

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 19-12.1 and 19-12.2 as follows:

6 (10 ILCS 5/19-12.1) (from Ch. 46, par. 19-12.1)

7 Sec. 19-12.1. Any qualified elector who has secured an
8 Illinois Disabled Person Identification Card in accordance
9 with The Illinois Identification Card Act, indicating that the
10 person named thereon has a Class 1A or Class 2 disability or
11 any qualified voter who has a permanent physical incapacity of
12 such a nature as to make it improbable that he will be able to
13 be present at the polls at any future election, or any voter
14 who is a resident of (i) a federally operated veterans' home,
15 hospital, or facility located in Illinois or (ii) a facility
16 licensed or certified pursuant to the Nursing Home Care Act or
17 the MR/DD Community Care Act and has a condition or disability
18 of such a nature as to make it improbable that he will be able
19 to be present at the polls at any future election, may secure a
20 disabled voter's or nursing home resident's identification
21 card, which will enable him to vote under this Article as a
22 physically incapacitated or nursing home voter. For the
23 purposes of this Section, "federally operated veterans' home,

1 hospital, or facility" means the long-term care facilities at
2 the Jesse Brown VA Medical Center, Illiana Health Care System,
3 Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and
4 Captain James A. Lovell Federal Health Care Center.

5 Application for a disabled voter's or nursing home
6 resident's identification card shall be made either: (a) in
7 writing, with voter's sworn affidavit, to the county clerk or
8 board of election commissioners, as the case may be, and shall
9 be accompanied by the affidavit of the attending physician
10 specifically describing the nature of the physical incapacity
11 or the fact that the voter is a nursing home resident and is
12 physically unable to be present at the polls on election days;
13 or (b) by presenting, in writing or otherwise, to the county
14 clerk or board of election commissioners, as the case may be,
15 proof that the applicant has secured an Illinois Disabled
16 Person Identification Card indicating that the person named
17 thereon has a Class 1A or Class 2 disability. Upon the receipt
18 of either the sworn-to application and the physician's
19 affidavit or proof that the applicant has secured an Illinois
20 Disabled Person Identification Card indicating that the person
21 named thereon has a Class 1A or Class 2 disability, the county
22 clerk or board of election commissioners shall issue a disabled
23 voter's or nursing home resident's identification card. Such
24 identification cards shall be issued for a period of 5 years,
25 upon the expiration of which time the voter may secure a new
26 card by making application in the same manner as is prescribed

1 for the issuance of an original card, accompanied by a new
2 affidavit of the attending physician. The date of expiration of
3 such five-year period shall be made known to any interested
4 person by the election authority upon the request of such
5 person. Applications for the renewal of the identification
6 cards shall be mailed to the voters holding such cards not less
7 than 3 months prior to the date of expiration of the cards.

8 Each disabled voter's or nursing home resident's
9 identification card shall bear an identification number, which
10 shall be clearly noted on the voter's original and duplicate
11 registration record cards. In the event the holder becomes
12 physically capable of resuming normal voting, he must surrender
13 his disabled voter's or nursing home resident's identification
14 card to the county clerk or board of election commissioners
15 before the next election.

16 The holder of a disabled voter's or nursing home resident's
17 identification card may make application by mail for an
18 official ballot within the time prescribed by Section 19-2.
19 Such application shall contain the same information as is
20 included in the form of application for ballot by a physically
21 incapacitated elector prescribed in Section 19-3 except that it
22 shall also include the applicant's disabled voter's
23 identification card number and except that it need not be sworn
24 to. If an examination of the records discloses that the
25 applicant is lawfully entitled to vote, he shall be mailed a
26 ballot as provided in Section 19-4. The ballot envelope shall

1 be the same as that prescribed in Section 19-5 for physically
2 disabled voters, and the manner of voting and returning the
3 ballot shall be the same as that provided in this Article for
4 other absentee ballots, except that a statement to be
5 subscribed to by the voter but which need not be sworn to shall
6 be placed on the ballot envelope in lieu of the affidavit
7 prescribed by Section 19-5.

8 Any person who knowingly subscribes to a false statement in
9 connection with voting under this Section shall be guilty of a
10 Class A misdemeanor.

11 For the purposes of this Section, "nursing home resident"
12 includes a resident of (i) a federally operated veterans' home,
13 hospital, or facility located in Illinois or (ii) a facility
14 licensed under the MR/DD Community Care Act. For the purposes
15 of this Section, "federally operated veterans' home, hospital,
16 or facility" means the long-term care facilities at the Jesse
17 Brown VA Medical Center, Illiana Health Care System, Edward
18 Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain
19 James A. Lovell Federal Health Care Center.

20 (Source: P.A. 96-339, eff. 7-1-10.)

21 (10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)

22 Sec. 19-12.2. Voting by physically incapacitated electors
23 who have made proper application to the election authority not
24 later than 5 days before the regular primary and general
25 election of 1980 and before each election thereafter shall be

1 conducted on the premises of (i) federally operated veterans'
2 homes, hospitals, and facilities located in Illinois or (ii)
3 facilities licensed or certified pursuant to the Nursing Home
4 Care Act or the MR/DD Community Care Act for the sole benefit
5 of residents of such homes, hospitals, and facilities. For the
6 purposes of this Section, "federally operated veterans' home,
7 hospital, or facility" means the long-term care facilities at
8 the Jesse Brown VA Medical Center, Illiana Health Care System,
9 Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and
10 Captain James A. Lovell Federal Health Care Center. Such voting
11 shall be conducted during any continuous period sufficient to
12 allow all applicants to cast their ballots between the hours of
13 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday or
14 Monday immediately preceding the regular election. This
15 absentee voting on one of said days designated by the election
16 authority shall be supervised by two election judges who must
17 be selected by the election authority in the following order of
18 priority: (1) from the panel of judges appointed for the
19 precinct in which such home, hospital, or facility is located,
20 or from a panel of judges appointed for any other precinct
21 within the jurisdiction of the election authority in the same
22 ward or township, as the case may be, in which the home,
23 hospital, or facility is located or, only in the case where a
24 judge or judges from the precinct, township or ward are
25 unavailable to serve, (3) from a panel of judges appointed for
26 any other precinct within the jurisdiction of the election

1 authority. The two judges shall be from different political
2 parties. Not less than 30 days before each regular election,
3 the election authority shall have arranged with the chief
4 administrative officer of each home, hospital, or facility in
5 his or its election jurisdiction a mutually convenient time
6 period on the Friday, Saturday, Sunday or Monday immediately
7 preceding the election for such voting on the premises of the
8 home, hospital, or facility and shall post in a prominent place
9 in his or its office a notice of the agreed day and time period
10 for conducting such voting at each home, hospital, or facility;
11 provided that the election authority shall not later than noon
12 on the Thursday before the election also post the names and
13 addresses of those homes, hospitals, and facilities from which
14 no applications were received and in which no supervised
15 absentee voting will be conducted. All provisions of this Code
16 applicable to pollwatchers shall be applicable herein. To the
17 maximum extent feasible, voting booths or screens shall be
18 provided to insure the privacy of the voter. Voting procedures
19 shall be as described in Article 17 of this Code, except that
20 ballots shall be treated as absentee ballots and shall not be
21 counted until the close of the polls on the following day.
22 After the last voter has concluded voting, the judges shall
23 seal the ballots in an envelope and affix their signatures
24 across the flap of the envelope. Immediately thereafter, the
25 judges shall bring the sealed envelope to the office of the
26 election authority who shall deliver such ballots to the

1 election authority's central ballot counting location prior to
2 the closing of the polls on the day of election. The judges of
3 election shall also report to the election authority the name
4 of any applicant in the home, hospital, or facility who, due to
5 unforeseen circumstance or condition or because of a religious
6 holiday, was unable to vote. In this event, the election
7 authority may appoint a qualified person from his or its staff
8 to deliver the ballot to such applicant on the day of election.
9 This staff person shall follow the same procedures prescribed
10 for judges conducting absentee voting in such homes, hospitals,
11 or facilities and shall return the ballot to the central ballot
12 counting location before the polls close. However, if the home,
13 hospital, or facility from which the application was made is
14 also used as a regular precinct polling place for that voter,
15 voting procedures heretofore prescribed may be implemented by 2
16 of the election judges of opposite party affiliation assigned
17 to that polling place during the hours of voting on the day of
18 the election. Judges of election shall be compensated not less
19 than \$25.00 for conducting absentee voting in such homes,
20 hospitals, or facilities.

21 Not less than 120 days before each regular election, the
22 Department of Public Health shall certify to the State Board of
23 Elections a list of the facilities licensed or certified
24 pursuant to the Nursing Home Care Act or the MR/DD Community
25 Care Act. The lists, ~~and~~ shall indicate the approved bed
26 capacity and the name of the chief administrative officer of

1 each such home, hospital, or facility, and the State Board of
2 Elections shall certify the same to the appropriate election
3 authority within 20 days thereafter.

4 (Source: P.A. 96-339, eff. 7-1-10.)