AN ACT concerning the use of mail-in ballots in certain elections.


#### Abstract

Be it enacted by the People of the state of Illinois, represented in the General Assembly:


Section 5. The Election Code is amended by changing Sections 4-11, 11-7, 12-1, 12-4, 13-1, 13-2, 14-1, 14-3.1, 16-5, 17-1, 24A-6, and $24 B-6$ and adding Article 19A as follows:
(10 ILCS 5/4-11) (from Ch. 46, par. 4-11)
Sec. 4-11. Subject to the provisions of Article 19A, at least 2 weeks prior to the general November election in each even numbered year and the consolidated election in each odd-numbered year the county clerk shall cause a list to be made for each precinct of all names upon the registration record cards not marked or erased, in alphabetical order, with the address, provided, that such list may be arranged geographically, by street and number, in numerical order, with respect to all precincts in which all, or substantially all residences of voters therein shall be located upon and numbered along streets, avenues, courts, or other highways which are either named or numbered, upon direction either of the county board or of the circuit court. On the list, the county clerk shall indicate, by italics, asterisk, or other means, the names of all persons who have registered since the last regularly scheduled election in the consolidated schedule of elections established in Section $2 A-1.1$ of this Act. The county clerk shall cause such precinct lists to be printed or typed in sufficient numbers to meet all reasonable demands, and upon application a copy of the same shall be given to any person applying therefor. By such time, the county clerk shall give the precinct lists to the chairman of
a county central committee of an established political party, as such party is defined in Section $10-2$ of this Act, or to the chairman's duly authorized representative. Within 30 days of the effective date of this Amendatory Act of 1983, the county clerk shall give the precinct lists compiled prior to the general November election of 1982 to the chairman of county central committee of an established political party or to the chairman's duly authorized representative.

Prior to the opening of the polls for other elections, the county clerk shall transmit or deliver to the judges of election of each polling place a corrected list of registered voters in the precinct, or the names of persons added to and erased or withdrawn from the list for such precinct. At other times such list, currently corrected, shall be kept available for public inspection in the office of the county clerk.

Within 60 days after each general election the county clerk shall indicate by italics, asterisk, or other means, on the list of registered voters in each precinct, each registrant who voted at that general election, and shall provide a copy of such list to the chairman of the county central committee of each established political party or to the chairman's duly authorized representative.

Within 60 days after the effective date of this amendatory Act of 1983, the county clerk shall indicate by italics, asterisk, or other means, on the list of registered voters in each precinct, each registrant who voted at the general election of 1982 , and shall provide a copy of such coded list to the chairman of the county central committee of each established political party or to the chairman's duly authorized representative.

The county clerk may charge a fee to reimburse the actual cost of duplicating each copy of a list provided under either of the 2 preceding paragraphs.
(Source: P.A. 90-358, eff. 1-1-98.)
(10 ILCS 5/11-7) (from Ch. 46, par. 11-7)
Sec. 11-7. For the purpose of the conduct of any consolidated election, consolidated primary election, special municipal primary election or emergency referendum, an election authority may cluster up to four contiguous precincts as provided in this Section, which shall constitute a clustered voting zone. The common polling place for the clustered voting zone shall be located within the territory comprising the clustered precincts. Unless the election authority specifies a larger number, only one election judge shall be appointed for each of the precincts in each clustered voting zone. The use of clustered voting zones in consolidated elections shall be subject to the provisions of Article 19A regarding mail-in ballots.

The judges so appointed may not all be affiliated with the same political party.

The conduct of an election in a clustered voting zone shall be under the general supervision of all the judges of election designated to serve in the clustered voting zone. The designated judges may perform the duties of election judges for the entire clustered voting zone. However, the requirements of Section $17-14$ shall apply to voter assistance, the requirements of Section $24-10$ shall apply to voter instruction, the requirement of Section $24 A-10$ shall apply to examination of absentee ballots, and any disputes as to entitlement to vote, challenges, counting of ballots or other matters pertaining directly to voting shall be decided by those designated judges appointed for the precinct in which the affected voter resides or the disputed vote is to be counted.

This Section does not apply to any elections in municipalities with more than 1,000,000 inhabitants.
(Source: P.A. 90-358, eff. 1-1-98.)
(10 ILCS 5/12-1) (from Ch. 46, par. 12-1)
Sec. 12-1. At least 60 days prior to each general and consolidated election, the election authority shall provide public notice, calculated to reach elderly and handicapped voters, of the availability of registration and voting aids under the Federal Voting Accessibility for the Elderly and Handicapped Act, of the availability of assistance in marking the ballot, the procedures for using mail-in ballots in elections subject to Article 19A, and procedures for voting by absentee ballot.

At least 30 days before any general election, and at least 20 days before any special congressional election, the county clerk shall publish a notice of the election in 2 or more newspapers published in the county, city, village, incorporated town or town, as the case may be, or if there is no such newspaper, then in any 2 or more newspapers published in the county and having a general circulation throughout the community. The notice may be substantially as follows:

Notice is hereby given that on (give date), at (give the place of holding the election and the name of the precinct or district) in the county of (name county), an election will be held for (give the title of the several offices to be filled), which election will be open at 6:00 a.m. and continued open until 7:00 p.m. of that day.
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(Source: P.A. 90-358, eff. 1-1-98; 91-357, eff. 7-29-99.)
(10 ILCS 5/12-4) (from Ch. 46, par. 12-4)
Sec. 12-4. Not more than 30 nor less than 10 days prior to the date of the consolidated election and-nenpaxtisan ełeeも̇өfs, each election authority shall publish notice of
the election of officers of each political subdivision to be conducted in his or its jurisdiction on such election date. The notice of election shall be published once in one or more newspapers published in each political subdivision, and if there is no such newspaper, then published once in a local, community newspaper having general circulation in the subdivision, and also once in a newspaper published in the county wherein the political subdivisions or portions thereof, having such elections are situated.

The notice shall be substantially in the form prescribed in Section 12-1, and may include notice of the location of the precincts and polling places within or including part of the political subdivision in which the election is to be conducted, and the procedures for using mail-in ballots in consolidated elections subject to Article 19A.

Not less than 10 days before each such election, the election authority shall publish notice of the precincts and the location of the polling places where the election will be conducted for political subdivisions wholly or partially within its jurisdiction. The election authority shall cause publication in the manner heretofore prescribed for the notice of election.
(Source: P.A. 81-963.)
(10 ILCS 5/13-1) (from Ch. 46, par. 13-1)
Sec. 13-1. In counties not under township organization, the county board of commissioners shall at its meeting in May in each even-numbered year appoint in each election precinct 5 capable and discreet persons meeting the qualifications of Section $13-4$ to be judges of election. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for
general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 13-6.2, shall count the vote after the closing of the polls. However, the County Board of Commissioners may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose. If a consolidated election is conducted under Article 19A, the County Board of Commissioners shall appoint a team of 5 tally judges to serve in lieu of the 5 judges of election otherwise required by this Section. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election.

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

Such appointment shall be confirmed by the court as provided in Section 13-3 of this Article. No more than 3
persons of the same political party shall be appointed judges of the same election precinct or election judge panel. The appointment shall be made in the following manner: The county board of commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the county Central Committee of the first leading political party in such precinct; and the county board of commissioners shall also select and approve 2 persons as judges of election in each election precinct from a certified list, furnished by the chairman of the County Central Committee of the second leading political party. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding sentences with regard to 5 election judges in each precinct. Such certified list shall be filed with the county clerk not less than 10 days before the annual meeting of the county board of commissioners. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The county board of commissioners shall acknowledge in writing to each county chairman the names of all persons
submitted on such certified list and the total number of persons listed thereon. If no such list is filed or such list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board of commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. The election judges shall hold their office for 2 years from their appointment, and until their successors are duly appointed in the manner provided in this Act. The county board of commissioners shall fill all vacancies in the office of judge of election at any time in the manner provided in this Act.
(Source: P.A. 91-352, eff. 1-1-00.)
(10 ILCS 5/13-2) (from Ch. 46, par. 13-2)
Sec. 13-2. In counties under the township organization the county board shall at its meeting in May in each even-numbered year except in counties containing a population of $3,000,000$ inhabitants or over and except when such judges are appointed by election commissioners, select in each election precinct in the county, 5 capable and discreet persons to be judges of election who shall possess the qualifications required by this Act for such judges. Where neither voting machines nor electronic, mechanical or electric voting systems are used, the county board may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 13-6.2, shall
count the vote after the closing of the polls. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election.

However, the county board may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose.

If a consolidated election is conducted under Article 19A, the county board shall appoint a team of 5 tally judges to serve in lieu of the 5 judges of election otherwise required by this Section.

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

No more than 3 persons of the same political party shall be appointed judges in the same election district or undivided precinct. The election of the judges of election in the various election precincts shall be made in the following manner: The county board shall select and approve 3 of the election judges in each precinct from a certified list
furnished by the chairman of the County Central Committee of the first leading political party in such election precinct and shall also select and approve 2 judges of election in each election precinct from a certified list furnished by the chairman of the County Central Committee of the second leading political party in such election precinct. However, if only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct; and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined in the same manner as set forth in the next two preceding sentences with regard to 5 election judges in each precinct. The respective County Central Committee chairman shall notify the county board by June 1 of each odd-numbered year immediately preceding the annual meeting of the county board whether or not such certified list will be filed by such chairman. Such list shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. Such certified list, if filed, shall be filed with the county clerk not less than 20 days before the annual meeting of the county board. The county board shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is filed or
the list is incomplete (that is, no names or an insufficient number of names are furnished for certain election precincts), the county board shall make or complete such list from the names contained in the supplemental list provided for in Section 13-1.1. Provided, further, that in any case where a township has been or shall be redistricted, in whole or in part, subsequent to one general election for Governor, and prior to the next, the judges of election to be selected for all new or altered precincts shall be selected in that one of the methods above detailed, which shall be applicable according to the facts and circumstances of the particular case, but the majority of such judges for each such precinct shall be selected from the first leading political party, and the minority judges from the second leading political party. Provided, further, that in counties having a population of 1,000,000 inhabitants or over the selection of judges of election shall be made in the same manner in all respects as in other counties, except that the provisions relating to tally judges are inapplicable to such counties and except that the county board shall meet during the month of January for the purpose of making such selection and the chairman of each county central committee shall notify the county board by the preceding October 1 whether or not the certified list will be filed. Such judges of election shall hold their office for 2 years from their appointment and until their successors are duly appointed in the manner provided in this Act. The county board shall fill all vacancies in the office of judges of elections at any time in the manner herein provided.

Such selections under this Section shall be confirmed by the circuit court as provided in Section 13-3 of this Article.
(Source: P.A. 91-352, eff. 1-1-00.)
(10 ILCS 5/14-1) (from Ch. 46, par. 14-1)
Sec. 14-1. (a) The board of election commissioners established or existing under Article 6 shall, at the time and in the manner provided in Section 14-3.1, select and choose 5 persons, men or women, as judges of election for each precinct in such city, village or incorporated town.

Where neither voting machines nor electronic, mechanical or electric voting systems are used, the board of election commissioners may, for any precinct with respect to which the board considers such action necessary or desirable in view of the number of voters, and shall for general elections for any precinct containing more than 600 registered voters, appoint in addition to the 5 judges of election a team of 5 tally judges. In such precincts the judges of election shall preside over the election during the hours the polls are open, and the tally judges, with the assistance of the holdover judges designated pursuant to Section 14-5.2, shall count the vote after the closing of the polls. The tally judges shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for judges of election. The foregoing provisions relating to the appointment of tally judges are inapplicable in counties with a population of $1,000,000$ or more.

If a consolidated election is conducted under Article 19A, the board of election commissioners shall appoint a team of 5 tally judges to serve in lieu of the 5 judges of election otherwise required by this Section.
(b) To qualify as judges the persons must:
(1) be citizens of the United States;
(2) be of good repute and character;
(3) be able to speak, read and write the English
language;
(4) be skilled in the 4 fundamental rules of
arithmetic;
(5) be of good understanding and capable;
(6) not be candidates for any office at the election and not be elected committeemen;
(7) reside and be entitled to vote in the precinct in which they are selected to serve, except that in each precinct not more than one judge of each party may be appointed from outside such precinct. Any judge so appointed to serve in any precinct in which he is not entitled to vote must be entitled to vote elsewhere within the county which encompasses the precinct in which such judge is appointed and such judge must otherwise meet the qualifications of this Section.
(c) An election authority may establish a program to permit a person who is not entitled to vote to be appointed as an election judge if, as of the date of the election at which the person serves as a judge, he or she:
(1) is a U.S. citizen;
(2) is a senior in good standing enrolled in a public or private secondary school;
(3) has a cumulative grade point average equivalent to at least 3.0 on a 4.0 scale;
(4) has the written approval of the principal of the secondary school he or she attends at the time of appointment;
(5) has the written approval of his or her parent or legal guardian;
(6) has satisfactorily completed the training course for judges of election described in Sections 13-2.1, 13-2.2, and 14-4.1; and
(7) meets all other qualifications for appointment and service as an election judge.

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

Students appointed as election judges under this subsection shall not be counted as absent from school on the day they serve as judges.
(d) The board of election commissioners may select 2 additional judges of election, one from each of the major political parties, for each 200 voters in excess of 600 in any precinct having more than 600 voters as authorized by Section 11--3. These additional judges must meet the qualifications prescribed in this Section.
(Source: P.A. 91-352, eff. 1-1-00.)
(10 ILCS 5/14-3.1) (from Ch. 46, par. 14-3.1)
Sec. 14-3.1. The board of election commissioners shall, during the month of May of each even-numbered year, select for each election precinct within the jurisdiction of the board 5 persons to be judges of election who shall possess the qualifications required by this Act for such judges. The selection shall be made by a county board of election commissioners in the following manner: the county board of election commissioners shall select and approve 3 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the first leading political party in that precinct; the county board of election commissioners also shall select and approve 2 persons as judges of election in each election precinct from a certified list furnished by the chairman of the county central committee of the second leading political party in that precinct. The selection by a municipal board of election commissioners shall be made in the following manner: for each precinct, 3 judges shall be selected from one of the 2 leading political parties and the
other 2 judges shall be selected from the other leading political party; the parties entitled to 3 and 2 judges, respectively, in the several precincts shall be determined as provided in Section 14-4. However, a Board of Election Commissioners may appoint three judges of election to serve in lieu of the 5 judges of election otherwise required by this Section to serve in any emergency referendum, or in any odd-year regular election or in any special primary or special election called for the purpose of filling a vacancy in the office of representative in the United States Congress or to nominate candidates for such purpose.

If a consolidated election is conducted under Article 19A, a Board of Election Commissioners shall appoint a team of 5 tally judges to serve in lieu of the 5 judges of election otherwise required by this Section.

If only 3 judges of election serve in each election precinct, no more than 2 persons of the same political party shall be judges of election in the same election precinct, and which political party is entitled to 2 judges of election and which political party is entitled to one judge of election shall be determined as set forth in this Section for a county board of election commissioners' selection of 5 election judges in each precinct or in Section 14-4 for a municipal board of election commissioners' selection of election judges in each precinct, whichever is appropriate. In addition to such precinct judges, the board of election commissioners shall appoint special panels of 3 judges each, who shall possess the same qualifications and shall be appointed in the same manner and with the same division between political parties as is provided for other judges of election. The number of such panels of judges required shall be determined by regulation of the State Board of Elections, which shall base the required number of special panels on the number of registered voters in the jurisdiction or the number
of absentee ballots voted at recent elections or any combination of such factors. A municipal board of election commissioners shall make the selections of persons qualified under Section 14-1 from certified lists furnished by the chairman of the respective county central committees of the 2 leading political parties. Lists furnished by chairmen of county central committees under this Section shall be arranged according to precincts. The chairman of each county central committee shall, insofar as possible, list persons who reside within the precinct in which they are to serve as judges. However, he may, in his sole discretion, submit the names of persons who reside outside the precinct but within the county embracing the precinct in which they are to serve. He must, however, submit the names of at least 2 residents of the precinct for each precinct in which his party is to have 3 judges and must submit the name of at least one resident of the precinct for each precinct in which his party is to have 2 judges. The board of election commissioners shall no later than March 1 of each even-numbered year notify the chairmen of the respective county central committees of their responsibility to furnish such lists, and each such chairman shall furnish the board of election commissioners with the list for his party on or before May 1 of each even-numbered year. The board of election commissioners shall acknowledge in writing to each county chairman the names of all persons submitted on such certified list and the total number of persons listed thereon. If no such list is furnished or if no names or an insufficient number of names are furnished for certain precincts, the board of election commissioners shall make or complete such list from the names contained in the supplemental list provided for in Section 14-3.2. Judges of election shall hold their office for 2 years from their appointment and until their successors are duly appointed in the manner herein provided. The board of election
commissioners shall, subject to the provisions of Section 14-3.2, fill all vacancies in the office of judges of election at any time in the manner herein provided.

Such selections under this Section shall be confirmed by the court as provided in Section 14-5.
(Source: P.A. 89-471, eff. 6-13-96.)
(10 ILCS 5/16-5) (from Ch. 46, par. 16-5)
Sec. 16-5. For all elections to which this Article applies, the county clerks, in their respective counties, shall have charge of the printing of the ballots for all elections, including referenda, and shall furnish them to the judges of election. In municipalities and counties having a board of election commissioners, such board shall have charge of the printing of the ballots and furnish them to the judges of election within the territory under their jurisdiction. Ballots shall be printed and in possession of the respective election authorities at least two days before each election and subject to the inspection of candidates and their agents; if any mistakes be discovered they shall be corrected without delay. If a consolidated election is subject to the provisions of Article 19A, however, the ballots shall be furnished to the election authority prior to the time the ballots are to be mailed to the voters. The election authority shall cause to be delivered to the judges of election at the polling place of each precinct or district, not less than twelve hours before the time fixed by law for the opening of the polls therein, at least $10 \%$ more ballots of the kind to be voted in such precinct or district than the number of voters registered therein for the purposes of such election, such ballots shall be put up in separate sealed packages, with marks on the outside clearly designating the polling place for which they are intended and the number of ballots enclosed, and receipt therefor shall be given by the
judges of election to whom they are delivered, which receipt shall be preserved by the election authority. The election authority shall provide and retain at its office an ample supply of ballots, in addition to those distributed to the several voting precincts or districts, and if at any time on or before the day of election the ballots furnished to any precinct shall be lost, destroyed or exhausted before the polls are closed, on written application signed by a majority of the judges he or they shall immediately cause to be delivered to such judges at the polling place, such additional supply of ballots as may be required and sufficient to comply with the provisions of this Act.

If a consolidated election is subject to the provisions of Article 19A, the election authority shall, not more than 40 nor less than 5 days before the date of the election, mail a ballot to each registered voter. (Source: P.A. 80-1469.)
(10 ILCS 5/17-1) (from Ch. 46, par. 17-1)
Sec. 17-1. Except for the consolidated elections conducted under Article 19A, the polls shall be opened at the hour of 6:00 a.m. and continued open until 7:00 p.m. of the same day, at which time the polls shall be closed; but if the judges shall not attend at the hour of six o'clock in the morning, or if it shall be necessary for the electors present to appoint judges to conduct the election, as herein prescribed, the polls may, in that case, be opened at any hour before the time for closing the same shall arrive, as the case may require. The State Board of Elections shall adopt rules for the conduct of elections under Article 19A. (Source: P.A. 81-850; 81-1149.)
(10 ILCS 5/Art.19A heading new)
Article 19A. MAIL-IN BALLOTS FOR CONSOLIDATED ELECTIONS
(10 ILCS 5/19A-5 new)
Sec. 19A-5. Voting in consolidated elections. In the year 2005, any qualified elector of the state of Illinois having duly registered where registration is required may vote at the consolidated election for the offices listed in subsection (c) of Section $2 A-1.2$ through ballots mailed to the voter and returned to the proper election authority by mail.

Each election authority shall compile and keep current a list of voters who are eligible to vote under this Article. The list shall include the last mailing address of each voter.
(10 ILCS 5/19A-10 new)
Sec. 19A-10. Time for mailing ballots. Each election authority, not more than 40 nor less than 5 days before the consolidated election held in April of 2005, shall mail, postage prepaid, an official ballot, or ballots if more than one are to be voted at the election, to each registered voter eligible to vote under this Article. The ballot or ballots shall be mailed to each voter's last mailing address and shall be marked "DO NOT FORWARD - ADDRESS CORRECTION REQUESTED" or any other similar statement that is in accordance with United States postal service regulations.

The election authority shall maintain a list for each election of the voters to whom ballots have been issued. The list shall be maintained for each precinct within the jurisdiction of the election authority.
(10 ILCS 5/19A-15 new)
Sec. 19A-15. Enclosure of ballots in unsealed envelope; certification; instructions for marking and returning ballots. The election authority shall fold the ballot or ballots in the manner specified by the statute for folding
ballots prior to their deposit in the ballot box, and shall enclose the ballot or ballots in an unsealed envelope to be furnished by the election authority. The envelope shall bear on its face the name, official title, and post office address of the election authority.

The printed certificate on the envelope shall be in substantially the following form:
"I state that I am a resident of the .......... precinct of the (1)* township of .......... (2)* city of .......... (3)* ......... ward in the city of .......... residing at ......... in the city or town in the county of ......... and State of Illinois, that $I$ have lived at the address for ... months last past; and that I am lawfully entitled to vote in the precinct at the election to be held on ....... * fill in either (1), (2), or (3).

I further state that I personally marked the enclosed ballot in secret. If I received assistance in casting my ballot, I further attest that, due to physical incapacity, I marked the enclosed ballot in secret with the assistance of
$\qquad$ (Individual rendering assistance) (Residence address)

Under penalties of perjury provided by law under Section 29-10 of the Election Code, the undersigned certifies that the statements set forth in this certification are true and correct.
.......................... "
In addition, the election authority shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that the same may be counted, and shall furnish one of the printed slips to each voter at the same time the ballot is mailed to the voter. The instructions shall include the following
statement: "In signing the certification on the ballot envelope, you are attesting that you personally marked this ballot in secret. If you are physically unable to mark the ballot, a friend or relative may assist you after completing the enclosed affidavit. Federal and State laws prohibit your employer, your employer's agent, or an officer or agent of your union from assisting physically disabled voters."

In addition, if a ballot to be provided to a voter under this Section contains a public question described in subsection (b) of Section $28-6$ and the territory concerning the question to be submitted is not described on the ballot due to that space limitations of the ballot, the election authority shall provide a printed copy of the notice of the public question, which shall included a description of the territory in the manner required by Section 16-7. The notice shall be furnished to the voter at the time the ballot is mailed to the voter.
(10 ILCS 5/19A-20 new)
Sec. 19A-20. Certification of voters; return of ballots. The voter shall make and subscribe to the certification provided for on the return envelope for the ballot, and the ballot or ballots shall be folded by the voter in the manner required to be folded before depositing the ballot in the ballot box, and shall be deposited in the envelope and the envelope securely sealed. The voter shall then endorse his or her certificate on the back of the envelope, and the envelope shall be mailed by the voter, postage prepaid, to the election authority issuing the ballot, or if more convenient, it may be delivered in person, by either the voter or by a spouse, parent, child, brother, or sister of the voter, or by a company licensed by the Illinois Commerce Commission under the Illinois Commercial Transportation Law that is engaged in the business of making deliveries. If a voter gives his or
her ballot and ballot envelope to a spouse, parent, child, brother, or sister of the voter, or to a company that is engaged in the business of making deliveries for delivery to the election authority, the voter shall give an authorization form to the person making the delivery. The person making the delivery shall present the authorization to the election authority. The authorization shall be in substantially the following form:
"I
(voter)
authorize ..................... to take my ballot to the office of the election authority.
$\qquad$
$\qquad$

Date

Town ............................

Date
........................
Town

Signature of voter
$\qquad$
Address
$\qquad$
Signature of authorized Individual ..............................

Relationship (if any)"
(10 ILCS 5/19A-25 new)
Sec. 19A-25. Receipt of ballots. Upon receipt of the voter's ballot, the election authority shall enclose the unopened ballot in a large or carrier envelope that shall be securely sealed and endorsed with the name and official title of the officer and the words, "This envelope contains a ballot and must be opened on election day", together with the number and description of the precinct in which the ballot is to be voted, and the officer shall safely keep the envelope in his or her office until counted as provided in Section 19A-30.

Sec. 19A-30. Counting of ballots. The ballots received by the election authority before 7:00 p.m. of the day of the consolidated election shall be counted at the office of the election authority by the tally judges, appointed under this Code for that purpose. The counting shall commence no later than 8:00 p.m. The counting shall continue until all ballots received have been counted.

The procedures set forth in Section 19A-35 of this Act and Articles 17 and 18 of this Code shall apply to all ballots counted under this provision, including comparing the signature on the ballot envelope with the signature of the voter on the permanent voter registration record card taken from the master file; except the votes shall be recorded without regard to precinct designation, except for precinct offices.
(10 ILCS 5/19A-35 new)
Sec. 19A-35. Casting ballots; comparison of signatures; rejection of ballots. The tally judges shall cast the voter's ballots separately, and as each ballot is taken shall open the outer or carrier envelope, announce the voter's name, and compare the signature on the permanent voter registration record card taken from the master file with the signature upon the certification on the ballot envelope. In case the judges find the certification properly executed, that the signatures correspond, and that the applicant is a duly qualified elector, they shall open the envelope containing the ballot in such a manner as not to deface or destroy the certification, or mark or tear the ballots therein contained without unfolding or permitting the ballot to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, shall deposit the same in the proper ballot box or boxes and enter the voter's name in the poll book the same as if the
voter had been present and voted in person. The judges shall place the ballot certification envelopes in a separate envelope as per the direction of the election authority. The envelope containing the ballot certification envelopes shall be retained by the election authority and preserved in like manner as the official poll record.

In case the signatures do not correspond, or that the voter is not a duly qualified elector, or that the ballot envelope is open or has been opened and resealed, without opening the envelope the judge of election shall mark across the face thereof, "Rejected", giving the reason therefor.

In case the ballot envelope contains more than one ballot of any kind, the ballots shall not be counted, but shall be marked "Rejected", giving the reason therefor.

The voter's envelope, and the voter's envelope with its contents unopened when the vote is rejected, shall be retained and preserved in the manner now provided for the retention and preservation of official ballots rejected at the election.
(10 ILCS 5/19A-40 new)
Sec. 19A-40. Pollwatchers. On election day, pollwatchers shall be permitted to be present during the casting of the mail ballots, and the vote of any voter may be challenged for cause the same as if he or she were present and voted in person, and the tally judges or a majority of them shall have power and authority to hear and determine the legality of the ballot; provided, however, that if a challenge to any voter's right to vote is sustained, notice of the same must be given by the tally judges by mail addressed to the voter's place of residence.

Where ballots are counted on the day of the election in the office of the election authority as provided in Section 19A-30 of this Article, each political party, candidate, and
qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned. The pollwatchers shall be subject to the same provisions as are proscribed for pollwatchers in Section 7-34 and 17-23 of this Code, and shall be permitted to observe the signature comparison between that which is on the ballot envelope and that which is on the permanent voter registration record card taken from the master file.
(10 ILCS 5/19A-45 new)
Sec. 19A-45. Death of an elector before election day. Whenever it shall be made to appear by due proof to the tally judges that any elector who has marked and forwarded his or her ballot as provided in this Article has died before the date of the election, then the ballot of the deceased voter shall be retained by the tally judges in the same manner as provided for rejected ballots; but the casting of the ballot of a deceased voter shall not invalidate the election.
(10 ILCS 5/19A-50 new)
Sec. 19A-50. Application to jurisdiction using voting machines. In all jurisdictions in which voting machines are used, all the provisions of the Article relating to the furnishing of ballot boxes, printing, and furnishing official ballots and supplies in the number provided by law, the canvassing of the ballots and making the proper return of the result of the election shall, to the extent necessary to make this Article effective, apply with full force and effect.
(10 ILCS 5/19A-55 new)
Sec. 19A-55. Adoption of rules for mail-in ballots. The State Board of Elections shall conduct public hearings and adopt rules and procedures for the implementation of the use of mail-in ballots within 270 days after the effective date
of this amendatory Act of the 91 st General Assembly.
(b) In addition to any other duties prescribed by law, the State Board of Elections shall:
(1) prescribe the form of materials to be used in
the conduct of mail-in ballot elections;
(2) establish procedures consistent with this

Article for the conduct of mail-in ballot elections; and
(3) supervise the conduct of mail-in ballot elections.
(10 ILCS 5/19A-60 new)
Sec. 19A-60. Report. After the consolidated election in 2005, the State Board of Elections must report to the General Assembly on the problems and successes of conducting the election with mail-in ballots.
(10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)
Sec. 24A-6. The ballot information, whether placed on the ballot or on the marking device, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that such information may be in vertical or horizontal rows, or in a number of separate pages. Ballots for all questions or propositions to be voted on must be provided in the same manner and must be arranged on or in the marking device or on the ballot sheet in the places provided for such purposes.

When an electronic voting system utilizes a ballot label booklet and ballot card, ballots for candidates, ballots calling for a constitutional convention, constitutional amendment ballots, judicial retention ballots, public measures, and all propositions to be voted upon may be placed on the electronic voting device by providing in the ballot booklet separate ballot label pages or series of pages distinguished by differing colors as provided below. When an
electronic voting system utilizes a ballot sheet, ballots calling for a constitutional convention, constitutional amendment ballots and judicial retention ballots shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot which shall be printed in ink of a color distinct from the color of ink used in printing any other portion of the ballot sheet. Ballots for candidates, public measures and all other propositions to be voted upon shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot. Below the name of the last candidate listed for an office shall be printed a line on which the name of a candidate may be written by the voter, and immediately to the left of such line an area shall be provided for marking a vote for such write-in candidate. More than one amendment to the constitution may be placed on the same ballot page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for constitutional conventions or constitutional amendments shall be on paper of blue color and shall precede all other ballot label pages in the ballot label booklet. More than one public measure or proposition may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. More than one proposition for retention of judges in office may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for candidates shall be on paper of white color, except that in primary elections the ballot label page or pages for the candidates of each respective political party shall be of the color designated by the election official in charge of the election for that political party's candidates; provided that the ballot label pages or pages for candidates for use at the nonpartisan and consolidated
elections may be on paper of different colors, except blue, whenever necessary or desirable to facilitate distinguishing between the pages for different political subdivisions. On each page of the candidate booklet, where the election is made to list ballot information vertically, the party affiliation of each candidate or the word "independent" shall appear immediately to the left of the candidate's name, and the name of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of such nonpartisan candidates shall not include any party or "independent" designation. Ballot label pages for judicial retention ballots shall be on paper of green color, and ballot label pages for all public measures and other propositions shall be on paper of some other distinct and different color. In primary elections, a separate ballot label booklet, marking device and voting booth shall be used for each political party holding a primary, with the ballot label booklet arranged to include ballot label pages of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot card may be used for recording the voter's vote or choice on all such ballots, proposals, public measures or propositions, and such ballot card shall be arranged so as to record the voter's vote or choice in a separate column or columns for each such kind of ballot, proposal, public measure or proposition.

If the ballot label booklet includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages, and printing on such tabs "Candidates" and
"Propositions".
The ballot card and all of its columns and the ballot card envelope shall be of the color prescribed for candidate's ballots at the general or primary election, whichever is being held. At an election where no candidates are being nominated or elected, the ballot card, its columns, and the ballot card envelope shall be of a color designated by the election official in charge of the election.

The ballot cards, ballot card envelopes and ballot sheets may, at the discretion of the election authority, be printed on white paper and then striped with the appropriate colors.

When ballot sheets are used, the various portions thereof shall be arranged to conform to the foregoing format.

Absentee ballots may consist of ballot cards, envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each party, candidate, proposal, public measure or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

Ballots for use in the consolidated election conducted under Article 19A may consist of ballot cards, envelopes, paper ballots, or ballot sheets. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions, and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each candidate, proposal, public measure, or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

Any voter who spoils his ballot or makes an error may return the ballot to the judges of election and secure another. However, the protruding identifying tab for proposals for a constitutional convention or constitutional amendments shall have printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label booklet.
(Source: P.A. 89-700, eff. 1-17-97.)
(10 ILCS 5/24B-6)
Sec. 24B-6. Ballot Information; Arrangement; Electronic Precinct Tabulation Optical Scan Technology Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages. Ballots for all questions or propositions to be voted on should be provided in a similar manner and must be arranged on the ballot sheet in the places provided for such purposes. Ballots shall be of white paper unless provided otherwise by administrative rule of the State Board of Elections or otherwise specified.

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet by utilizing borders or grey screens. Below the name of the last candidate listed for an office shall be printed a line or lines on which the name of a candidate or candidates may be written by the voter, and proximate to such lines an area shall be provided for marking votes for the
write-in candidate or candidates. The number of write-in lines for an office shall equal the number of candidates for which a voter may vote. More than one amendment to the constitution may be placed on the same portion of the ballot sheet. Constitutional convention or constitutional amendment propositions shall be printed on a separate portion of the ballot sheet and designated by borders or grey screens, unless otherwise provided by administrative rule of the state Board of Elections. More than one public measure or proposition may be placed on the same portion of the ballot sheet. More than one proposition for retention of judges in office may be placed on the same portion of the ballot sheet. Names of candidates shall be printed in black. The party affiliation of each candidate or the word "independent" shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. Judicial retention ballots shall be designated by borders or grey screens. Ballots for all public measures and other propositions shall be designated by borders or grey screens. In primary elections, a separate ballot, shall be used for each political party holding a primary, with the ballot arranged to include names of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the ballot in sections for "Candidates" and "Propositions", or separate
ballots may be used.
Absentee ballots may consist of envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a Precinct Tabulation Optical Scan Technology ballot is used for voting by mail it must be accompanied by voter instructions.

Ballots for use in the consolidated election conducted under Article 19A may consist of envelopes, paper ballots, or ballot sheets. Where a Precinct Tabulation Optical Scan Technology ballot is used for voting by mail it must be accompanied by voter instructions.

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

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(Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)
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Section 10. The State Mandates Act is amended by adding Section 8.27 as follows:
(30 ILCS 805/8.27 new)
Sec. 8.27. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act the 91 st General Assembly.

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

INDEX
Statutes amended in order of appearance

10 ILCS 5/4-11
10 ILCS 5/11-7

10 ILCS 5/14-3.1
10 ILCS 5/16-5
10 ILCS 5/17-1

10 ILCS 5/19A-5 new
10 ILCS 5/19A-10 new
10 ILCS 5/19A-15 new
10 ILCS 5/19A-20 new
10 ILCS 5/19A-25 new
10 ILCS 5/19A-30 new
10 ILCS 5/19A-35 new
10 ILCS 5/19A-40 new
10 ILCS 5/19A-45 new
10 ILCS 5/19A-50 new
10 ILCS 5/19A-55 new
10 ILCS 5/19A-60 new
10 ILCS 5/24A-6
10 ILCS 5/24B-6
30 ILCS 805/8.27 new

10 ILCS 5/Art.19A heading new

