Any voter who spoils his or her ballot, makes an error, or
8 has a ballot rejected by the automatic tabulating equipment
9 shall be provided a means of correcting the ballot or obtaining
10 a new ballot prior to casting his or her ballot.

11 Any election authority using a direct recording electronic
12 tabulator or electronic ballot marking device ~~Direct Recording~~
13 ~~Electronic Voting System~~ may use voting systems approved for
14 use under Articles 24A or 24B of this Code in conducting vote
15 by mail or early voting.

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

17 (10 ILCS 5/24C-6.1)

18 Sec. 24C-6.1. Security designation ~~Designation~~. In all
19 elections conducted under this Article, ballots shall have a
20 security designation. In precincts where more than one ballot
21 configuration may be voted upon, ballots shall have a different
22 security designation for each ballot configuration. If a
23 precinct has only one possible ballot configuration, the
24 ballots must have a security designation to identify the
25 precinct and the election. Where ballots from more than one

1 precinct are being tabulated, the ballots from each precinct
2 must be clearly identified; official results shall not be
3 generated unless the precinct identification for any precinct
4 corresponds. When the tabulating equipment being used requires
5 entering the program immediately before tabulating the ballots
6 for each precinct, the precinct program may be used. The direct
7 recording electronic tabulator or electronic ballot marking
8 device ~~Direct Recording Electronic Voting System~~ shall be
9 designed to ensure that the proper ballot is selected for each
10 polling place and for each ballot configuration and that the
11 format can be matched to the software or firmware required to
12 interpret it correctly. The system shall provide a means of
13 programming each piece of equipment to reflect the ballot
14 requirements of the election and shall include a means for
15 validating the correctness of the program and of the program's
16 installation in the equipment or in a programmable memory
17 device.

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

19 (10 ILCS 5/24C-7)

20 Sec. 24C-7. Write-in ballots ~~Write-In Ballots~~. A direct
21 recording electronic tabulator or electronic ballot marking
22 device ~~Direct Recording Electronic Voting System~~ shall provide
23 an acceptable method for a voter to vote for a person whose
24 name does not appear on the ballot using the same apparatus
25 used to record votes for candidates whose names do appear on

1 the ballot. Election authorities utilizing direct recording
2 electronic tabulators or electronic ballot marking devices
3 ~~Direct Recording Electronic Voting Systems~~ shall not use
4 separate write-in ballots.

5 Whenever a person has submitted a declaration of intent to
6 be a write-in candidate as required in Sections 17-16.1 and
7 18-9.1, a space or spaces in which the name of a candidate or
8 candidates may be written in or recorded by the voter shall
9 appear below the name of the last candidate nominated for such
10 office. The number of write-in lines for an office shall equal
11 the number of persons who have filed declarations of intent to
12 be write-in candidates plus an additional line or lines for
13 write-in candidates who qualify to file declarations to be
14 write-in candidates under Section 17-16.1 or 18-9.1 when the
15 certification of ballot contains the words "OBJECTION PENDING"
16 next to the name of the candidate, up to the number of
17 candidates for which a voter may vote.

18 (Source: P.A. 95-862, eff. 8-19-08.)

19 (10 ILCS 5/24C-8)

20 Sec. 24C-8. Preparation for use ~~Use~~; comparison of ballots
21 ~~Comparison of Ballots~~; operational checks ~~Operational Checks~~
22 of direct recording electronic tabulators and electronic
23 ballot marking devices ~~Direct Recording Electronic Voting~~
24 ~~Systems Equipment~~; pollwatchers ~~Pollwatchers~~. The county clerk
25 or board of election commissioners shall cause the approved

1 direct recording tabulator ~~Direct Recording Electronic Voting~~
2 ~~System~~ equipment or electronic ballot marking devices to be
3 delivered to the polling places. Before the opening of the
4 polls, all direct recording electronic tabulators or
5 electronic ballot marking device utilized as a tabulator ~~Direct~~
6 ~~Recording Voting System~~ devices shall provide a printed record
7 of the following, upon verification of the authenticity of the
8 commands by a judge of election: the election's identification
9 data, the equipment's unit identification, the ballot's format
10 identification, the contents of each active candidate register
11 by office and of each active public question register showing
12 that they contain all zeros, all ballot fields that can be used
13 to invoke special voting options, and other information needed
14 to ensure the readiness of the equipment, and to accommodate
15 administrative reporting requirements.

16 The direct recording electronic tabulator or electronic
17 ballot marking device utilized as a tabulator ~~Direct Recording~~
18 ~~Electronic Voting System~~ shall provide a means of opening the
19 polling place and readying the equipment for the casting of
20 ballots. Such means shall incorporate a security seal, a
21 password, or a data code recognition capability to prevent
22 inadvertent or unauthorized actuation of the poll-opening
23 function. If more than one step is required, it shall enforce
24 their execution in the proper sequence.

25 Pollwatchers as provided by law shall be permitted to
26 closely observe the judges in these procedures and to

1 periodically inspect the direct recording electronic tabulator
2 or electronic ballot marking device ~~Direct Recording~~
3 ~~Electronic Voting System~~ equipment when not in use by the
4 voters.

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

6 (10 ILCS 5/24C-9)

7 Sec. 24C-9. Testing of direct recording electronic
8 tabulators and electronic ballot marking device equipment and
9 programs ~~Direct Recording Electronic Voting System Equipment~~
10 ~~and Programs~~; custody of programs ~~Custody of Programs~~, test
11 materials and ballots ~~Test Materials and Ballots~~. Prior to the
12 public test, the election authority shall conduct an errorless
13 pre-test of the direct recording electronic tabulator or
14 electronic ballot marking device ~~Direct Recording Electronic~~
15 ~~Voting System~~ equipment and programs to determine that they
16 will correctly detect voting defects and count the votes cast
17 for all offices, candidates, and ~~all~~ public questions. On any
18 day not less than 5 days prior to the election day, the
19 election authority shall publicly test the direct recording
20 electronic tabulator or electronic ballot marking device
21 ~~Direct Recording Electronic Voting System~~ equipment and
22 programs to determine that it ~~they~~ will correctly detect voting
23 errors and accurately count the votes legally cast for all
24 offices and candidates and on all public questions. Public
25 notice of the time and place of the test shall be given at

1 least 48 hours before the test by publishing the notice in one
2 or more newspapers within the election jurisdiction of the
3 election authority, if a newspaper is published in that
4 jurisdiction. If a newspaper is not published in that
5 jurisdiction, notice shall be published in a newspaper of
6 general circulation in that jurisdiction. Timely written
7 notice stating the date, time, and location of the public test
8 shall also be provided to the State Board of Elections. The
9 test shall be open to representatives of the political parties,
10 the press, representatives of the State Board of Elections, and
11 the public. The test shall be conducted by entering a
12 pre-audited group of votes designed to record a predetermined
13 number of valid votes for each candidate and on each public
14 question, and shall include for each office one or more ballots
15 having votes exceeding the number allowed by law to test the
16 ability of the automatic tabulating equipment to reject the
17 votes. The test shall also include producing an edit listing.
18 In those election jurisdictions where in-precinct counting
19 equipment is used, a public test of both the equipment and
20 program shall be conducted as nearly as possible in the manner
21 prescribed above. The State Board of Elections may select as
22 many election jurisdictions as the Board deems advisable in the
23 interests of the election process of this State, to order a
24 special test of the automatic tabulating equipment and program
25 before any regular election. The Board may order a special test
26 in any election jurisdiction where, during the preceding 12

1 months, computer programming errors or other errors in the use
2 of System resulted in vote tabulation errors. Not less than 30
3 days before any election, the State Board of Elections shall
4 provide written notice to those selected jurisdictions of their
5 intent to conduct a test. Within 5 days of receipt of the State
6 Board of Elections' written notice of intent to conduct a test,
7 the selected jurisdictions shall forward to the principal
8 office of the State Board of Elections a copy of all specimen
9 ballots. The State Board of Elections' tests shall be conducted
10 and completed not less than 2 days before the public test and
11 under the supervision of the Board. The vendor, person, or
12 other private entity shall be solely responsible for the
13 production and cost of: all ballots; additional temporary
14 workers; and other equipment or facilities needed and used in
15 the testing of the vendor's, person's, or other private
16 entity's respective equipment and software. After an errorless
17 test, materials used in the public test, including the program,
18 if appropriate, shall be sealed and remain sealed until the
19 test is run again on election day. If any error is detected,
20 the cause of the error shall be determined and corrected, and
21 an errorless public test shall be made before the automatic
22 tabulating equipment is approved. Each election authority
23 shall file a sealed copy of each tested program to be used
24 within its jurisdiction at an election with the State Board of
25 Elections before the election. The Board shall secure the
26 program or programs of each election jurisdiction so filed in

1 its office until the next election of the same type (general
2 primary, general election, consolidated primary, or
3 consolidated election) for which the program or programs were
4 filed. At the expiration of that time, if no election contest
5 or appeal is pending in an election jurisdiction, the Board
6 shall destroy the sealed program or programs. Except where
7 in-precinct counting equipment is used, the test shall be
8 repeated immediately before the start of the official counting
9 of the ballots, in the same manner as set forth above. After
10 the completion of the count, the test shall be re-run using the
11 same program. Immediately after the re-run, all material used
12 in testing the program and the programs shall be sealed and
13 retained under the custody of the election authority for a
14 period of 60 days. At the expiration of that time the election
15 authority shall destroy the voted ballots, together with all
16 unused ballots returned from the precincts. Provided, if any
17 contest of election is pending at the time in which the ballots
18 may be required as evidence and the election authority has
19 notice of the contest, the same shall not be destroyed until
20 after the contest is finally determined. If the use of back-up
21 equipment becomes necessary, the same testing required for the
22 original equipment shall be conducted.

23 (Source: P.A. 93-574, eff. 8-21-03; 94-1000, eff. 7-3-06.)

24 (10 ILCS 5/24C-10)

25 Sec. 24C-10. Recording of votes by direct recording

1 electronic tabulators and electronic ballot marking devices
2 ~~Direct Recording Electronic Voting Systems.~~

3 Whenever a direct recording electronic tabulator ~~Direct~~
4 ~~Recording Electronic Voting System~~ is used to automatically
5 record and count the votes on ballots or, in the case of an
6 electronic ballot marking device, mark the votes on a ballot,
7 the provisions of this Section shall apply. A voter shall cast
8 a proper vote on a ballot by marking the designated area for
9 the casting of a vote for any party or candidate or for or
10 against any public question. For this purpose, a mark is an
11 intentional selection of the designated area on the ballot by
12 appropriate means and which is not otherwise an identifying
13 mark.

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

15 (10 ILCS 5/24C-11)

16 Sec. 24C-11. Functional requirements. A direct recording
17 electronic tabulator or electronic ballot marking device
18 ~~Direct Recording Electronic Voting System~~ shall, in addition to
19 satisfying the other requirements of this Article, fulfill the
20 following functional requirements:

21 (a) Provide a voter in a primary election with the means of
22 casting a ballot containing votes for any and all candidates of
23 the party or parties of his or her choice, and for any and all
24 non-partisan candidates and public questions and preclude the
25 voter from voting for any candidate of any other political

1 party except when legally permitted. In a general election, the
2 system shall provide the voter with means of selecting the
3 appropriate number of candidates for any office, and of voting
4 on any public question on the ballot to which he or she is
5 entitled to vote.

6 (b) If a voter is not entitled to vote for particular
7 candidates or public questions appearing on the ballot, the
8 system shall prevent the selection of the prohibited votes.

9 (c) Once the proper ballot has been selected, the system
10 devices shall provide a means of enabling the recording of
11 votes and the casting of said ballot or, in the case of an
12 electronic ballot marking device, enable the recording of votes
13 in order to be cast on an electronic tabulating device.

14 (d) System voting devices shall provide voting choices that
15 are clear to the voter and labels indicating the names of every
16 candidate and the text of every public question on the voter's
17 ballot. Each label shall identify the selection button or
18 switch, or the active area of the ballot associated with it.
19 The system shall be able to incorporate minimal, easy-to-follow
20 on-screen instruction for the voter on how to cast a ballot.

21 (e) Voting devices shall (i) enable the voter to vote for
22 any and all candidates and public questions appearing on the
23 ballot for which the voter is lawfully entitled to vote, in any
24 legal number and combination; (ii) detect and reject all votes
25 for an office or upon a public question when the voter has cast
26 more votes for the office or upon the public question than the

1 voter is entitled to cast; (iii) notify the voter if the
2 voter's choices as recorded on the ballot for an office or
3 public question are fewer than or exceed the number that the
4 voter is entitled to vote for on that office or public question
5 and the effect of casting more or fewer votes than legally
6 permitted; (iv) notify the voter if the voter has failed to
7 completely cast a vote for an office or public question
8 appearing on the ballot; and (v) permit the voter, in a private
9 and independent manner, to verify the votes selected by the
10 voter, to change the ballot or to correct any error on the
11 ballot before the ballot is completely cast and counted. A
12 means shall be provided to indicate each selection after it has
13 been made or canceled.

14 (f) System voting devices shall provide a means for the
15 voter to signify that the selection of candidates and public
16 questions has been completed. Upon activation, a direct
17 recording electronic tabulator ~~the system~~ shall record an image
18 of the completed ballot, increment the proper ballot position
19 registers, and shall signify to the voter that the ballot has
20 been cast or, in the case of an electronic ballot marking
21 device, the system shall record all votes and signify to the
22 voter that the ballot has been marked. The system shall then
23 prevent any further attempt to vote until it has been reset or
24 re-enabled by a judge of election.

25 (g) Each direct recording electronic tabulator or
26 electronic ballot marking device utilized as a tabulator ~~system~~

1 ~~voting device~~ shall be equipped with a public counter that can
2 be set to zero prior to the opening of the polling place, and
3 that records the number of ballots cast at a particular
4 election. The counter shall be incremented only by the casting
5 of a ballot. The counter shall be designed to prevent disabling
6 or resetting by other than authorized persons after the polls
7 close. The counter shall be visible to all judges of election
8 so long as the device is installed at the polling place.

9 (h) Each system voting device shall be equipped with a
10 protective counter that records all of the testing and election
11 ballots cast since the unit was built. This counter shall be
12 designed so that its reading cannot be changed by any cause
13 other than the casting of a ballot. The protective counter
14 shall be incapable of ever being reset and it shall be visible
15 at all times when the device is configured for testing,
16 maintenance, or election use.

17 (i) All system devices shall provide a means of preventing
18 further voting once the polling place has closed and after all
19 eligible voters have voted. Such means of control shall
20 incorporate a visible indication of system status. Each device
21 shall prevent any unauthorized use, prevent tampering with
22 ballot labels and preclude its re-opening once the poll closing
23 has been completed for that election.

24 (j) Each direct recording electronic tabulator or
25 electronic ballot marking device utilized as a tabulator ~~The~~
26 ~~system~~ shall produce a printed summary report of the votes cast

1 upon each voting device. Until the proper sequence of events
2 associated with closing the polling place has been completed,
3 the system shall not allow the printing of a report or the
4 extraction of data. The printed report shall also contain all
5 system audit information to be required by the election
6 authority. Data shall not be altered or otherwise destroyed by
7 report generation and the system shall ensure the integrity and
8 security of data for a period of at least 6 months after the
9 polls close.

10 (k) If more than one voting device is used in a polling
11 place, the system shall provide a means to manually or
12 electronically consolidate the data from all such units into a
13 single report even if different voting systems are used to
14 record ballots. The system shall also be capable of merging the
15 vote tabulation results produced by other vote tabulation
16 systems, if necessary.

17 (l) System functions shall be implemented such that
18 unauthorized access to them is prevented and the execution of
19 authorized functions in an improper sequence is precluded.
20 System functions shall be executable only in the intended
21 manner and order, and only under the intended conditions. If
22 the preconditions to a system function have not been met, the
23 function shall be precluded from executing by the system's
24 control logic.

25 (m) All system voting devices shall incorporate at least 3
26 memories in the machine itself and in its programmable memory

1 devices.

2 (n) The system shall include capabilities of recording and
3 reporting the date and time of normal and abnormal events and
4 of maintaining a permanent record of audit information that
5 cannot be turned off. Provisions shall be made to detect and
6 record significant events (e.g., casting a ballot, error
7 conditions that cannot be disposed of by the system itself,
8 time-dependent or programmed events that occur without the
9 intervention of the voter or a judge of election).

10 (o) The system and each system voting device must be
11 capable of creating, printing and maintaining a permanent paper
12 record and an electronic image of each ballot that is cast such
13 that records of individual ballots are maintained by a
14 subsystem independent and distinct from the main vote
15 detection, interpretation, processing and reporting path. The
16 electronic images of each ballot must protect the integrity of
17 the data and the anonymity of each voter, for example, by means
18 of storage location scrambling. The ballot image records may be
19 either machine-readable or manually transcribed, or both, at
20 the discretion of the election authority.

21 (p) The system shall include built-in test, measurement and
22 diagnostic software and hardware for detecting and reporting
23 the system's status and degree of operability.

24 (q) The system shall contain provisions for maintaining the
25 integrity of memory voting and audit data during an election
26 and for a period of at least 6 months thereafter and shall

1 provide the means for creating an audit trail.

2 (r) The system shall be fully accessible so as to permit
3 blind or visually impaired voters as well as voters with
4 physical disabilities to exercise their right to vote in
5 private and without assistance.

6 (s) The system shall provide alternative language
7 accessibility if required pursuant to Section 203 of the Voting
8 Rights Act of 1965.

9 (t) Each voting device shall enable a voter to vote for a
10 person whose name does not appear on the ballot.

11 (u) Each direct recording electronic tabulator ~~The system~~
12 shall record and count accurately and, in the case of an
13 electronic ballot marking devices, accurately mark each vote
14 properly cast for or against any candidate and for or against
15 any public question, including the names of all candidates
16 whose names are written in by the voters.

17 (v) The system shall allow for accepting provisional
18 ballots and for separating such provisional ballots from
19 precinct totals until authorized by the election authority.

20 (w) The system shall provide an effective audit trail as
21 defined in Section 24C-2 in this Code.

22 (x) The system shall be suitably designed for the purpose
23 used, be durably constructed, and be designed for safety,
24 accuracy and efficiency.

25 (y) The system shall comply with all provisions of federal,
26 State and local election laws and regulations and any future

1 modifications to those laws and regulations.

2 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

3 (10 ILCS 5/24C-12)

4 Sec. 24C-12. Procedures for counting and tallying of
5 ballots. In an election jurisdiction where a direct recording
6 electronic tabulator or electronic ballot marking device
7 ~~Direct Recording Electronic Voting System~~ is used, the
8 following procedures for counting and tallying the ballots
9 shall apply:

10 Before the opening of the polls, the judges of elections
11 shall assemble the voting equipment and devices and turn the
12 equipment on. The judges shall, if necessary, take steps to
13 activate the voting devices and counting equipment by inserting
14 into the equipment and voting devices appropriate data cards
15 containing passwords and data codes that will select the proper
16 ballot formats selected for that polling place and that will
17 prevent inadvertent or unauthorized activation of the
18 poll-opening function. Before voting begins and before ballots
19 are entered into the voting devices, the judges of election
20 shall cause to be printed a record of the following: the
21 election's identification data, the device's unit
22 identification, the ballot's format identification, the
23 contents of each active candidate register by office and of
24 each active public question register showing that they contain
25 all zero votes, all ballot fields that can be used to invoke

1 special voting options, and other information needed to ensure
2 the readiness of the equipment and to accommodate
3 administrative reporting requirements. The judges must also
4 check to be sure that the totals are all zeros in the counting
5 columns and in the public counter affixed to the voting
6 devices.

7 After the judges have determined that a person is qualified
8 to vote, a voting device with the proper ballot to which the
9 voter is entitled shall be enabled to be used by the voter. The
10 ballot may then be cast by the voter by marking by appropriate
11 means the designated area of the ballot for the casting or, in
12 the case of an electronic ballot marking device, marking of a
13 vote for any candidate or for or against any public question.
14 The voter shall be able to vote for any and all candidates and
15 public questions ~~measures~~ appearing on the ballot in any legal
16 number and combination and the voter shall be able to delete,
17 change or correct his or her selections before the ballot is
18 cast. The voter shall be able to select candidates whose names
19 do not appear upon the ballot for any office by entering
20 electronically as many names of candidates as the voter is
21 entitled to select for each office.

22 Upon completing his or her selection of candidates or
23 public questions, the voter shall signify that voting has been
24 completed by activating the appropriate button, switch or
25 active area of the ballot screen associated with end of voting.
26 Upon activation, the voting system shall record an image of the

1 completed ballot, increment the proper ballot position
2 registers, and shall signify to the voter that the ballot has
3 been cast or, in the case of an electronic ballot marking
4 device, has been marked in order to be cast on an electronic
5 tabulating device. Upon activation, the voting system shall
6 also print a permanent paper record of each ballot cast as
7 defined in Section 24C-2 of this Code. This permanent paper
8 record shall (i) be printed in a clear, readily readable format
9 that can be easily reviewed by the voter for completeness and
10 accuracy and (ii) either be self-contained within the voting
11 device or be deposited by the voter into a secure ballot box.
12 No permanent paper record shall be removed from the polling
13 place except by election officials as authorized by this
14 Article. All permanent paper records shall be preserved and
15 secured by election officials in the same manner as paper
16 ballots and shall be available as an official record for any
17 recount, redundant count, or verification or retabulation of
18 the vote count conducted with respect to any election in which
19 the voting system is used. The voter shall exit the voting
20 station and the voting system shall prevent any further attempt
21 to vote until it has been properly re-activated. If a voting
22 device has been enabled for voting but the voter leaves the
23 polling place without casting a ballot, 2 judges of election,
24 one from each of the 2 major political parties, shall spoil the
25 ballot.

26 Throughout the election day and before the closing of the

1 polls, no person may check any vote totals for any candidate or
2 public question on the voting or counting equipment. Such
3 equipment shall be programmed so that no person may reset the
4 equipment for reentry of ballots unless provided the proper
5 code from an authorized representative of the election
6 authority.

7 The precinct judges of election shall check the public
8 register to determine whether the number of ballots counted by
9 the voting equipment agrees with the number of voters voting as
10 shown by the applications for ballot. If the same do not agree,
11 the judges of election shall immediately contact the offices of
12 the election authority in charge of the election for further
13 instructions. If the number of ballots counted by the voting
14 equipment agrees with the number of voters voting as shown by
15 the application for ballot, the number shall be listed on the
16 "Statement of Ballots" form provided by the election authority.

17 The totals for all candidates and propositions shall be
18 tabulated. One copy of an "In-Precinct Totals Report" shall be
19 generated by the automatic tabulating equipment for return to
20 the election authority. One copy of an "In-Precinct Totals
21 Report" shall be generated and posted in a conspicuous place
22 inside the polling place, provided that any authorized
23 pollwatcher or other official authorized to be present in the
24 polling place to observe the counting of ballots is present.
25 The judges of election shall provide, if requested, a set for
26 each authorized pollwatcher or other official authorized to be

1 present in the polling place to observe the counting of
2 ballots. In addition, sufficient time shall be provided by the
3 judges of election to the pollwatchers to allow them to copy
4 information from the copy which has been posted.

5 Until December 31, 2019, in elections at which fractional
6 cumulative votes are cast for candidates, the tabulation of
7 those fractional cumulative votes may be made by the election
8 authority at its central office location, and 4 copies of a
9 "Certificate of Results" shall be printed by the automatic
10 tabulation equipment and shall be posted in 4 conspicuous
11 places at the central office location where those fractional
12 cumulative votes have been tabulated.

13 If instructed by the election authority, the judges of
14 election shall cause the tabulated returns to be transmitted
15 electronically to the offices of the election authority via
16 modem or other electronic medium.

17 The precinct judges of election shall select a bi-partisan
18 team of 2 judges, who shall immediately return the ballots in a
19 sealed container, along with all other election materials and
20 equipment as instructed by the election authority; provided,
21 however, that such container must first be sealed by the
22 election judges with filament tape or other approved sealing
23 devices provided for the purpose in a manner that the ballots
24 cannot be removed from the container without breaking the seal
25 or filament tape and disturbing any signatures affixed by the
26 election judges to the container. The election authority shall

1 keep the office of the election authority, or any receiving
2 stations designated by the authority, open for at least 12
3 consecutive hours after the polls close or until the ballots
4 and election material and equipment from all precincts within
5 the jurisdiction of the election authority have been returned
6 to the election authority. Ballots and election materials and
7 equipment returned to the office of the election authority
8 which are not signed and sealed as required by law shall not be
9 accepted by the election authority until the judges returning
10 the ballots make and sign the necessary corrections. Upon
11 acceptance of the ballots and election materials and equipment
12 by the election authority, the judges returning the ballots
13 shall take a receipt signed by the election authority and
14 stamped with the time and date of the return. The election
15 judges whose duty it is to return any ballots and election
16 materials and equipment as provided shall, in the event the
17 ballots, materials or equipment cannot be found when needed, on
18 proper request, produce the receipt which they are to take as
19 above provided.

20 (Source: P.A. 99-522, eff. 6-30-16; 99-701, eff. 7-29-16.)

21 (10 ILCS 5/24C-13)

22 Sec. 24C-13. Vote by mail ballots; early voting ballots;
23 proceedings at location for central counting; employees;
24 approval of list.

25 (a) All jurisdictions using direct recording electronic

1 tabulators or electronic ballot marking devices ~~Direct~~
2 ~~Recording Electronic Voting Systems~~ shall use paper ballots or
3 paper ballot sheets approved for use under Articles 16, 24A, or
4 24B of this Code when conducting vote by mail voting. All vote
5 by mail ballots shall be counted at the central ballot counting
6 location of the election authority. Sections ~~The provisions of~~
7 ~~Section~~ 24A-9, 24B-9, and 24C-9 of this Code shall apply to the
8 testing and notice requirements for central count tabulation
9 equipment, including comparing the signature on the ballot
10 envelope with the signature of the voter on the permanent voter
11 registration record card taken from the master file. Vote
12 results shall be recorded by precinct and shall be added to the
13 vote results for the precinct in which the vote by mail voter
14 was eligible to vote prior to completion of the official
15 canvass.

16 (b) All proceedings at the location for central counting
17 shall be under the direction of the county clerk or board of
18 election commissioners. Except for any specially trained
19 technicians required for the operation of the direct recording
20 electronic tabulator or electronic ballot marking device
21 ~~Direct Recording Electronic Voting System~~, the employees at the
22 counting station shall be equally divided between members of
23 the 2 leading political parties and all duties performed by the
24 employees shall be by teams consisting of an equal number of
25 members of each political party. Thirty days before an election
26 the county clerk or board of election commissioners shall

1 submit to the chair of each political party, for his or her
2 approval or disapproval, a list of persons of his or her party
3 proposed to be employed. If a chair fails to notify the
4 election authority of his or her disapproval of any proposed
5 employee within a period of 10 days thereafter the list shall
6 be deemed approved.

7 (Source: P.A. 100-1027, eff. 1-1-19.)

8 (10 ILCS 5/24C-14)

9 Sec. 24C-14. Tabulating votes ~~Votes; direction~~ ~~Direction;~~
10 presence of public ~~Presence of Public; computer operator's log~~
11 and canvass ~~Computer Operator's Log and Canvass~~. The procedure
12 for tabulating the votes by the direct recording electronic
13 tabulator or electronic ballot marking device ~~Direct Recording~~
14 ~~Electronic Voting System~~ shall be under the direction of the
15 election authority and shall conform to the requirements of the
16 direct recording electronic tabulator or electronic ballot
17 marking device ~~Direct Recording Electronic Voting System~~.
18 During any election-related activity using the automatic
19 direct recording electronic tabulator or electronic ballot
20 marking device ~~Direct Recording Electronic Voting System~~
21 equipment, the election authority shall make a reasonable
22 effort to dedicate the equipment to vote processing to ensure
23 the security and integrity of the system.

24 A reasonable number of pollwatchers shall be admitted to
25 the counting location. Such persons may observe the tabulating

1 process at the discretion of the election authority; however,
2 at least one representative of each established political party
3 and authorized agents of the State Board of Elections shall be
4 permitted to observe this process at all times. No persons
5 except those employed and authorized for the purpose shall
6 touch any ballot, ballot box, return, or equipment.

7 The computer operator shall be designated by the election
8 authority and shall be sworn as a deputy of the election
9 authority. In conducting the vote tabulation and canvass, the
10 computer operator must maintain a log which shall include the
11 following information:

12 (a) alterations made to programs associated with the
13 vote counting process;

14 (b) if applicable, console messages relating to the
15 program and the respective responses made by the operator;

16 (c) the starting time for each precinct counted, the
17 number of ballots counted for each precinct, any equipment
18 problems and, insofar as practicable, the number of invalid
19 security designations encountered during that count; and

20 (d) changes and repairs made to the equipment during
21 the vote tabulation and canvass.

22 The computer operator's log and canvass shall be available
23 for public inspection in the office of the election authority
24 for a period of 60 days following the proclamation of election
25 results. A copy of the computer operator's log and the canvass
26 shall be transmitted to the State Board of Elections upon its

1 request and at its expense.

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

3 (10 ILCS 5/24C-15)

4 Sec. 24C-15. Official return of precinct; check of totals;
5 audit. The precinct return printed by the direct recording
6 electronic tabulator or electronic ballot marking device
7 utilized as a tabulator ~~Direct Recording Electronic Voting~~
8 ~~System tabulating equipment~~ shall include the number of ballots
9 cast and votes cast for each candidate and public question and
10 shall constitute the official return of each precinct. In
11 addition to the precinct return, the election authority shall
12 provide the number of applications for ballots in each
13 precinct, the total number of ballots and vote by mail ballots
14 counted in each precinct for each political subdivision and
15 district and the number of registered voters in each precinct.
16 However, the election authority shall check the totals shown by
17 the precinct return and, if there is an obvious discrepancy
18 regarding the total number of votes cast in any precinct, shall
19 have the ballots for that precinct audited to correct the
20 return. The procedures for this audit shall apply prior to and
21 after the proclamation is completed; however, after the
22 proclamation of results, the election authority must obtain a
23 court order to unseal voted ballots or voting devices except
24 for election contests and discovery recounts. The certificate
25 of results, which has been prepared and signed by the judges of

1 election after the ballots have been tabulated, shall be the
2 document used for the canvass of votes for such precinct.
3 Whenever a discrepancy exists during the canvass of votes
4 between the unofficial results and the certificate of results,
5 or whenever a discrepancy exists during the canvass of votes
6 between the certificate of results and the set of totals
7 reflected on the certificate of results, the ballots for that
8 precinct shall be audited to correct the return.

9 Prior to the proclamation, the election authority shall
10 test the voting devices and equipment in 5% of the precincts
11 within the election jurisdiction, as well as 5% of the voting
12 devices used in early voting. The precincts and the voting
13 devices to be tested shall be selected after election day on a
14 random basis by the State Board of Elections, so that every
15 precinct and every device used in early voting in the election
16 jurisdiction has an equal mathematical chance of being
17 selected. The State Board of Elections shall design a standard
18 and scientific random method of selecting the precincts and
19 voting devices that are to be tested. The State central
20 committee chair of each established political party shall be
21 given prior written notice of the time and place of the random
22 selection procedure and may be represented at the procedure.

23 The test shall be conducted by counting the votes marked on
24 the permanent paper record of each ballot cast in the tested
25 precinct printed by the voting system at the time that each
26 ballot was cast and comparing the results of this count with

1 the results shown by the certificate of results prepared by the
2 direct recording electronic tabulator or electronic ballot
3 marking device utilized as a tabulator ~~Direct Recording~~
4 ~~Electronic Voting System~~ in the test precinct. The election
5 authority shall test count these votes either by hand or by
6 using an automatic tabulating device other than a direct
7 recording electronic tabulator or electronic ballot marking
8 device ~~Direct Recording Electronic voting device~~ that has been
9 approved by the State Board of Elections for that purpose and
10 tested before use to ensure accuracy. The election authority
11 shall print the results of each test count. If any error is
12 detected, the cause shall be determined and corrected, and an
13 errorless count shall be made prior to the official canvass and
14 proclamation of election results. If an errorless count cannot
15 be conducted and there continues to be difference in vote
16 results between the certificate of results produced by the
17 direct recording electronic tabulator or electronic ballot
18 marking device utilized as a tabulator ~~Direct Recording~~
19 ~~Electronic Voting System~~ and the count of the permanent paper
20 records or if an error was detected and corrected, the election
21 authority shall immediately prepare and forward to the
22 appropriate canvassing board a written report explaining the
23 results of the test and any errors encountered and the report
24 shall be made available for public inspection.

25 The State Board of Elections, the State's Attorney and
26 other appropriate law enforcement agencies, the county chair of

1 each established political party and qualified civic
2 organizations shall be given prior written notice of the time
3 and place of the test and may be represented at the test.

4 The results of this post-election test shall be treated in
5 the same manner and have the same effect as the results of the
6 discovery procedures set forth in Section 22-9.1 of this Code.
7 (Source: P.A. 100-1027, eff. 1-1-19.)

8 (10 ILCS 5/24C-15.01)

9 Sec. 24C-15.01. Transporting ballots to central counting
10 station ~~Ballots to Central Counting Station; container~~
11 ~~Container~~. Upon completion of the tabulation, audit or test of
12 voting equipment pursuant to Sections 24C-11 through 24C-15,
13 the ballots and the medium containing the ballots from each
14 precinct shall be replaced in the container in which they were
15 transported to the central counting station. If the container
16 is not a type which may be securely locked, then each
17 container, before being transferred from the counting station
18 to storage, shall be securely sealed.

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

20 (10 ILCS 5/24C-15.1)

21 Sec. 24C-15.1. Discovery, recounts, and election contests
22 ~~Recounts and Election Contests~~. Except as provided, discovery
23 recounts and election contests shall be conducted as otherwise
24 provided for in this Code. The direct recording electronic

1 tabulator or electronic ballot marking device ~~Direct Recording~~
2 ~~Electronic Voting System~~ equipment shall be tested prior to the
3 discovery recount or election contest as provided in Section
4 24C-9, and then the official ballots shall be audited.

5 Any person who has filed a petition for discovery recount
6 may request that a redundant count be conducted in those
7 precincts in which the discovery recount is being conducted.
8 The additional costs of a redundant count shall be borne by the
9 requesting party.

10 The log of the computer operator and all materials retained
11 by the election authority in relation to vote tabulation and
12 canvass shall be made available for any discovery recount or
13 election contest.

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

15 (10 ILCS 5/24C-16)

16 Sec. 24C-16. Approval of direct recording electronic
17 tabulator or electronic ballot marking device ~~Direct Recording~~
18 ~~Electronic Voting Systems~~; requisites ~~Requisites~~. The State
19 Board of Elections shall approve all direct recording
20 electronic tabulators and electronic ballot marking devices
21 ~~Direct Recording Electronic Voting Systems~~ that fulfill the
22 functional requirements provided by Section 24C-11 of this
23 Code, the mandatory requirements of the federal voting system
24 standards pertaining to direct recording electronic tabulators
25 and electronic ballot marking devices ~~Direct Recording~~

1 ~~Electronic Voting Systems~~ promulgated by the Federal Election
2 Commission or the Election Assistance Commission, the testing
3 requirements of an approved independent testing authority and
4 the rules of the State Board of Elections.

5 The State Board of Elections shall not approve any direct
6 recording electronic tabulator or electronic ballot marking
7 device ~~Direct Recording Electronic Voting System~~ that includes
8 an external Infrared Data Association (IrDA) communications
9 port.

10 The State Board of Elections is authorized to withdraw its
11 approval of a direct recording electronic tabulator or
12 electronic ballot marking device ~~Direct Recording Electronic~~
13 ~~Voting System~~ if the system ~~System~~, once approved, fails to
14 fulfill the above requirements.

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

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

1 requested (such as approval of a new system, a modification of
2 an existing system, the size of the modification, etc.). No
3 voting system or modification of a voting system shall be
4 approved unless the fee is paid.

5 No vendor, person, or other entity may sell, lease, or
6 loan, or have a written contract, including a contract
7 contingent upon State Board approval of the voting system or
8 voting system component, to sell, lease, or loan, a direct
9 recording electronic tabulator, electronic ballot marking
10 device ~~Direct Recording Electronic Voting System~~ or system
11 component to any election jurisdiction unless the system or
12 system component is first approved by the State Board of
13 Elections pursuant to this Section.

14 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

15 (10 ILCS 5/24C-17)

16 Sec. 24C-17. Rules; number of voting stations ~~Number of~~
17 ~~Voting Stations~~. The State Board of Elections may make
18 reasonable rules for the administration of this Article and may
19 prescribe the number of voting stations required for the
20 various types of voting systems.

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

22 (10 ILCS 5/24C-18)

23 Sec. 24C-18. Specimen ballots ~~Ballots~~; publication
24 ~~Publication~~. When a direct recording electronic tabulator or

1 electronic ballot marking device ~~Direct Recording Electronic~~
2 ~~Voting System~~ is used, the election authority shall cause to be
3 published, at least 5 days before the day of each general and
4 general primary election, in 2 or more newspapers published in
5 and having a general circulation in the county, a true and
6 legible copy of the specimen ballot containing the names of
7 offices and candidates and public questions to be voted on, as
8 near as may be, in the form in which they will appear on the
9 official ballot on election day. A true legible copy may be in
10 the form of an actual size ballot and shall be published as
11 required by this Section if distributed in 2 or more newspapers
12 published and having a general circulation in the county as an
13 insert. For each election prescribed in Article 2A of this
14 Code, specimen ballots shall be made available for public
15 distribution and shall be supplied to the judges of election
16 for posting in the polling place on the day of election. Notice
17 for the consolidated elections shall be given as provided in
18 Article 12.

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

20 (10 ILCS 5/24C-19)

21 Sec. 24C-19. Additional method of voting ~~Method of Voting~~.
22 The foregoing Sections of this Article shall be deemed to
23 provide a method of voting in addition to the methods otherwise
24 provided in this Code.

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

1 (60 ILCS 1/Art. 90 rep.)

2 Section 15. The Township Code is amended by repealing
3 Article 90.

4 Section 20. The Raffles and Poker Runs Act is amended by
5 changing Section 8.1 as follows:

6 (230 ILCS 15/8.1) (from Ch. 85, par. 2308.1)

7 Sec. 8.1. Political committees.

8 (a) For the purposes of this Section the terms defined in
9 this subsection have the meanings given them.

10 "Net Proceeds" means the gross receipts from the conduct of
11 raffles, less reasonable sums expended for prizes, license fees
12 and other reasonable operating expenses incurred as a result of
13 operating a raffle.

14 "Raffle" means a form of lottery, as defined in Section
15 28-2 (b) of the Criminal Code of 2012, conducted by a political
16 committee licensed under this Section, in which:

17 (1) the player pays or agrees to pay something of value
18 for a chance, represented and differentiated by a number or
19 by a combination of numbers or by some other medium, one or
20 more of which chances is to be designated the winning
21 chance;

22 (2) the winning chance is to be determined through a
23 drawing or by some other method based on an element of

1 chance by an act or set of acts on the part of persons
2 conducting or connected with the lottery, except that the
3 winning chance shall not be determined by the outcome of a
4 publicly exhibited sporting contest.

5 "Unresolved claim" means a claim for civil penalty under
6 Sections 9-3, 9-10, and 9-23 of The Election Code which has
7 been begun by the State Board of Elections, has been disputed
8 by the political committee under the applicable rules of the
9 State Board of Elections, and has not been finally decided
10 either by the State Board of Elections, or, where application
11 for review has been made to the Courts of Illinois, remains
12 finally undecided by the Courts.

13 "Owes" means that a political committee has been finally
14 determined under applicable rules of the State Board of
15 Elections to be liable for a civil penalty under Sections 9-3,
16 9-10, and 9-23 of The Election Code.

17 (b) Licenses issued pursuant to this Section shall be valid
18 for one raffle or for a specified number of raffles to be
19 conducted during a specified period not to exceed one year and
20 may be suspended or revoked for any violation of this Section.
21 The State Board of Elections shall act on a license application
22 within 30 days from the date of application.

23 (c) Licenses issued by the State Board of Elections are
24 subject to the following restrictions:

25 (1) No political committee shall conduct raffles or
26 chances without having first obtained a license therefor

1 pursuant to this Section.

2 (2) The application for license shall be prepared in
3 accordance with regulations of the State Board of Elections
4 and must specify the area or areas within the State in
5 which raffle chances will be sold or issued, the time
6 period during which raffle chances will be sold or issued,
7 the time of determination of winning chances and the
8 location or locations at which winning chances will be
9 determined.

10 (3) A license authorizes the licensee to conduct
11 raffles as defined in this Section.

12 The following are ineligible for any license under this
13 Section:

14 ~~(i) any political committee which has an officer~~
15 ~~who has been convicted of a felony;~~

16 ~~(ii) any political committee which has an officer~~
17 ~~who is or has been a professional gambler or gambling~~
18 ~~promoter;~~

19 ~~(iii) any political committee which has an officer~~
20 ~~who is not of good moral character;~~

21 ~~(iv) any political committee which has an officer~~
22 ~~who is also an officer of a firm or corporation in~~
23 ~~which a person defined in (i), (ii) or (iii) has a~~
24 ~~proprietary, equitable or credit interest, or in which~~
25 ~~such a person is active or employed;~~

26 ~~(v) any political committee in which a person~~

1 ~~defined in (i), (ii) or (iii) is an officer, director,~~
2 ~~or employee, whether compensated or not;~~

3 ~~(vi) any political committee in which a person~~
4 ~~defined in (i), (ii) or (iii) is to participate in the~~
5 ~~management or operation of a raffle as defined in this~~
6 ~~Section;~~

7 (i) ~~(vii)~~ any committee which, at the time of its
8 application for a license to conduct a raffle, owes the
9 State Board of Elections any unpaid civil penalty
10 authorized by Sections 9-3, 9-10, and 9-23 of The
11 Election Code, or is the subject of an unresolved claim
12 for a civil penalty under Sections 9-3, 9-10, and 9-23
13 of The Election Code;

14 (ii) ~~(viii)~~ any political committee which, at the
15 time of its application to conduct a raffle, has not
16 submitted any report or document required to be filed
17 by Article 9 of The Election Code and such report or
18 document is more than 10 days overdue.

19 (d) (1) The conducting of raffles is subject to the
20 following restrictions:

21 (i) The entire net proceeds of any raffle must be
22 exclusively devoted to the lawful purposes of the
23 political committee permitted to conduct that game.

24 (ii) No person except a bona fide member of the
25 political committee may participate in the management
26 or operation of the raffle.

1 (iii) No person may receive any remuneration or
2 profit for participating in the management or
3 operation of the raffle.

4 (iv) Raffle chances may be sold or issued only
5 within the area specified on the license and winning
6 chances may be determined only at those locations
7 specified on the license.

8 (v) A person under the age of 18 years may
9 participate in the conducting of raffles or chances
10 only with the permission of a parent or guardian. A
11 person under the age of 18 years may be within the area
12 where winning chances are being determined only when
13 accompanied by his parent or guardian.

14 (2) If a lessor rents premises where a winning chance
15 or chances on a raffle are determined, the lessor shall not
16 be criminally liable if the person who uses the premises
17 for the determining of winning chances does not hold a
18 license issued under the provisions of this Section.

19 (e) (1) Each political committee licensed to conduct
20 raffles and chances shall keep records of its gross
21 receipts, expenses and net proceeds for each single
22 gathering or occasion at which winning chances are
23 determined. All deductions from gross receipts for each
24 single gathering or occasion shall be documented with
25 receipts or other records indicating the amount, a
26 description of the purchased item or service or other

1 reason for the deduction, and the recipient. The
2 distribution of net proceeds shall be itemized as to payee,
3 purpose, amount and date of payment.

4 (2) Each political committee licensed to conduct
5 raffles shall report on the next report due to be filed
6 under Article 9 of The Election Code its gross receipts,
7 expenses and net proceeds from raffles, and the
8 distribution of net proceeds itemized as required in this
9 subsection.

10 Such reports shall be included in the regular reports
11 required of political committees by Article 9 of The Election
12 Code.

13 (3) Records required by this subsection shall be
14 preserved for 3 years, and political committees shall make
15 available their records relating to operation of raffles
16 for public inspection at reasonable times and places.

17 (f) Violation of any provision of this Section is a Class C
18 misdemeanor.

19 (g) Nothing in this Section shall be construed to authorize
20 the conducting or operating of any gambling scheme, enterprise,
21 activity or device other than raffles as provided for herein.

22 (Source: P.A. 97-1150, eff. 1-25-13; 98-756, eff. 7-16-14.)

23 Section 95. Effective date; Section 15. This Act takes
24 effect upon becoming law."

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