



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4536

Introduced 1/21/2022, by Rep. David A. Welter

SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. In provisions requiring election authorities to automatically register a voter, requires the election authority to act within 90 days of receipt of information from the National Change of Address database. Requires county clerks and the Board of Election Commissioners to complete verifications of voter registrations after a consolidated election in an odd-numbered year but before the first day of candidate circulation for candidate filing for the following primary election in an even-numbered year (rather than at least once in every 2 years). Requires the county clerks and the Board of Election Commissioners to certify to the State Board of Elections that the verification has been conducted and completed within 30 days of completion of the verification. Requires the State Board of Elections to establish training materials and guidelines for judges of elections. Requires an election authority with a public-facing website to ensure that its vote by mail processing procedures are published on that website according to a specified schedule. Provides that vote by mail ballots received after the election are subject to audit by the State Board of Elections and provides the auditing guidelines. Provides that the State central committee chair of each established political party shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure. Provides that if tally sheets to be delivered to the office of county clerk by judges of elections are delayed more than 5 hours after the closing of the polls, the designated judges from each of the 2 major political parties shall subscribe to a written affidavit explaining the delay. Requires the county clerk to keep any affidavits for one year and allows certified copies to be used as evidence in all courts, proceedings, and election contests. Requires the affidavits to also appear on an election authority's post on its website along with the number of uncounted votes.

LRB102 23038 HLH 32193 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 1-9.2, 1A-8, 1A-16.8, 4-30, 5-25, 6-59, 13-2.1,
6 13-2.2, 14-4.1, and 17-22 and by adding Sections 19-2.6 and
7 19-8.5 as follows:

8 (10 ILCS 5/1-9.2)

9 Sec. 1-9.2. Uncounted ballot information on website. No
10 later than 48 hours after the closing of polling locations on
11 election day, each election authority maintaining a website
12 shall post the number of ballots that remain uncounted. The
13 posting shall separate the number of ballots yet to be counted
14 into the following categories: ballots cast on election day,
15 early voting ballots, provisional ballots, vote by mail
16 ballots received by the election authority but not counted,
17 and vote by mail ballots sent by the election authority but
18 have not been returned to the election authority. The posting
19 shall also include any election judge affidavits provided for
20 in Section 17-22. This information shall be updated on the
21 website of the election authority each day until the period
22 for counting provisional and vote by mail ballots has ended.
23 All election authorities, regardless of whether they maintain

1 a website, shall share the same information, separated in the
2 same manner, with the State Board of Elections no later than 48
3 hours after the closing of polling locations on election day
4 and each business day thereafter until the period for counting
5 provisional and vote by mail ballots has ended.

6 (Source: P.A. 98-1171, eff. 6-1-15.)

7 (10 ILCS 5/1A-8) (from Ch. 46, par. 1A-8)

8 Sec. 1A-8. The State Board of Elections shall exercise the
9 following powers and perform the following duties in addition
10 to any powers or duties otherwise provided for by law:

11 (1) Assume all duties and responsibilities of the
12 State Electoral Board and the Secretary of State as
13 heretofore provided in this Code;

14 (2) Disseminate information to and consult with
15 election authorities concerning the conduct of elections
16 and registration in accordance with the laws of this State
17 and the laws of the United States;

18 (3) Furnish to each election authority prior to each
19 primary and general election and any other election it
20 deems necessary, a manual of uniform instructions
21 consistent with the provisions of this Code which shall be
22 used by election authorities in the preparation of the
23 official manual of instruction to be used by the judges of
24 election in any such election. In preparing such manual,
25 the State Board shall consult with representatives of the

1 election authorities throughout the State. The State Board
2 may provide separate portions of the uniform instructions
3 applicable to different election jurisdictions which
4 administer elections under different options provided by
5 law. The State Board may by regulation require particular
6 portions of the uniform instructions to be included in any
7 official manual of instructions published by election
8 authorities. Any manual of instructions published by any
9 election authority shall be identical with the manual of
10 uniform instructions issued by the Board, but may be
11 adapted by the election authority to accommodate special
12 or unusual local election problems, provided that all
13 manuals published by election authorities must be
14 consistent with the provisions of this Code in all
15 respects and must receive the approval of the State Board
16 of Elections prior to publication; provided further that
17 if the State Board does not approve or disapprove of a
18 proposed manual within 60 days of its submission, the
19 manual shall be deemed approved.

20 (4) Prescribe and require the use of such uniform
21 forms, notices, and other supplies not inconsistent with
22 the provisions of this Code as it shall deem advisable
23 which shall be used by election authorities in the conduct
24 of elections and registrations;

25 (5) Prepare and certify the form of ballot for any
26 proposed amendment to the Constitution of the State of

1 Illinois, or any referendum to be submitted to the
2 electors throughout the State or, when required to do so
3 by law, to the voters of any area or unit of local
4 government of the State;

5 (6) Require such statistical reports regarding the
6 conduct of elections and registration from election
7 authorities as may be deemed necessary;

8 (7) Review and inspect procedures and records relating
9 to conduct of elections and registration as may be deemed
10 necessary, and to report violations of election laws to
11 the appropriate State's Attorney or the Attorney General;

12 (8) Recommend to the General Assembly legislation to
13 improve the administration of elections and registration;

14 (9) Adopt, amend or rescind rules and regulations in
15 the performance of its duties provided that all such rules
16 and regulations must be consistent with the provisions of
17 this Article 1A or issued pursuant to authority otherwise
18 provided by law;

19 (10) Determine the validity and sufficiency of
20 petitions filed under Article XIV, Section 3, of the
21 Constitution of the State of Illinois of 1970;

22 (11) Maintain in its principal office a research
23 library that includes, but is not limited to, abstracts of
24 votes by precinct for general primary elections and
25 general elections, current precinct maps and current
26 precinct poll lists from all election jurisdictions within

1 the State. The research library shall be open to the
2 public during regular business hours. Such abstracts, maps
3 and lists shall be preserved as permanent records and
4 shall be available for examination and copying at a
5 reasonable cost;

6 (12) Supervise the administration of the registration
7 and election laws throughout the State;

8 (13) Obtain from the Department of Central Management
9 Services, under Section 405-250 of the Department of
10 Central Management Services Law (20 ILCS 405/405-250),
11 such use of electronic data processing equipment as may be
12 required to perform the duties of the State Board of
13 Elections and to provide election-related information to
14 candidates, public and party officials, interested civic
15 organizations and the general public in a timely and
16 efficient manner;

17 (14) To take such action as may be necessary or
18 required to give effect to directions of the national
19 committee or State central committee of an established
20 political party under Sections 7-8, 7-11, and 7-14.1 or
21 such other provisions as may be applicable pertaining to
22 the selection of delegates and alternate delegates to an
23 established political party's national nominating
24 conventions or, notwithstanding any candidate
25 certification schedule contained within this Code, the
26 certification of the Presidential and Vice Presidential

1 candidate selected by the established political party's
2 national nominating convention;

3 (15) To post all early voting sites separated by
4 election authority and hours of operation on its website
5 at least 5 business days before the period for early
6 voting begins;

7 (16) To post on its website the statewide totals, and
8 totals separated by each election authority, for each of
9 the counts received pursuant to Section 1-9.2; ~~and~~

10 (17) To post on its website, in a downloadable format,
11 the information received from each election authority
12 under Section 1-17; and -

13 (18) To establish training materials and guidelines
14 for judges of elections.

15 The Board may by regulation delegate any of its duties or
16 functions under this Article, except that final determinations
17 and orders under this Article shall be issued only by the
18 Board.

19 The requirement for reporting to the General Assembly
20 shall be satisfied by filing copies of the report as required
21 by Section 3.1 of the General Assembly Organization Act, and
22 filing such additional copies with the State Government Report
23 Distribution Center for the General Assembly as is required
24 under paragraph (t) of Section 7 of the State Library Act.

25 (Source: P.A. 100-623, eff. 7-20-18; 100-863, eff. 8-14-18;
26 100-1148, eff. 12-10-18.)

1 (10 ILCS 5/1A-16.8)

2 Sec. 1A-16.8. Automatic transfer of registration based
3 upon information from the National Change of Address database
4 and designated automatic voter registration agencies.

5 (a) The State Board of Elections shall cross-reference the
6 statewide voter registration database against the United
7 States Postal Service's National Change of Address database
8 twice each calendar year, April 15 and October 1 in
9 odd-numbered years and April 15 and December 1 in
10 even-numbered years or with the same frequency as in
11 subsection (b) of this Section, and shall share the findings
12 with the election authorities.

13 (b) In addition, beginning no later than September 1,
14 2017, the State Board of Elections shall utilize data provided
15 as part of its membership in the Electronic Registration
16 Information Center in order to cross-reference the statewide
17 voter registration database against databases of relevant
18 personal information kept by designated automatic voter
19 registration agencies, including, but not limited to, driver's
20 license information kept by the Secretary of State, at least 6
21 times each calendar year and shall share the findings with
22 election authorities.

23 This subsection (b) shall no longer apply once Sections
24 1A-16.1 and 1A-16.2 of this Code are fully implemented as
25 determined by the State Board of Elections. Upon a

1 determination by the State Board of Elections of full
2 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,
3 the State Board of Elections shall file notice of full
4 implementation and the inapplicability of this subsection (b)
5 with the Index Department of the Office of the Secretary of
6 State, the Governor, the General Assembly, and the Legislative
7 Reference Bureau.

8 (b-5) The State Board of Elections shall not be required
9 to share any data on any voter attained using the National
10 Change of Address database under subsection (a) of this
11 Section if that voter has a more recent government transaction
12 indicated using the cross-reference under subsection (b) of
13 this Section. If there is contradictory or unclear data
14 between data obtained under subsections (a) and (b) of this
15 Section, then data obtained under subsection (b) of this
16 Section shall take priority.

17 (c) Within 90 days of receipt of information from the
18 National Change of Address database, an ~~An~~ election authority
19 shall automatically register any voter who has moved into its
20 jurisdiction from another jurisdiction in Illinois or has
21 moved within its jurisdiction provided that:

22 (1) the election authority whose jurisdiction includes
23 the new registration address provides the voter an
24 opportunity to reject the change in registration address
25 through a mailing, sent by non-forwardable mail, to the
26 new registration address, and

1 (2) when the election authority whose jurisdiction
2 includes the previous registration address is a different
3 election authority, then that election authority provides
4 the same opportunity through a mailing, sent by
5 forwardable mail, to the previous registration address.

6 This change in registration shall trigger the same
7 inter-jurisdictional or intra-jurisdictional workflows as if
8 the voter completed a new registration card, including the
9 cancellation of the voter's previous registration. Should the
10 registration of a voter be changed from one address to another
11 within the State and should the voter appear at the polls and
12 offer to vote from the prior registration address, attesting
13 that the prior registration address is the true current
14 address, the voter, if confirmed by the election authority as
15 having been registered at the prior registration address and
16 canceled only by the process authorized by this Section, shall
17 be issued a regular ballot, and the change of registration
18 address shall be canceled. If the election authority is unable
19 to immediately confirm the registration, the voter shall be
20 permitted to register and vote a regular ballot, provided that
21 he or she meets the documentary requirements for same-day
22 registration. If the election authority is unable to confirm
23 the registration and the voter does not meet the requirements
24 for same-day registration, the voter shall be issued a
25 provisional ballot.

26 (d) No voter shall be disqualified from voting due to an

1 error relating to an update of registration under this
2 Section.

3 (Source: P.A. 99-522, eff. 6-30-16; 100-464, eff. 8-28-17.)

4 (10 ILCS 5/4-30) (from Ch. 46, par. 4-30)

5 Sec. 4-30. The county clerk on his own initiative or upon
6 order of the county board shall at all times have authority to
7 conduct investigation and to make canvasses of the registered
8 voters in any precinct canvass or at other times and by other
9 methods than those so prescribed. However, the county clerk
10 shall ~~at least once in every 2 years~~ conduct a verification of
11 voter registrations and shall cause the cancellation of
12 registration of persons who have ceased to be qualified
13 voters. The verification shall be conducted and completed
14 after a consolidated election in an odd-numbered year but
15 before the first day of candidate circulation for candidate
16 filing for the following primary election in an even-numbered
17 year. Such verification shall be accomplished by one of the
18 following methods: (1) precinct canvass conducted by 2
19 qualified persons of opposite party affiliation appointed by
20 the county clerk or (2) written request for verification sent
21 to each registered voter by first class mail, not forwardable
22 or (3) an alternative method of verification submitted in
23 writing to and approved by the State Board of Elections at a
24 public meeting not less than 60 days prior to the date on which
25 the county clerk has fixed for implementation of that method

1 of verification; provided, that the county clerk shall certify
2 ~~submit~~ to the State Board of Elections that the verification
3 has been conducted and completed and include a written
4 statement of the results obtained by use of such alternative
5 method within 30 days of completion of the verification.
6 Provided that in each precinct one canvasser may be appointed
7 from outside such precinct if not enough other qualified
8 persons who reside within the precinct can be found to serve as
9 canvasser in such precinct. The one canvasser so appointed to
10 serve in any precinct in which he is not entitled to vote prior
11 to the election must be entitled to vote elsewhere within the
12 ward, township or road district which includes within its
13 boundaries the precinct in which such canvasser is appointed
14 and such canvasser must be otherwise qualified. If upon the
15 basis of investigation or canvasses, the county clerk shall be
16 of the opinion that any person registered under this Article
17 is not a qualified voter or has ceased to be a qualified voter,
18 he shall send a notice through the United States mail to such
19 person, requiring him to appear before the county clerk for a
20 hearing within ten days after the date of mailing such notice
21 and show cause why his registration shall not be cancelled. If
22 such person fails to appear within such time as provided, his
23 registration shall be cancelled. If such a person does appear,
24 he shall make an affidavit similar in every respect to the
25 affidavit required of applicants under Section 4-13 and his
26 registration shall be reinstated.

1 If the county clerk cancels such registration upon the
2 voter failing to appear, the county clerk shall immediately
3 request of the clerk of the city, village or incorporated town
4 in which the person claimed residence, to return the
5 triplicate card of registration of the said person and within
6 twenty-four hours after receipt of said request, the said
7 clerk shall mail or cause to be delivered to the county clerk
8 the triplicate card of registration of the said person and the
9 said triplicate card shall thereupon be cancelled by the
10 county clerk.

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

12 (10 ILCS 5/5-25) (from Ch. 46, par. 5-25)

13 Sec. 5-25. The county clerk on his own initiative or upon
14 order of the board of county commissioners shall at all times
15 have authority to conduct investigation and to make canvasses
16 of the registered voters in any precinct canvass or at other
17 times and by other methods than those so prescribed. However,
18 the county clerk shall conduct a verification of voter
19 registrations ~~at least once in every 2 years,~~ and shall cause
20 the cancellation of registration of persons who have ceased to
21 be qualified voters. The verification shall be conducted and
22 completed after a consolidated election in an odd-numbered
23 year but before the first day of candidate circulation for
24 candidate filing for the following primary election in an
25 even-numbered year. Such verification shall be accomplished by

1 one of the following methods: (1) precinct canvass conducted
2 by 2 qualified persons of opposite party affiliation appointed
3 by the county clerk or (2) written request for verification
4 sent to each registered voter by first class mail, not
5 forwardable or (3) an alternative method of verification
6 submitted in writing to and approved by the State Board of
7 Elections at a public meeting not less than 60 days prior to
8 the date which the county clerk has fixed for implementation
9 of that method of verification; provided, that the county
10 clerk shall certify ~~submit~~ to the State Board of Elections
11 that the verification has been conducted and completed and
12 include a written statement of the results obtained by use of
13 such alternative method within 30 days of completion of the
14 verification. In each precinct one canvasser may be appointed
15 from outside such precinct if not enough other qualified
16 persons who reside within the precinct can be found to serve as
17 canvasser in such precinct. The one canvasser so appointed to
18 serve in any precinct in which he is not entitled to vote prior
19 to the election must be entitled to vote elsewhere within the
20 ward or township which includes within its boundaries the
21 precinct in which such canvasser is appointed and such
22 canvasser must be otherwise qualified. If upon the basis of
23 investigation or canvasses, the county clerk shall be of the
24 opinion that any person registered under this Article 5 is not
25 a qualified voter or has ceased to be a qualified voter, he
26 shall send a notice through the United States mail to such

1 person, requiring him to appear before the county clerk for a
2 hearing within ten days after the date of mailing such notice
3 and show cause why his registration shall not be cancelled. If
4 such person fails to appear within such time as provided, his
5 registration shall be cancelled. If such a person does appear,
6 he shall make an affidavit similar in every respect to the
7 affidavit required of applicants under Section 5-16 of this
8 Article 5.

9 (Source: P.A. 81-1535.)

10 (10 ILCS 5/6-59) (from Ch. 46, par. 6-59)

11 Sec. 6-59. The Board of Election Commissioners on its own
12 initiative, or upon order of the circuit court, shall at all
13 times have authority to conduct investigations and to make
14 canvasses of the registered voters in any precinct or
15 precincts within its jurisdiction either by the methods
16 provided in this Article or at other times and by other methods
17 than those prescribed herein. However, the Board of Election
18 Commissioners shall, ~~at least once in every 2 years,~~ conduct a
19 verification of voter registrations and shall cause the
20 cancellation of registration of persons who have ceased to be
21 qualified voters. The verification shall be conducted and
22 completed after a consolidated election in an odd-numbered
23 year but before the first day of candidate circulation for
24 candidate filing for the following primary election in an
25 even-numbered year. Such verification shall be accomplished by

1 one of the following methods: (1) precinct canvass conducted
2 by 2 qualified persons of opposite party affiliation appointed
3 by the Board of Election Commissioners or (2) written request
4 sent to each registered voter by first class mail, not
5 forwardable or (3) an alternative method of verification
6 submitted in writing to and approved by The State Board of
7 Elections at a public meeting not less than 60 days prior to
8 the date on which the Board of Election Commissioners has
9 fixed for implementation of that method of verification;
10 provided, said Board shall certify ~~submit~~ to the State Board
11 of Elections that the verification has been conducted and
12 completed and include a written statement of the results
13 obtained by use of such alternative method within 30 days of
14 the completion of the verification. If, upon the basis of
15 investigations or canvasses, the board shall be of the opinion
16 that any person registered under this Article is not a
17 qualified voter or has ceased to be a qualified voter, it shall
18 send a notice through the United States mail to such person,
19 requiring him to appear before such board at a time specified
20 in such notice, not less than 10 nor more than 30 days after
21 the mailing of such notice and show cause why his registration
22 should not be cancelled. If such a person does not appear, his
23 registration shall be cancelled. If such a person does appear
24 he shall make an affidavit and shall be heard in the manner
25 provided by Section 6-45 of this Article, and if his
26 registration is cancelled as a result of such a hearing, he

1 shall be entitled to a hearing in the circuit court and to an
2 appeal to the Supreme Court in the manner provided by Section
3 6-52 of this Article.

4 Whenever the Board of Election Commissioners acting under
5 authority of this section conducts a canvass of the registered
6 voters in any precinct or precincts and the board designates
7 canvassers to conduct the canvass, the board shall appoint as
8 canvassers persons affiliated with the leading political
9 parties in like manner as judges of election are appointed
10 under the provisions of Section 14-4 of this Act; provided
11 that in each precinct in counties of 500,000 inhabitants or
12 more, one canvasser may be appointed from outside such
13 precinct if not enough other qualified persons who reside
14 within the precinct can be found to serve as canvasser in such
15 precinct. The one canvasser so appointed to serve in any
16 precinct in which he is not entitled to vote prior to the
17 election must be entitled to vote elsewhere within the ward or
18 township which includes within its boundaries the precinct in
19 which such canvasser is appointed and such canvasser must be
20 otherwise qualified.

21 The canvassers, so appointed by virtue of this section,
22 shall comply with the provisions of Sections 6-40 and 6-41
23 relative to the mailing and leaving of notices at the
24 addresses of persons whose right to vote in the precinct or
25 precincts is questioned.

26 (Source: P.A. 81-1433.)

1 (10 ILCS 5/13-2.1) (from Ch. 46, par. 13-2.1)

2 Sec. 13-2.1. In each county the County Clerk shall
3 establish a training course for judges of elections not
4 subject to Article 14 of this Act. The curriculum of such
5 course shall incorporate training materials and guidelines
6 provided by the State Board of Elections and be approved by the
7 County Clerk. A suitable certificate shall be issued by the
8 County Clerk to each student upon his satisfactory completion
9 of the course.

10 Such course may be established jointly with a course in
11 the county established as provided in Section 14-4.1 of this
12 Act.

13 (Source: Laws 1961, p. 3399.)

14 (10 ILCS 5/13-2.2) (from Ch. 46, par. 13-2.2)

15 Sec. 13-2.2. Such course shall be devised so as to
16 instruct its students in the duties of an election judge and
17 shall include, at a minimum, the duties concerning voter
18 verification, campaign-free zones, electioneering, vote by
19 mail processing, provisional voting, and ballot handling and
20 processing. The course ~~and~~ shall consist of at least 4 hours of
21 instruction and an examination which tests reading skills,
22 ability to work with poll lists, ability to add and knowledge
23 of election laws governing the operation of polling places.

24 Such course shall be conducted at least once after the day

1 the report of the selection of election judges is filed in the
2 circuit court, but before the day fixed by the court for
3 confirmation of such selection, and once as soon as
4 practicable after the day fixed by the court for such
5 confirmation. Every person reported as selected to be an
6 election judge shall be notified in good time of the place and
7 time each such course is to be conducted. All such persons may
8 attend such course and, upon satisfactory completion thereof,
9 shall be entitled to a certificate of such completion.

10 Not later than March 1, 1981 the election authorities
11 shall also conduct special training courses for election
12 judges concerning the administration of the nonpartisan and
13 consolidated elections. The State shall reimburse each county
14 and each municipality under the jurisdiction of a board of
15 election commissioners (except in municipalities with a
16 population of more than 500,000) for the payment of a \$10
17 stipend to each judge of election for attendance at such
18 special training course.

19 (Source: P.A. 81-1535.)

20 (10 ILCS 5/14-4.1) (from Ch. 46, par. 14-4.1)

21 Sec. 14-4.1. The Board of Election Commissioners shall
22 establish a training course for judges of election. The
23 training course shall incorporate training materials and
24 guidelines provided by the State Board of Elections. The
25 curriculum of such course shall be approved by the Board. A

1 suitable certificate shall be issued by the Board to each
2 student upon his satisfactory completion of the course.

3 Such course may be established jointly with a course in
4 the county established as provided in Section 13-2.1 of this
5 Act.

6 Such course shall be conducted in the manner provided by
7 Section 13-2.2 of this Act.

8 (Source: Laws 1961, p. 3399.)

9 (10 ILCS 5/17-22) (from Ch. 46, par. 17-22)

10 Sec. 17-22. The judges of election shall make the tally
11 sheet and certificate of results in triplicate. If, however,
12 the number of established political parties, as defined in
13 Section 10-2, exceeds 2, one additional copy shall be made for
14 each established political party in excess of 2. One list of
15 voters, or other proper return with such certificate written
16 thereon, and accompanying tally sheet footed up so as to show
17 the correct number of votes cast for each person voted for,
18 shall be carefully enveloped and sealed up by the judges of
19 election, 2 of whom (one from each of the 2 major political
20 parties) shall immediately deliver same to the county clerk,
21 or his deputy, at the office of the county clerk, or to an
22 officially designated receiving station established by the
23 county clerk where a duly authorized representative of the
24 county clerk shall receive said envelopes for immediate
25 transmission to the office of county clerk, who shall safely

1 keep them. If the delivery of these tally sheets to the office
2 of county clerk is delayed more than 5 hours after the closing
3 of the polls, the 2 designated judges (one from each of the 2
4 major political parties) shall subscribe to a written
5 affidavit explaining the delay. This affidavit shall be
6 delivered, along with the tally sheets, to the office of the
7 county clerk, who shall make it available to the general
8 public on its public-facing website. The other certificates of
9 results and accompanying tally sheet shall be carefully
10 enveloped and sealed up and duly directed, respectively, to
11 the chair of the county central committee of each then
12 existing established political party, and by another of the
13 judges of election deposited immediately in the nearest United
14 States letter deposit. However, if any county chair notifies
15 the county clerk not later than 10 days before the election of
16 his desire to receive the envelope addressed to him at the
17 point and at the time same are delivered to the county clerk,
18 his deputy or receiving station designee the envelopes shall
19 be delivered to such county chair or his designee immediately
20 upon receipt thereof by the county clerk, his deputy or his
21 receiving station designee. The person or persons so
22 designated by a county chair shall sign an official receipt
23 acknowledging receipt of said envelopes. The poll book, ~~and~~
24 tally list, and affidavits filed with the county clerk shall
25 be kept one year, and certified copies thereof shall be
26 evidence in all courts, proceedings and election contests.

1 Before the returns are sealed up, as aforesaid, the judges
2 shall compare the tally papers, footings and certificates and
3 see that they are correct and duplicates of each other, and
4 certify to the correctness of the same.

5 At the consolidated election, the judges of election shall
6 make a tally sheet and certificate of results for each
7 political subdivision for which candidates or public questions
8 are on the ballot at such election, and shall sign, seal in a
9 marked envelope and deliver them to the county clerk with the
10 other certificates of results herein required. Such tally
11 sheets and certificates of results may be duplicates of the
12 tally sheet and certificate of results otherwise required by
13 this Section, showing all votes for all candidates and public
14 questions voted for or upon in the precinct, or may be on
15 separate forms prepared by the election authority and showing
16 only those votes cast for candidates and public questions of
17 each such political subdivision.

18 Within 2 days of delivery of complete returns of the
19 consolidated election, the county clerk shall transmit an
20 original, sealed tally sheet and certificate of results from
21 each precinct in his jurisdiction in which candidates or
22 public questions of a political subdivision were on the ballot
23 to the local election official of such political subdivision.
24 Each local election official, within 24 hours of receipt of
25 all of the tally sheets and certificates of results for all
26 precincts in which candidates or public questions of his

1 political subdivision were on the ballot, shall transmit such
2 sealed tally sheets and certificates of results to the
3 canvassing board for that political subdivision.

4 In the case of referenda for the formation of a political
5 subdivision, the tally sheets and certificates of results
6 shall be transmitted by the county clerk to the circuit court
7 that ordered the proposition submitted or to the officials
8 designated by the court to conduct the canvass of votes. In the
9 case of school referenda for which a regional superintendent
10 of schools is responsible for the canvass of votes, the county
11 clerk shall transmit the tally sheets and certificates of
12 results to the regional superintendent of schools.

13 Where voting machines or electronic voting systems are
14 used, the provisions of this section may be modified as
15 required or authorized by Article 24 or Article 24A, whichever
16 is applicable.

17 Only judges appointed under the provisions of subsection
18 (a) of Section 13-4 or subsection (b) of Section 14-1 may make
19 any delivery required by this Section from judges of election
20 to a county clerk, or his or her deputy, at the office of the
21 county clerk or to a county clerk's duly authorized
22 representative at the county clerk's officially designated
23 receiving station.

24 (Source: P.A. 100-1027, eff. 1-1-19; 101-81, eff. 7-12-19.)

25 (10 ILCS 5/19-2.6 new)

1 Sec. 19-2.6. Processing procedures. No less than 120 days
2 before a general election, a general primary election, or a
3 consolidated election, an election authority with a
4 public-facing website shall ensure that its vote by mail
5 processing procedures are published on its public-facing
6 website and accessible to the public.

7 (10 ILCS 5/19-8.5 new)

8 Sec. 19-8.5. Audit of vote by mail ballots arriving after
9 election day. Vote by mail ballots received after the election
10 are subject to audit by the State Board of Elections. The State
11 Board of Elections shall audit 5% of election authorities,
12 verifying that they are complying with the requirements
13 contained in Section 1-9 and this Article for processing vote
14 by mail ballots received after the close of the polls on
15 election day. The State Board of Elections may, by rule,
16 establish audit procedures and the percentage of such ballots
17 to be audited. In determining the required percentage, the
18 State Board of Elections may consider the size of the election
19 authority and the number of vote by mail ballots received by
20 the election authority after the close of polls. The audit
21 shall include, but not be limited to, the election authority's
22 handling and processing procedures for vote by mail
23 applications, vote by mail certification envelopes, and
24 exterior vote by mail return envelopes for ballots returned
25 after the close of the polls on election day. The State Board

1 of Elections shall design a standard and scientific random
2 method of selecting the election authorities that are to be
3 audited so that every voting authority has an equal
4 mathematical chance of being selected. The State central
5 committee chair of each established political party shall be
6 given prior written notice of the time and place of the random
7 selection procedure and may be represented at the procedure.

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2	Statutes amended in order of appearance	
3	10 ILCS 5/1-9.2	
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6	10 ILCS 5/4-30	from Ch. 46, par. 4-30
7	10 ILCS 5/5-25	from Ch. 46, par. 5-25
8	10 ILCS 5/6-59	from Ch. 46, par. 6-59
9	10 ILCS 5/13-2.1	from Ch. 46, par. 13-2.1
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11	10 ILCS 5/14-4.1	from Ch. 46, par. 14-4.1
12	10 ILCS 5/17-22	from Ch. 46, par. 17-22
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