



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3060

Introduced 1/28/2026, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/24B-15
10 ILCS 5/24C-15

Amends the Election Code. Provides that, in jurisdictions where in-precinct counting equipment is used, the election authority shall retabulate the total number of votes cast on 5% of the election day equipment used within the election jurisdiction (rather than votes cast in 5% of precincts within the election jurisdiction). Provides that the precincts and voting devices to be retabulated shall be selected after election day on a random basis by the State Board of Elections so that every device used in early voting and all equipment used on election day in the election jurisdiction has an equal mathematical chance of being selected (rather than providing that every precinct and every device used in early voting shall have an equal mathematical chance of being selected for retabulated).

LRB104 16955 SPS 30369 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 24B-15 and 24C-15 as follows:

6 (10 ILCS 5/24B-15)

7 Sec. 24B-15. Official return of precinct; check of totals;
8 retabulation. The precinct return printed by the automatic
9 Precinct Tabulation Optical Scan Technology tabulating
10 equipment shall include the number of ballots cast and votes
11 cast for each candidate and proposition and shall constitute
12 the official return of each precinct. In addition to the
13 precinct return, the election authority shall provide the
14 number of applications for ballots in each precinct, the
15 write-in votes, the total number of ballots counted in each
16 precinct for each political subdivision and district and the
17 number of registered voters in each precinct. However, the
18 election authority shall check the totals shown by the
19 precinct return and, if there is an obvious discrepancy
20 regarding the total number of votes cast in any precinct,
21 shall have the ballots for that precinct retabulated to
22 correct the return. The procedures for retabulation shall
23 apply prior to and after the proclamation is completed;

1 however, after the proclamation of results, the election
2 authority must obtain a court order to unseal voted ballots
3 except for election contests and discovery recounts. In those
4 election jurisdictions that use in-precinct counting
5 equipment, the certificate of results, which has been prepared
6 by the judges of election after the ballots have been
7 tabulated, shall be the document used for the canvass of votes
8 for such precinct. Whenever a discrepancy exists during the
9 canvass of votes between the unofficial results and the
10 certificate of results, or whenever a discrepancy exists
11 during the canvass of votes between the certificate of results
12 and the set of totals which has been affixed to the certificate
13 of results, the ballots for that precinct shall be retabulated
14 to correct the return. As an additional part of this check
15 prior to the proclamation, in those jurisdictions where
16 in-precinct counting equipment is used, the election authority
17 shall retabulate the total number of votes cast on ~~in~~ 5% of the
18 election day equipment used precincts within the election
19 jurisdiction, as well as 5% of the voting devices used in early
20 voting. The precincts and the voting devices to be retabulated
21 shall be selected after election day on a random basis by the
22 State Board of Elections, so that every ~~precinct in the~~
23 ~~election jurisdiction and every voting~~ device used in early
24 voting and all equipment used on election day in the election
25 jurisdiction has an equal mathematical chance of being
26 selected. The State Board of Elections shall design a standard

1 and scientific random method of selecting the precincts and
2 voting devices which are to be retabulated. The State central
3 committee chair of each established political party shall be
4 given prior written notice of the time and place of the random
5 selection procedure and may be represented at the procedure.
6 The retabulation shall consist of counting the ballots which
7 were originally counted and shall not involve any
8 determination of which ballots were, in fact, properly
9 counted. The ballots from the precincts selected for the
10 retabulation shall remain at all times under the custody and
11 control of the election authority and shall be transported and
12 retabulated by the designated staff of the election authority.

13 As part of the retabulation, the election authority shall
14 test the computer program in the selected precincts and on the
15 selected early voting devices. The test shall be conducted by
16 processing a preaudited group of ballots marked to record a
17 predetermined number of valid votes for each candidate and on
18 each public question, and shall include for each office one or
19 more ballots which have votes in excess of the number allowed
20 by law to test the ability of the equipment and the marking
21 device to reject such votes. If any error is detected, the
22 cause shall be determined and corrected, and an errorless
23 count shall be made prior to the official canvass and
24 proclamation of election results.

25 The State Board of Elections, the State's Attorney and
26 other appropriate law enforcement agencies, the county chair

1 of each established political party and qualified civic
2 organizations shall be given prior written notice of the time
3 and place of the retabulation and may be represented at the
4 retabulation.

5 The results of this retabulation shall be treated in the
6 same manner and have the same effect as the results of the
7 discovery procedures set forth in Section 22-9.1 of this Code.
8 Upon completion of the retabulation, the election authority
9 shall print a comparison of the results of the retabulation
10 with the original precinct return printed by the automatic
11 tabulating equipment. The comparison shall be done for each
12 precinct and for each early voting device selected for testing
13 and for each office voted upon within that precinct or on that
14 voting device, and the comparisons shall be open to the
15 public. Upon completion of the retabulation, the returns shall
16 be open to the public.

17 (Source: P.A. 100-1027, eff. 1-1-19.)

18 (10 ILCS 5/24C-15)

19 Sec. 24C-15. Official return of precinct; check of totals;
20 audit. The precinct return printed by the Direct Recording
21 Electronic Voting System tabulating equipment shall include
22 the number of ballots cast and votes cast for each candidate
23 and public question and shall constitute the official return
24 of each precinct. In addition to the precinct return, the
25 election authority shall provide the number of applications

1 for ballots in each precinct, the total number of ballots and
2 vote by mail ballots counted in each precinct for each
3 political subdivision and district and the number of
4 registered voters in each precinct. However, the election
5 authority shall check the totals shown by the precinct return
6 and, if there is an obvious discrepancy regarding the total
7 number of votes cast in any precinct, shall have the ballots
8 for that precinct audited to correct the return. The
9 procedures for this audit shall apply prior to and after the
10 proclamation is completed; however, after the proclamation of
11 results, the election authority must obtain a court order to
12 unseal voted ballots or voting devices except for election
13 contests and discovery recounts. The certificate of results,
14 which has been prepared and signed by the judges of election
15 after the ballots have been tabulated, shall be the document
16 used for the canvass of votes for such precinct. Whenever a
17 discrepancy exists during the canvass of votes between the
18 unofficial results and the certificate of results, or whenever
19 a discrepancy exists during the canvass of votes between the
20 certificate of results and the set of totals reflected on the
21 certificate of results, the ballots for that precinct shall be
22 audited to correct the return.

23 Prior to the proclamation, the election authority shall
24 test the voting devices and equipment on ~~in~~ 5% of the election
25 day equipment used ~~precincts~~ within the election jurisdiction,
26 as well as 5% of the voting devices used in early voting. The

1 precincts and the voting devices to be tested shall be
2 selected after election day on a random basis by the State
3 Board of Elections, so that ~~every precinct and~~ every device
4 used in early voting and all equipment used on election day in
5 the election jurisdiction has an equal mathematical chance of
6 being selected. The State Board of Elections shall design a
7 standard and scientific random method of selecting the
8 precincts and voting devices that are to be tested. The State
9 central committee chair of each established political party
10 shall be given prior written notice of the time and place of
11 the random selection procedure and may be represented at the
12 procedure.

13 The test shall be conducted by counting the votes marked
14 on the permanent paper record of each ballot cast in the tested
15 precinct printed by the voting system at the time that each
16 ballot was cast and comparing the results of this count with
17 the results shown by the certificate of results prepared by
18 the Direct Recording Electronic Voting System in the test
19 precinct. The election authority shall test count these votes
20 either by hand or by using an automatic tabulating device
21 other than a Direct Recording Electronic voting device that
22 has been approved by the State Board of Elections for that
23 purpose and tested before use to ensure accuracy. The election
24 authority shall print the results of each test count. If any
25 error is detected, the cause shall be determined and
26 corrected, and an errorless count shall be made prior to the

1 official canvass and proclamation of election results. If an
2 errorless count cannot be conducted and there continues to be
3 difference in vote results between the certificate of results
4 produced by the Direct Recording Electronic Voting System and
5 the count of the permanent paper records or if an error was
6 detected and corrected, the election authority shall
7 immediately prepare and forward to the appropriate canvassing
8 board a written report explaining the results of the test and
9 any errors encountered and the report shall be made available
10 for public inspection.

11 The State Board of Elections, the State's Attorney and
12 other appropriate law enforcement agencies, the county chair
13 of each established political party and qualified civic
14 organizations shall be given prior written notice of the time
15 and place of the test and may be represented at the test.

16 The results of this post-election test shall be treated in
17 the same manner and have the same effect as the results of the
18 discovery procedures set forth in Section 22-9.1 of this Code.
19 (Source: P.A. 100-1027, eff. 1-1-19.)