



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1146

Introduced 2/5/2019, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

10 ILCS 5/13-1	from Ch. 46, par. 13-1
10 ILCS 5/13-2	from Ch. 46, par. 13-2
10 ILCS 5/14-1	from Ch. 46, par. 14-1

Amends the Election Code. Provides that, except for in a county with a population of at least 3,000,000 or where election judges are selected by election commissioners, an election authority may reduce the number of judges of election in each precinct from 5 to 3 for any election. Provides that in certain cities, villages, and incorporated towns with a board of election commissioners, the board shall select and choose no less than 3 (rather than choose 5) persons as judges of election for each precinct. Effective immediately.

LRB101 08653 SMS 53737 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 13-1, 13-2, and 14-1 as follows:

6 (10 ILCS 5/13-1) (from Ch. 46, par. 13-1)

7 Sec. 13-1. In counties not under township organization, the
8 county board of commissioners shall at its meeting in July in
9 each even-numbered year appoint in each election precinct 5
10 capable and discreet persons meeting the qualifications of
11 Section 13-4 to be judges of election. Where neither voting
12 machines nor electronic, mechanical or electric voting systems
13 are used, the county board may, for any precinct with respect
14 to which the board considers such action necessary or desirable
15 in view of the number of voters, and shall for general
16 elections for any precinct containing more than 600 registered
17 voters, appoint in addition to the 5 judges of election a team
18 of 5 tally judges. In such precincts the judges of election
19 shall preside over the election during the hours the polls are
20 open, and the tally judges, with the assistance of the holdover
21 judges designated pursuant to Section 13-6.2, shall count the
22 vote after the closing of the polls. However, the County Board
23 of Commissioners may appoint 3 judges of election to serve in

1 lieu of the 5 judges of election otherwise required by this
2 Section (1) to serve in any emergency referendum, or in any
3 odd-year regular election or in any special primary or special
4 election called for the purpose of filling a vacancy in the
5 office of representative in the United States Congress or to
6 nominate candidates for such purpose or (2) if the county board
7 passes an ordinance to reduce the number of judges of election
8 to 3 for primary elections. In addition, an election authority
9 may reduce the number of judges of election in each precinct
10 from 5 to 3 for any election. The tally judges shall possess
11 the same qualifications and shall be appointed in the same
12 manner and with the same division between political parties as
13 is provided for judges of election.

14 In addition to such precinct judges, the county board of
15 commissioners shall appoint special panels of 3 judges each,
16 who shall possess the same qualifications and shall be
17 appointed in the same manner and with the same division between
18 political parties as is provided for other judges of election.
19 The number of such panels of judges required shall be
20 determined by regulations of the State Board of Elections which
21 shall base the required numbers of special panels on the number
22 of registered voters in the jurisdiction or the number of vote
23 by mail ballots voted at recent elections, or any combination
24 of such factors.

25 Such appointment shall be confirmed by the court as
26 provided in Section 13-3 of this Article. No more than 3

1 persons of the same political party shall be appointed judges
2 of the same election precinct or election judge panel. The
3 appointment shall be made in the following manner: The county
4 board of commissioners shall select and approve 3 persons as
5 judges of election in each election precinct from a certified
6 list, furnished by the chair of the County Central Committee of
7 the first leading political party in such precinct; and the
8 county board of commissioners shall also select and approve 2
9 persons as judges of election in each election precinct from a
10 certified list, furnished by the chair of the County Central
11 Committee of the second leading political party. However, if
12 only 3 judges of election serve in each election precinct, no
13 more than 2 persons of the same political party shall be judges
14 of election in the same election precinct; and which political
15 party is entitled to 2 judges of election and which political
16 party is entitled to one judge of election shall be determined
17 in the same manner as set forth in the next two preceding
18 sentences with regard to 5 election judges in each precinct.
19 Such certified list shall be filed with the county clerk not
20 less than 10 days before the annual meeting of the county board
21 of commissioners. Such list shall be arranged according to
22 precincts. The chair of each county central committee shall,
23 insofar as possible, list persons who reside within the
24 precinct in which they are to serve as judges. However, he may,
25 in his sole discretion, submit the names of persons who reside
26 outside the precinct but within the county embracing the

1 precinct in which they are to serve. He must, however, submit
2 the names of at least 2 residents of the precinct for each
3 precinct in which his party is to have 3 judges and must submit
4 the name of at least one resident of the precinct for each
5 precinct in which his party is to have 2 judges. The county
6 board of commissioners shall acknowledge in writing to each
7 county chair the names of all persons submitted on such
8 certified list and the total number of persons listed thereon.
9 If no such list is filed or such list is incomplete (that is,
10 no names or an insufficient number of names are furnished for
11 certain election precincts), the county board of commissioners
12 shall make or complete such list from the names contained in
13 the supplemental list provided for in Section 13-1.1. The
14 election judges shall hold their office for 2 years from their
15 appointment, and until their successors are duly appointed in
16 the manner provided in this Act. The county board of
17 commissioners shall fill all vacancies in the office of judge
18 of election at any time in the manner provided in this Act.

19 (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

20 (10 ILCS 5/13-2) (from Ch. 46, par. 13-2)

21 Sec. 13-2. In counties under the township organization the
22 county board shall at its meeting in July in each even-numbered
23 year except in counties containing a population of 3,000,000
24 inhabitants or over and except when such judges are appointed
25 by election commissioners, select in each election precinct in

1 the county, 5 capable and discreet persons to be judges of
2 election who shall possess the qualifications required by this
3 Act for such judges. Where neither voting machines nor
4 electronic, mechanical or electric voting systems are used, the
5 county board may, for any precinct with respect to which the
6 board considers such action necessary or desirable in view of
7 the number of voters, and shall for general elections for any
8 precinct containing more than 600 registered voters, appoint in
9 addition to the 5 judges of election a team of 5 tally judges.
10 In such precincts the judges of election shall preside over the
11 election during the hours the polls are open, and the tally
12 judges, with the assistance of the holdover judges designated
13 pursuant to Section 13-6.2, shall count the vote after the
14 closing of the polls. The tally judges shall possess the same
15 qualifications and shall be appointed in the same manner and
16 with the same division between political parties as is provided
17 for judges of election.

18 However, the county board may appoint 3 judges of election
19 to serve in lieu of the 5 judges of election otherwise required
20 by this Section (1) to serve in any emergency referendum, or in
21 any odd-year regular election or in any special primary or
22 special election called for the purpose of filling a vacancy in
23 the office of representative in the United States Congress or
24 to nominate candidates for such purpose or (2) if the county
25 board passes an ordinance to reduce the number of judges of
26 election to 3 for primary elections. In addition, an election

1 authority may reduce the number of judges of election in each
2 precinct from 5 to 3 for any election.

3 In addition to such precinct judges, the county board shall
4 appoint special panels of 3 judges each, who shall possess the
5 same qualifications and shall be appointed in the same manner
6 and with the same division between political parties as is
7 provided for other judges of election. The number of such
8 panels of judges required shall be determined by regulations of
9 the State Board of Elections, which shall base the required
10 number of special panels on the number of registered voters in
11 the jurisdiction or the number of absentee ballots voted at
12 recent elections or any combination of such factors.

13 No more than 3 persons of the same political party shall be
14 appointed judges in the same election district or undivided
15 precinct. The election of the judges of election in the various
16 election precincts shall be made in the following manner: The
17 county board shall select and approve 3 of the election judges
18 in each precinct from a certified list furnished by the chair
19 of the County Central Committee of the first leading political
20 party in such election precinct and shall also select and
21 approve 2 judges of election in each election precinct from a
22 certified list furnished by the chair of the County Central
23 Committee of the second leading political party in such
24 election precinct. However, if only 3 judges of election serve
25 in each election precinct, no more than 2 persons of the same
26 political party shall be judges of election in the same

1 election precinct; and which political party is entitled to 2
2 judges of election and which political party is entitled to one
3 judge of election shall be determined in the same manner as set
4 forth in the next two preceding sentences with regard to 5
5 election judges in each precinct. The respective County Central
6 Committee chair shall notify the county board by June 1 of each
7 odd-numbered year immediately preceding the annual meeting of
8 the county board whether or not such certified list will be
9 filed by such chair. Such list shall be arranged according to
10 precincts. The chair of each county central committee shall,
11 insofar as possible, list persons who reside within the
12 precinct in which they are to serve as judges. However, he may,
13 in his sole discretion, submit the names of persons who reside
14 outside the precinct but within the county embracing the
15 precinct in which they are to serve. He must, however, submit
16 the names of at least 2 residents of the precinct for each
17 precinct in which his party is to have 3 judges and must submit
18 the name of at least one resident of the precinct for each
19 precinct in which his party is to have 2 judges. Such certified
20 list, if filed, shall be filed with the county clerk not less
21 than 20 days before the annual meeting of the county board. The
22 county board shall acknowledge in writing to each county chair
23 the names of all persons submitted on such certified list and
24 the total number of persons listed thereon. If no such list is
25 filed or the list is incomplete (that is, no names or an
26 insufficient number of names are furnished for certain election

1 precincts), the county board shall make or complete such list
2 from the names contained in the supplemental list provided for
3 in Section 13-1.1. Provided, further, that in any case where a
4 township has been or shall be redistricted, in whole or in
5 part, subsequent to one general election for Governor, and
6 prior to the next, the judges of election to be selected for
7 all new or altered precincts shall be selected in that one of
8 the methods above detailed, which shall be applicable according
9 to the facts and circumstances of the particular case, but the
10 majority of such judges for each such precinct shall be
11 selected from the first leading political party, and the
12 minority judges from the second leading political party.
13 Provided, further, that in counties having a population of
14 3,000,000 inhabitants or over the selection of judges of
15 election shall be made in the same manner in all respects as in
16 other counties, except that the provisions relating to tally
17 judges are inapplicable to such counties and except that the
18 county board shall meet during the month of January for the
19 purpose of making such selection, each township
20 committeeperson shall assume the responsibilities given to the
21 chair of the county central committee in this Section for the
22 precincts within his or her township, and the township
23 committeeperson shall notify the county board by the preceding
24 October 1 whether or not the certified list will be filed. Such
25 judges of election shall hold their office for 2 years from
26 their appointment and until their successors are duly appointed

1 in the manner provided in this Act. The county board shall fill
2 all vacancies in the office of judges of elections at any time
3 in the manner herein provided.

4 Such selections under this Section shall be confirmed by
5 the circuit court as provided in Section 13-3 of this Article.

6 (Source: P.A. 100-337, eff. 8-25-17; 100-1027, eff. 1-1-19.)

7 (10 ILCS 5/14-1) (from Ch. 46, par. 14-1)

8 Sec. 14-1. (a) The board of election commissioners
9 established or existing under Article 6 shall, at the time and
10 in the manner provided in Section 14-3.1, select and choose no
11 less than 3 ~~5~~ persons, men or women, as judges of election for
12 each precinct in such city, village or incorporated town.

13 Where neither voting machines nor electronic, mechanical
14 or electric voting systems are used, the board of election
15 commissioners may, for any precinct with respect to which the
16 board considers such action necessary or desirable in view of
17 the number of voters, and shall for general elections for any
18 precinct containing more than 600 registered voters, appoint in
19 addition to the 5 judges of election chosen under this
20 subsection a team of 5 tally judges. In such precincts the
21 judges of election shall preside over the election during the
22 hours the polls are open, and the tally judges, with the
23 assistance of the holdover judges designated pursuant to
24 Section 14-5.2, shall count the vote after the closing of the
25 polls. The tally judges shall possess the same qualifications

1 and shall be appointed in the same manner and with the same
2 division between political parties as is provided for judges of
3 election. The foregoing provisions relating to the appointment
4 of tally judges are inapplicable in counties with a population
5 of 1,000,000 or more.

6 (b) To qualify as judges the persons must:

7 (1) be citizens of the United States;

8 (2) be of good repute and character and not subject to
9 the registration requirement of the Sex Offender
10 Registration Act;

11 (3) be able to speak, read and write the English
12 language;

13 (4) be skilled in the 4 fundamental rules of
14 arithmetic;

15 (5) be of good understanding and capable;

16 (6) not be candidates for any office at the election
17 and not be elected committeepersons;

18 (7) reside and be entitled to vote in the precinct in
19 which they are selected to serve, except that in each
20 precinct not more than one judge of each party may be
21 appointed from outside such precinct. Any judge so
22 appointed to serve in any precinct in which he is not
23 entitled to vote must be entitled to vote elsewhere within
24 the county which encompasses the precinct in which such
25 judge is appointed and such judge must otherwise meet the
26 qualifications of this Section, except as provided in

1 subsection (c) or (c-5).

2 (c) An election authority may establish a program to permit
3 a person who is not entitled to vote to be appointed as an
4 election judge if, as of the date of the election at which the
5 person serves as a judge, he or she:

6 (1) is a U.S. citizen;

7 (2) is a junior or senior in good standing enrolled in
8 a public or private secondary school;

9 (3) has a cumulative grade point average equivalent to
10 at least 3.0 on a 4.0 scale;

11 (4) has the written approval of the principal of the
12 secondary school he or she attends at the time of
13 appointment;

14 (5) has the written approval of his or her parent or
15 legal guardian;

16 (6) has satisfactorily completed the training course
17 for judges of election described in Sections 13-2.1,
18 13-2.2, and 14-4.1; and

19 (7) meets all other qualifications for appointment and
20 service as an election judge.

21 No more than one election judge qualifying under this
22 subsection may serve per political party per precinct. Prior to
23 appointment, a judge qualifying under this subsection must
24 certify in writing to the election authority the political
25 party the judge chooses to affiliate with.

26 Students appointed as election judges under this

1 subsection shall not be counted as absent from school on the
2 day they serve as judges.

3 (c-5) An election authority may establish a program to
4 permit a person who is not entitled to vote in that precinct or
5 county to be appointed as an election judge if, as of the date
6 of the election at which the person serves as a judge, he or
7 she:

8 (1) is a U.S. citizen;

9 (2) is currently enrolled in a community college, as
10 defined in the Public Community College Act, or a public or
11 private Illinois university or college;

12 (3) has a cumulative grade point average equivalent to
13 at least 3.0 on a 4.0 scale;

14 (4) has satisfactorily completed the training course
15 for judges of election described in Sections 13-2.1,
16 13-2.2, and 14-4.1; and

17 (5) meets all other qualifications for appointment and
18 service as an election judge.

19 No more than one election judge qualifying under this
20 subsection may serve per political party per precinct. Prior to
21 appointment, a judge qualifying under this subsection must
22 certify in writing to the election authority the political
23 party the judge chooses to affiliate with.

24 Students appointed as election judges under this
25 subsection shall not be counted as absent from school on the
26 day they serve as judges.

1 (d) The board of election commissioners may select 2
2 additional judges of election, one from each of the major
3 political parties, for each 200 voters in excess of 600 in any
4 precinct having more than 600 voters as authorized by Section
5 11-3. These additional judges must meet the qualifications
6 prescribed in this Section.

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

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.