



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3486

Introduced 2/14/2020, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Provides that the State Board of Elections shall provide written notice not less than 60 days (rather than 30 days) before an election to selected jurisdictions of its intent to conduct a test of the automatic tabulating equipment and program. Provides that within 15 days (rather than 5 days) of receipt of the State Board of Elections' written notice of intent to conduct a test, the selected jurisdictions shall forward a copy of all specimen ballots to the State Board of Elections. Changes the title of the Direct Recording Electronic Voting Systems Article to the Direct Recording Electronic Tabulators and Electronic Ballot Marking Devices Article. Changes references to "direct recording voting system" to "direct recording electronic tabulator" throughout the Article. Changes references to "marking device" to "electronic ballot marking device" throughout the Article. Changes references to "public measures" to "public questions" throughout the Act. Makes other changes. Effective immediately.

LRB101 20148 SMS 69687 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 the  
5 heading of Article 24C and Sections 24B-2, 24B-4, 24B-6, 24B-9,  
6 24C-1, 24C-2, 24C-3, 24C-3.1, 24C-4, 24C-5, 24C-5.1, 24C-5.2,  
7 24C-6, 24C-6.1, 24C-7, 24C-8, 24C-9, 24C-10, 24C-11, 24C-12,  
8 24C-13, 24C-14, 24C-15, 24C-15.01, 24C-15.1, 24C-16, 24C-17,  
9 24C-18, 24C-19, and 28-9 as follows:

10 (10 ILCS 5/24B-2)

11 Sec. 24B-2. Definitions. As used in this Article:

12 "Computer", "automatic tabulating equipment" or  
13 "equipment" includes apparatus necessary to automatically  
14 examine and count votes as designated on ballots, and data  
15 processing machines which can be used for counting ballots and  
16 tabulating results.

17 "Ballot" means paper ballot sheets.

18 "Ballot configuration" means the particular combination of  
19 political subdivision ballots including, for each political  
20 subdivision, the particular combination of offices, candidate  
21 names and questions as it appears for each group of voters who  
22 may cast the same ballot.

23 "Ballot sheet" means a paper ballot printed on one or both

1 sides which is (1) designed and prepared so that the voter may  
2 indicate his or her votes in designated areas, which must be  
3 areas clearly printed or otherwise delineated for such purpose,  
4 and (2) capable of having votes marked in the designated areas  
5 automatically examined, counted, and tabulated by an  
6 electronic scanning process.

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

15 "Computer operator" means any person or persons designated  
16 by the election authority to operate the automatic tabulating  
17 equipment during any portion of the vote tallying process in an  
18 election, but shall not include judges of election operating  
19 vote tabulating equipment in the precinct.

20 "Computer program" or "program" means the set of operating  
21 instructions for the automatic tabulating equipment that  
22 examines, counts, tabulates, canvasses and prints votes  
23 recorded by a voter on a ballot.

24 "Direct recording electronic tabulator" means an  
25 electronic tabulator that provides a ballot display provided  
26 with mechanical or electro-optical devices that can be

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

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

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

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

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

24 "Precinct Tabulation Optical Scan Technology" means the  
25 capability to examine a ballot through electronic means and  
26 tabulate the votes at one or more counting places.

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

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

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

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

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

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

22 "Voting system" or "electronic voting system" means the  
23 total ~~that~~ combination of mechanical, electromechanical, or  
24 electronic equipment, ~~and~~ programs, and practices used to  
25 define ballots; cast and count votes; report or display  
26 election results; maintain and produce any audit trail

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

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

10 (10 ILCS 5/24B-4)

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

25 So far as applicable, the procedure provided for voting

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

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

6 (10 ILCS 5/24B-6)

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

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

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



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

1 ~~measures~~ and other propositions to be voted upon on the day of  
2 the primary election.

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

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

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

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

18 (10 ILCS 5/24B-9)

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

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

1 public test of both the equipment and program shall be  
2 conducted as nearly as possible in the manner prescribed above.  
3 The State Board of Elections may select as many election  
4 jurisdictions as the Board deems advisable in the interests of  
5 the election process of this State, to order a special test of  
6 the automatic tabulating equipment and program before any  
7 regular election. The Board may order a special test in any  
8 election jurisdiction where, during the preceding 12 months,  
9 computer programming errors or other errors in the use of  
10 electronic voting systems resulted in vote tabulation errors.  
11 Not less than 60 ~~30~~ days before any election, the State Board  
12 of Elections shall provide written notice to those selected  
13 jurisdictions of their intent to conduct a test. Within 15 ~~5~~  
14 days of receipt of the State Board of Elections' written notice  
15 of intent to conduct a test, the selected jurisdictions shall  
16 forward to the principal office of the State Board of Elections  
17 a copy of all specimen ballots. The State Board of Elections'  
18 tests shall be conducted and completed not less than 2 days  
19 before the public test and under the supervision of the Board.  
20 The vendor, person, or other private entity shall be solely  
21 responsible for the production and cost of: all ballots;  
22 additional temporary workers; and other equipment or  
23 facilities needed and used in the testing of the vendor's,  
24 person's, or other private entity's respective equipment and  
25 software. After an errorless test, materials used in the public  
26 test, including the program, if appropriate, shall be sealed

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

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

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

6 (10 ILCS 5/Art. 24C heading)

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

9 (10 ILCS 5/24C-1)

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

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

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

13 (10 ILCS 5/24C-2)

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

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

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

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

25 "Ballot configuration" means the particular combination of  
26 political subdivision or district ballots including, for each



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

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

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

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

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

23 "Computer operator" means any person or persons designated  
24 by the election authority to operate the automatic tabulating  
25 equipment during any portion of the vote tallying process in an  
26 election, but shall not include judges of election operating

1 vote tabulating equipment in the precinct.

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

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

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

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

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

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

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

1 by hand.

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

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

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

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

19 (10 ILCS 5/24C-3)

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

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

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

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

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

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

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

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

16 (10 ILCS 5/24C-3.1)

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

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

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

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

17 (10 ILCS 5/24C-4)

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

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

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

7 (10 ILCS 5/24C-5)

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

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

17 (10 ILCS 5/24C-5.1)

18 Sec. 24C-5.1. Instruction of voters ~~Voters~~; instruction  
19 model ~~Instruction Model~~; partiality ~~Partiality~~ to political  
20 party ~~Political Party~~; manner ~~Manner~~ of instruction  
21 ~~Instruction~~. Before entering the voting booth each voter shall  
22 be offered instruction in using the direct recording electronic  
23 tabulator or electronic ballot marking device ~~Direct Recording~~  
24 ~~Electronic Voting System~~. In instructing voters, no precinct



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

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

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

15 (10 ILCS 5/24C-5.2)

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

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

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

7 (10 ILCS 5/24C-6)

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

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

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

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

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

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

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

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

16           (10 ILCS 5/24C-6.1)

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

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

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

18 (10 ILCS 5/24C-7)

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

1 electronic tabulators or electronic ballot marking devices  
2 ~~Direct Recording Electronic Voting Systems~~ shall not use  
3 separate write-in ballots.

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

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

18 (10 ILCS 5/24C-8)

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

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

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

24 Pollwatchers as provided by law shall be permitted to  
25 closely observe the judges in these procedures and to  
26 periodically inspect the direct recording electronic tabulator

1 or electronic ballot marking device ~~Direct Recording~~  
2 ~~Electronic Voting System~~ equipment when not in use by the  
3 voters.

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

5 (10 ILCS 5/24C-9)

6 Sec. 24C-9. Testing of direct recording electronic  
7 tabulators and electronic ballot marking device equipment and  
8 programs ~~Direct Recording Electronic Voting System Equipment~~  
9 ~~and Programs~~; custody of programs ~~Custody of Programs~~, test  
10 materials and ballots ~~Test Materials and Ballots~~. Prior to the  
11 public test, the election authority shall conduct an errorless  
12 pre-test of the direct recording electronic tabulator or  
13 electronic ballot marking device ~~Direct Recording Electronic~~  
14 ~~Voting System~~ equipment and programs to determine that they  
15 will correctly detect voting defects and count the votes cast  
16 for all offices, candidates and ~~all~~ public questions. On any  
17 day not less than 5 days prior to the election day, the  
18 election authority shall publicly test the direct recording  
19 electronic tabulator or electronic ballot marking device  
20 ~~Direct Recording Electronic Voting System~~ equipment and  
21 programs to determine that it ~~they~~ will correctly detect voting  
22 errors and accurately count the votes legally cast for all  
23 offices and candidates and on all public questions. Public  
24 notice of the time and place of the test shall be given at  
25 least 48 hours before the test by publishing the notice in one



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

1 of System resulted in vote tabulation errors. Not less than 60  
2 ~~30~~ days before any election, the State Board of Elections shall  
3 provide written notice to those selected jurisdictions of their  
4 intent to conduct a test. Within 15 ~~5~~ days of receipt of the  
5 State Board of Elections' written notice of intent to conduct a  
6 test, the selected jurisdictions shall forward to the principal  
7 office of the State Board of Elections a copy of all specimen  
8 ballots. The State Board of Elections' tests shall be conducted  
9 and completed not less than 2 days before the public test and  
10 under the supervision of the Board. The vendor, person, or  
11 other private entity shall be solely responsible for the  
12 production and cost of: all ballots; additional temporary  
13 workers; and other equipment or facilities needed and used in  
14 the testing of the vendor's, person's, or other private  
15 entity's respective equipment and software. After an errorless  
16 test, materials used in the public test, including the program,  
17 if appropriate, shall be sealed and remain sealed until the  
18 test is run again on election day. If any error is detected,  
19 the cause of the error shall be determined and corrected, and  
20 an errorless public test shall be made before the automatic  
21 tabulating equipment is approved. Each election authority  
22 shall file a sealed copy of each tested program to be used  
23 within its jurisdiction at an election with the State Board of  
24 Elections before the election. The Board shall secure the  
25 program or programs of each election jurisdiction so filed in  
26 its office until the next election of the same type (general

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

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

23 (10 ILCS 5/24C-10)

24 Sec. 24C-10. Recording of votes by direct recording  
25 electronic tabulators and electronic ballot marking devices

1 ~~Direct Recording Electronic Voting Systems.~~

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

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

14 (10 ILCS 5/24C-11)

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

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

1 system shall provide the voter with means of selecting the  
2 appropriate number of candidates for any office, and of voting  
3 on any public question on the ballot to which he or she is  
4 entitled to vote.

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

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

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

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

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

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

24 (g) Each direct recording electronic tabulator or  
25 electronic ballot marking device utilized as a tabulator ~~system~~  
26 ~~voting device~~ shall be equipped with a public counter that can

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

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

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

23 (j) Each direct recording electronic tabulator or  
24 electronic ballot marking device utilized as a tabulator ~~The~~  
25 ~~system~~ shall produce a printed summary report of the votes cast  
26 upon each voting device. Until the proper sequence of events

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

2 (10 ILCS 5/24C-12)

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

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

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

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

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

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

25 Throughout the election day and before the closing of the  
26 polls, no person may check any vote totals for any candidate or

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

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

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

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

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

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

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

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

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

20 (10 ILCS 5/24C-13)

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

24 (a) All jurisdictions using direct recording electronic  
25 tabulators or electronic ballot marking devices ~~Direct~~



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

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

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

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

7 (10 ILCS 5/24C-14)

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

23 A reasonable number of pollwatchers shall be admitted to  
24 the counting location. Such persons may observe the tabulating  
25 process at the discretion of the election authority; however,

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

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

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

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

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

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

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

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

2 (10 ILCS 5/24C-15)

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

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

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

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

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

26 The State Board of Elections, the State's Attorney and

1 other appropriate law enforcement agencies, the county chair of  
2 each established political party and qualified civic  
3 organizations shall be given prior written notice of the time  
4 and place of the test and may be represented at the test.

5 The results of this post-election test shall be treated in  
6 the same manner and have the same effect as the results of the  
7 discovery procedures set forth in Section 22-9.1 of this Code.

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

9 (10 ILCS 5/24C-15.01)

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

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

21 (10 ILCS 5/24C-15.1)

22 Sec. 24C-15.1. Discovery, recounts, and election contests  
23 ~~Recounts and Election Contests~~. Except as provided, discovery  
24 recounts and election contests shall be conducted as otherwise

1 provided for in this Code. The direct recording electronic  
2 tabulator or electronic ballot marking device ~~Direct Recording~~  
3 ~~Electronic Voting System~~ equipment shall be tested prior to the  
4 discovery recount or election contest as provided in Section  
5 24C-9, and then the official ballots shall be audited.

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

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

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

16 (10 ILCS 5/24C-16)

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



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

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

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

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

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

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

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

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

16 (10 ILCS 5/24C-17)

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

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

23 (10 ILCS 5/24C-18)

24 Sec. 24C-18. Specimen ballots ~~Ballots~~; publication

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

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

21 (10 ILCS 5/24C-19)

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

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

2 (10 ILCS 5/28-9) (from Ch. 46, par. 28-9)

3 Sec. 28-9. Proposed constitutional amendments and advisory  
4 questions of public policy; petition; filing. Petitions for  
5 proposed amendments to Article IV of the Constitution pursuant  
6 to Section 3, Article XIV of the Constitution shall be signed  
7 by a number of electors equal in number to at least 8% of the  
8 total votes cast for candidates for Governor in the preceding  
9 gubernatorial election. Such petition shall have been signed by  
10 the petitioning electors not more than 24 months preceding the  
11 general election at which the proposed amendment is to be  
12 submitted and shall be filed with the Secretary of State at  
13 least 6 months before that general election.

14 Upon receipt of a petition for a proposed Constitutional  
15 amendment, the Secretary of State shall, as soon as is  
16 practicable, but no later than the close of the next business  
17 day, deliver such petition to the State Board of Elections.

18 Petitions for advisory questions of public policy to be  
19 submitted to the voters of the entire State shall be signed by  
20 a number of voters equal in number to 8% of the total votes  
21 cast for candidates for Governor in the preceding gubernatorial  
22 election. Such petition shall have been signed by said  
23 petitioners not more than 24 months preceding the date of the  
24 general election at which the question is to be submitted and  
25 shall be filed with the State Board of Elections at least 6

1 months before that general election.

2       The ~~proponents of the proposed statewide advisory public~~  
3 ~~question shall file the original petition for a proposed~~  
4 ~~Constitutional amendment or a statewide advisory public~~  
5 ~~question in bound sections.~~ Each section shall be composed of  
6 consecutively numbered petition sheets bound in sections,  
7 containing only the original signatures of registered voters in  
8 the State. ~~Any petition sheets not consecutively numbered or~~  
9 ~~which contain duplicate page numbers already used on other~~  
10 ~~sheets, or are photocopies or duplicates of the original~~  
11 ~~sheets, shall not be considered part of the petition for the~~  
12 ~~purpose of the random sampling verification and shall not be~~  
13 ~~counted toward the minimum number of signatures required to~~  
14 ~~qualify the proposed statewide advisory public question for the~~  
15 ~~ballot.~~

16       Within 7 business days following the last day for filing  
17 the original petition, the proponents shall also file copies of  
18 the petition sheets with each proper election authority and  
19 obtain a receipt therefor.

20       For purposes of this Act, the following terms shall be  
21 defined and construed as follows:

- 22       1. "Board" means the State Board of Elections.
- 23       2. "Election Authority" means a county clerk or city or  
24 county board of election commissioners.
- 25       3. (Blank).
- 26       4. "Proponents" means any person, association, committee,

1 organization or other group, or their designated  
2 representatives, who advocate and cause the circulation and  
3 filing of petitions for a statewide advisory question of public  
4 policy or a proposed constitutional amendment for submission at  
5 a general election and who has registered with the Board as  
6 provided in this Act.

7 5. "Opponents" means any person, association, committee,  
8 organization or other group, or their designated  
9 representatives, who oppose a statewide advisory question of  
10 public policy or a proposed constitutional amendment for  
11 submission at a general election and who have registered with  
12 the Board as provided in this Act.

13 (Source: P.A. 97-81, eff. 7-5-11; 98-1171, eff. 6-1-15.)

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.

1 INDEX

2 Statutes amended in order of appearance

- 3 10 ILCS 5/24B-2
- 4 10 ILCS 5/24B-4
- 5 10 ILCS 5/24B-6
- 6 10 ILCS 5/24B-9
- 7 10 ILCS 5/Art. 24C heading
- 8 10 ILCS 5/24C-1
- 9 10 ILCS 5/24C-2
- 10 10 ILCS 5/24C-3
- 11 10 ILCS 5/24C-3.1
- 12 10 ILCS 5/24C-4
- 13 10 ILCS 5/24C-5
- 14 10 ILCS 5/24C-5.1
- 15 10 ILCS 5/24C-5.2
- 16 10 ILCS 5/24C-6
- 17 10 ILCS 5/24C-6.1
- 18 10 ILCS 5/24C-7
- 19 10 ILCS 5/24C-8
- 20 10 ILCS 5/24C-9
- 21 10 ILCS 5/24C-10
- 22 10 ILCS 5/24C-11
- 23 10 ILCS 5/24C-12
- 24 10 ILCS 5/24C-13
- 25 10 ILCS 5/24C-14

- 1 10 ILCS 5/24C-15
- 2 10 ILCS 5/24C-15.01
- 3 10 ILCS 5/24C-15.1
- 4 10 ILCS 5/24C-16
- 5 10 ILCS 5/24C-17
- 6 10 ILCS 5/24C-18
- 7 10 ILCS 5/24C-19
- 8 10 ILCS 5/28-9

from Ch. 46, par. 28-9