**Section 207.120 Procedures for Election Night Equipment Failure**

a) If a component of an electronic voting system needs to be repaired or replaced during vote tabulation on election night because of a malfunction or failure to operate, or if a sensor of an optical scanning system needs to be adjusted or recalibrated, the election authority shall run the pre-tabulation test required by Section 24A-9 of the Election Code [10 ILCS 5/24A-9] after the item of equipment has been repaired or replaced or the sensor adjusted or recalibrated, as the case may be. Before resuming vote tabulation the election authority shall retabulate the last precinct successfully tabulated before the failure occurred or the adjustment made. If the results of retabulation agree with the results produced when the precinct was originally tabulated, the election authority may resume tabulation of results with the precinct which was being tabulated when the failure occurred or the adjustment made. If the results of the retabulation of the last precinct successfully tabulated do not agree with the results of the original tabulation of that precinct, the election authority shall retabulate successive precincts in reverse order from the precinct which was being tabulated at the time the equipment failure occurred or the adjustment was made until the retabulation for a precinct agrees with the original tabulation for that same precinct. Tabulation of results shall resume with the precinct immediately following in regular order from the precinct for which retabulation agrees with the original tabulation.

b) If for any reason the pre-tabulation test identified in Section 24A-9 [10 ILCS 5/24A-9] of the Election Code is required to be run again on election night after vote tabulating begins it must run accurately the first time, or tabulation shall not continue. If it does not run accurately the first time, it may, in the judgment of the election authority, be rerun until it runs accurately but in such case tabulation shall not be resumed until the election authority has determined what caused the test to run inaccurately the first time. If no cause can be identified the entire electronic voting system must be replaced and successfully tested utilizing the pre-tabulation test before tabulation may be resumed. In such latter case all precincts must be retabulated using the new system.

c) If the post-tabulation test of the electronic voting system required by Section 24A-9 of the Election Code [10 ILCS 5/24A-9] does not run accurately when it is attempted the election authority shall determine the reason for the failure of the post-tabulation test to run accurately. If no reason can be determined, or if the reason is determined to be the mechanical or electronic failure of a component of the system, the entire electronic voting system shall be replaced and successfully tested utilizing the pre-tabulation test and the entire jurisdiction retabulated.

d) No fewer than 15 ballots per ballot style shall be required to constitute any pre-test conducted in satisfaction of the test mandated by Section 24A-9 of the Election Code [10 ILCS 5/24A-9].

(Source: Added at 18 Ill. Reg. 14714, effective September 9, 1994)