

# HB0388



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0388

by Rep. Emanuel Chris Welch

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/29-9

from Ch. 46, par. 29-9

Amends the Election Code. Provides that a person is not prohibited from photographing his or her own ballot at any time during the voting process or from viewing a photograph of a completed or partially completed ballot. Provides that a person who gives, promises to give, or receives any money or other valuable consideration in connection with the dissemination or viewing of such a photograph is guilty of a Class 4 felony. Effective immediately.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 Section  
5 29-9 as follows:

6 (10 ILCS 5/29-9) (from Ch. 46, par. 29-9)

7 Sec. 29-9. Unlawful observation of voting. Except as  
8 permitted by this Code, any person who knowingly marks his  
9 ballot or casts his vote on a voting machine or voting device  
10 so that it can be observed by another person, and any person  
11 who knowingly observes another person lawfully marking a ballot  
12 or lawfully casting his vote on a voting machine or voting  
13 device, shall be guilty of a Class 4 felony. Nothing in this  
14 Section shall prohibit a person from photographing his or her  
15 own ballot at any time during the voting process or from  
16 viewing a photograph of a completed or partially completed  
17 ballot; however, a person who gives, promises to give, or  
18 receives any money or other valuable consideration in  
19 connection with the dissemination or viewing of such a  
20 photograph shall be guilty of a Class 4 felony.

21 (Source: P.A. 78-887.)

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.