



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3208

Introduced 2/11/2020, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-2
10 ILCS 5/11-3

from Ch. 46, par. 11-2
from Ch. 46, par. 11-3

Amends the Election Code. Provides that each election precinct shall contain 1,200 voters (currently, 500 voters in counties, 600 voters in a municipality with a board of election commissioners and fewer than 500,000 inhabitants, or 400 voters in a municipality with a board of election commissioners and more than 500,000 inhabitants). Makes corresponding and other changes. In provisions concerning the county board of a county with less than 3,000,000 inhabitants, removes language providing that an election precinct with more than 600 voters may be divided. Provides that a county board may (rather than shall) at specified meetings, redivide, consolidate, or readjust (rather than redivide or readjust) election precincts to meet the 1,200 voters per precinct standard. In provisions concerning a municipality with a board of election commissioners, provides that a city with over 500,000 residents may (rather than shall) rearrange its precincts within 90 days of a presidential election or at any time when the number of votes cast exceeds 1,200 (rather than equals 600) to meet the 1,200 voters per precinct standard. Effective immediately.

LRB101 18006 SMS 67444 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 11-2 and 11-3 as follows:

6 (10 ILCS 5/11-2) (from Ch. 46, par. 11-2)

7 Sec. 11-2. Election precincts; counties with under
8 3,000,000 inhabitants.

9 (a) The County Board in each county, except in counties
10 having a population of 3,000,000 inhabitants or over, shall, at
11 its regular meeting in June, or an adjourned meeting in July
12 next, divide its election precincts in which the number of
13 votes cast in a precinct on election day at the most recent
14 general election held in November was more than 1,200 ~~which~~
15 ~~contain more than 800 voters,~~ into election precincts ~~districts~~
16 so that each precinct ~~district~~ shall contain, as near as may be
17 practicable, 1,200 votes ~~500 voters,~~ and not more in any case
18 ~~than 800. Whenever the County Board ascertains that any~~
19 ~~election precinct contains more than 600 registered voters, it~~
20 ~~may divide such precinct, at its regular meeting in June, into~~
21 ~~election precincts so that each precinct shall contain, as~~
22 ~~nearly as may be practicable, 500 voters.~~ Insofar as is
23 practicable, each precinct shall be situated within a single

1 congressional, legislative and representative district and in
2 not more than one County Board district and one municipal ward.
3 In order to situate each precinct within a single district or
4 ward, the County Board shall change the boundaries of election
5 precincts after each decennial census as soon as is practicable
6 following the completion of congressional and legislative
7 redistricting. In determining whether a division of precincts
8 should be made, the county board may anticipate increased voter
9 registration in any precinct in which there is in progress new
10 construction of dwelling units which will be occupied by voters
11 more than 30 days before the next election. Each district shall
12 be composed of contiguous territory in as compact form as can
13 be for the convenience of the electors voting therein. The
14 several county boards in establishing districts shall describe
15 them by metes and bounds and number them.

16 (b) ~~The And so often thereafter as it shall appear by the~~
17 ~~number of votes cast at the general election held in November~~
18 ~~of any year, that any election district or undivided election~~
19 ~~precinct contains more than 800 voters, the~~ County Board of the
20 county in which a precinct ~~the district~~ or precincts are
21 located ~~precinct may be, may shall~~ at its regular meeting in
22 June, or an adjourned meeting in July next, after such November
23 election, redivide, consolidate, or readjust such precinct
24 ~~election district~~ or precincts ~~election precinct,~~ so that no
25 ~~district or election~~ precinct shall contain more than the
26 number of votes ~~above~~ specified in subsection (a).

1 If for any reason the County Board fails in any year to
2 redivide or readjust the election districts or election
3 precinct, then the districts or precincts as then existing
4 shall continue until the next regular June meeting of the
5 County Board; at which regular June meeting or an adjourned
6 meeting in July the County Board shall redivide or readjust the
7 election districts or election precincts in manner as herein
8 required. When at any meeting of the County Board any
9 redivision, readjustment or change in name or number of
10 election districts or election precincts is made by the County
11 Board, the County Clerk shall immediately notify the State
12 Board of Elections of such redivision, readjustment or change.
13 The County Board in every case shall fix and establish the
14 places for holding elections in its respective county and all
15 elections shall be held at the places so fixed. The polling
16 places shall in all cases be upon the ground floor in the front
17 room, the entrance to which is in a highway or public street
18 which is at least 40 feet wide, and is as near the center of the
19 voting population of the precinct as is practicable, and for
20 the convenience of the greatest number of electors to vote
21 thereat; provided, however, where the County Board is unable to
22 secure a suitable polling place within the boundaries of a
23 precinct, it may select a polling place at the most
24 conveniently located suitable place outside the precinct; but
25 in no case shall an election be held in any room used or
26 occupied as a saloon, dramshop, bowling alley or as a place of

1 resort for idlers and disreputable persons, billiard hall or in
2 any room connected therewith by doors or hallways. No person
3 shall be permitted to vote at any election except at the
4 polling place for the precinct in which he resides, except as
5 otherwise provided in this Section or Article 19 of this Act.

6 In counties having a population of 3,000,000 inhabitants or
7 over the County Board shall divide its election precincts and
8 shall fix and establish places for holding elections as
9 hereinbefore provided during the month of January instead of at
10 its regular meeting in June or at an adjourned meeting in July.

11 However, in the event that additional divisions of election
12 precincts are indicated after a division made by the County
13 Board in the month of January, such additional divisions may be
14 made by the County Board in counties having a population of
15 3,000,000 inhabitants or over, at the regular meeting in June
16 or at adjourned meeting in July. The county board of such
17 county may divide or readjust precincts at any meeting of the
18 county board when the voter registration in a precinct has
19 increased beyond 800 and an election is scheduled before the
20 next regular January or June meeting of the county board.

21 When in any city, village or incorporated town territory
22 has been annexed thereto or disconnected therefrom, which
23 annexation or disconnection becomes effective after election
24 precincts or election districts have been established as above
25 provided in this Section, the clerk of the municipality shall
26 inform the county clerk thereof as provided in Section 4-21,

1 5-28.1, or 6-31.1, whichever is applicable. In the event that a
2 regular meeting of the County Board is to be held after such
3 notification and before any election, the County Board shall,
4 at its next regular meeting establish new election precinct
5 lines in affected territory. In the event that no regular
6 meeting of the County Board is to be held before such election
7 the county clerk shall, within 5 days after being so informed,
8 call a special meeting of the county board on a day fixed by
9 him not more than 20 days thereafter for the purpose of
10 establishing election precincts or election districts in the
11 affected territory for the ensuing elections.

12 At any consolidated primary or consolidated election at
13 which municipal officers are to be elected, and at any
14 emergency referendum at which a public question relating to a
15 municipality is to be voted on, notwithstanding any other
16 provision of this Code, the election authority shall establish
17 a polling place within such municipality, upon the request of
18 the municipal council or board of trustees at least 60 days
19 before the election and provided that the municipality provides
20 a suitable polling place. To accomplish this purpose, the
21 election authority may establish an election precinct
22 constituting a single municipality of under 500 population for
23 all elections, notwithstanding the minimum precinct size
24 otherwise specified herein.

25 Notwithstanding the above, when there are no more than 50
26 registered voters in a precinct who are entitled to vote in a

1 local government or school district election, the election
2 authority having jurisdiction over the precinct is authorized
3 to reassign such voters to one or more polling places in
4 adjacent precincts, within or without the election authority's
5 jurisdiction, for that election. For the purposes of such local
6 government or school district election only, the votes of the
7 reassigned voters shall be tallied and canvassed as votes from
8 the precinct of the polling place to which such voters have
9 been reassigned. The election authority having jurisdiction
10 over the precinct shall approve all administrative and polling
11 place procedures. Such procedures shall take into account voter
12 convenience, and ensure that the integrity of the election
13 process is maintained and that the secrecy of the ballot is not
14 violated.

15 Except in the event of a fire, flood or total loss of heat
16 in a place fixed or established by any county board or election
17 authority pursuant to this Section as a polling place for an
18 election, no election authority shall change the location of a
19 polling place so established for any precinct after notice of
20 the place of holding the election for that precinct has been
21 given as required under Article 12 unless the election
22 authority notifies all registered voters in the precinct of the
23 change in location by first class mail in sufficient time for
24 such notice to be received by the registered voters in the
25 precinct at least one day prior to the date of the election.

26 The provisions of this Section apply to all precincts,

1 including those where voting machines or electronic voting
2 systems are used.

3 (Source: P.A. 86-867.)

4 (10 ILCS 5/11-3) (from Ch. 46, par. 11-3)

5 Sec. 11-3. It shall be the duty of the Board of
6 Commissioners established by Article 6 of this Act, within 2
7 months after its first organization, to divide the city,
8 village or incorporated town which may adopt or is operating
9 under Article 6, into election precincts, each of which shall
10 be situated within a single congressional, legislative and
11 representative district insofar as is practicable and in not
12 more than one County Board district and one municipal ward; in
13 order to situate each precinct within a single district or
14 ward, the Board of Election Commissioners shall change the
15 boundaries of election precincts after each decennial census as
16 soon as is practicable following the completion of
17 congressional and legislative redistricting and such precincts
18 shall contain no more than 1,200 actual ~~as nearly as~~
19 ~~practicable 600~~ qualified voters, and in making such division
20 and establishing such precincts such board shall take as a
21 basis the poll books, or the number of actual votes cast at the
22 previous presidential election. Within 90 days after each
23 presidential election, such board in a city with fewer than
24 500,000 inhabitants, village or incorporated town shall revise
25 and rearrange such precincts on the basis of the votes cast at

1 such election, making such precincts to contain no more than
2 1,200 ~~, as near as practicable, 600~~ actual voters; but at any
3 time in all instances where the vote cast at any precinct, at
4 any election, exceeds 1,200 ~~equals 800~~, there must be a
5 rearrangement so as to reduce the vote to the standard of 1,200
6 ~~600~~ as near as may be. However, any apartment building in which
7 more than 1,200 actual ~~800 registered~~ voters reside may be made
8 a single precinct even though the vote in such precinct exceeds
9 1,200 ~~800~~. Within 90 days after each presidential election, a
10 board in a city with more than 500,000 inhabitants may ~~shall~~
11 revise and rearrange such precincts on the basis of the votes
12 cast at such election, making such precincts to contain no more
13 than 1,200 ~~, as near as practicable, 400~~ actual voters; but at
14 any time in all instances where the vote cast at any precinct,
15 at any election, exceeds 1,200 ~~equals 600~~, there may ~~must~~ be a
16 rearrangement so as to reduce the vote to the standard of 1,200
17 ~~400~~ as near as may be. However, any apartment building in which
18 more than 1,200 actual ~~600 registered~~ voters reside may be made
19 a single precinct even though the vote in such precinct exceeds
20 1,200 ~~600~~.

21 Immediately after the annexation of territory to the city,
22 village or incorporated town becomes effective the Board of
23 Election Commissioners shall revise and rearrange election
24 precincts therein to include such annexed territory.

25 Provided, however, that at any election where but one
26 candidate is nominated and is to be voted upon at any election

1 held in any political subdivision of a city, village or
2 incorporated town, the Board of Election Commissioners shall
3 have the power in such political subdivision to determine the
4 number of voting precincts to be established in such political
5 subdivision at such election, without reference to the number
6 of qualified voters therein. The precincts in each ward,
7 village or incorporated town shall be numbered from one
8 upwards, consecutively, with no omission.

9 The provisions of this Section apply to all precincts,
10 including those where voting machines or electronic voting
11 systems are used.

12 (Source: P.A. 84-1308.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.