



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3655

by Rep. Sara Wojcicki Jimenez

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/7-43	from Ch. 46, par. 7-43
10 ILCS 5/7-44	from Ch. 46, par. 7-44
10 ILCS 5/7-60	from Ch. 46, par. 7-60
10 ILCS 5/19-3	from Ch. 46, par. 19-3
10 ILCS 5/19-4.5 new	
10 ILCS 5/19-5	from Ch. 46, par. 19-5
10 ILCS 5/19-8	from Ch. 46, par. 19-8
10 ILCS 5/19-12.1	from Ch. 46, par. 19-12.1
10 ILCS 5/20-3	from Ch. 46, par. 20-3
10 ILCS 5/20-4	from Ch. 46, par. 20-4
10 ILCS 5/20-4.5 new	
10 ILCS 5/20-5	from Ch. 46, par. 20-5
10 ILCS 5/20-8	from Ch. 46, par. 20-8
10 ILCS 5/7-2 rep.	
10 ILCS 5/7-3 rep.	
10 ILCS 5/Art. 10 rep.	

Amends the Election Code. Creates an open-primary system. Provides that primary ballots shall list each candidate for office, regardless of party affiliation, participating in the primary election. Provides that the 2 candidates in any primary that received the most votes in the primary election, regardless of party affiliation of the candidates, shall be the only 2 candidates certified for participation in the general election. Makes conforming changes.

LRB100 08455 MLM 18573 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing  
5 Sections 7-10, 7-43, 7-44, 7-60, 19-3, 19-4, 19-5, 19-8,  
6 19-12.1, 20-3, 20-4, 20-5, and 20-8 and by adding Sections  
7 19-4.5 and 20-4.5 as follows:

8 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

9 Sec. 7-10. Form of petition for nomination. The name of no  
10 candidate for nomination, or State central committeeman, or  
11 township committeeman, or precinct committeeman, or ward  
12 committeeman or candidate for delegate or alternate delegate to  
13 national nominating conventions, shall be printed upon the  
14 primary ballot unless a petition for nomination has been filed  
15 in his behalf as provided in this Article in substantially the  
16 following form:

17 We, the undersigned, ~~members of and affiliated with the~~  
18 ~~.... party and qualified primary electors of the .... party,~~ in  
19 the .... of ....., in the county of .... and State of Illinois,  
20 do hereby petition that the following named person or persons  
21 shall be a candidate or candidates of the .... party for the  
22 nomination for (or in case of committeemen for election to) the  
23 office or offices hereinafter specified, to be voted for at the

1 primary election to be held on (insert date).

2	Name	Office	Address
3	John Jones	Governor	Belvidere, Ill.
4	Jane James	Lieutenant Governor	Peoria, Ill.
5	Thomas Smith	Attorney General	Oakland, Ill.

6 Name..... Address.....

7 State of Illinois)

8 ) ss.

9 County of.....)

10 I, ....., do hereby certify that I reside at No. ....

11 street, in the .... of ....., county of ....., and State of

12 ....., that I am 18 years of age or older, that I am a citizen

13 of the United States, and that the signatures on this sheet

14 were signed in my presence, and are genuine, and that to the

15 best of my knowledge and belief the persons so signing were at

16 the time of signing the petitions qualified voters ~~of the ....~~

17 ~~party~~, and that their respective residences are correctly

18 stated, as above set forth.

19 .....

20 Subscribed and sworn to before me on (insert date).

21 .....

22 Each sheet of the petition other than the statement of

23 candidacy and candidate's statement shall be of uniform size

1 and shall contain above the space for signatures an appropriate  
2 heading giving the information as to name of candidate or  
3 candidates, in whose behalf such petition is signed; the  
4 office, the political party that the candidate prefers,  
5 ~~represented~~ and place of residence; and the heading of each  
6 sheet shall be the same.

7 Such petition shall be signed by qualified primary electors  
8 residing in the political division for which the nomination is  
9 sought in their own proper persons only and opposite the  
10 signature of each signer, his residence address shall be  
11 written or printed. The residence address required to be  
12 written or printed opposite each qualified primary elector's  
13 name shall include the street address or rural route number of  
14 the signer, as the case may be, as well as the signer's county,  
15 and city, village or town, and state. However the county or  
16 city, village or town, and state of residence of the electors  
17 may be printed on the petition forms where all of the electors  
18 signing the petition reside in the same county or city, village  
19 or town, and state. Standard abbreviations may be used in  
20 writing the residence address, including street number, if any.  
21 At the bottom of each sheet of such petition shall be added a  
22 circulator statement signed by a person 18 years of age or  
23 older who is a citizen of the United States, stating the street  
24 address or rural route number, as the case may be, as well as  
25 the county, city, village or town, and state; and certifying  
26 that the signatures on that sheet of the petition were signed

1 in his or her presence and certifying that the signatures are  
2 genuine; and either (1) indicating the dates on which that  
3 sheet was circulated, or (2) indicating the first and last  
4 dates on which the sheet was circulated, or (3) certifying that  
5 none of the signatures on the sheet were signed more than 90  
6 days preceding the last day for the filing of the petition and  
7 certifying that to the best of his or her knowledge and belief  
8 the persons so signing were at the time of signing the  
9 petitions qualified voters of the election ~~political party~~ for  
10 which a nomination is sought. Such statement shall be sworn to  
11 before some officer authorized to administer oaths in this  
12 State.

13 No petition sheet shall be circulated more than 90 days  
14 preceding the last day provided in Section 7-12 for the filing  
15 of such petition.

16 The person circulating the petition, or the candidate on  
17 whose behalf the petition is circulated, may strike any  
18 signature from the petition, provided that:

19 (1) the person striking the signature shall initial the  
20 petition at the place where the signature is struck; and

21 (2) the person striking the signature shall sign a  
22 certification listing the page number and line number of  
23 each signature struck from the petition. Such  
24 certification shall be filed as a part of the petition.

25 Such sheets before being filed shall be neatly fastened  
26 together in book form, by placing the sheets in a pile and

1 fastening them together at one edge in a secure and suitable  
2 manner, and the sheets shall then be numbered consecutively.  
3 The sheets shall not be fastened by pasting them together end  
4 to end, so as to form a continuous strip or roll. All petition  
5 sheets which are filed with the proper local election  
6 officials, election authorities or the State Board of Elections  
7 shall be the original sheets which have been signed by the  
8 voters and by the circulator thereof, and not photocopies or  
9 duplicates of such sheets. Each petition must include as a part  
10 thereof, a statement of candidacy for each of the candidates  
11 filing, or in whose behalf the petition is filed. This  
12 statement shall set out the address of such candidate, the  
13 office for which he is a candidate, shall state that the  
14 candidate is a qualified primary voter of the election for  
15 ~~party to~~ which the petition relates and is qualified for the  
16 office specified (in the case of a candidate for State's  
17 Attorney it shall state that the candidate is at the time of  
18 filing such statement a licensed attorney-at-law of this  
19 State), shall state that he has filed (or will file before the  
20 close of the petition filing period) a statement of economic  
21 interests as required by the Illinois Governmental Ethics Act,  
22 shall request that the candidate's name be placed upon the  
23 official ballot, and shall be subscribed and sworn to by such  
24 candidate before some officer authorized to take  
25 acknowledgment of deeds in the State and shall be in  
26 substantially the following form:

1 Statement of Candidacy

2	Name	Address	Office	District	Party
3	John Jones	102 Main St.	Governor	Statewide	Republican
4		Belvidere,			
5		Illinois			

6 State of Illinois)

7 ) ss.

8 County of .....)

9 I, ....., being first duly sworn, say that I reside at ....

10 Street in the city (or village) of ....., in the county of .....,

11 State of Illinois; that I am a qualified voter therein ~~and am a~~

12 ~~qualified primary voter of the ..... party;~~ that I am a

13 candidate for nomination (for election in the case of

14 committeeman and delegates and alternate delegates) to the

15 office of .... to be voted upon at the primary election to be

16 held on (insert date); that I am legally qualified (including

17 being the holder of any license that may be an eligibility

18 requirement for the office I seek the nomination for) to hold

19 such office and that I have filed (or I will file before the

20 close of the petition filing period) a statement of economic

21 interests as required by the Illinois Governmental Ethics Act

22 and I hereby request that my name be printed upon the official

23 primary ballot for nomination for (or election to in the case

24 of committeemen and delegates and alternate delegates) such

25 office.

1 Signed .....

2 Subscribed and sworn to (or affirmed) before me by .....,  
3 who is to me personally known, on (insert date).

4 Signed .....

5 (Official Character)

6 (Seal, if officer has one.)

7 The petitions, when filed, shall not be withdrawn or added  
8 to, and no signatures shall be revoked except by revocation  
9 filed in writing with the State Board of Elections, election  
10 authority or local election official with whom the petition is  
11 required to be filed, and before the filing of such petition.  
12 Whoever forges the name of a signer upon any petition required  
13 by this Article is deemed guilty of a forgery and on conviction  
14 thereof shall be punished accordingly.

15 A candidate for the offices listed in this Section must  
16 obtain the number of signatures specified in this Section on  
17 his or her petition for nomination.

18 (a) Statewide office or delegate to a national nominating  
19 convention. If a candidate seeks to run for statewide office or  
20 as a delegate or alternate delegate to a national nominating  
21 convention elected from the State at-large, then the  
22 candidate's petition for nomination must contain at least 5,000  
23 but not more than 10,000 signatures.

24 (b) Congressional office or congressional delegate to a  
25 national nominating convention. If a candidate seeks to run for



1 United States Congress or as a congressional delegate or  
2 alternate congressional delegate to a national nominating  
3 convention elected from a congressional district, then the  
4 candidate's petition for nomination must contain at least the  
5 number of signatures equal to 0.5% of the qualified primary  
6 electors of his or her party in his or her congressional  
7 district. In the first primary election following a  
8 redistricting of congressional districts, a candidate's  
9 petition for nomination must contain at least 600 signatures of  
10 qualified primary electors of the candidate's political party  
11 in his or her congressional district.

12 (c) County office. If a candidate seeks to run for any  
13 countywide office, including but not limited to county board  
14 chairperson or county board member, elected on an at-large  
15 basis, in a county other than Cook County, then the candidate's  
16 petition for nomination must contain at least the number of  
17 signatures equal to 0.5% of the qualified electors of his or  
18 her party who cast votes at the last preceding general election  
19 in his or her county. If a candidate seeks to run for county  
20 board member elected from a county board district, then the  
21 candidate's petition for nomination must contain at least the  
22 number of signatures equal to 0.5% of the qualified primary  
23 electors of his or her party in the county board district. In  
24 the first primary election following a redistricting of county  
25 board districts or the initial establishment of county board  
26 districts, a candidate's petition for nomination must contain

1 at least the number of signatures equal to 0.5% of the  
2 qualified electors of his or her party in the entire county who  
3 cast votes at the last preceding general election divided by  
4 the total number of county board districts comprising the  
5 county board; provided that in no event shall the number of  
6 signatures be less than 25.

7 (d) County office; Cook County only.

8 (1) If a candidate seeks to run for countywide office  
9 in Cook County, then the candidate's petition for  
10 nomination must contain at least the number of signatures  
11 equal to 0.5% of the qualified electors of his or her party  
12 who cast votes at the last preceding general election in  
13 Cook County.

14 (2) If a candidate seeks to run for Cook County Board  
15 Commissioner, then the candidate's petition for nomination  
16 must contain at least the number of signatures equal to  
17 0.5% of the qualified primary electors of his or her party  
18 in his or her county board district. In the first primary  
19 election following a redistricting of Cook County Board of  
20 Commissioners districts, a candidate's petition for  
21 nomination must contain at least the number of signatures  
22 equal to 0.5% of the qualified electors of his or her party  
23 in the entire county who cast votes at the last preceding  
24 general election divided by the total number of county  
25 board districts comprising the county board; provided that  
26 in no event shall the number of signatures be less than 25.

1           (3) If a candidate seeks to run for Cook County Board  
2 of Review Commissioner, which is elected from a district  
3 pursuant to subsection (c) of Section 5-5 of the Property  
4 Tax Code, then the candidate's petition for nomination must  
5 contain at least the number of signatures equal to 0.5% of  
6 the total number of registered voters in his or her board  
7 of review district in the last general election at which a  
8 commissioner was regularly scheduled to be elected from  
9 that board of review district. In no event shall the number  
10 of signatures required be greater than the requisite number  
11 for a candidate who seeks countywide office in Cook County  
12 under subsection (d)(1) of this Section. In the first  
13 primary election following a redistricting of Cook County  
14 Board of Review districts, a candidate's petition for  
15 nomination must contain at least 4,000 signatures or at  
16 least the number of signatures required for a countywide  
17 candidate in Cook County, whichever is less, of the  
18 qualified electors of his or her party in the district.

19           (e) Municipal or township office. If a candidate seeks to  
20 run for municipal or township office, then the candidate's  
21 petition for nomination must contain at least the number of  
22 signatures equal to 0.5% of the qualified primary electors of  
23 his or her party in the municipality or township. If a  
24 candidate seeks to run for alderman of a municipality, then the  
25 candidate's petition for nomination must contain at least the  
26 number of signatures equal to 0.5% of the qualified primary

1 electors of his or her party of the ward. In the first primary  
2 election following redistricting of aldermanic wards or  
3 trustee districts of a municipality or the initial  
4 establishment of wards or districts, a candidate's petition for  
5 nomination must contain the number of signatures equal to at  
6 least 0.5% of the total number of votes cast for the candidate  
7 of that political party who received the highest number of  
8 votes in the entire municipality at the last regular election  
9 at which an officer was regularly scheduled to be elected from  
10 the entire municipality, divided by the number of wards or  
11 districts. In no event shall the number of signatures be less  
12 than 25.

13 (f) State central committeeperson. If a candidate seeks to  
14 run for State central committeeperson, then the candidate's  
15 petition for nomination must contain at least 100 signatures of  
16 the primary electors of his or her party of his or her  
17 congressional district.

18 (g) Sanitary district trustee. If a candidate seeks to run  
19 for trustee of a sanitary district in which trustees are not  
20 elected from wards, then the candidate's petition for  
21 nomination must contain at least the number of signatures equal  
22 to 0.5% of the primary electors of his or her party from the  
23 sanitary district. If a candidate seeks to run for trustee of a  
24 sanitary district in which trustees are elected from wards,  
25 then the candidate's petition for nomination must contain at  
26 least the number of signatures equal to 0.5% of the primary

1 electors of his or her party in the ward of that sanitary  
2 district. In the first primary election following  
3 redistricting of sanitary districts elected from wards, a  
4 candidate's petition for nomination must contain at least the  
5 signatures of 150 qualified primary electors of his or her ward  
6 of that sanitary district.

7 (h) Judicial office. If a candidate seeks to run for  
8 judicial office in a district, then the candidate's petition  
9 for nomination must contain the number of signatures equal to  
10 0.4% of the number of votes cast in that district for the  
11 candidate for his or her political party for the office of  
12 Governor at the last general election at which a Governor was  
13 elected, but in no event less than 500 signatures. If a  
14 candidate seeks to run for judicial office in a circuit or  
15 subcircuit, then the candidate's petition for nomination must  
16 contain the number of signatures equal to 0.25% of the number  
17 of votes cast for the judicial candidate of his or her  
18 political party who received the highest number of votes at the  
19 last general election at which a judicial officer from the same  
20 circuit or subcircuit was regularly scheduled to be elected,  
21 but in no event less than 1,000 signatures in circuits and  
22 subcircuits located in the First Judicial District or 500  
23 signatures in every other Judicial District.

24 (i) Precinct, ward, and township committeeperson. If a  
25 candidate seeks to run for precinct committeeperson, then the  
26 candidate's petition for nomination must contain at least 10

1 signatures of the primary electors of his or her party for the  
2 precinct. If a candidate seeks to run for ward committeeperson,  
3 then the candidate's petition for nomination must contain no  
4 less than the number of signatures equal to 10% of the primary  
5 electors of his or her party of the ward, but no more than 16%  
6 of those same electors; provided that the maximum number of  
7 signatures may be 50 more than the minimum number, whichever is  
8 greater. If a candidate seeks to run for township  
9 committeeperson, then the candidate's petition for nomination  
10 must contain no less than the number of signatures equal to 5%  
11 of the primary electors of his or her party of the township,  
12 but no more than 8% of those same electors; provided that the  
13 maximum number of signatures may be 50 more than the minimum  
14 number, whichever is greater.

15 (j) State's attorney or regional superintendent of schools  
16 for multiple counties. If a candidate seeks to run for State's  
17 attorney or regional Superintendent of Schools who serves more  
18 than one county, then the candidate's petition for nomination  
19 must contain at least the number of signatures equal to 0.5% of  
20 the primary electors of his or her party in the territory  
21 comprising the counties.

22 (k) Any other office. If a candidate seeks any other  
23 office, then the candidate's petition for nomination must  
24 contain at least the number of signatures equal to 0.5% of the  
25 registered voters of the political subdivision, district, or  
26 division for which the nomination is made or 25 signatures,

1       whichever is greater.

2             For purposes of this Section the number of primary electors  
3 shall be determined by taking the total vote cast, in the  
4 applicable district, for the candidate for that political party  
5 who received the highest number of votes, statewide, at the  
6 last general election in the State at which electors for  
7 President of the United States were elected. For political  
8 subdivisions, the number of primary electors shall be  
9 determined by taking the total vote cast for the candidate for  
10 that political party who received the highest number of votes  
11 in the political subdivision at the last regular election at  
12 which an officer was regularly scheduled to be elected from  
13 that subdivision. For wards or districts of political  
14 subdivisions, the number of primary electors shall be  
15 determined by taking the total vote cast for the candidate for  
16 that political party who received the highest number of votes  
17 in the ward or district at the last regular election at which  
18 an officer was regularly scheduled to be elected from that ward  
19 or district.

20             A "qualified primary elector" of a party may not sign  
21 petitions for or be a candidate in the primary of more than one  
22 party.

23             The changes made to this Section of this amendatory Act of  
24 the 93rd General Assembly are declarative of existing law,  
25 except for item (3) of subsection (d).

26             Petitions of candidates for nomination for offices herein

1 specified, to be filed with the same officer, may contain the  
2 names of 2 or more candidates of the same political party for  
3 the same or different offices. In the case of the offices of  
4 Governor and Lieutenant Governor, a joint petition including  
5 one candidate for each of those offices must be filed.

6 (Source: P.A. 96-1018, eff. 1-1-11; 97-81, eff. 7-5-11.)

7 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

8 Sec. 7-43. Every person having resided in this State 6  
9 months and in the precinct 30 days next preceding any primary  
10 therein who shall be a citizen of the United States of the age  
11 of 18 or more years shall be entitled to vote at such primary.

12 The following regulations shall be applicable to  
13 primaries:

14 ~~No person shall be entitled to vote at a primary.~~

15 ~~(a) Unless he declares his party affiliations as~~  
16 ~~required by this Article.~~

17 ~~(b) (Blank).~~

18 ~~(c) (Blank).~~

19 ~~(c.5) If that person has participated in the town~~  
20 ~~political party caucus, under Section 45-50 of the~~  
21 ~~Township Code, of another political party by signing an~~  
22 ~~affidavit of voters attending the caucus within 45 days~~  
23 ~~before the first day of the calendar month in which the~~  
24 ~~primary is held.~~

25 ~~(d) (Blank).~~



1           (a) In cities, villages<sub>L</sub> and incorporated towns having  
2           a board of election commissioners<sub>L</sub> only voters registered  
3           as provided by Article 6 of this Act shall be entitled to  
4           vote at such primary.

5           (b) No person shall be entitled to vote at a primary  
6           unless he or she is registered under the provisions of  
7           Articles 4, 5<sub>L</sub> or 6 of this Act, when his registration is  
8           required by any of said Articles to entitle him or her to  
9           vote at the election with reference to which the primary is  
10          held.

11          ~~A person (i) who filed a statement of candidacy for a~~  
12          ~~partisan office as a qualified primary voter of an established~~  
13          ~~political party or (ii) who voted the ballot of an established~~  
14          ~~political party at a general primary election may not file a~~  
15          ~~statement of candidacy as a candidate of a different~~  
16          ~~established political party or as an independent candidate for~~  
17          ~~a partisan office to be filled at the general election~~  
18          ~~immediately following the general primary for which the person~~  
19          ~~filed the statement or voted the ballot. A person may file a~~  
20          ~~statement of candidacy for a partisan office as a qualified~~  
21          ~~primary voter of an established political party regardless of~~  
22          ~~any prior filing of candidacy for a partisan office or voting~~  
23          ~~the ballot of an established political party at any prior~~  
24          ~~election.~~

25          (Source: P.A. 97-681, eff. 3-30-12; 98-463, eff. 8-16-13.)

1 (10 ILCS 5/7-44) (from Ch. 46, par. 7-44)

2 Sec. 7-44. Voters; primary ballot. Any person desiring  
3 to vote at a primary shall state his or her name and ~~7~~  
4 residence ~~and party affiliation~~ to the primary judges, one of  
5 whom shall thereupon announce the same in a distinct tone of  
6 voice, sufficiently loud to be heard by all persons in the  
7 polling place. When article 4, 5, or 6 is applicable the  
8 Certificate of Registered Voter therein prescribed shall be  
9 made and signed and the official poll record shall be made. If  
10 the person desiring to vote is not challenged, one of the  
11 primary judges shall give to him or her one, ~~and only one,~~  
12 primary ballot listing each candidate for office, regardless of  
13 party affiliation, participating in the primary election of the  
14 ~~political party with which he declares himself affiliated,~~ on  
15 the back of which the ~~such~~ primary judge shall endorse his or  
16 her initials in such manner that they may be seen when the  
17 primary ballot is properly folded. If the person desiring to  
18 vote is challenged he or she shall not receive a primary ballot  
19 from the primary judges until he or she shall have established  
20 his or her right to vote as ~~hereinafter~~ provided in this  
21 Article. ~~No person who refuses to state his party affiliation~~  
22 ~~shall be allowed to vote at a primary.~~

23 ~~A person who declares his party affiliation with a~~  
24 ~~statewide established political party and requests a primary~~  
25 ~~ballot of such party may nonetheless also declare his~~  
26 ~~affiliation with a political party established only within a~~

1 ~~political subdivision, and may also vote in the primary of such~~  
2 ~~local party on the same election day, provided that such voter~~  
3 ~~may not vote in both such party primaries with respect to~~  
4 ~~offices of the same political subdivision. However, no person~~  
5 ~~declaring his affiliation with a statewide established~~  
6 ~~political party may vote in the primary of any other statewide~~  
7 ~~political party on the same election day.~~

8 (Source: P.A. 81-1535.)

9 (10 ILCS 5/7-60) (from Ch. 46, par. 7-60)

10 Sec. 7-60. Not less than 74 days before the date of the  
11 general election, the State Board of Elections shall certify to  
12 the county clerks the names of each of the candidates who have  
13 been nominated as shown by the proclamation of the State Board  
14 of Elections as a canvassing board or who have been nominated  
15 to fill a vacancy in nomination and direct the election  
16 authority to place upon the official ballot for the general  
17 election the names of such candidates in the same manner and in  
18 the same order as shown upon the certification, except as  
19 otherwise provided in this Section.

20 Notwithstanding any other provision of law, the 2  
21 candidates in any primary that received the most votes in the  
22 primary election, regardless of party affiliation of the  
23 candidates, shall be the only 2 candidates certified for  
24 participation in the general election.

25 Not less than 68 days before the date of the general

1 election, each county clerk shall certify the names of each of  
2 the candidates for county offices who have been nominated as  
3 shown by the proclamation of the county election authority or  
4 who have been nominated to fill a vacancy in nomination and  
5 declare that the names of such candidates for the respective  
6 offices shall be placed upon the official ballot for the  
7 general election in the same manner and in the same order as  
8 shown upon the certification, except as otherwise provided by  
9 this Section. Each county clerk shall place a copy of the  
10 certification on file in his or her office and at the same time  
11 issue to the State Board of Elections a copy of such  
12 certification. In addition, each county clerk in whose county  
13 there is a board of election commissioners shall, not less than  
14 68 days before the date of the general election, issue to such  
15 board a copy of the certification that has been filed in the  
16 county clerk's office, together with a copy of the  
17 certification that has been issued to the clerk by the State  
18 Board of Elections, with directions to the board of election  
19 commissioners to place upon the official ballot for the general  
20 election in that election jurisdiction the names of all  
21 candidates that are listed on such certifications, in the same  
22 manner and in the same order as shown upon such certifications,  
23 except as otherwise provided in this Section.

24 Whenever there are two or more persons nominated by the  
25 same political party for multiple offices for any board, the  
26 name of the candidate of such party receiving the highest

1 number of votes in the primary election as a candidate for such  
2 office, as shown by the official election returns of the  
3 primary, shall be certified first under the name of such  
4 offices, and the names of the remaining candidates of such  
5 party for such offices shall follow in the order of the number  
6 of votes received by them respectively at the primary election  
7 as shown by the official election results.

8 No person who is shown by the final proclamation to have  
9 been nominated or elected at the primary as a write-in  
10 candidate shall have his or her name certified unless such  
11 person shall have filed with the certifying office or board  
12 within 10 days after the election authority's proclamation a  
13 statement of candidacy pursuant to Section 7-10, a statement  
14 pursuant to Section 7-10.1, and a receipt for the filing of a  
15 statement of economic interests in relation to the unit of  
16 government to which he or she has been elected or nominated.

17 Each county clerk and board of election commissioners shall  
18 determine by a fair and impartial method of random selection  
19 the order of placement of established political party  
20 candidates for the general election ballot. Such determination  
21 shall be made within 30 days following the canvass and  
22 proclamation of the results of the general primary in the  
23 office of the county clerk or board of election commissioners  
24 and shall be open to the public. Seven days written notice of  
25 the time and place of conducting such random selection shall be  
26 given, by each such election authority, to the County Chairman

1 of each established political party, and to each organization  
2 of citizens within the election jurisdiction which was  
3 entitled, under this Article, at the next preceding election,  
4 to have pollwatchers present on the day of election. Each  
5 election authority shall post in a conspicuous, open and public  
6 place, at the entrance of the election authority office, notice  
7 of the time and place of such lottery. However, a board of  
8 election commissioners may elect to place established  
9 political party candidates on the general election ballot in  
10 the same order determined by the county clerk of the county in  
11 which the city under the jurisdiction of such board is located.

12 Each certification shall indicate, where applicable, the  
13 following:

14 (1) The political party affiliation of the candidates  
15 for the respective offices;

16 (2) If there is to be more than one candidate elected  
17 to an office from the State, political subdivision or  
18 district;

19 (3) If the voter has the right to vote for more than  
20 one candidate for an office;

21 (4) The term of office, if a vacancy is to be filled  
22 for less than a full term or if the offices to be filled in  
23 a political subdivision are for different terms.

24 The State Board of Elections or the county clerk, as the  
25 case may be, shall issue an amended certification whenever it  
26 is discovered that the original certification is in error.

1 (Source: P.A. 96-1008, eff. 7-6-10.)

2 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

3 Sec. 19-3. The application for vote by mail ballot shall be  
4 substantially in the following form:

5 APPLICATION FOR VOTE BY MAIL BALLOT

6 To be voted at the .... election in the County of .... and  
7 State of Illinois, in the .... precinct of the (1) \*township of  
8 .... (2) \*City of .... or (3) \*.... ward in the City of ....

9 I state that I am a resident of the .... precinct of the  
10 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
11 the city of .... residing at .... in such city or town in the  
12 county of .... and State of Illinois; that I have lived at such  
13 address for .... month(s) last past; that I am lawfully  
14 entitled to vote in such precinct at the .... election to be  
15 held therein on ....; and that I wish to vote by vote by mail  
16 ballot.

17 I hereby make application for an official ballot ~~or ballots~~  
18 ~~to be voted by me at such election~~, and I agree that I shall  
19 return such ballot ~~or ballots~~ to the official issuing the same  
20 prior to the closing of the polls on the date of the election  
21 or, if returned by mail, postmarked no later than election day,  
22 for counting no later than during the period for counting  
23 provisional ballots, the last day of which is the 14th day  
24 following election day.

25 I understand that this application is made for an official

1 vote by mail ballot ~~or ballots~~ to be voted by me at the  
2 election specified in this application and that I must submit a  
3 separate application for an official vote by mail ballot ~~or~~  
4 ~~ballots~~ to be voted by me at any subsequent election.

5 Under penalties as provided by law pursuant to Section  
6 29-10 of the Election Code, the undersigned certifies that the  
7 statements set forth in this application are true and correct.

8 . . . .

9 \*fill in either (1), (2) or (3).

10 Post office address to which ballot is mailed:

11 .....

12 ~~However, if application is made for a primary election~~  
13 ~~ballot, such application shall require the applicant to~~  
14 ~~designate the name of the political party with which the~~  
15 ~~applicant is affiliated.~~

16 If application is made electronically, the applicant shall  
17 mark the box associated with the above described statement  
18 included as part of the online application certifying that the  
19 statements set forth in this application are true and correct,  
20 and a signature is not required.

21 Any person may produce, reproduce, distribute, or return to  
22 an election authority the application for vote by mail ballot.  
23 Upon receipt, the appropriate election authority shall accept  
24 and promptly process any application for vote by mail ballot  
25 submitted in a form substantially similar to that required by  
26 this Section, including any substantially similar production



1 or reproduction generated by the applicant.

2 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;  
3 99-522, eff. 6-30-16.)

4 (10 ILCS 5/19-4.5 new)

5 Sec. 19-4.5. Absentee primary ballots.

6 (a) Notwithstanding any other provision of law, a person  
7 entitled to vote by absentee ballot at a primary shall not be  
8 required to declare his or her political party affiliation, and  
9 shall be provided with the ballot listing all candidates for  
10 offices for which the absentee voter is entitled to vote at  
11 that primary. The ballots provided for absentee voters shall be  
12 the same open-primary ballots as provided under 7-44 of this  
13 Act.

14 (b) With respect to the marking, casting, and counting of  
15 primary ballots, absentee voting shall be conducted in  
16 accordance with Sections 7-43 and 7-44 of this Code as well as  
17 the provisions of this Article.

18 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

19 Sec. 19-5. It shall be the duty of the election authority  
20 to fold the ballot or ballots in the manner specified by the  
21 statute for folding ballots prior to their deposit in the  
22 ballot box, and to enclose such ballot or ballots in an  
23 envelope unsealed to be furnished by him, which envelope shall  
24 bear upon the face thereof the name, official title and post

1 office address of the election authority, and upon the other  
2 side a printed certification in substantially the following  
3 form:

4 I state that I am a resident of the .... precinct of the  
5 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
6 the city of .... residing at .... in such city or town in the  
7 county of .... and State of Illinois, that I have lived at such  
8 address for .... months last past; and that I am lawfully  
9 entitled to vote in such precinct at the .... election to be  
10 held on .....

11 \*fill in either (1), (2) or (3).

12 I further state that I personally marked the enclosed  
13 ballot in secret.

14 Under penalties of perjury as provided by law pursuant to  
15 Section 29-10 of The Election Code, the undersigned certifies  
16 that the statements set forth in this certification are true  
17 and correct.

18 .....

19 If the ballot is to go to an elector who is physically  
20 incapacitated and needs assistance marking the ballot, the  
21 envelope shall bear upon the back thereof a certification in  
22 substantially the following form:

23 I state that I am a resident of the .... precinct of the  
24 (1) \*township of .... (2) \*City of .... or (3) \*.... ward in  
25 the city of .... residing at .... in such city or town in the  
26 county of .... and State of Illinois, that I have lived at such

1 address for .... months last past; that I am lawfully entitled  
 2 to vote in such precinct at the .... election to be held on  
 3 ....; that I am physically incapable of personally marking the  
 4 ballot for such election.

5 \*fill in either (1), (2) or (3).

6 I further state that I marked the enclosed ballot in secret  
 7 with the assistance of

8 .....

9 (Individual rendering assistance)

10 .....

11 (Residence Address)

12 Under penalties of perjury as provided by law pursuant to  
 13 Section 29-10 of The Election Code, the undersigned certifies  
 14 that the statements set forth in this certification are true  
 15 and correct.

16 .....

17 In the case of a voter with a physical incapacity, marking  
 18 a ballot in secret includes marking a ballot with the  
 19 assistance of another individual, other than a candidate whose  
 20 name appears on the ballot (unless the voter is the spouse or a  
 21 parent, child, brother, or sister of the candidate), the  
 22 voter's employer, an agent of that employer, or an officer or  
 23 agent of the voter's union, when the voter's physical  
 24 incapacity necessitates such assistance.

25 In the case of a physically incapacitated voter, marking a  
 26 ballot in secret includes marking a ballot with the assistance

1 of another individual, other than a candidate whose name  
2 appears on the ballot (unless the voter is the spouse or a  
3 parent, child, brother, or sister of the candidate), the  
4 voter's employer, an agent of that employer, or an officer or  
5 agent of the voter's union, when the voter's physical  
6 incapacity necessitates such assistance.

7 ~~Provided, that if the ballot enclosed is to be voted at a~~  
8 ~~primary election, the certification shall designate the name of~~  
9 ~~the political party with which the voter is affiliated.~~

10 In addition to the above, the election authority shall  
11 provide printed slips giving full instructions regarding the  
12 manner of marking and returning the ballot in order that the  
13 same may be counted, and shall furnish one of such printed  
14 slips to each of such applicants at the same time the ballot is  
15 delivered to him. Such instructions shall include the following  
16 statement: "In signing the certification on the vote by mail  
17 ballot envelope, you are attesting that you personally marked  
18 this vote by mail ballot in secret. If you are physically  
19 unable to mark the ballot, a friend or relative may assist you  
20 after completing the enclosed affidavit. Federal and State laws  
21 prohibit a candidate whose name appears on the ballot (unless  
22 you are the spouse or a parent, child, brother, or sister of  
23 the candidate), your employer, your employer's agent or an  
24 officer or agent of your union from assisting voters with  
25 physical disabilities."

26 In addition to the above, if a ballot to be provided to an

1 elector pursuant to this Section contains a public question  
2 described in subsection (b) of Section 28-6 and the territory  
3 concerning which the question is to be submitted is not  
4 described on the ballot due to the space limitations of such  
5 ballot, the election authority shall provide a printed copy of  
6 a notice of the public question, which shall include a  
7 description of the territory in the manner required by Section  
8 16-7. The notice shall be furnished to the elector at the same  
9 time the ballot is delivered to the elector.

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

11 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

12 Sec. 19-8. Time and place of counting ballots.

13 (a) (Blank.)

14 (b) Each vote by mail voter's ballot returned to an  
15 election authority, by any means authorized by this Article,  
16 and received by that election authority before the closing of  
17 the polls on election day shall be endorsed by the receiving  
18 election authority with the day and hour of receipt and may be  
19 processed by the election authority beginning on the day it is  
20 received by the election authority in the central ballot  
21 counting location of the election authority, but the results of  
22 the processing may not be counted until the day of the election  
23 after 7:00 p.m., except as provided in subsections (g) and  
24 (g-5).

25 (c) Each vote by mail voter's ballot that is mailed to an

1 election authority and postmarked no later than election day,  
2 but that is received by the election authority after the polls  
3 close on election day and before the close of the period for  
4 counting provisional ballots cast at that election, shall be  
5 endorsed by the receiving authority with the day and hour of  
6 receipt and shall be counted at the central ballot counting  
7 location of the election authority during the period for  
8 counting provisional ballots.

9 Each vote by mail voter's ballot that is mailed to an  
10 election authority absent a postmark or a barcode usable with  
11 an intelligent mail barcode tracking system, but that is  
12 received by the election authority after the polls close on  
13 election day and before the close of the period for counting  
14 provisional ballots cast at that election, shall be endorsed by  
15 the receiving authority with the day and hour of receipt,  
16 opened to inspect the date inserted on the certification, and,  
17 if the certification date is election day or earlier and the  
18 ballot is otherwise found to be valid under the requirements of  
19 this Section, counted at the central ballot counting location  
20 of the election authority during the period for counting  
21 provisional ballots. Absent a date on the certification, the  
22 ballot shall not be counted.

23 If an election authority is using an intelligent mail  
24 barcode tracking system, a ballot that is mailed to an election  
25 authority absent a postmark may be counted if the intelligent  
26 mail barcode tracking system verifies the envelope was mailed

1 no later than election day.

2 (d) Special write-in vote by mail voter's blank ballots  
3 returned to an election authority, by any means authorized by  
4 this Article, and received by the election authority at any  
5 time before the closing of the polls on election day shall be  
6 endorsed by the receiving election authority with the day and  
7 hour of receipt and shall be counted at the central ballot  
8 counting location of the election authority during the same  
9 period provided for counting vote by mail voters' ballots under  
10 subsections (b), (g), and (g-5). Special write-in vote by mail  
11 voter's blank ballots that are mailed to an election authority  
12 and postmarked no later than election day, but that are  
13 received by the election authority after the polls close on  
14 election day and before the closing of the period for counting  
15 provisional ballots cast at that election, shall be endorsed by  
16 the receiving authority with the day and hour of receipt and  
17 shall be counted at the central ballot counting location of the  
18 election authority during the same periods provided for  
19 counting vote by mail voters' ballots under subsection (c).

20 (e) Except as otherwise provided in this Section, vote by  
21 mail voters' ballots and special write-in vote by mail voter's  
22 blank ballots received by the election authority after the  
23 closing of the polls on an election day shall be endorsed by  
24 the election authority receiving them with the day and hour of  
25 receipt and shall be safely kept unopened by the election  
26 authority for the period of time required for the preservation

1 of ballots used at the election, and shall then, without being  
2 opened, be destroyed in like manner as the used ballots of that  
3 election.

4 (f) Counting required under this Section to begin on  
5 election day after the closing of the polls shall commence no  
6 later than 8:00 p.m. and shall be conducted by a panel or  
7 panels of election judges appointed in the manner provided by  
8 law. The counting shall continue until all vote by mail voters'  
9 ballots and special write-in vote by mail voter's blank ballots  
10 required to be counted on election day have been counted.

11 (g) The procedures set forth in Articles 17 and 18 and,  
12 with respect to primaries, in Section 19-4.5 of this Code shall  
13 apply to all ballots counted under this Section. In addition,  
14 within 2 days after a vote by mail ballot is received, but in  
15 all cases before the close of the period for counting  
16 provisional ballots, the election judge or official shall  
17 compare the voter's signature on the certification envelope of  
18 that vote by mail ballot with the signature of the voter on  
19 file in the office of the election authority. If the election  
20 judge or official determines that the 2 signatures match, and  
21 that the vote by mail voter is otherwise qualified to cast a  
22 vote by mail ballot, the election authority shall cast and  
23 count the ballot on election day or the day the ballot is  
24 determined to be valid, whichever is later, adding the results  
25 to the precinct in which the voter is registered. If the  
26 election judge or official determines that the signatures do



1 not match, or that the vote by mail voter is not qualified to  
2 cast a vote by mail ballot, then without opening the  
3 certification envelope, the judge or official shall mark across  
4 the face of the certification envelope the word "Rejected" and  
5 shall not cast or count the ballot.

6 In addition to the voter's signatures not matching, a vote  
7 by mail ballot may be rejected by the election judge or  
8 official:

9 (1) if the ballot envelope is open or has been opened  
10 and resealed;

11 (2) if the voter has already cast an early or grace  
12 period ballot;

13 (3) if the voter voted in person on election day or the  
14 voter is not a duly registered voter in the precinct; or

15 (4) on any other basis set forth in this Code.

16 If the election judge or official determines that any of  
17 these reasons apply, the judge or official shall mark across  
18 the face of the certification envelope the word "Rejected" and  
19 shall not cast or count the ballot.

20 (g-5) If a vote by mail ballot is rejected by the election  
21 judge or official for any reason, the election authority shall,  
22 within 2 days after the rejection but in all cases before the  
23 close of the period for counting provisional ballots, notify  
24 the vote by mail voter that his or her ballot was rejected. The  
25 notice shall inform the voter of the reason or reasons the  
26 ballot was rejected and shall state that the voter may appear

1 before the election authority, on or before the 14th day after  
2 the election, to show cause as to why the ballot should not be  
3 rejected. The voter may present evidence to the election  
4 authority supporting his or her contention that the ballot  
5 should be counted. The election authority shall appoint a panel  
6 of 3 election judges to review the contested ballot,  
7 application, and certification envelope, as well as any  
8 evidence submitted by the vote by mail voter. No more than 2  
9 election judges on the reviewing panel shall be of the same  
10 political party. The reviewing panel of election judges shall  
11 make a final determination as to the validity of the contested  
12 vote by mail ballot. The judges' determination shall not be  
13 reviewable either administratively or judicially.

14 A vote by mail ballot subject to this subsection that is  
15 determined to be valid shall be counted before the close of the  
16 period for counting provisional ballots.

17 (g-10) All vote by mail ballots determined to be valid  
18 shall be added to the vote totals for the precincts for which  
19 they were cast in the order in which the ballots were opened.

20 (h) Each political party, candidate, and qualified civic  
21 organization shall be entitled to have present one pollwatcher  
22 for each panel of election judges therein assigned.

23 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

24 (10 ILCS 5/19-12.1) (from Ch. 46, par. 19-12.1)

25 Sec. 19-12.1. Any qualified elector who has secured an

1 Illinois Person with a Disability Identification Card in  
2 accordance with the Illinois Identification Card Act,  
3 indicating that the person named thereon has a Class 1A or  
4 Class 2 disability or any qualified voter who has a permanent  
5 physical incapacity of such a nature as to make it improbable  
6 that he will be able to be present at the polls at any future  
7 election, or any voter who is a resident of (i) a federally  
8 operated veterans' home, hospital, or facility located in  
9 Illinois or (ii) a facility licensed or certified pursuant to  
10 the Nursing Home Care Act, the Specialized Mental Health  
11 Rehabilitation Act of 2013, the ID/DD Community Care Act, or  
12 the MC/DD Act and has a condition or disability of such a  
13 nature as to make it improbable that he will be able to be  
14 present at the polls at any future election, may secure a  
15 voter's identification card for persons with disabilities or a  
16 nursing home resident's identification card, which will enable  
17 him to vote under this Article as a physically incapacitated or  
18 nursing home voter. For the purposes of this Section,  
19 "federally operated veterans' home, hospital, or facility"  
20 means the long-term care facilities at the Jesse Brown VA  
21 Medical Center, Illiana Health Care System, Edward Hines, Jr.  
22 VA Hospital, Marion VA Medical Center, and Captain James A.  
23 Lovell Federal Health Care Center.

24 Application for a voter's identification card for persons  
25 with disabilities or a nursing home resident's identification  
26 card shall be made either: (a) in writing, with voter's sworn

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

1 interested person by the election authority upon the request of  
2 such person. Applications for the renewal of the identification  
3 cards shall be mailed to the voters holding such cards not less  
4 than 3 months prior to the date of expiration of the cards.

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

14 The holder of a voter's identification card for persons  
15 with disabilities or a nursing home resident's identification  
16 card may make application by mail for an official ballot within  
17 the time prescribed by Section 19-2. Such application shall  
18 contain the same information as is included in the form of  
19 application for ballot by a physically incapacitated elector  
20 prescribed in Section 19-3 except that it shall also include  
21 the applicant's voter's identification card for persons with  
22 disabilities card number and except that it need not be sworn  
23 to. If an examination of the records discloses that the  
24 applicant is lawfully entitled to vote, he shall be mailed a  
25 ballot as provided in Section 19-4 and, if applicable, in  
26 Section 19-4.5. The ballot envelope shall be the same as that

1 prescribed in Section 19-5 for voters with physical  
2 disabilities, and the manner of voting and returning the ballot  
3 shall be the same as that provided in this Article for other  
4 vote by mail ballots, except that a statement to be subscribed  
5 to by the voter but which need not be sworn to shall be placed  
6 on the ballot envelope in lieu of the affidavit prescribed by  
7 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 ID/DD Community Care Act, the MC/DD Act, or  
15 the Specialized Mental Health Rehabilitation Act of 2013. For  
16 the purposes of this Section, "federally operated veterans'  
17 home, hospital, or facility" means the long-term care  
18 facilities at the Jesse Brown VA Medical Center, Illiana Health  
19 Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical  
20 Center, and Captain James A. Lovell Federal Health Care Center.  
21 (Source: P.A. 98-104, eff. 7-22-13; 98-1171, eff. 6-1-15;  
22 99-143, eff. 7-27-15; 99-180, eff. 7-29-15; 99-581, eff.  
23 1-1-17; 99-642, eff. 6-28-16.)

24 (10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

25 Sec. 20-3. The election authority shall furnish the

1 following applications for registration by mail or vote by mail  
2 ballot which shall be considered a method of application in  
3 lieu of the official postcard.

4 1. Members of the United States Service, citizens of the  
5 United States temporarily residing outside the territorial  
6 limits of the United States, and certified program participants  
7 under the Address Confidentiality for Victims of Domestic  
8 Violence Act may make application within the periods prescribed  
9 in Sections 20-2 or 20-2.1, as the case may be. Such  
10 application shall be substantially in the following form:

11 "APPLICATION FOR BALLOT

12 To be voted at the ..... election in the precinct in  
13 which is located my residence at ....., in the  
14 city/village/township of .....(insert home address)  
15 County of ..... and State of Illinois.

16 I state that I am a citizen of the United States; that on  
17 (insert date of election) I shall have resided in the State of  
18 Illinois and in the election precinct for 30 days; that on the  
19 above date I shall be the age of 18 years or above; that I am  
20 lawfully entitled to vote in such precinct at that election;  
21 that I am (check category 1, 2, or 3 below):

- 22 1. ( ) a member of the United States Service,
- 23 2. ( ) a citizen of the United States temporarily residing
- 24 outside the territorial limits of the United States and that I
- 25 expect to be absent from the said county of my residence on the
- 26 date of holding such election, and that I will have no

1 opportunity to vote in person on that day.

2 3. ( ) a certified program participant under the Address  
3 Confidentiality for Victims of Domestic Violence Act.

4 I hereby make application for an official ballot or ballots  
5 to be voted by me at such election if I am absent from the said  
6 county of my residence, and I agree that I shall return said  
7 ballot or ballots to the election authority postmarked no later  
8 than election day, for counting no later than during the period  
9 for counting provisional ballots, the last day of which is the  
10 14th day following election day or shall destroy said ballot or  
11 ballots.

12 (Check below only if category 2 or 3 and not previously  
13 registered)

14 ( ) I hereby make application to become registered as a  
15 voter and agree to return the forms and affidavits for  
16 registration to the election authority not later than 30 days  
17 before the election.

18 Under penalties as provided by law pursuant to Article 29  
19 of the Election Code, the undersigned certifies that the  
20 statements set forth in this application are true and correct.

21 .....

22 Post office address or service address to which  
23 registration materials or ballot should be mailed

24 .....

25 .....

26 .....



1 ....."

2 ~~If application is made for a primary election ballot, such~~  
3 ~~application shall designate the name of the political party~~  
4 ~~with which the applicant is affiliated.~~

5 Such applications may be obtained from the election  
6 authority having jurisdiction over the person's precinct of  
7 residence.

8 2. A spouse or dependent of a member of the United States  
9 Service, said spouse or dependent being a registered voter in  
10 the county, may make application on behalf of said person in  
11 the office of the election authority within the periods  
12 prescribed in Section 20-2 which shall be substantially in the  
13 following form:

14 "APPLICATION FOR BALLOT to be voted at the..... election  
15 in the precinct in which is located the residence of the person  
16 for whom this application is made at.....(insert  
17 residence address) in the city/village/township of.....  
18 County of..... and State of Illinois.

19 I certify that the following named person.....  
20 (insert name of person) is a member of the United States  
21 Service.

22 I state that said person is a citizen of the United States;  
23 that on (insert date of election) said person shall have  
24 resided in the State of Illinois and in the election precinct  
25 for which this application is made for 30 days; that on the  
26 above date said person shall be the age of 18 years or above;

1 that said person is lawfully entitled to vote in such precinct  
 2 at that election; that said person is a member of the United  
 3 States Service, and that in the course of his duties said  
 4 person expects to be absent from his county of residence on the  
 5 date of holding such election, and that said person will have  
 6 no opportunity to vote in person on that day.

7 I hereby make application for an official ballot or ballots  
 8 to be voted by said person at such election and said person  
 9 agrees that he shall return said ballot or ballots to the  
 10 election authority postmarked no later than election day, for  
 11 counting no later than during the period for counting  
 12 provisional ballots, the last day of which is the 14th day  
 13 following election day, or shall destroy said ballot or  
 14 ballots.

15 I hereby certify that I am the (mother, father, sister,  
 16 brother, husband or wife) of the said elector, and that I am a  
 17 registered voter in the election precinct for which this  
 18 application is made. (Strike all but one that is applicable.)

19 Under penalties as provided by law pursuant to Article 29  
 20 of The Election Code, the undersigned certifies that the  
 21 statements set forth in this application are true and correct.

22 Name of applicant .....

23 Residence address .....

24 City/village/township.....

25 Service address to which ballot should be mailed:  
 26 .....

1 .....  
 2 .....  
 3 ....."

4 ~~If application is made for a primary election ballot, such~~  
 5 ~~application shall designate the name of the political party~~  
 6 ~~with which the person for whom application is made is~~  
 7 ~~affiliated.~~

8 Such applications may be obtained from the election  
 9 authority having jurisdiction over the voting precinct in which  
 10 the person for whom application is made is entitled to vote.

11 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

12 (10 ILCS 5/20-4) (from Ch. 46, par. 20-4)

13 Sec. 20-4. Immediately upon the receipt of the official  
 14 postcard or an application as provided in Section 20-3 within  
 15 the times heretofore prescribed, the election authority shall  
 16 ascertain whether or not such applicant is legally entitled to  
 17 vote as requested, including verification of the applicant's  
 18 signature by comparison with the signature on the official  
 19 registration record card, if any. If the election authority  
 20 ascertains that the applicant is lawfully entitled to vote, it  
 21 shall enter the name, street address, ward and precinct number  
 22 of such applicant on a list to be posted in his or its office in  
 23 a place accessible to the public. Within one day after posting  
 24 the name and other information of an applicant for a ballot,  
 25 the election authority shall transmit that name and posted

1 information to the State Board of Elections, which shall  
2 maintain the names and other information in an electronic  
3 format on its website, arranged by county and accessible to  
4 State and local political committees. As soon as the official  
5 ballot is prepared the election authority shall immediately  
6 deliver the same to the applicant in person, by mail, by  
7 facsimile transmission, or by electronic transmission as  
8 provided in Section 20-4.5, when applicable, and this Article.

9 If any such election authority receives a second or  
10 additional application which it believes is from the same  
11 person, he or it shall submit it to the chief judge of the  
12 circuit court or any judge of that court designated by the  
13 chief judge. If the chief judge or his designate determines  
14 that the application submitted to him is a second or additional  
15 one, he shall so notify the election authority who shall  
16 disregard the second or additional application.

17 The election authority shall maintain a list for each  
18 election of the voters to whom it has issued vote by mail  
19 ballots. The list shall be maintained for each precinct within  
20 the jurisdiction of the election authority. Prior to the  
21 opening of the polls on election day, the election authority  
22 shall deliver to the judges of election in each precinct the  
23 list of registered voters in that precinct to whom vote by mail  
24 ballots have been issued.

25 Election authorities may transmit by facsimile or other  
26 electronic means a ballot simultaneously with transmitting an

1 application for vote by mail ballot; however, no such ballot  
2 shall be counted unless an application has been completed by  
3 the voter and the election authority ascertains that the  
4 applicant is lawfully entitled to vote as provided in this  
5 Section.

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

7 (10 ILCS 5/20-4.5 new)

8 Sec. 20-4.5. Primary ballots.

9 (a) Notwithstanding any other provision of law, a person  
10 entitled to vote by absentee ballot at a primary shall not be  
11 required to declare his or her political party affiliation and  
12 shall be provided with a ballot including all candidates,  
13 regardless of party affiliation of the candidates, for offices  
14 for which the absentee voter is entitled to vote at that  
15 primary.

16 (b) With respect to the marking, casting, and counting of  
17 primary ballots, absentee voting shall be conducted in  
18 accordance with Sections 7-43 and 7-44 of this Code as well as  
19 the provisions of this Article.

20 (c) When voting absentee at a primary, the voter shall be  
21 instructed to discard or otherwise destroy any ballot that the  
22 voter does not intend to cast. Such a discarded or destroyed  
23 ballot is not the ballot the voter agreed in the absentee  
24 ballot application to return to the election authority.

1 (10 ILCS 5/20-5) (from Ch. 46, par. 20-5)

2 Sec. 20-5. The election authority shall fold the ballot or  
3 ballots in the manner specified by the statute for folding  
4 ballots prior to their deposit in the ballot box and shall  
5 enclose such ballot in an envelope unsealed to be furnished by  
6 it, which envelope shall bear upon the face thereof the name,  
7 official title and post office address of the election  
8 authority, and upon the other side of such envelope there shall  
9 be printed a certification in substantially the following form:

10 "CERTIFICATION

11 I state that I am a resident/former resident of the .....  
12 precinct of the city/village/township of .....,  
13 (Designation to be made by Election Authority) or of the ....  
14 ward in the city of ..... (Designation to be made by  
15 Election Authority) residing at ..... in said  
16 city/village/township in the county of ..... and State of  
17 Illinois; that I am a

- 18 1. ( ) member of the United States Service
- 19 2. ( ) citizen of the United States temporarily residing  
20 outside the territorial limits of the United States
- 21 3. ( ) nonresident civilian citizen

22 and desire to cast the enclosed ballot pursuant to Article 20  
23 of the ~~The~~ Election Code; that I am lawfully entitled to vote  
24 in such precinct at the ..... election to be held on  
25 .....

26 I further state that I marked the enclosed ballot in

1 secret.

2 Under penalties as provided by law pursuant to Article 29  
3 of the ~~The~~ Election Code, the undersigned certifies that the  
4 statements set forth in this certification are true and  
5 correct.

6 ..... (Name)  
7 .....  
8 (Service Address)<sup>u</sup>  
9 .....  
10 .....  
11 ....."

12 ~~If the ballot enclosed is to be voted at a primary~~  
13 ~~election, the certification shall designate the name of the~~  
14 ~~political party with which the voter is affiliated.~~

15 In addition to the above, the election authority shall  
16 provide printed slips giving full instructions regarding the  
17 manner of completing the forms and affidavits for registration  
18 by mail or the manner of marking and returning the ballot in  
19 order that the same may be counted, and shall furnish one of  
20 the printed slips to each of the applicants at the same time  
21 the registration materials or ballot is delivered to him.

22 In addition to the above, if a ballot to be provided to an  
23 elector pursuant to this Section contains a public question  
24 described in subsection (b) of Section 28-6 and the territory  
25 concerning which the question is to be submitted is not  
26 described on the ballot due to the space limitations of such

1 ballot, the election authority shall provide a printed copy of  
2 a notice of the public question, which shall include a  
3 description of the territory in the manner required by Section  
4 16-7. The notice shall be furnished to the elector at the same  
5 time the ballot is delivered to the elector.

6 The envelope in which such registration or such ballot is  
7 mailed to the voter as well as the envelope in which the  
8 registration materials or the ballot is returned by the voter  
9 shall have printed across the face thereof two parallel  
10 horizontal red bars, each one-quarter inch wide, extending from  
11 one side of the envelope to the other side, with an intervening  
12 space of one-quarter inch, the top bar to be one and  
13 one-quarter inches from the top of the envelope, and with the  
14 words "Official Election Balloting Material-VIA AIR MAIL"  
15 between the bars. In the upper right corner of such envelope in  
16 a box, there shall be printed the words: "U.S. Postage Paid 42  
17 USC 1973". All printing on the face of such envelopes shall be  
18 in red, including an appropriate inscription or blank in the  
19 upper left corner of return address of sender.

20 The envelope in which the ballot is returned to the  
21 election authority may be delivered (i) by mail, postage paid,  
22 (ii) in person, by the spouse, parent, child, brother, or  
23 sister of the voter, or (iii) by a company engaged in the  
24 business of making deliveries of property and licensed as a  
25 motor carrier of property by the Illinois Commerce Commission  
26 under the Illinois Commercial Transportation Law.



1 Election authorities transmitting ballots by facsimile or  
2 electronic transmission shall, to the extent possible, provide  
3 those applicants with the same instructions, certification,  
4 and other materials required when sending by mail.

5 (Source: P.A. 98-1171, eff. 6-1-15; revised 10-25-16.)

6 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

7 Sec. 20-8. Time and place of counting ballots.

8 (a) (Blank.)

9 (b) Each vote by mail voter's ballot returned to an  
10 election authority, by any means authorized by this Article,  
11 and received by that election authority may be processed by the  
12 election authority beginning on the day it is received by the  
13 election authority in the central ballot counting location of  
14 the election authority, but the results of the processing may  
15 not be counted until the day of the election after 7:00 p.m.,  
16 except as provided in subsections (g) and (g-5).

17 (c) Each vote by mail voter's ballot that is mailed to an  
18 election authority and postmarked no later than election day,  
19 but that is received by the election authority after the polls  
20 close on election day and before the close of the period for  
21 counting provisional ballots cast at that election, shall be  
22 endorsed by the receiving authority with the day and hour of  
23 receipt and shall be counted at the central ballot counting  
24 location of the election authority during the period for  
25 counting provisional ballots.

1           Each vote by mail voter's ballot that is mailed to an  
2 election authority absent a postmark or a barcode usable with  
3 an intelligent mail barcode tracking system, but that is  
4 received by the election authority after the polls close on  
5 election day and before the close of the period for counting  
6 provisional ballots cast at that election, shall be endorsed by  
7 the receiving authority with the day and hour of receipt,  
8 opened to inspect the date inserted on the certification, and,  
9 if the certification date is election day or earlier and the  
10 ballot is otherwise found to be valid under the requirements of  
11 this Section, counted at the central ballot counting location  
12 of the election authority during the period for counting  
13 provisional ballots. Absent a date on the certification, the  
14 ballot shall not be counted.

15           If an election authority is using an intelligent mail  
16 barcode tracking system, a ballot that is mailed to an election  
17 authority absent a postmark may be counted if the intelligent  
18 mail barcode tracking system verifies the envelope was mailed  
19 no later than election day.

20           (d) Special write-in vote by mail voter's blank ballots  
21 returned to an election authority, by any means authorized by  
22 this Article, and received by the election authority at any  
23 time before the closing of the polls on election day shall be  
24 endorsed by the receiving election authority with the day and  
25 hour of receipt and shall be counted at the central ballot  
26 counting location of the election authority during the same

1 period provided for counting vote by mail voters' ballots under  
2 subsections (b), (g), and (g-5). Special write-in vote by mail  
3 voter's blank ballot that are mailed to an election authority  
4 and postmarked no later than election day, but that are  
5 received by the election authority after the polls close on  
6 election day and before the closing of the period for counting  
7 provisional ballots cast at that election, shall be endorsed by  
8 the receiving authority with the day and hour of receipt and  
9 shall be counted at the central ballot counting location of the  
10 election authority during the same periods provided for  
11 counting vote by mail voters' ballots under subsection (c).

12 (e) Except as otherwise provided in this Section, vote by  
13 mail voters' ballots and special write-in vote by mail voter's  
14 blank ballots received by the election authority after the  
15 closing of the polls on the day of election shall be endorsed  
16 by the person receiving the ballots with the day and hour of  
17 receipt and shall be safely kept unopened by the election  
18 authority for the period of time required for the preservation  
19 of ballots used at the election, and shall then, without being  
20 opened, be destroyed in like manner as the used ballots of that  
21 election.

22 (f) Counting required under this Section to begin on  
23 election day after the closing of the polls shall commence no  
24 later than 8:00 p.m. and shall be conducted by a panel or  
25 panels of election judges appointed in the manner provided by  
26 law. The counting shall continue until all vote by mail voters'

1 ballots and special write-in vote by mail voter's blank ballots  
2 required to be counted on election day have been counted.

3 (g) The procedures set forth in Articles 17 and 18 and,  
4 with respect to primaries, in Section 20-4.5 of this Code shall  
5 apply to all ballots counted under this Section. In addition,  
6 within 2 days after a ballot subject to this Article is  
7 received, but in all cases before the close of the period for  
8 counting provisional ballots, the election judge or official  
9 shall compare the voter's signature on the certification  
10 envelope of that ballot with the signature of the voter on file  
11 in the office of the election authority. If the election judge  
12 or official determines that the 2 signatures match, and that  
13 the voter is otherwise qualified to cast a ballot under this  
14 Article, the election authority shall cast and count the ballot  
15 on election day or the day the ballot is determined to be  
16 valid, whichever is later, adding the results to the precinct  
17 in which the voter is registered. If the election judge or  
18 official determines that the signatures do not match, or that  
19 the voter is not qualified to cast a ballot under this Article,  
20 then without opening the certification envelope, the judge or  
21 official shall mark across the face of the certification  
22 envelope the word "Rejected" and shall not cast or count the  
23 ballot.

24 In addition to the voter's signatures not matching, a  
25 ballot subject to this Article may be rejected by the election  
26 judge or official:

1           (1) if the ballot envelope is open or has been opened  
2           and resealed;

3           (2) if the voter has already cast an early or grace  
4           period ballot;

5           (3) if the voter voted in person on election day or the  
6           voter is not a duly registered voter in the precinct; or

7           (4) on any other basis set forth in this Code.

8           If the election judge or official determines that any of  
9           these reasons apply, the judge or official shall mark across  
10          the face of the certification envelope the word "Rejected" and  
11          shall not cast or count the ballot.

12          (g-5) If a ballot subject to this Article is rejected by  
13          the election judge or official for any reason, the election  
14          authority shall, within 2 days after the rejection but in all  
15          cases before the close of the period for counting provisional  
16          ballots, notify the voter that his or her ballot was rejected.  
17          The notice shall inform the voter of the reason or reasons the  
18          ballot was rejected and shall state that the voter may appear  
19          before the election authority, on or before the 14th day after  
20          the election, to show cause as to why the ballot should not be  
21          rejected. The voter may present evidence to the election  
22          authority supporting his or her contention that the ballot  
23          should be counted. The election authority shall appoint a panel  
24          of 3 election judges to review the contested ballot,  
25          application, and certification envelope, as well as any  
26          evidence submitted by the vote by mail voter. No more than 2

1 election judges on the reviewing panel shall be of the same  
2 political party. The reviewing panel of election judges shall  
3 make a final determination as to the validity of the contested  
4 ballot. The judges' determination shall not be reviewable  
5 either administratively or judicially.

6 A ballot subject to this subsection that is determined to  
7 be valid shall be counted before the close of the period for  
8 counting provisional ballots.

9 (g-10) All ballots determined to be valid shall be added to  
10 the vote totals for the precincts for which they were cast in  
11 the order in which the ballots were opened.

12 (h) Each political party, candidate, and qualified civic  
13 organization shall be entitled to have present one pollwatcher  
14 for each panel of election judges therein assigned.

15 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

16 (10 ILCS 5/7-2 rep.)

17 (10 ILCS 5/7-3 rep.)

18 (10 ILCS 5/Art. 10 rep.)

19 Section 10. The Election Code is amended by repealing  
20 Sections 7-2 and 7-3 and Article 10.