



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2414

Introduced 2/4/2025, by Rep. Patrick Windhorst

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-9.2	
10 ILCS 5/19-3	from Ch. 46, par. 19-3
10 ILCS 5/19-6	from Ch. 46, par. 19-6
10 ILCS 5/19-8	from Ch. 46, par. 19-8
10 ILCS 5/20-2	from Ch. 46, par. 20-2
10 ILCS 5/20-2.1	from Ch. 46, par. 20-2.1
10 ILCS 5/20-2.2	from Ch. 46, par. 20-2.2
10 ILCS 5/20-2.3	from Ch. 46, par. 20-2.3
10 ILCS 5/20-3	from Ch. 46, par. 20-3
10 ILCS 5/20-8	from Ch. 46, par. 20-8

Amends the Election Code. Provides that, on the date of the election, after the closing of polling locations (rather than no later than 48 hours after the closing of polling locations on election day), each election authority (rather than each election authority maintaining a website) shall post the number of ballots that remain uncounted on its website. Provides that all election authorities shall share the same information with the State Board of Elections, on the date of the election, after the closing of polling locations (rather than, no later than 48 hours after the closing of polling locations). Provides that ballots must be received by the election authority before the closing of the polls on election day (rather than returned to the election authority postmarked no later than election day). Removes a provision that allows election authorities to accept any vote by mail ballot returned, including ballots returned with insufficient or no postage. Removes a provision that authorizes election authorities to maintain one or more secure collection sites for the postage-free return of vote by mail ballots. Makes conforming changes. Effective immediately.

LRB104 11876 SPS 21967 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 Section 1-9.2, 19-3, 19-6, 19-8, 20-2, 20-2.1, 20-2.2, 20-2.3,
6 20-3, and 20-8 as follows:

7 (10 ILCS 5/1-9.2)

8 Sec. 1-9.2. Uncounted ballot information on website. On
9 the date of the election, ~~No later than 48 hours~~ after the
10 closing of polling locations ~~on election day,~~ each election
11 authority ~~maintaining a website~~ shall post the number of
12 ballots that remain uncounted on its website. The posting
13 shall separate the number of ballots yet to be counted into the
14 following categories: ballots cast on election day, early
15 voting ballots, provisional ballots, vote by mail ballots
16 received by the election authority but not counted, and vote
17 by mail ballots sent by the election authority ~~but have not~~
18 ~~been returned to the election authority~~. This information
19 shall be updated on the website of the election authority each
20 day until the period for counting provisional and vote by mail
21 ballots has ended. All election authorities, ~~regardless of~~
22 ~~whether they maintain a website,~~ shall share the same
23 information, separated in the same manner, with the State

1 Board of Elections, on the date of the election, ~~no later than~~
2 ~~48 hours~~ after the closing of polling locations, ~~on election~~
3 ~~day~~ and each business day thereafter until the period for
4 counting provisional and vote by mail ballots has ended.
5 (Source: P.A. 98-1171, eff. 6-1-15.)

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

7 Sec. 19-3. Application for a vote by mail ballot.

8 (a) The application for a vote by mail ballot for a single
9 election shall be substantially in the following form:

10 APPLICATION FOR VOTE BY MAIL BALLOT

11 To be voted at the election in the County of and
12 State of Illinois.

13 I state that I am a resident of in the municipality of
14 in the county of; that I have resided at such address
15 for at least 30 days; that I am lawfully entitled to vote at
16 the election to be held on; and that I wish to vote
17 by mail.

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

1 ~~is the 14th day following election day.~~

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

7 Under penalties as provided by law pursuant to Section
8 29-10 of the Election Code, the undersigned certifies that the
9 statements set forth in this application are true and correct.

10

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

12 Post office address to which ballot is mailed:

13

14 (a-5) The application for a single vote by mail ballot
15 transmitted electronically pursuant to Section 19-2.6 shall be
16 substantively similar to the application for a vote by mail
17 ballot for a single election and shall include:

18 I swear or affirm that I am a voter with a print
19 disability, and, as a result of this disability, I am
20 making a request to receive a vote by mail ballot
21 electronically so that I may privately and independently
22 mark, verify, and print my vote by mail ballot.

23 (b) The application for permanent vote by mail status
24 shall be substantially in the following form:

25 APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

26 I am currently a registered voter and wish to apply for

1 permanent vote by mail status.

2 I state that I am a resident of in the municipality of
3 in the county of; that I have resided at such address
4 for at least 30 days; that I am lawfully entitled to vote at
5 the election to be held on; and that I wish to vote
6 by mail in:

7 all subsequent elections that do not require a party
8 designation.

9 all subsequent elections, and I wish to receive a
10 Party vote by mail ballot in
11 elections that require a party designation.

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

21 Under penalties as provided by law under Section 29-10 of
22 the Election Code, the undersigned certifies that the
23 statements set forth in this application are true and correct.

24

25 Post office address to which ballot is mailed:

26

1 (b-5) The application for permanent vote by mail ballots
2 transmitted electronically pursuant to Section 19-2.6 shall be
3 substantively similar to the application for permanent vote by
4 mail status and shall include:

5 I swear or affirm that I am a voter with a
6 non-temporary print disability, and as a result of this
7 disability, I am making a request to receive vote by mail
8 ballots electronically so that I may privately and
9 independently mark, verify, and print my vote by mail
10 ballots.

11 (c) However, if application is made for a primary election
12 ballot, such application shall require the applicant to
13 designate the name of the political party with which the
14 applicant is affiliated. The election authority shall allow
15 any voter on permanent vote by mail status to change his or her
16 party affiliation for a primary election ballot by a method
17 and deadline published and selected by the election authority.

18 (d) If application is made electronically, the applicant
19 shall mark the box associated with the above described
20 statement included as part of the online application
21 certifying that the statements set forth in the application
22 under subsection (a) or (b) are true and correct, and a
23 signature is not required.

24 (e) Any person may produce, reproduce, distribute, or
25 return to an election authority an application under this
26 Section. If applications are sent to a post office box

1 controlled by any individual or organization that is not an
2 election authority, those applications shall (i) include a
3 valid and current phone number for the individual or
4 organization controlling the post office box and (ii) be
5 turned over to the appropriate election authority within 7
6 days of receipt or, if received within 2 weeks of the election
7 in which an applicant intends to vote, within 2 days of
8 receipt. Failure to turn over the applications in compliance
9 with this paragraph shall constitute a violation of this Code
10 and shall be punishable as a petty offense with a fine of \$100
11 per application. Removing, tampering with, or otherwise
12 knowingly making the postmark on the application unreadable by
13 the election authority shall establish a rebuttable
14 presumption of a violation of this paragraph. Upon receipt,
15 the appropriate election authority shall accept and promptly
16 process any application under this Section submitted in a form
17 substantially similar to that required by this Section,
18 including any substantially similar production or reproduction
19 generated by the applicant.

20 (f) An election authority may combine the applications in
21 subsections (a) and (b) onto one form, but the distinction
22 between the applications must be clear and the form must
23 provide check boxes for an applicant to indicate whether he or
24 she is applying for a single election vote by mail ballot or
25 for permanent vote by mail status.

26 (Source: P.A. 102-15, eff. 6-17-21; 102-819, eff. 5-13-22;

1 103-467, eff. 8-4-23.)

2 (10 ILCS 5/19-6) (from Ch. 46, par. 19-6)

3 Sec. 19-6. Such vote by mail voter shall make and
4 subscribe to the certifications provided for in the
5 application and on the return envelope for the ballot, and
6 such ballot or ballots shall be folded by such voter in the
7 manner required to be folded before depositing the same in the
8 ballot box, and be deposited in such envelope and the envelope
9 securely sealed. The voter shall then endorse his certificate
10 upon the back of the envelope and the envelope shall be mailed
11 in person by such voter, postage prepaid, to the election
12 authority issuing the ballot or, if more convenient, it may be
13 delivered in person, by either the voter or by any person
14 authorized by the voter, or by a company licensed as a motor
15 carrier of property by the Illinois Commerce Commission under
16 the Illinois Commercial Transportation Law, which is engaged
17 in the business of making deliveries.

18 ~~Election authorities shall accept any vote by mail ballot~~
19 ~~returned, including ballots returned with insufficient or no~~
20 ~~postage. Election authorities may maintain one or more secure~~
21 ~~collection sites for the postage free return of vote by mail~~
22 ~~ballots. Any election authority with collection sites shall~~
23 ~~collect all ballots returned each day and process them as~~
24 ~~required by this Code, including noting the day on which the~~
25 ~~ballot was collected. Ballots returned to such collection~~

1 ~~sites after close of business shall be dated as delivered the~~
2 ~~next day, with the exception of ballots delivered on election~~
3 ~~day, which shall be dated as received on election day.~~
4 ~~Election authorities shall permit electors to return vote by~~
5 ~~mail ballots at any collection site it has established through~~
6 ~~the close of polls on election day. All collection sites shall~~
7 ~~be secured by locks that may be opened only by election~~
8 ~~authority personnel. The State Board of Elections shall~~
9 ~~establish additional guidelines for the security of collection~~
10 ~~sites.~~

11 It shall be unlawful for any person not the voter or a
12 person authorized by the voter to take the ballot and ballot
13 envelope of a voter for deposit into the mail unless the ballot
14 has been issued pursuant to application by a physically
15 incapacitated elector under Section 3-3 or a hospitalized
16 voter under Section 19-13, in which case any employee or
17 person under the direction of the facility in which the
18 elector or voter is located may deposit the ballot and ballot
19 envelope into the mail. If the voter authorized a person to
20 deliver the ballot to the election authority, the voter and
21 the person authorized to deliver the ballot shall complete the
22 authorization printed on the exterior envelope supplied by an
23 election authority for the return of the vote by mail ballot.
24 The exterior of the envelope supplied by an election authority
25 for the return of the vote by mail ballot shall include an
26 authorization in substantially the following form:

1 I (voter) authorize to take
 2 the necessary steps to have this ballot delivered promptly to
 3 the office of the election authority.

4
 5 Date Signature of voter

6
 7 Printed Name of Authorized Delivery Agent

8
 9 Signature of Authorized Delivery Agency

10
 11 Date Delivered to the Election Authority

12 (Source: P.A. 102-1, eff. 4-2-21; 102-668, eff. 11-15-21.)

13 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

15 (a) (Blank.)

16 (b) Each vote by mail voter's ballot returned to an
 17 election authority, by any means authorized by this Article,
 18 and received by that election authority before the closing of
 19 the polls on election day shall be endorsed by the receiving
 20 election authority with the day and hour of receipt and may be

1 processed by the election authority beginning on the day it is
2 received by the election authority in the central ballot
3 counting location of the election authority, but the results
4 of the processing may not be counted until the day of the
5 election after 7:00 p.m., except as provided in subsections
6 (g) and (g-5).

7 (c) Each vote by mail voter's ballot that is mailed to an
8 election authority ~~and postmarked no later than election day,~~
9 but that is received by the election authority after the polls
10 close on election day shall not be counted ~~and before the close~~
11 ~~of the period for counting provisional ballots cast at that~~
12 ~~election, shall be endorsed by the receiving authority with~~
13 ~~the day and hour of receipt and shall be counted at the central~~
14 ~~ballot counting location of the election authority during the~~
15 ~~period for counting provisional ballots.~~

16 ~~Each vote by mail voter's ballot that is mailed to an~~
17 ~~election authority absent a postmark or a barcode usable with~~
18 ~~an intelligent mail barcode tracking system, but that is~~
19 ~~received by the election authority after the polls close on~~
20 ~~election day and before the close of the period for counting~~
21 ~~provisional ballots cast at that election, shall be endorsed~~
22 ~~by the receiving authority with the day and hour of receipt,~~
23 ~~opened to inspect the date inserted on the certification, and,~~
24 ~~if the certification date is election day or earlier and the~~
25 ~~ballot is otherwise found to be valid under the requirements~~
26 ~~of this Section, counted at the central ballot counting~~

1 ~~location of the election authority during the period for~~
2 ~~counting provisional ballots. Absent a date on the~~
3 ~~certification, the ballot shall not be counted.~~

4 If an election authority is using an intelligent mail
5 barcode tracking system, a ballot that is mailed to an
6 election authority absent a postmark may be counted if the
7 intelligent mail barcode tracking system verifies the envelope
8 was received by the election authority before the closing of
9 the polls on mailed no later than election day.

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

1 ~~provided for counting vote by mail voters' ballots under~~
2 ~~subsection (c).~~

3 (e) Except as otherwise provided in this Section, vote by
4 mail voters' ballots and special write-in vote by mail voter's
5 blank ballots received by the election authority after the
6 closing of the polls on an election day shall be endorsed by
7 the election authority receiving them with the day and hour of
8 receipt and shall be safely kept unopened by the election
9 authority for the period of time required for the preservation
10 of ballots used at the election, and shall then, without being
11 opened, be destroyed in like manner as the used ballots of that
12 election.

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

21 (g) The procedures set forth in Articles 17 and 18 of this
22 Code shall apply to all ballots counted under this Section. In
23 addition, within 2 days after a vote by mail ballot is
24 received, but in all cases before the close of the period for
25 counting provisional ballots, the election judge or official
26 shall compare the voter's signature on the certification

1 envelope of that vote by mail ballot with the voter's
2 signature on the application verified in accordance with
3 Section 19-4 or the signature of the voter on file in the
4 office of the election authority. If the election judge or
5 official determines that the 2 signatures match, and that the
6 vote by mail voter is otherwise qualified to cast a vote by
7 mail ballot, the election authority shall cast and count the
8 ballot on election day or the day the ballot is determined to
9 be valid, whichever is later, adding the results to the
10 precinct in which the voter is registered. If the election
11 judge or official determines that the signatures do not match,
12 or that the vote by mail voter is not qualified to cast a vote
13 by mail ballot, then without opening the certification
14 envelope, the judge or official shall mark across the face of
15 the certification envelope the word "Rejected" and shall not
16 cast or count the ballot.

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

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

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

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

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

1 If the election judge or official determines that any of
2 these reasons apply, the judge or official shall mark across
3 the face of the certification envelope the word "Rejected" and
4 shall not cast or count the ballot.

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

25 A vote by mail ballot subject to this subsection that is
26 determined to be valid shall be counted before the close of the

1 period for counting provisional ballots.

2 If a vote by mail ballot is rejected for any reason, the
3 election authority shall, within one day after the rejection,
4 transmit to the State Board of Elections by electronic means
5 the voter's name, street address, email address and precinct,
6 ward, township, and district numbers, as the case may be. If a
7 rejected vote by mail ballot is determined to be valid, the
8 election authority shall, within one day after the
9 determination, remove the name of the voter from the list
10 transmitted to the State Board of Elections. The State Board
11 of Elections shall maintain the names and information in an
12 electronic format on its website accessible to State and local
13 political committees.

14 Upon request by the State or local political committee,
15 each election authority shall, within one day after the
16 request, provide the following information about all rejected
17 vote by mail ballots: voter's name, street address, email
18 address and precinct, ward, township, and district numbers, as
19 the case may be.

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

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

26 (Source: P.A. 102-1126, eff. 2-10-23; 103-467, eff. 8-4-23.)

1 (10 ILCS 5/20-2) (from Ch. 46, par. 20-2)

2 Sec. 20-2. Any member of the United States Service,
3 otherwise qualified to vote, who expects in the course of his
4 duties to be absent from the county in which he resides on the
5 day of holding any election may make application for a vote by
6 mail ballot to the election authority having jurisdiction over
7 his precinct of residence on the official postcard or on a form
8 furnished by the election authority as prescribed by Section
9 20-3 of this Article not less than 10 days before the election.
10 A request pursuant to this Section shall entitle the applicant
11 to a vote by mail ballot for every election in one calendar
12 year. The original application for ballot shall be kept in the
13 office of the election authority for one year as authorization
14 to send a ballot to the voter for each election to be held
15 within that calendar year. A certified copy of such
16 application for ballot shall be sent each election with the
17 vote by mail ballot to the election authority's central ballot
18 counting location to be used in lieu of the original
19 application for ballot. No registration shall be required in
20 order to vote pursuant to this Section.

21 Ballots under this Section shall be mailed by the election
22 authority in the manner prescribed by Section 20-5 of this
23 Article and not otherwise. Ballots voted under this Section
24 must be received by the election authority before the closing
25 of the polls on ~~returned postmarked no later than~~ election day

1 ~~and received for counting at the central ballot counting~~
2 ~~location of the election authority during the period for~~
3 ~~counting provisional ballots, the last day of which is the~~
4 ~~14th day following election day.~~

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

6 (10 ILCS 5/20-2.1) (from Ch. 46, par. 20-2.1)

7 Sec. 20-2.1. Citizens of the United States temporarily
8 residing outside the territorial limits of the United States
9 who are not registered but otherwise qualified to vote and who
10 expect to be absent from their county of residence during the
11 periods of voter registration provided for in Articles 4, 5 or
12 6 of this Code and on the day of holding any election, may make
13 simultaneous application to the election authority having
14 jurisdiction over their precinct of residence for registration
15 by mail and vote by mail ballot not less than 30 days before
16 the election. Such application may be made on the official
17 postcard or on a form furnished by the election authority as
18 prescribed by Section 20-3 of this Article or by facsimile or
19 electronic transmission. A request pursuant to this Section
20 shall entitle the applicant to a vote by mail ballot for every
21 election in one calendar year. The original application for
22 ballot shall be kept in the office of the election authority
23 for one year as authorization to send a ballot to the voter for
24 each election to be held within that calendar year. A
25 certified copy of such application for ballot shall be sent

1 each election with the vote by mail ballot to the election
2 authority's central ballot counting location to be used in
3 lieu of the original application for ballot.

4 Registration shall be required in order to vote pursuant
5 to this Section. However, if the election authority receives
6 one of such applications after 30 days but not less than 10
7 days before a Federal election, said applicant shall be sent a
8 ballot containing the Federal offices only and registration
9 for that election shall be waived.

10 Ballots under this Section shall be delivered by the
11 election authority in the manner prescribed by Section 20-5 of
12 this Article in person, by mail, or, if requested by the
13 applicant and the election authority has the capability, by
14 facsimile transmission or by electronic transmission.

15 Ballots voted under this Section must be received by the
16 election authority before the closing of the polls on ~~returned~~
17 ~~postmarked no later than election day and received for~~
18 ~~counting at the central ballot counting location of the~~
19 ~~election authority during the period for counting provisional~~
20 ~~ballots, the last day of which is the 14th day following~~
21 ~~election day.~~

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

23 (10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

24 Sec. 20-2.2. Any non-resident civilian citizen, otherwise
25 qualified to vote, may make application to the election

1 authority having jurisdiction over his precinct of former
2 residence for a vote by mail ballot containing the Federal
3 offices only not less than 10 days before a Federal election.
4 Such application may be made on the official postcard or by
5 facsimile or electronic transmission. A request pursuant to
6 this Section shall entitle the applicant to a vote by mail
7 ballot for every election in one calendar year at which
8 Federal offices are filled. The original application for
9 ballot shall be kept in the office of the election authority
10 for one year as authorization to send a ballot to the voter for
11 each election to be held within that calendar year at which
12 Federal offices are filled. A certified copy of such
13 application for ballot shall be sent each election with the
14 vote by mail ballot to the election authority's central ballot
15 counting location to be used in lieu of the original
16 application for ballot. No registration shall be required in
17 order to vote pursuant to this Section. Ballots under this
18 Section shall be delivered by the election authority in the
19 manner prescribed by Section 20-5 of this Article in person,
20 by mail, or, if requested by the applicant and the election
21 authority has the capability, by facsimile transmission or by
22 electronic transmission. Ballots voted under this Section must
23 be received by the election authority before the closing of
24 the polls on ~~returned postmarked no later than~~ election day
25 ~~and received for counting at the central ballot counting~~
26 ~~location of the election authority during the period for~~

1 ~~counting provisional ballots, the last day of which is the~~
2 ~~14th day following election day.~~

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

4 (10 ILCS 5/20-2.3) (from Ch. 46, par. 20-2.3)

5 Sec. 20-2.3. Members of the Armed Forces and their spouses
6 and dependents. Any member of the United States Armed Forces
7 while on active duty, and his or her spouse and dependents,
8 otherwise qualified to vote, who expects in the course of his
9 or her duties to be absent from the county in which he or she
10 resides on the day of holding any election, in addition to any
11 other method of making application for vote by mail ballot
12 under this Article, may make application for a vote by mail
13 ballot to the election authority having jurisdiction over his
14 or her precinct of residence by a facsimile machine or
15 electronic transmission not less than 10 days before the
16 election.

17 Ballots under this Section shall be delivered by the
18 election authority in the manner prescribed by Section 20-5 of
19 this Article in person, by mail, or, if requested by the
20 applicant and the election authority has the capability, by
21 facsimile transmission or by electronic transmission. Ballots
22 voted under this Section must be returned postmarked no later
23 than election day and received for counting at the central
24 ballot counting location of the election authority no later
25 than ~~during the period for counting provisional ballots, the~~

1 ~~last day of which is~~ the 7th ~~14th~~ day following election day.

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

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

4 Sec. 20-3. The election authority shall furnish the
5 following applications for registration by mail or vote by
6 mail ballot which shall be considered a method of application
7 in lieu of the official postcard.

8 1. Members of the United States Service and citizens of
9 the United States temporarily residing outside the territorial
10 limits of the United States may make application within the
11 periods prescribed in Sections 20-2 or 20-2.1, as the case may
12 be. Such application shall be substantially in the following
13 form:

14 "APPLICATION FOR BALLOT

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

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

25 1. () a member of the United States Service,

1
 2
 3
 4"

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

8 Such applications may be obtained from the election
 9 authority having jurisdiction over the person's precinct of
 10 residence.

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

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

22 I certify that the following named person.....
 23 (insert name of person) is a member of the United States
 24 Service.

25 I state that said person is a citizen of the United States;
 26 that on (insert date of election) said person shall have

1 resided in the State of Illinois and in the election precinct
 2 for which this application is made for 30 days; that on the
 3 above date said person shall be the age of 18 years or above;
 4 that said person is lawfully entitled to vote in such precinct
 5 at that election; that said person is a member of the United
 6 States Service, and that in the course of his duties said
 7 person expects to be absent from his county of residence on the
 8 date of holding such election, and that said person will have
 9 no opportunity to vote in person on that day.

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

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

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

25 Name of applicant

26 Residence address

1 City/village/township.....

2 Service address to which ballot should be mailed:

3

4

5

6"

7 If application is made for a primary election ballot, such
8 application shall designate the name of the political party
9 with which the person for whom application is made is
10 affiliated.

11 Such applications may be obtained from the election
12 authority having jurisdiction over the voting precinct in
13 which the person for whom application is made is entitled to
14 vote.

15 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

16 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

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

18 (a) (Blank.)

19 (b) Each vote by mail voter's ballot returned to an
20 election authority, by any means authorized by this Article,
21 and received by that election authority may be processed by
22 the election authority beginning on the day it is received by
23 the election authority in the central ballot counting location
24 of the election authority, but the results of the processing
25 may not be counted until the day of the election after 7:00

1 p.m., except as provided in subsections (g) and (g-5).

2 (c) Each vote by mail voter's ballot that is mailed to an
3 election authority ~~and postmarked no later than election day,~~
4 but that is received by the election authority after the polls
5 close on election day shall not be counted ~~and before the close~~
6 ~~of the period for counting provisional ballots cast at that~~
7 ~~election, shall be endorsed by the receiving authority with~~
8 ~~the day and hour of receipt and shall be counted at the central~~
9 ~~ballot counting location of the election authority during the~~
10 ~~period for counting provisional ballots.~~

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

25 If an election authority is using an intelligent mail
26 barcode tracking system, a ballot that is mailed to an

1 election authority absent a postmark may be counted if the
2 intelligent mail barcode tracking system verifies the envelope
3 was received by the election authority before the closing of
4 the polls on ~~mailed no later than~~ election day.

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

24 (e) Except as otherwise provided in this Section, vote by
25 mail voters' ballots and special write-in vote by mail voter's
26 blank ballots received by the election authority after the

1 closing of the polls on the day of election shall be endorsed
2 by the person receiving the ballots with the day and hour of
3 receipt and shall be safely kept unopened by the election
4 authority for the period of time required for the preservation
5 of ballots used at the election, and shall then, without being
6 opened, be destroyed in like manner as the used ballots of that
7 election.

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

16 (g) The procedures set forth in Articles 17 and 18 of this
17 Code shall apply to all ballots counted under this Section. In
18 addition, within 2 days after a ballot subject to this Article
19 is received, but in all cases before the close of the period
20 for counting provisional ballots, the election judge or
21 official shall compare the voter's signature on the
22 certification envelope of that ballot with the signature of
23 the voter on file in the office of the election authority. If
24 the election judge or official determines that the 2
25 signatures match, and that the voter is otherwise qualified to
26 cast a ballot under this Article, the election authority shall

1 cast and count the ballot on election day or the day the ballot
2 is determined to be valid, whichever is later, adding the
3 results to the precinct in which the voter is registered. If
4 the election judge or official determines that the signatures
5 do not match, or that the voter is not qualified to cast a
6 ballot under this Article, then without opening the
7 certification envelope, the judge or official shall mark
8 across the face of the certification envelope the word
9 "Rejected" and shall not cast or count the ballot.

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

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

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

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

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

20 If the election judge or official determines that any of
21 these reasons apply, the judge or official shall mark across
22 the face of the certification envelope the word "Rejected" and
23 shall not cast or count the ballot.

24 (g-5) If a ballot subject to this Article is rejected by
25 the election judge or official for any reason, the election
26 authority shall, within 2 days after the rejection but in all

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

18 A ballot subject to this subsection that is determined to
19 be valid shall be counted before the close of the period for
20 counting provisional ballots.

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

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

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

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