



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3206

Introduced 2/11/2020, by Sen. Bill Cunningham

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/13-1	from Ch. 46, par. 13-1
10 ILCS 5/13-2	from Ch. 46, par. 13-2
10 ILCS 5/14-1	from Ch. 46, par. 14-1

Amends the Election Code. Provides that, except for in a county with a population of at least 3,000,000 or where election judges are selected by election commissioners, an election authority may reduce the number of judges of election in each precinct from 5 to 3 for any election. Provides that in certain cities, villages, and incorporated towns with a board of election commissioners, the board shall select and choose no less than 3 (rather than choose 5) persons as judges of election for each precinct. Effective immediately.

LRB101 18008 SMS 67446 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 13-1, 13-2, and 14-1 as follows:

6 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

7 Sec. 13-1. In counties not under township organization, the  
8 county board of commissioners shall at its meeting in July in  
9 each even-numbered year appoint in each election precinct 5  
10 capable and discreet persons meeting the qualifications of  
11 Section 13-4 to be judges of election. Where neither voting  
12 machines nor electronic, mechanical or electric voting systems  
13 are used, the county board may, for any precinct with respect  
14 to which the board considers such action necessary or desirable  
15 in view of the number of voters, and shall for general  
16 elections for any precinct containing more than 600 registered  
17 voters, appoint in addition to the 5 judges of election a team  
18 of 5 tally judges. In such precincts the judges of election  
19 shall preside over the election during the hours the polls are  
20 open, and the tally judges, with the assistance of the holdover  
21 judges designated pursuant to Section 13-6.2, shall count the  
22 vote after the closing of the polls. However, the County Board  
23 of Commissioners may appoint 3 judges of election to serve in

1 lieu of the 5 judges of election otherwise required by this  
2 Section (1) to serve in any emergency referendum, or in any  
3 odd-year regular election or in any special primary or special  
4 election called for the purpose of filling a vacancy in the  
5 office of representative in the United States Congress or to  
6 nominate candidates for such purpose or (2) if the county board  
7 passes an ordinance to reduce the number of judges of election  
8 to 3 for primary elections. In addition, an election authority  
9 may reduce the number of judges of election in each precinct  
10 from 5 to 3 for any election. The tally judges shall possess  
11 the same qualifications and shall be appointed in the same  
12 manner and with the same division between political parties as  
13 is provided for judges of election.

14 In addition to such precinct judges, the county board of  
15 commissioners shall appoint special panels of 3 judges each,  
16 who shall possess the same qualifications and shall be  
17 appointed in the same manner and with the same division between  
18 political parties as is provided for other judges of election.  
19 The number of such panels of judges required shall be  
20 determined by regulations of the State Board of Elections which  
21 shall base the required numbers of special panels on the number  
22 of registered voters in the jurisdiction or the number of vote  
23 by mail ballots voted at recent elections, or any combination  
24 of such factors.

25 Such appointment shall be confirmed by the court as  
26 provided in Section 13-3 of this Article. No more than 3

1 persons of the same political party shall be appointed judges  
2 of the same election precinct or election judge panel. The  
3 appointment shall be made in the following manner: The county  
4 board of commissioners shall select and approve 3 persons as  
5 judges of election in each election precinct from a certified  
6 list, furnished by the chair of the County Central Committee of  
7 the first leading political party in such precinct; and the  
8 county board of commissioners shall also select and approve 2  
9 persons as judges of election in each election precinct from a  
10 certified list, furnished by the chair of the County Central  
11 Committee of the second leading political party. However, if  
12 only 3 judges of election serve in each election precinct, no  
13 more than 2 persons of the same political party shall be judges  
14 of election in the same election precinct; and which political  
15 party is entitled to 2 judges of election and which political  
16 party is entitled to one judge of election shall be determined  
17 in the same manner as set forth in the next two preceding  
18 sentences with regard to 5 election judges in each precinct.  
19 Such certified list shall be filed with the county clerk not  
20 less than 10 days before the annual meeting of the county board  
21 of commissioners. Such list shall be arranged according to  
22 precincts. The chair of each county central committee shall,  
23 insofar as possible, list persons who reside within the  
24 precinct in which they are to serve as judges. However, he may,  
25 in his sole discretion, submit the names of persons who reside  
26 outside the precinct but within the county embracing the

1 precinct in which they are to serve. He must, however, submit  
2 the names of at least 2 residents of the precinct for each  
3 precinct in which his party is to have 3 judges and must submit  
4 the name of at least one resident of the precinct for each  
5 precinct in which his party is to have 2 judges. The county  
6 board of commissioners shall acknowledge in writing to each  
7 county chair the names of all persons submitted on such  
8 certified list and the total number of persons listed thereon.  
9 If no such list is filed or such list is incomplete (that is,  
10 no names or an insufficient number of names are furnished for  
11 certain election precincts), the county board of commissioners  
12 shall make or complete such list from the names contained in  
13 the supplemental list provided for in Section 13-1.1. The  
14 election judges shall hold their office for 2 years from their  
15 appointment, and until their successors are duly appointed in  
16 the manner provided in this Act. The county board of  
17 commissioners shall fill all vacancies in the office of judge  
18 of election at any time in the manner provided in this Act.

19 (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

20 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

21 Sec. 13-2. In counties under the township organization the  
22 county board shall at its meeting in July in each even-numbered  
23 year except in counties containing a population of 3,000,000  
24 inhabitants or over and except when such judges are appointed  
25 by election commissioners, select in each election precinct in

1 the county, 5 capable and discreet persons to be judges of  
2 election who shall possess the qualifications required by this  
3 Act for such judges. Where neither voting machines nor  
4 electronic, mechanical or electric voting systems are used, the  
5 county board may, for any precinct with respect to which the  
6 board considers such action necessary or desirable in view of  
7 the number of voters, and shall for general elections for any  
8 precinct containing more than 600 registered voters, appoint in  
9 addition to the 5 judges of election a team of 5 tally judges.  
10 In such precincts the judges of election shall preside over the  
11 election during the hours the polls are open, and the tally  
12 judges, with the assistance of the holdover judges designated  
13 pursuant to Section 13-6.2, shall count the vote after the  
14 closing of the polls. The tally judges shall possess the same  
15 qualifications and shall be appointed in the same manner and  
16 with the same division between political parties as is provided  
17 for judges of election.

18 However, the county board may appoint 3 judges of election  
19 to serve in lieu of the 5 judges of election otherwise required  
20 by this Section (1) to serve in any emergency referendum, or in  
21 any odd-year regular election or in any special primary or  
22 special election called for the purpose of filling a vacancy in  
23 the office of representative in the United States Congress or  
24 to nominate candidates for such purpose or (2) if the county  
25 board passes an ordinance to reduce the number of judges of  
26 election to 3 for primary elections. In addition, an election

1 authority may reduce the number of judges of election in each  
2 precinct from 5 to 3 for any election.

3 In addition to such precinct judges, the county board shall  
4 appoint special panels of 3 judges each, who shall possess the  
5 same qualifications and shall be appointed in the same manner  
6 and with the same division between political parties as is  
7 provided for other judges of election. The number of such  
8 panels of judges required shall be determined by regulations of  
9 the State Board of Elections, which shall base the required  
10 number of special panels on the number of registered voters in  
11 the jurisdiction or the number of absentee ballots voted at  
12 recent elections or any combination of such factors.

13 No more than 3 persons of the same political party shall be  
14 appointed judges in the same election district or undivided  
15 precinct. The election of the judges of election in the various  
16 election precincts shall be made in the following manner: The  
17 county board shall select and approve 3 of the election judges  
18 in each precinct from a certified list furnished by the chair  
19 of the County Central Committee of the first leading political  
20 party in such election precinct and shall also select and  
21 approve 2 judges of election in each election precinct from a  
22 certified list furnished by the chair of the County Central  
23 Committee of the second leading political party in such  
24 election precinct. However, if only 3 judges of election serve  
25 in each election precinct, no more than 2 persons of the same  
26 political party shall be judges of election in the same

1 election precinct; and which political party is entitled to 2  
2 judges of election and which political party is entitled to one  
3 judge of election shall be determined in the same manner as set  
4 forth in the next two preceding sentences with regard to 5  
5 election judges in each precinct. The respective County Central  
6 Committee chair shall notify the county board by June 1 of each  
7 odd-numbered year immediately preceding the annual meeting of  
8 the county board whether or not such certified list will be  
9 filed by such chair. Such list shall be arranged according to  
10 precincts. The chair of each county central committee shall,  
11 insofar as possible, list persons who reside within the  
12 precinct in which they are to serve as judges. However, he may,  
13 in his sole discretion, submit the names of persons who reside  
14 outside the precinct but within the county embracing the  
15 precinct in which they are to serve. He must, however, submit  
16 the names of at least 2 residents of the precinct for each  
17 precinct in which his party is to have 3 judges and must submit  
18 the name of at least one resident of the precinct for each  
19 precinct in which his party is to have 2 judges. Such certified  
20 list, if filed, shall be filed with the county clerk not less  
21 than 20 days before the annual meeting of the county board. The  
22 county board shall acknowledge in writing to each county chair  
23 the names of all persons submitted on such certified list and  
24 the total number of persons listed thereon. If no such list is  
25 filed or the list is incomplete (that is, no names or an  
26 insufficient number of names are furnished for certain election



1 precincts), the county board shall make or complete such list  
2 from the names contained in the supplemental list provided for  
3 in Section 13-1.1. Provided, further, that in any case where a  
4 township has been or shall be redistricted, in whole or in  
5 part, subsequent to one general election for Governor, and  
6 prior to the next, the judges of election to be selected for  
7 all new or altered precincts shall be selected in that one of  
8 the methods above detailed, which shall be applicable according  
9 to the facts and circumstances of the particular case, but the  
10 majority of such judges for each such precinct shall be  
11 selected from the first leading political party, and the  
12 minority judges from the second leading political party.  
13 Provided, further, that in counties having a population of  
14 3,000,000 inhabitants or over the selection of judges of  
15 election shall be made in the same manner in all respects as in  
16 other counties, except that the provisions relating to tally  
17 judges are inapplicable to such counties and except that the  
18 county board shall meet during the month of January for the  
19 purpose of making such selection, each township  
20 committeeperson shall assume the responsibilities given to the  
21 chair of the county central committee in this Section for the  
22 precincts within his or her township, and the township  
23 committeeperson shall notify the county board by the preceding  
24 October 1 whether or not the certified list will be filed. Such  
25 judges of election shall hold their office for 2 years from  
26 their appointment and until their successors are duly appointed

1 in the manner provided in this Act. The county board shall fill  
2 all vacancies in the office of judges of elections at any time  
3 in the manner herein provided.

4 Such selections under this Section shall be confirmed by  
5 the circuit court as provided in Section 13-3 of this Article.

6 (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

7 (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

8 Sec. 14-1. (a) The board of election commissioners  
9 established or existing under Article 6 shall, at the time and  
10 in the manner provided in Section 14-3.1, select and choose no  
11 less than 3 ~~5~~ persons, men or women, as judges of election for  
12 each precinct in such city, village or incorporated town.

13 Where neither voting machines nor electronic, mechanical  
14 or electric voting systems are used, the board of election  
15 commissioners may, for any precinct with respect to which the  
16 board considers such action necessary or desirable in view of  
17 the number of voters, and shall for general elections for any  
18 precinct containing more than 600 registered voters, appoint in  
19 addition to the ~~5~~ judges of election chosen under this  
20 subsection a team of 5 tally judges. In such precincts the  
21 judges of election shall preside over the election during the  
22 hours the polls are open, and the tally judges, with the  
23 assistance of the holdover judges designated pursuant to  
24 Section 14-5.2, shall count the vote after the closing of the  
25 polls. The tally judges shall possess the same qualifications

1 and shall be appointed in the same manner and with the same  
2 division between political parties as is provided for judges of  
3 election. The foregoing provisions relating to the appointment  
4 of tally judges are inapplicable in counties with a population  
5 of 1,000,000 or more.

6 (b) To qualify as judges the persons must:

7 (1) be citizens of the United States;

8 (2) be of good repute and character and not subject to  
9 the registration requirement of the Sex Offender  
10 Registration Act;

11 (3) be able to speak, read and write the English  
12 language;

13 (4) be skilled in the 4 fundamental rules of  
14 arithmetic;

15 (5) be of good understanding and capable;

16 (6) not be candidates for any office at the election  
17 and not be elected committeepersons;

18 (7) reside and be entitled to vote in the precinct in  
19 which they are selected to serve, except that in each  
20 precinct not more than one judge of each party may be  
21 appointed from outside such precinct. Any judge so  
22 appointed to serve in any precinct in which he is not  
23 entitled to vote must be entitled to vote elsewhere within  
24 the county which encompasses the precinct in which such  
25 judge is appointed and such judge must otherwise meet the  
26 qualifications of this Section, except as provided in

1 subsection (c) or (c-5).

2 (c) An election authority may establish a program to permit  
3 a person who is not entitled to vote to be appointed as an  
4 election judge if, as of the date of the election at which the  
5 person serves as a judge, he or she:

6 (1) is a U.S. citizen;

7 (2) is a junior or senior in good standing enrolled in  
8 a public or private secondary school;

9 (3) has a cumulative grade point average equivalent to  
10 at least 3.0 on a 4.0 scale;

11 (4) has the written approval of the principal of the  
12 secondary school he or she attends at the time of  
13 appointment;

14 (5) has the written approval of his or her parent or  
15 legal guardian;

16 (6) has satisfactorily completed the training course  
17 for judges of election described in Sections 13-2.1,  
18 13-2.2, and 14-4.1; and

19 (7) meets all other qualifications for appointment and  
20 service as an election judge.

21 No more than one election judge qualifying under this  
22 subsection may serve per political party per precinct. Prior to  
23 appointment, a judge qualifying under this subsection must  
24 certify in writing to the election authority the political  
25 party the judge chooses to affiliate with.

26 Students appointed as election judges under this

1 subsection shall not be counted as absent from school on the  
2 day they serve as judges.

3 (c-5) An election authority may establish a program to  
4 permit a person who is not entitled to vote in that precinct or  
5 county to be appointed as an election judge if, as of the date  
6 of the election at which the person serves as a judge, he or  
7 she:

8 (1) is a U.S. citizen;

9 (2) is currently enrolled in a community college, as  
10 defined in the Public Community College Act, or a public or  
11 private Illinois university or college;

12 (3) has a cumulative grade point average equivalent to  
13 at least 3.0 on a 4.0 scale;

14 (4) has satisfactorily completed the training course  
15 for judges of election described in Sections 13-2.1,  
16 13-2.2, and 14-4.1; and

17 (5) meets all other qualifications for appointment and  
18 service as an election judge.

19 No more than one election judge qualifying under this  
20 subsection may serve per political party per precinct. Prior to  
21 appointment, a judge qualifying under this subsection must  
22 certify in writing to the election authority the political  
23 party the judge chooses to affiliate with.

24 Students appointed as election judges under this  
25 subsection shall not be counted as absent from school on the  
26 day they serve as judges.

1           (d) The board of election commissioners may select 2  
2 additional judges of election, one from each of the major  
3 political parties, for each 200 voters in excess of 600 in any  
4 precinct having more than 600 voters as authorized by Section  
5 11-3. These additional judges must meet the qualifications  
6 prescribed in this Section.

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

8           Section 99. Effective date. This Act takes effect upon  
9 becoming law.