



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2460

Introduced 2/19/2021, by Rep. Deanne M. Mazzochi

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2

from Ch. 46, par. 19-2

10 ILCS 5/19-4

from Ch. 46, par. 19-4

Amends the Election Code. Provides that an elector may apply for a vote by mail ballot electronically or by mail no less than 60 days before an election (rather than 5 days). Provides that an elector may apply for a vote by mail ballot in person no less than 60 days before an election (rather than one day). Makes conforming changes.

LRB102 10986 SMS 16318 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 19-2 and 19-4 as follows:

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

7 Sec. 19-2. Any elector as defined in Section 19-1 may by
8 mail or electronically on the website of the appropriate
9 election authority, not more than 90 nor less than 60 ~~5~~ days
10 prior to the date of such election, or by personal delivery not
11 more than 90 nor less than 60 days ~~one day~~ prior to the date of
12 such election, make application to the county clerk or to the
13 Board of Election Commissioners for an official ballot for the
14 voter's precinct to be voted at such election. The URL address
15 at which voters may electronically request a vote by mail
16 ballot shall be fixed no later than 90 calendar days before an
17 election and shall not be changed until after the election.
18 Such a ballot shall be delivered to the elector only upon
19 separate application by the elector for each election.

20 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13;
21 98-691, eff. 7-1-14; 98-1171, eff. 6-1-15.)

22 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

1 Sec. 19-4. Mailing or delivery of ballots; time.
2 Immediately upon the receipt of such application either by
3 mail or electronic means, not more than 90 days nor less than
4 60 ~~5~~ days prior to such election, or by personal delivery not
5 more than 90 days nor less than 60 days ~~one day~~ prior to such
6 election, at the office of such election authority, it shall
7 be the duty of such election authority to examine the records
8 to ascertain whether or not such applicant is lawfully
9 entitled to vote as requested, including a verification of the
10 applicant's signature by comparison with the signature on the
11 official registration record card, and if found so to be
12 entitled to vote, to post within one business day thereafter
13 the name, street address, ward and precinct number or township
14 and district number, as the case may be, of such applicant
15 given on a list, the pages of which are to be numbered
16 consecutively to be kept by such election authority for such
17 purpose in a conspicuous, open and public place accessible to
18 the public at the entrance of the office of such election
19 authority, and in such a manner that such list may be viewed
20 without necessity of requesting permission therefor. Within
21 one day after posting the name and other information of an
22 applicant for a vote by mail ballot, the election authority
23 shall transmit by electronic means pursuant to a process
24 established by the State Board of Elections that name and
25 other posted information to the State Board of Elections,
26 which shall maintain those names and other information in an

1 electronic format on its website, arranged by county and
2 accessible to State and local political committees. Within 2
3 business days after posting a name and other information on
4 the list within its office, but no sooner than 40 days before
5 an election, the election authority shall mail, postage
6 prepaid, or deliver in person in such office an official
7 ballot or ballots if more than one are to be voted at said
8 election. Mail delivery of Temporarily Absent Student ballot
9 applications pursuant to Section 19-12.3 shall be by
10 nonforwardable mail. However, for the consolidated election,
11 vote by mail ballots for certain precincts may be delivered to
12 applicants not less than 25 days before the election if so much
13 time is required to have prepared and printed the ballots
14 containing the names of persons nominated for offices at the
15 consolidated primary. The election authority shall enclose
16 with each vote by mail ballot or application written
17 instructions on how voting assistance shall be provided
18 pursuant to Section 17-14 and a document, written and approved
19 by the State Board of Elections, informing the vote by mail
20 voter of the required postage for returning the application
21 and ballot, and enumerating the circumstances under which a
22 person is authorized to vote by vote by mail ballot pursuant to
23 this Article; such document shall also include a statement
24 informing the applicant that if he or she falsifies or is
25 solicited by another to falsify his or her eligibility to cast
26 a vote by mail ballot, such applicant or other is subject to

1 penalties pursuant to Section 29-10 and Section 29-20 of the
2 Election Code. Each election authority shall maintain a list
3 of the name, street address, ward and precinct, or township
4 and district number, as the case may be, of all applicants who
5 have returned vote by mail ballots to such authority, and the
6 name of such vote by mail voter shall be added to such list
7 within one business day from receipt of such ballot. If the
8 vote by mail ballot envelope indicates that the voter was
9 assisted in casting the ballot, the name of the person so
10 assisting shall be included on the list. The list, the pages of
11 which are to be numbered consecutively, shall be kept by each
12 election authority in a conspicuous, open, and public place
13 accessible to the public at the entrance of the office of the
14 election authority and in a manner that the list may be viewed
15 without necessity of requesting permission for viewing.

16 Each election authority shall maintain a list for each
17 election of the voters to whom it has issued vote by mail
18 ballots. The list shall be maintained for each precinct within
19 the jurisdiction of the election authority. Prior to the
20 opening of the polls on election day, the election authority
21 shall deliver to the judges of election in each precinct the
22 list of registered voters in that precinct to whom vote by mail
23 ballots have been issued by mail.

24 Each election authority shall maintain a list for each
25 election of voters to whom it has issued temporarily absent
26 student ballots. The list shall be maintained for each

1 election jurisdiction within which such voters temporarily
2 abide. Immediately after the close of the period during which
3 application may be made by mail or electronic means for vote by
4 mail ballots, each election authority shall mail to each other
5 election authority within the State a certified list of all
6 such voters temporarily abiding within the jurisdiction of the
7 other election authority.

8 In the event that the return address of an application for
9 ballot by a physically incapacitated elector is that of a
10 facility licensed or certified under the Nursing Home Care
11 Act, the Specialized Mental Health Rehabilitation Act of 2013,
12 the ID/DD Community Care Act, or the MC/DD Act, within the
13 jurisdiction of the election authority, and the applicant is a
14 registered voter in the precinct in which such facility is
15 located, the ballots shall be prepared and transmitted to a
16 responsible judge of election no later than 9 a.m. on the
17 Friday, Saturday, Sunday, or Monday immediately preceding the
18 election as designated by the election authority under Section
19 19-12.2. Such judge shall deliver in person on the designated
20 day the ballot to the applicant on the premises of the facility
21 from which application was made. The election authority shall
22 by mail notify the applicant in such facility that the ballot
23 will be delivered by a judge of election on the designated day.

24 All applications for vote by mail ballots shall be
25 available at the office of the election authority for public
26 inspection upon request from the time of receipt thereof by

1 the election authority until 30 days after the election,
2 except during the time such applications are kept in the
3 office of the election authority pursuant to Section 19-7, and
4 except during the time such applications are in the possession
5 of the judges of election.

6 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 7-29-13;
7 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
8 7-29-15; 99-522, eff. 6-30-16.)