



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4425

by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-3

from Ch. 46, par. 19-3

Amends the Election Code. Provides that any campaign, party, or other organization or individual that engages in a vote by mail operation in which voters are sent applications for vote by mail ballots shall also provide the voter with a postage-paid return envelope addressed only to the appropriate local election authority for that registered voter. Provides that removing, tampering with, or otherwise knowingly making the postmark on the application unreadable by the election authority shall establish a rebuttable presumption of a violation.

LRB100 17022 RJF 32170 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 Section
5 19-3 as follows:

6 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

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

9 APPLICATION FOR VOTE BY MAIL BALLOT

10 To be voted at the election in the County of and
11 State of Illinois, in the precinct of the (1) *township of
12 (2) *City of or (3) *.... ward in the City of

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

21 I hereby make application for an official ballot or ballots
22 to be voted by me at such election, and I agree that I shall
23 return such ballot or ballots to the official issuing the same

1 prior to the closing of the polls on the date of the election
 2 or, if returned by mail, postmarked no later than election day,
 3 for counting no later than during the period for counting
 4 provisional ballots, the last day of which is the 14th day
 5 following election day.

6 I understand that this application is made for an official
 7 vote by mail ballot or ballots to be voted by me at the
 8 election specified in this application and that I must submit a
 9 separate application for an official vote by mail ballot or
 10 ballots to be voted by me at any subsequent election.

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

14

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

16 Post office address to which ballot is mailed:
 17

18 However, if application is made for a primary election
 19 ballot, such application shall require the applicant to
 20 designate the name of the political party with which the
 21 applicant is affiliated.

22 If application is made electronically, the applicant shall
 23 mark the box associated with the above described statement
 24 included as part of the online application certifying that the
 25 statements set forth in this application are true and correct,
 26 and a signature is not required.

1 Any person may produce, reproduce, distribute, or return to
2 an election authority the application for vote by mail ballot.
3 Any campaign, party, or other organization or individual that
4 engages in a vote by mail operation in which voters are sent
5 applications for vote by mail ballots shall also provide the
6 voter with a postage-paid return envelope addressed only to the
7 appropriate local election authority for that registered
8 voter. Removing, tampering with, or otherwise knowingly making
9 the postmark on the application unreadable by the election
10 authority shall establish a rebuttable presumption of a
11 violation of this paragraph. Upon receipt, the appropriate
12 election authority shall accept and promptly process any
13 application for vote by mail ballot submitted in a form
14 substantially similar to that required by this Section,
15 including any substantially similar production or reproduction
16 generated by the applicant.

17 (Source: P.A. 98-115, eff. 7-29-13; 98-1171, eff. 6-1-15;
18 99-522, eff. 6-30-16.)