



Sen. Julie A. Morrison

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10200SB0829sam001

LRB102 04627 AWJ 36805 a

1 AMENDMENT TO SENATE BILL 829

2 AMENDMENT NO. _____. Amend Senate Bill 829 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 19-3, 19-4, 19-5, 24A-10, 24A-10.1, 24A-14, 24B-10,
6 24B-10.1, and 24B-14 and by adding Section 19-2.6 as follows:

7 (10 ILCS 5/19-2.6 new)

8 Sec. 19-2.6. Vote by mail; voters with a print disability.

9 (a) Definitions. As used in this Section, unless the
10 context otherwise requires:

11 "Assistive technology" means any equipment, software, or
12 product used to increase, maintain, or improve the functional
13 capabilities of individuals with disabilities, including, but
14 not limited to, screen reading and magnification software,
15 refreshable Braille displays, and speech recognition programs.

16 "Certified remote accessible vote by mail system" means a

1 process approved by the State Board of Elections through which
2 an election authority provides for the electronic transmission
3 of a vote by mail ballot to a voter with a print disability and
4 through which the voter with a print disability marks and
5 verifies the voter's ballot using assistive technology.

6 "Electronic transmission" means the transfer of data or
7 information through an authorized electronic data interchange
8 system.

9 "Voter with a print disability" means a person having a
10 temporary or permanent physical or mental impairment, such as
11 blindness, low vision, physical dexterity limitations, or
12 learning or cognitive disabilities, that prevents the person
13 from effective reading, writing, or use of printed material.

14 (b) The State Board of Elections shall provide a certified
15 remote accessible vote by mail system for the General Election
16 of November 8, 2022 and all subsequent elections, through
17 which a vote by mail ballot can be delivered by electronic
18 transmission to voters with print disabilities and through
19 which voters with print disabilities are able to mark and
20 verify their ballots using assistive technology.

21 (c) Election authorities shall permit voters with a print
22 disability to receive and mark their vote by mail ballots (i)
23 through the certified remote accessible vote by mail system
24 provided by the State Board of Elections pursuant to
25 subsection (b) of this Section or (ii) through a certified
26 remote accessible vote by mail system provided by the election

1 authority.

2 (d) If a vote by mail ballot application from a voter with
3 a print disability arrives after the jurisdiction begins
4 transmitting vote by mail ballots and instructions to voters,
5 the election authority shall electronically transmit the
6 ballot, instructions, and balloting materials to the voter
7 within two business days after receipt of the application.

8 (e) Ballots received and marked pursuant to this Section
9 must be printed by the voter and returned to the election
10 authority as provided in Section 19-6.

11 (f) The State Board of Elections shall adopt rules,
12 including emergency rules, necessary for the implementation of
13 this Section. The State Board of Elections' adopted rules
14 shall include certification standards for a remote accessible
15 vote by mail system and a method subject to the provisions in
16 Sections 19-2 and 19-3 of this Article by which a voter with a
17 print disability may request to use a certified remote
18 accessible vote by mail system and apply for an accessible
19 vote by mail ballot.

20 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

21 Sec. 19-3. Application for a vote by mail ballot.

22 (a) The application for a vote by mail ballot for a single
23 election shall be substantially in the following form:

24 APPLICATION FOR VOTE BY MAIL BALLOT

25 To be voted at the election in the County of and

1 State of Illinois, in the precinct of the (1) *township of
2 (2) *City of or (3) *.... ward in the City of

3 I state that I am a resident of the precinct of the
4 (1) *township of (2) *City of or (3) *.... ward in
5 the city of residing at in such city or town in the
6 county of and State of Illinois; that I have lived at such
7 address for month(s) last past; that I am lawfully
8 entitled to vote in such precinct at the election to be
9 held therein on; and that I wish to vote by vote by mail
10 ballot.

11 I hereby make application for an official ballot or
12 ballots to be voted by me at such election, and I agree that I
13 shall return such ballot or ballots to the official issuing
14 the same prior to the closing of the polls on the date of the
15 election or, if returned by mail, postmarked no later than
16 election day, for counting no later than during the period for
17 counting provisional ballots, the last day of which is the
18 14th day following election day.

19 I understand that this application is made for an official
20 vote by mail ballot or ballots to be voted by me at the
21 election specified in this application and that I must submit
22 a separate application for an official vote by mail ballot or
23 ballots to be voted by me at any subsequent election.

24 Under penalties as provided by law pursuant to Section
25 29-10 of the Election Code, the undersigned certifies that the
26 statements set forth in this application are true and correct.

1

2 *fill in either (1), (2) or (3).

3 Post office address to which ballot is mailed:

4

5 (a-5) The application for a single vote by mail ballot
6 transmitted electronically pursuant to Section 19-2.6 shall be
7 substantively similar to the application for a vote by mail
8 ballot for a single election and shall include:

9 I swear or affirm that I am a voter with a print
10 disability, and, as a result of this disability, I am
11 making a request to receive a vote by mail ballot
12 electronically so that I may privately and independently
13 mark, verify, and print my vote by mail ballot.

14 (b) The application for permanent vote by mail status
15 shall be substantially in the following form:

16 APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

17 I am currently a registered voter and wish to apply for
18 permanent vote by mail status.

19 I state that I am a resident of the City of residing
20 at in such city in the county of and State of
21 Illinois; that I have lived at such address for month(s)
22 last past; that I am lawfully entitled to vote in such precinct
23 at the election to be held therein on; and that I
24 wish to vote by vote by mail ballot in:

25 all subsequent elections that do not require a party
26 designation.

1 ballots.

2 (c) However, if application is made for a primary election
3 ballot, such application shall require the applicant to
4 designate the name of the political party with which the
5 applicant is affiliated. The election authority shall allow
6 any voter on permanent vote by mail status to change his or her
7 party affiliation for a primary election ballot by a method
8 and deadline published and selected by the election authority.

9 (d) If application is made electronically, the applicant
10 shall mark the box associated with the above described
11 statement included as part of the online application
12 certifying that the statements set forth in the application
13 under subsection (a) or (b) are true and correct, and a
14 signature is not required.

15 (e) Any person may produce, reproduce, distribute, or
16 return to an election authority an application under this
17 Section. If applications are sent to a post office box
18 controlled by any individual or organization that is not an
19 election authority, those applications shall (i) include a
20 valid and current phone number for the individual or
21 organization controlling the post office box and (ii) be
22 turned over to the appropriate election authority within 7
23 days of receipt or, if received within 2 weeks of the election
24 in which an applicant intends to vote, within 2 days of
25 receipt. Failure to turn over the applications in compliance
26 with this paragraph shall constitute a violation of this Code

1 and shall be punishable as a petty offense with a fine of \$100
2 per application. Removing, tampering with, or otherwise
3 knowingly making the postmark on the application unreadable by
4 the election authority shall establish a rebuttable
5 presumption of a violation of this paragraph. Upon receipt,
6 the appropriate election authority shall accept and promptly
7 process any application under this Section submitted in a form
8 substantially similar to that required by this Section,
9 including any substantially similar production or reproduction
10 generated by the applicant.

11 (f) An election authority may combine the applications in
12 subsections (a) and (b) onto one form, but the distinction
13 between the applications must be clear and the form must
14 provide check boxes for an applicant to indicate whether he or
15 she is applying for a single election vote by mail ballot or
16 for permanent vote by mail status.

17 (Source: P.A. 102-15, eff. 6-17-21.)

18 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

19 Sec. 19-4. Mailing or delivery of ballots; time.
20 Immediately upon the receipt of such application either by
21 mail or electronic means, not more than 90 days nor less than 5
22 days prior to such election, or by personal delivery not more
23 than 90 days nor less than one day prior to such election, at
24 the office of such election authority, it shall be the duty of
25 such election authority to examine the records to ascertain

1 whether or not such applicant is lawfully entitled to vote as
2 requested, including a verification of the applicant's
3 signature by comparison with the signature on the official
4 registration record card, and if found so to be entitled to
5 vote, to post within one business day thereafter the name,
6 street address, ward and precinct number or township and
7 district number, as the case may be, of such applicant given on
8 a list, the pages of which are to be numbered consecutively to
9 be kept by such election authority for such purpose in a
10 conspicuous, open and public place accessible to the public at
11 the entrance of the office of such election authority, and in
12 such a manner that such list may be viewed without necessity of
13 requesting permission therefor. Within one day after posting
14 the name and other information of an applicant for a vote by
15 mail ballot, the election authority shall transmit by
16 electronic means pursuant to a process established by the
17 State Board of Elections that name and other posted
18 information to the State Board of Elections, which shall
19 maintain those names and other information in an electronic
20 format on its website, arranged by county and accessible to
21 State and local political committees. Within 2 business days
22 after posting a name and other information on the list within
23 its office, but no sooner than 40 days before an election, the
24 election authority shall mail, postage prepaid, or deliver in
25 person in such office, or deliver via electronic transmission
26 pursuant to Section 19-2.6, an official ballot or ballots if

1 more than one are to be voted at said election. Mail delivery
2 of Temporarily Absent Student ballot applications pursuant to
3 Section 19-12.3 shall be by nonforwardable mail. However, for
4 the consolidated election, vote by mail ballots for certain
5 precincts may be delivered to applicants not less than 25 days
6 before the election if so much time is required to have
7 prepared and printed the ballots containing the names of
8 persons nominated for offices at the consolidated primary. The
9 election authority shall enclose with each vote by mail ballot
10 or application written instructions on how voting assistance
11 shall be provided pursuant to Section 17-14 and a document,
12 written and approved by the State Board of Elections,
13 informing the vote by mail voter of the required postage for
14 returning the application and ballot, and enumerating the
15 circumstances under which a person is authorized to vote by
16 vote by mail ballot pursuant to this Article; such document
17 shall also include a statement informing the applicant that if
18 he or she falsifies or is solicited by another to falsify his
19 or her eligibility to cast a vote by mail ballot, such
20 applicant or other is subject to penalties pursuant to Section
21 29-10 and Section 29-20 of the Election Code. Each election
22 authority shall maintain a list of the name, street address,
23 ward and precinct, or township and district number, as the
24 case may be, of all applicants who have returned vote by mail
25 ballots to such authority, and the name of such vote by mail
26 voter shall be added to such list within one business day from

1 receipt of such ballot. If the vote by mail ballot envelope
2 indicates that the voter was assisted in casting the ballot,
3 the name of the person so assisting shall be included on the
4 list. The list, the pages of which are to be numbered
5 consecutively, shall be kept by each election authority in a
6 conspicuous, open, and public place accessible to the public
7 at the entrance of the office of the election authority and in
8 a manner that the list may be viewed without necessity of
9 requesting permission for viewing.

10 Each election authority shall maintain a list for each
11 election of the voters to whom it has issued vote by mail
12 ballots. The list shall be maintained for each precinct within
13 the jurisdiction of the election authority. Prior to the
14 opening of the polls on election day, the election authority
15 shall deliver to the judges of election in each precinct the
16 list of registered voters in that precinct to whom vote by mail
17 ballots have been issued by mail.

18 Each election authority shall maintain a list for each
19 election of voters to whom it has issued temporarily absent
20 student ballots. The list shall be maintained for each
21 election jurisdiction within which such voters temporarily
22 abide. Immediately after the close of the period during which
23 application may be made by mail or electronic means for vote by
24 mail ballots, each election authority shall mail to each other
25 election authority within the State a certified list of all
26 such voters temporarily abiding within the jurisdiction of the

1 other election authority.

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

18 All applications for vote by mail ballots shall be
19 available at the office of the election authority for public
20 inspection upon request from the time of receipt thereof by
21 the election authority until 30 days after the election,
22 except during the time such applications are kept in the
23 office of the election authority pursuant to Section 19-7, and
24 except during the time such applications are in the possession
25 of the judges of election.

26 Notwithstanding any provision of this Section to the

1 contrary, pursuant to subsection (a) of Section 30 of the
2 Address Confidentiality for Victims of Domestic Violence,
3 Sexual Assault, Human Trafficking, or Stalking Act, neither
4 the name nor the address of a program participant under that
5 Act shall be included in any list of registered voters
6 available to the public, including the lists referenced in
7 this Section.

8 (Source: P.A. 102-292, eff. 1-1-22.)

9 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

10 Sec. 19-5. Folding and enclosure of ballots in unsealed
11 envelope; address on envelope; certification; instructions for
12 marking and returning ballots. It shall be the duty of the
13 election authority to fold the ballot or ballots in the manner
14 specified by the statute for folding ballots prior to their
15 deposit in the ballot box, and to enclose such ballot or
16 ballots in an envelope unsealed to be furnished by him, which
17 envelope shall bear upon the face thereof the name, official
18 title and post office address of the election authority, and
19 upon the other side a printed certification in substantially
20 the following form:

21 I state that I am a resident of the precinct of the
22 (1) *township of (2) *City of or (3) *.... ward in
23 the city of residing at in such city or town in the
24 county of and State of Illinois, that I have lived at such
25 address for months last past; and that I am lawfully

1 entitled to vote in such precinct at the election to be
2 held on

3 *fill in either (1), (2) or (3).

4 I further state that I personally marked the enclosed
5 ballot in secret.

6 Under penalties of perjury as provided by law pursuant to
7 Section 29-10 of The Election Code, the undersigned certifies
8 that the statements set forth in this certification are true
9 and correct.

10

11 If the ballot is to go to an elector who is physically
12 incapacitated and needs assistance marking the ballot, the
13 envelope shall bear upon the back thereof a certification in
14 substantially the following form:

15 I state that I am a resident of the precinct of the
16 (1) *township of (2) *City of or (3) *.... ward in
17 the city of residing at in such city or town in the
18 county of and State of Illinois, that I have lived at such
19 address for months last past; that I am lawfully entitled
20 to vote in such precinct at the election to be held on
21; that I am physically incapable of personally marking the
22 ballot for such election.

23 *fill in either (1), (2) or (3).

24 I further state that I marked the enclosed ballot in
25 secret with the assistance of

26

1 (Individual rendering assistance)
 2

3 (Residence Address)

4 Under penalties of perjury as provided by law pursuant to
 5 Section 29-10 of The Election Code, the undersigned certifies
 6 that the statements set forth in this certification are true
 7 and correct.

8

9 In the case of a voter with a physical incapacity, marking
 10 a ballot in secret includes marking a ballot with the
 11 assistance of another individual, other than a candidate whose
 12 name appears on the ballot (unless the voter is the spouse or a
 13 parent, child, brother, or sister of the candidate), the
 14 voter's employer, an agent of that employer, or an officer or
 15 agent of the voter's union, when the voter's physical
 16 incapacity necessitates such assistance.

17 In the case of a physically incapacitated voter, marking a
 18 ballot in secret includes marking a ballot with the assistance
 19 of another individual, other than a candidate whose name
 20 appears on the ballot (unless the voter is the spouse or a
 21 parent, child, brother, or sister of the candidate), the
 22 voter's employer, an agent of that employer, or an officer or
 23 agent of the voter's union, when the voter's physical
 24 incapacity necessitates such assistance.

25 Provided, that if the ballot enclosed is to be voted at a
 26 primary election, the certification shall designate the name

1 of the political party with which the voter is affiliated.

2 In addition to the above, the election authority shall
3 provide printed slips, or an electronic version thereof for
4 voters voting by mail pursuant to Section 19-2.6, giving full
5 instructions regarding the manner of marking and returning the
6 ballot in order that the same may be counted, and shall furnish
7 one of such printed slips or the electronic version thereof
8 for voters voting by mail pursuant to Section 19-2.6 to each of
9 such applicants at the same time the ballot is delivered to
10 him. Such instructions shall include the following statement:
11 "In signing the certification on the vote by mail ballot
12 envelope, you are attesting that you personally marked this
13 vote by mail ballot in secret. If you are physically unable to
14 mark the ballot, a friend or relative may assist you after
15 completing the enclosed affidavit. Federal and State laws
16 prohibit a candidate whose name appears on the ballot (unless
17 you are the spouse or a parent, child, brother, or sister of
18 the candidate), your employer, your employer's agent or an
19 officer or agent of your union from assisting voters with
20 physical disabilities."

21 In addition to the above, if a ballot to be provided to an
22 elector pursuant to this Section contains a public question
23 described in subsection (b) of Section 28-6 and the territory
24 concerning which the question is to be submitted is not
25 described on the ballot due to the space limitations of such
26 ballot, the election authority shall provide a printed copy of

1 a notice of the public question, which shall include a
2 description of the territory in the manner required by Section
3 16-7. The notice shall be furnished to the elector at the same
4 time the ballot is delivered to the elector.

5 Election authorities transmitting ballots by electronic
6 transmission pursuant to Section 19-2.6 shall, to the greatest
7 extent possible, provide those applicants with the same
8 instructions, certifications, and other balloting materials
9 required when sending ballots by mail.

10 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

11 (10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

12 Sec. 24A-10. (1) In an election jurisdiction which has
13 adopted an electronic voting system, the election official in
14 charge of the election shall select one of the 3 following
15 procedures for receiving, counting, tallying, and return of
16 the ballots:

17 (a) Two ballot boxes shall be provided for each polling
18 place. The first ballot box is for the depositing of votes cast
19 on the electronic voting system; and the second ballot box is
20 for all votes cast on paper ballots, including any paper
21 ballots required to be voted other than on the electronic
22 voting system. Ballots deposited in the second ballot box
23 shall be counted, tallied, and returned as is elsewhere
24 provided in this Code for the counting and handling of paper
25 ballots. Immediately after the closing of the polls, the

1 judges of election shall make out a slip indicating the number
2 of persons who voted in the precinct at the election. Such slip
3 shall be signed by all the judges of election and shall be
4 inserted by them in the first ballot box. The judges of
5 election shall thereupon immediately lock each ballot box;
6 provided, that if such box is not of a type which may be
7 securely locked, such box shall be sealed with filament tape
8 provided for such purpose which shall be wrapped around the
9 box lengthwise and crosswise, at least twice each way, and in
10 such manner that the seal completely covers the slot in the
11 ballot box, and each of the judges shall sign such seal.
12 Thereupon two of the judges of election, of different
13 political parties, shall forthwith and by the most direct
14 route transport both ballot boxes to the counting location
15 designated by the county clerk or board of election
16 commissioners.

17 Before the ballots of a precinct are fed to the electronic
18 tabulating equipment, the first ballot box shall be opened at
19 the central counting station by the two precinct transport
20 judges. Upon opening a ballot box, such team shall first count
21 the number of ballots in the box. If 2 or more are folded
22 together so as to appear to have been cast by the same person,
23 all of the ballots so folded together shall be marked and
24 returned with the other ballots in the same condition, as near
25 as may be, in which they were found when first opened, but
26 shall not be counted. If the remaining ballots are found to

1 exceed the number of persons voting in the precinct as shown by
2 the slip signed by the judges of election, the ballots shall be
3 replaced in the box, and the box closed and well shaken and
4 again opened and one of the precinct transport judges shall
5 publicly draw out so many ballots unopened as are equal to such
6 excess.

7 Such excess ballots shall be marked "Excess-Not Counted"
8 and signed by the two precinct transport judges and shall be
9 placed in the "After 7:00 p.m. Defective Ballots Envelope".
10 The number of excess ballots shall be noted in the remarks
11 section of the Certificate of Results. "Excess" ballots shall
12 not be counted in the total of "defective" ballots.

13 The precinct transport judges shall then examine the
14 remaining ballots for write-in votes and shall count and
15 tabulate the write-in vote; or

16 (b) A single ballot box, for the deposit of all votes cast,
17 shall be used. All ballots which are not to be tabulated on the
18 electronic voting system shall be counted, tallied, and
19 returned as elsewhere provided in this Code for the counting
20 and handling of paper ballots.

21 All ballots to be processed and tabulated with the
22 electronic voting system shall be processed as follows:

23 Immediately after the closing of the polls, the precinct
24 judges of election then shall open the ballot box and canvass
25 the votes polled to determine that the number of ballots
26 therein agree with the number of voters voting as shown by the

1 applications for ballot or if the same do not agree the judges
2 of election shall make such ballots agree with the
3 applications for ballot in the manner provided by Section
4 17-18 of this Code. The judges of election shall then examine
5 all ballot cards and ballot card envelopes which are in the
6 ballot box to determine whether the ballot cards and ballot
7 card envelopes bear the initials of a precinct judge of
8 election. If any ballot card or ballot card envelope is not
9 initialed, it shall be marked on the back "Defective,"
10 initialed as to such label by all judges immediately under
11 such word "Defective," and not counted, but placed in the
12 envelope provided for that purpose labeled "Defective Ballots
13 Envelope."

14 When an electronic voting system is used which utilizes a
15 ballot card, before separating the ballot cards from their
16 respective covering envelopes, the judges of election shall
17 examine the ballot card envelopes for write-in votes. When the
18 voter has voted a write-in vote, the judges of election shall
19 compare the write-in vote with the votes on the ballot card to
20 determine whether such write-in results in an overvote for any
21 office. In case of an overvote for any office, the judges of
22 election, consisting in each case of at least one judge of
23 election of each of the two major political parties, shall
24 make a true duplicate ballot of all votes on such ballot card
25 except for the office which is overvoted, by using the ballot
26 label booklet of the precinct and one of the marking devices of

1 the precinct so as to transfer all votes of the voter except
2 for the office overvoted, to an official ballot card of that
3 kind used in the precinct at that election. The original
4 ballot card and envelope upon which there is an overvote shall
5 be clearly labeled "Overvoted Ballot", and each shall bear the
6 same serial number which shall be placed thereon by the judges
7 of election, commencing with number 1 and continuing
8 consecutively for the ballots of that kind in that precinct.
9 The judges of election shall initial the "Duplicate Overvoted
10 Ballot" ballot cards and shall place them in the box for return
11 of the ballots. The "Overvoted Ballot" ballots and their
12 envelopes shall be placed in the "Duplicate Ballots" envelope.
13 Envelopes bearing write-in votes marked in the place
14 designated therefor and bearing the initials of a precinct
15 judge of election and not resulting in an overvote and
16 otherwise complying with the election laws as to marking shall
17 be counted, tallied, and their votes recorded on a tally sheet
18 provided by the election official in charge of the election.
19 The ballot cards and ballot card envelopes shall be separated
20 and all except any defective or overvoted shall be placed
21 separately in the box for return of the ballots. The judges of
22 election shall examine the ballots and ballot cards to
23 determine if any is damaged, or defective, or ~~so that it~~ cannot
24 otherwise be counted by the automatic tabulating equipment. If
25 any ballot or ballot card is damaged, or defective, or ~~so that~~
26 ~~it~~ cannot otherwise properly be counted by the automatic

1 tabulating equipment, the judges of election, consisting in
2 each case of at least one judge of election of each of the two
3 major political parties, shall make a true duplicate ballot of
4 all votes on such ballot card by using the ballot label booklet
5 of the precinct and one of the marking devices of the precinct.
6 The original ballot or ballot card and envelope shall be
7 clearly labeled "Damaged Ballot" and the ballot or ballot card
8 so produced "Duplicate Damaged Ballot," and each shall bear
9 the same number which shall be placed thereon by the judges of
10 election, commencing with number 1 and continuing
11 consecutively for the ballots of that kind in the precinct.
12 The judges of election shall initial the "Duplicate Damaged
13 Ballot" ballot or ballot cards, and shall place them in the box
14 for return of the ballots. The "Damaged Ballot" ballots or
15 ballot cards and their envelopes shall be placed in the
16 "Duplicated Ballots" envelope. A slip indicating the number of
17 voters voting in person shall be made out, signed by all judges
18 of election, and inserted in the box for return of the ballots.
19 The tally sheets recording the write-in votes shall be placed
20 in this box. The judges of election thereupon immediately
21 shall securely lock the ballot box or other suitable box
22 furnished for return of the ballots by the election official
23 in charge of the election; provided that if such box is not of
24 a type which may be securely locked, such box shall be sealed
25 with filament tape provided for such purpose which shall be
26 wrapped around the box lengthwise and crosswise, at least

1 twice each way. A separate adhesive seal label signed by each
2 of the judges of election of the precinct shall be affixed to
3 the box so as to cover any slot therein and to identify the box
4 of the precinct; and if such box is sealed with filament tape
5 as provided herein rather than locked, such tape shall be
6 wrapped around the box as provided herein, but in such manner
7 that the separate adhesive seal label affixed to the box and
8 signed by the judges may not be removed without breaking the
9 filament tape and disturbing the signature of the judges.
10 Thereupon, 2 of the judges of election, of different major
11 political parties, forthwith shall by the most direct route
12 transport the box for return of the ballots and enclosed
13 ballots and returns to the central counting location
14 designated by the election official in charge of the election.
15 If, however, because of the lack of adequate parking
16 facilities at the central counting location or for any other
17 reason, it is impossible or impracticable for the boxes from
18 all the polling places to be delivered directly to the central
19 counting location, the election official in charge of the
20 election may designate some other location to which the boxes
21 shall be delivered by the 2 precinct judges. While at such
22 other location the boxes shall be in the care and custody of
23 one or more teams, each consisting of 4 persons, 2 from each of
24 the two major political parties, designated for such purpose
25 by the election official in charge of elections from
26 recommendations by the appropriate political party

1 organizations. As soon as possible, the boxes shall be
2 transported from such other location to the central counting
3 location by one or more teams, each consisting of 4 persons, 2
4 from each of the 2 major political parties, designated for
5 such purpose by the election official in charge of elections
6 from recommendations by the appropriate political party
7 organizations.

8 The "Defective Ballots" envelope, and "Duplicated Ballots"
9 envelope each shall be securely sealed and the flap or end
10 thereof of each signed by the precinct judges of election and
11 returned to the central counting location with the box for
12 return of the ballots, enclosed ballots and returns.

13 At the central counting location, a team of tally judges
14 designated by the election official in charge of the election
15 shall check the box returned containing the ballots to
16 determine that all seals are intact, and thereupon shall open
17 the box, check the voters' slip and compare the number of
18 ballots so delivered against the total number of voters of the
19 precinct who voted, remove the ballots or ballot cards and
20 deliver them to the technicians operating the automatic
21 tabulating equipment. Any discrepancies between the number of
22 ballots and total number of voters shall be noted on a sheet
23 furnished for that purpose and signed by the tally judges; or

24 (c) A single ballot box, for the deposit of all votes cast,
25 shall be used. Immediately after the closing of the polls, the
26 precinct judges of election shall securely lock the ballot

1 box; provided that if such box is not of a type which may be
2 securely locked, such box shall be sealed with filament tape
3 provided for such purpose which shall be wrapped around the
4 box lengthwise and crosswise, at least twice each way. A
5 separate adhesive seal label signed by each of the judges of
6 election of the precinct shall be affixed to the box so as to
7 cover any slot therein and to identify the box of the precinct;
8 and if such box is sealed with filament tape as provided herein
9 rather than locked, such tape shall be wrapped around the box
10 as provided herein, but in such manner that the separate
11 adhesive seal label affixed to the box and signed by the judges
12 may not be removed without breaking the filament tape and
13 disturbing the signature of the judges. Thereupon, 2 of the
14 judges of election, of different major political parties,
15 shall forthwith by the most direct route transport the box for
16 return of the ballots and enclosed vote by mail and early
17 ballots and returns to the central counting location
18 designated by the election official in charge of the election.
19 If however, because of the lack of adequate parking facilities
20 at the central counting location or for some other reason, it
21 is impossible or impracticable for the boxes from all the
22 polling places to be delivered directly to the central
23 counting location, the election official in charge of the
24 election may designate some other location to which the boxes
25 shall be delivered by the 2 precinct judges. While at such
26 other location the boxes shall be in the care and custody of

1 one or more teams, each consisting of 4 persons, 2 from each of
2 the two major political parties, designated for such purpose
3 by the election official in charge of elections from
4 recommendations by the appropriate political party
5 organizations. As soon as possible, the boxes shall be
6 transported from such other location to the central counting
7 location by one or more teams, each consisting of 4 persons, 2
8 from each of the 2 major political parties, designated for
9 such purpose by the election official in charge of the
10 election from recommendations by the appropriate political
11 party organizations.

12 At the central counting location there shall be one or
13 more teams of tally judges who possess the same qualifications
14 as tally judges in election jurisdictions using paper ballots.
15 The number of such teams shall be determined by the election
16 authority. Each team shall consist of 5 tally judges, 3
17 selected and approved by the county board from a certified
18 list furnished by the chair of the county central committee of
19 the party with the majority of members on the county board and
20 2 selected and approved by the county board from a certified
21 list furnished by the chair of the county central committee of
22 the party with the second largest number of members on the
23 county board. At the central counting location a team of tally
24 judges shall open the ballot box and canvass the votes polled
25 to determine that the number of ballot sheets therein agree
26 with the number of voters voting as shown by the applications

1 for ballot; and, if the same do not agree, the tally judges
2 shall make such ballots agree with the number of applications
3 for ballot in the manner provided by Section 17-18 of this
4 Code. The tally judges shall then examine all ballot sheets
5 which are in the ballot box to determine whether they bear the
6 initials of the precinct judge of election. If any ballot is
7 not initialed, it shall be marked on the back "Defective",
8 initialed as to such label by all tally judges immediately
9 under such word "Defective", and not counted, but placed in
10 the envelope provided for that purpose labeled "Defective
11 Ballots Envelope". An overvote for one office shall invalidate
12 only the vote or count of that particular office.

13 At the central counting location, a team of tally judges
14 designated by the election official in charge of the election
15 shall deliver the ballot sheets to the technicians operating
16 the automatic tabulating equipment. Any discrepancies between
17 the number of ballots and total number of voters shall be noted
18 on a sheet furnished for that purpose and signed by the tally
19 judges.

20 (2) Regardless of which procedure described in subsection
21 (1) of this Section is used, the judges of election designated
22 to transport the ballots, properly signed and sealed as
23 provided herein, shall ensure that the ballots are delivered
24 to the central counting station no later than 12 hours after
25 the polls close. At the central counting station a team of
26 tally judges designated by the election official in charge of

1 the election shall examine the ballots so transported and
2 shall not accept ballots for tabulating which are not signed
3 and sealed as provided in subsection (1) of this Section until
4 the judges transporting the same make and sign the necessary
5 corrections. Upon acceptance of the ballots by a team of tally
6 judges at the central counting station, the election judges
7 transporting the same shall take a receipt signed by the
8 election official in charge of the election and stamped with
9 the date and time of acceptance. The election judges whose
10 duty it is to transport any ballots shall, in the event such
11 ballots cannot be found when needed, on proper request,
12 produce the receipt which they are to take as above provided.
13 (Source: P.A. 100-1027, eff. 1-1-19; 101-81, eff. 7-12-19.)

14 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

15 Sec. 24A-10.1. In an election jurisdiction where
16 in-precinct counting equipment is utilized, the following
17 procedures for counting and tallying the ballots shall apply:

18 Immediately after the closing of the polls, the precinct
19 judges of election shall open the ballot box and count the
20 number of ballots therein to determine if such number agrees
21 with the number of voters voting as shown by the applications
22 for ballot or, if the same do not agree, the judges of election
23 shall make such ballots agree with the applications for ballot
24 in the manner provided by Section 17-18 of this Act. The judges
25 of election shall then examine all ballot cards and ballot

1 card envelopes which are in the ballot box to determine
2 whether the ballot cards and ballot card envelopes contain the
3 initials of a precinct judge of election. If any ballot card or
4 ballot card envelope is not initialed, it shall be marked on
5 the back "Defective", initialed as to such label by all judges
6 immediately under the word "Defective" and not counted. The
7 judges of election shall place an initialed blank official
8 ballot card in the place of the defective ballot card, so that
9 the count of the ballot cards to be counted on the automatic
10 tabulating equipment will be the same, and each "Defective
11 Ballot" card and "Replacement" card shall contain the same
12 serial number which shall be placed thereon by the judges of
13 election, commencing with number 1 and continuing
14 consecutively for the ballots of that kind in that precinct.
15 The original "Defective" card shall be placed in the
16 "Defective Ballot Envelope" provided for that purpose.

17 When an electronic voting system is used which utilizes a
18 ballot card, before separating the remaining ballot cards from
19 their respective covering envelopes, the judges of election
20 shall examine the ballot card envelopes for write-in votes.
21 When the voter has cast a write-in vote, the judges of election
22 shall compare the write-in vote with the votes on the ballot
23 card to determine whether such write-in results in an overvote
24 for any office. In case of an overvote for any office, the
25 judges of election, consisting in each case of at least one
26 judge of election of each of the 2 major political parties,

1 shall make a true duplicate ballot of all votes on such ballot
2 card except for the office which is overvoted, by using the
3 ballot label booklet of the precinct and one of the marking
4 devices of the precinct so as to transfer all votes of the
5 voter, except for the office overvoted, to a duplicate card.
6 The original ballot card and envelope upon which there is an
7 overvote shall be clearly labeled "Overvoted Ballot", and each
8 such "Overvoted Ballot" as well as its "Replacement" shall
9 contain the same serial number which shall be placed thereon
10 by the judges of election, commencing with number 1 and
11 continuing consecutively for the ballots of that kind in that
12 precinct. The "Overvoted Ballot" card and ballot envelope
13 shall be placed in an envelope provided for that purpose
14 labeled "Duplicate Ballot" envelope, and the judges of
15 election shall initial the "Replacement" ballot cards and
16 shall place them with the other ballot cards to be counted on
17 the automatic tabulating equipment. Envelopes containing
18 write-in votes marked in the place designated therefor and
19 containing the initials of a precinct judge of election and
20 not resulting in an overvote and otherwise complying with the
21 election laws as to marking shall be counted and tallied and
22 their votes recorded on a tally sheet provided by the election
23 authority.

24 The ballot cards and ballot card envelopes shall be
25 separated in preparation for counting by the automatic
26 tabulating equipment provided for that purpose by the election

1 authority.

2 Before the ballots are entered into the automatic
3 tabulating equipment, a precinct identification card provided
4 by the election authority shall be entered into the device to
5 ensure that the totals are all zeroes in the count column on
6 the printing unit. A precinct judge of election shall then
7 count the ballots by entering each ballot card into the
8 automatic tabulating equipment, and if any ballot or ballot
9 card is damaged, or defective, or ~~so that it~~ cannot otherwise
10 properly be counted by the automatic tabulating equipment, the
11 judges of election, consisting in each case of at least one
12 judge of election of each of the 2 major political parties,
13 shall make a true duplicate ballot of all votes on such ballot
14 card by using the ballot label booklet of the precinct and one
15 of the marking devices of the precinct. The original ballot or
16 ballot card and envelope shall be clearly labeled "Damaged
17 Ballot" and the ballot or ballot card so produced shall be
18 clearly labeled "Duplicate Damaged Ballot", and each shall
19 contain the same serial number which shall be placed thereon
20 by the judges of election, commencing with number 1 and
21 continuing consecutively for the ballots of that kind in the
22 precinct. The judges of election shall initial the "Duplicate
23 Damaged Ballot" ballot or ballot cards and shall enter the
24 duplicate damaged cards into the automatic tabulating
25 equipment. The "Damaged Ballot" cards shall be placed in the
26 "Duplicated Ballots" envelope; after all ballot cards have

1 been successfully read, the judges of election shall check to
2 make certain that the last number printed by the printing unit
3 is the same as the number of voters making application for
4 ballot in that precinct. The number shall be listed on the
5 "Statement of Ballots" form provided by the election
6 authority.

7 The totals for all candidates and propositions shall be
8 tabulated. One copy of an "In-Precinct Totals Report" shall be
9 generated by the automatic tabulating equipment for return to
10 the election authority. One copy of an "In-Precinct Totals
11 Report" shall be generated and posted in a conspicuous place
12 inside the polling place, provided that any authorized
13 pollwatcher or other official authorized to be present in the
14 polling place to observe the counting of ballots is present.

15 The judges of election shall provide, if requested, a set
16 for each authorized pollwatcher or other official authorized
17 to be present in the polling place to observe the counting of
18 ballots. In addition, sufficient time shall be provided by the
19 judges of election to the pollwatchers to allow them to copy
20 information from the copy which has been posted.

21 The judges of election shall count all unused ballot cards
22 and enter the number on the "Statement of Ballots". All
23 "Spoiled", "Defective" and "Duplicated" ballot cards shall be
24 counted and the number entered on the "Statement of Ballots".

25 The precinct judges of election shall select a bi-partisan
26 team of 2 judges, who shall immediately return the ballots in a

1 sealed container, along with all other election materials as
2 instructed by the election authority; provided, however, that
3 such container must first be sealed by the election judges
4 with filament tape provided for such purpose which shall be
5 wrapped around the container lengthwise and crosswise, at
6 least twice each way, in such manner that the ballots cannot be
7 removed from such container without breaking the seal and
8 filament tape and disturbing any signatures affixed by the
9 election judges to the container. The election authority shall
10 keep the office of the election authority, or any receiving
11 stations designated by such authority, open for at least 12
12 consecutive hours after the polls close or until the ballots
13 from all precincts with in-precinct counting equipment within
14 the jurisdiction of the election authority have been returned
15 to the election authority. Ballots returned to the office of
16 the election authority which are not signed and sealed as
17 required by law shall not be accepted by the election
18 authority until the judges returning the same make and sign
19 the necessary corrections. Upon acceptance of the ballots by
20 the election authority, the judges returning the same shall
21 take a receipt signed by the election authority and stamped
22 with the time and date of such return. The election judges
23 whose duty it is to return any ballots as herein provided
24 shall, in the event such ballots cannot be found when needed,
25 on proper request, produce the receipt which they are to take
26 as above provided.

1 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
2 95-699, eff. 11-9-07.)

3 (10 ILCS 5/24A-14) (from Ch. 46, par. 24A-14)

4 Sec. 24A-14. Damaged, defective, or unreadable ballots;
5 duplicates. If any ballot is damaged, ~~or~~ defective, ~~or so that~~
6 ~~it~~ cannot otherwise properly be counted by the automatic
7 tabulating equipment, a true duplicate copy shall be made of
8 the ~~damaged~~ ballot in the presence of witnesses and
9 substituted for the damaged ballot. Likewise, a duplicate
10 ballot shall ~~be made of a defective ballot which shall not~~
11 include the invalid votes appearing on the original ballot.
12 All duplicate ballots shall be clearly labeled "duplicate",
13 shall bear a serial number which shall be registered on the
14 damaged, ~~or~~ defective, or otherwise unreadable ballot, and
15 shall be counted in lieu of the damaged, ~~or~~ defective, or
16 otherwise unreadable ballot.

17 (Source: Laws 1965, p. 2220.)

18 (10 ILCS 5/24B-10)

19 Sec. 24B-10. Receiving, counting, tallying and return of
20 ballots; acceptance of ballots by election authority.

21 (a) In an election jurisdiction which has adopted an
22 electronic Precinct Tabulation Optical Scan Technology voting
23 system, the election official in charge of the election shall
24 select one of the 3 following procedures for receiving,

1 counting, tallying, and return of the ballots:

2 (1) Two ballot boxes shall be provided for each
3 polling place. The first ballot box is for the depositing
4 of votes cast on the electronic voting system; and the
5 second ballot box is for all votes cast on other ballots,
6 including any paper ballots required to be voted other
7 than on the Precinct Tabulation Optical Scan Technology
8 electronic voting system. Ballots deposited in the second
9 ballot box shall be counted, tallied, and returned as is
10 elsewhere provided in this Code for the counting and
11 handling of paper ballots. Immediately after the closing
12 of the polls, the judges of election shall make out a slip
13 indicating the number of persons who voted in the precinct
14 at the election. The slip shall be signed by all the judges
15 of election and shall be inserted by them in the first
16 ballot box. The judges of election shall thereupon
17 immediately lock each ballot box; provided, that if the
18 box is not of a type which may be securely locked, the box
19 shall be sealed with filament tape provided for the
20 purpose that shall be wrapped around the box lengthwise
21 and crosswise, at least twice each way, and in a manner
22 that the seal completely covers the slot in the ballot
23 box, and each of the judges shall sign the seal. Two of the
24 judges of election, of different political parties, shall
25 by the most direct route transport both ballot boxes to
26 the counting location designated by the county clerk or

1 board of election commissioners.

2 Before the ballots of a precinct are fed to the
3 electronic Precinct Tabulation Optical Scan Technology
4 tabulating equipment, the first ballot box shall be opened
5 at the central counting station by the 2 precinct
6 transport judges. Upon opening a ballot box, the team
7 shall first count the number of ballots in the box. If 2 or
8 more are folded together to appear to have been cast by the
9 same person, all of the ballots folded together shall be
10 marked and returned with the other ballots in the same
11 condition, as near as may be, in which they were found when
12 first opened, but shall not be counted. If the remaining
13 ballots are found to exceed the number of persons voting
14 in the precinct as shown by the slip signed by the judges
15 of election, the ballots shall be replaced in the box, and
16 the box closed and well shaken and again opened and one of
17 the precinct transport judges shall publicly draw out so
18 many ballots unopened as are equal to the excess.

19 The excess ballots shall be marked "Excess-Not
20 Counted" and signed by the 2 precinct transport judges and
21 shall be placed in the "After 7:00 p.m. Defective Ballots
22 Envelope". The number of excess ballots shall be noted in
23 the remarks section of the Certificate of Results.
24 "Excess" ballots shall not be counted in the total of
25 "defective" ballots.

26 The precinct transport judges shall then examine the

1 remaining ballots for write-in votes and shall count and
2 tabulate the write-in vote.

3 (2) A single ballot box, for the deposit of all votes
4 cast, shall be used. All ballots which are not to be
5 tabulated on the electronic voting system shall be
6 counted, tallied, and returned as elsewhere provided in
7 this Code for the counting and handling of paper ballots.

8 All ballots to be processed and tabulated with the
9 electronic Precinct Tabulation Optical Scan Technology
10 voting system shall be processed as follows:

11 Immediately after the closing of the polls, the
12 precinct judges of election shall open the ballot box and
13 canvass the votes polled to determine that the number of
14 ballots agree with the number of voters voting as shown by
15 the applications for ballot, or if the same do not agree
16 the judges of election shall make such ballots agree with
17 the applications for ballot in the manner provided by
18 Section 17-18 of this Code.

19 In case of an overvote for any office, the judges of
20 election, consisting in each case of at least one judge of
21 election of each of the 2 major political parties, shall
22 make a true duplicate ballot of all votes on the ballot
23 except for the office which is overvoted, by using the
24 ballot of the precinct and one of the marking devices, or
25 equivalent ballot, of the precinct to transfer all votes
26 of the voter except for the office overvoted, to an

1 official ballot of that kind used in the precinct at that
2 election. The original ballot upon which there is an
3 overvote shall be clearly labeled "Overvoted Ballot", and
4 each shall bear the same serial number which shall be
5 placed thereon by the judges of election, beginning with
6 number 1 and continuing consecutively for the ballots of
7 that kind in that precinct. The judges of election shall
8 initial the "Duplicate Overvoted Ballot" ballots and shall
9 place them in the box for return of the ballots. The
10 "Overvoted Ballot" ballots shall be placed in the
11 "Duplicate Ballots" envelope. The ballots except any
12 defective or overvoted ballot shall be placed separately
13 in the box for return of the ballots. The judges of
14 election shall examine the ballots to determine if any is
15 damaged, ~~or defective, or so that it~~ cannot otherwise be
16 counted by the automatic tabulating equipment. If any
17 ballot is damaged, ~~or defective, or so that it~~ cannot
18 otherwise properly be counted by the automatic tabulating
19 equipment, the judges of election, consisting in each case
20 of at least one judge of election of each of the 2 major
21 political parties, shall make a true duplicate ballot of
22 all votes on such ballot by using the ballot of the
23 precinct and one of the marking devices, or equivalent
24 ballot, of the precinct. The original ballot and ballot
25 envelope shall be clearly labeled "Damaged Ballot" and the
26 ballot so produced "Duplicate Damaged Ballot", and each

1 shall bear the same number which shall be placed thereon
2 by the judges of election, commencing with number 1 and
3 continuing consecutively for the ballots of that kind in
4 the precinct. The judges of election shall initial the
5 "Duplicate Damaged Ballot" ballot and shall place them in
6 the box for return of the ballots. The "Damaged Ballot"
7 ballots shall be placed in the "Duplicated Ballots"
8 envelope. A slip indicating the number of voters voting in
9 person and the total number of voters of the precinct who
10 voted at the election shall be made out, signed by all
11 judges of election, and inserted in the box for return of
12 the ballots. The tally sheets recording the write-in votes
13 shall be placed in this box. The judges of election
14 immediately shall securely lock the ballot box or other
15 suitable box furnished for return of the ballots by the
16 election official in charge of the election; provided that
17 if the box is not of a type which may be securely locked,
18 the box shall be sealed with filament tape provided for
19 the purpose which shall be wrapped around the box
20 lengthwise and crosswise, at least twice each way. A
21 separate adhesive seal label signed by each of the judges
22 of election of the precinct shall be affixed to the box to
23 cover any slot therein and to identify the box of the
24 precinct; and if the box is sealed with filament tape as
25 provided rather than locked, such tape shall be wrapped
26 around the box as provided, but in such manner that the

1 separate adhesive seal label affixed to the box and signed
2 by the judges may not be removed without breaking the
3 filament tape and disturbing the signature of the judges.
4 Two of the judges of election, of different major
5 political parties, shall by the most direct route
6 transport the box for return of the ballots and enclosed
7 ballots and returns to the central counting location
8 designated by the election official in charge of the
9 election. If, however, because of the lack of adequate
10 parking facilities at the central counting location or for
11 any other reason, it is impossible or impracticable for
12 the boxes from all the polling places to be delivered
13 directly to the central counting location, the election
14 official in charge of the election may designate some
15 other location to which the boxes shall be delivered by
16 the 2 precinct judges. While at the other location the
17 boxes shall be in the care and custody of one or more
18 teams, each consisting of 4 persons, 2 from each of the 2
19 major political parties, designated for such purpose by
20 the election official in charge of elections from
21 recommendations by the appropriate political party
22 organizations. As soon as possible, the boxes shall be
23 transported from the other location to the central
24 counting location by one or more teams, each consisting of
25 4 persons, 2 from each of the 2 major political parties,
26 designated for the purpose by the election official in

1 charge of elections from recommendations by the
2 appropriate political party organizations.

3 The "Defective Ballots" envelope, and "Duplicated
4 Ballots" envelope each shall be securely sealed and the
5 flap or end of each envelope signed by the precinct judges
6 of election and returned to the central counting location
7 with the box for return of the ballots, enclosed ballots
8 and returns.

9 At the central counting location, a team of tally
10 judges designated by the election official in charge of
11 the election shall check the box returned containing the
12 ballots to determine that all seals are intact, and shall
13 open the box, check the voters' slip and compare the
14 number of ballots so delivered against the total number of
15 voters of the precinct who voted, remove the ballots and
16 deliver them to the technicians operating the automatic
17 tabulating equipment. Any discrepancies between the number
18 of ballots and total number of voters shall be noted on a
19 sheet furnished for that purpose and signed by the tally
20 judges.

21 (3) A single ballot box, for the deposit of all votes
22 cast, shall be used. Immediately after the closing of the
23 polls, the precinct judges of election shall securely lock
24 the ballot box; provided that if such box is not of a type
25 which may be securely locked, the box shall be sealed with
26 filament tape provided for the purpose which shall be

1 wrapped around the box lengthwise and crosswise, at least
2 twice each way. A separate adhesive seal label signed by
3 each of the judges of election of the precinct shall be
4 affixed to the box to cover any slot therein and to
5 identify the box of the precinct; and if the box is sealed
6 with filament tape as provided rather than locked, such
7 tape shall be wrapped around the box as provided, but in a
8 manner that the separate adhesive seal label affixed to
9 the box and signed by the judges may not be removed without
10 breaking the filament tape and disturbing the signature of
11 the judges. Two of the judges of election, of different
12 major political parties, shall by the most direct route
13 transport the box for return of the ballots and enclosed
14 vote by mail and early ballots and returns to the central
15 counting location designated by the election official in
16 charge of the election. If however, because of the lack of
17 adequate parking facilities at the central counting
18 location or for some other reason, it is impossible or
19 impracticable for the boxes from all the polling places to
20 be delivered directly to the central counting location,
21 the election official in charge of the election may
22 designate some other location to which the boxes shall be
23 delivered by the 2 precinct judges. While at the other
24 location the boxes shall be in the care and custody of one
25 or more teams, each consisting of 4 persons, 2 from each of
26 the 2 major political parties, designated for the purpose

1 by the election official in charge of elections from
2 recommendations by the appropriate political party
3 organizations. As soon as possible, the boxes shall be
4 transported from the other location to the central
5 counting location by one or more teams, each consisting of
6 4 persons, 2 from each of the 2 major political parties,
7 designated for the purpose by the election official in
8 charge of the election from recommendations by the
9 appropriate political party organizations.

10 At the central counting location there shall be one or
11 more teams of tally judges who possess the same
12 qualifications as tally judges in election jurisdictions
13 using paper ballots. The number of the teams shall be
14 determined by the election authority. Each team shall
15 consist of 5 tally judges, 3 selected and approved by the
16 county board from a certified list furnished by the chair
17 of the county central committee of the party with the
18 majority of members on the county board and 2 selected and
19 approved by the county board from a certified list
20 furnished by the chair of the county central committee of
21 the party with the second largest number of members on the
22 county board. At the central counting location a team of
23 tally judges shall open the ballot box and canvass the
24 votes polled to determine that the number of ballot sheets
25 therein agree with the number of voters voting as shown by
26 the applications for ballot and, if the same do not agree,

1 the tally judges shall make such ballots agree with the
2 number of applications for ballot in the manner provided
3 by Section 17-18 of this Code. The tally judges shall then
4 examine all ballot sheets that are in the ballot box to
5 determine whether they bear the initials of the precinct
6 judge of election. If any ballot is not initialed, it
7 shall be marked on the back "Defective", initialed as to
8 that label by all tally judges immediately under the word
9 "Defective", and not counted, but placed in the envelope
10 provided for that purpose labeled "Defective Ballots
11 Envelope". An overvote for one office shall invalidate
12 only the vote or count for that particular office.

13 At the central counting location, a team of tally
14 judges designated by the election official in charge of
15 the election shall deliver the ballot sheets to the
16 technicians operating the automatic Precinct Tabulation
17 Optical Scan Technology tabulating equipment. Any
18 discrepancies between the number of ballots and total
19 number of voters shall be noted on a sheet furnished for
20 that purpose and signed by the tally judges.

21 (b) Regardless of which procedure described in subsection
22 (a) of this Section is used, the judges of election designated
23 to transport the ballots properly signed and sealed, shall
24 ensure that the ballots are delivered to the central counting
25 station no later than 12 hours after the polls close. At the
26 central counting station, a team of tally judges designated by

1 the election official in charge of the election shall examine
2 the ballots so transported and shall not accept ballots for
3 tabulating which are not signed and sealed as provided in
4 subsection (a) of this Section until the judges transporting
5 the ballots make and sign the necessary corrections. Upon
6 acceptance of the ballots by a team of tally judges at the
7 central counting station, the election judges transporting the
8 ballots shall take a receipt signed by the election official
9 in charge of the election and stamped with the date and time of
10 acceptance. The election judges whose duty it is to transport
11 any ballots shall, in the event the ballots cannot be found
12 when needed, on proper request, produce the receipt which they
13 are to take as above provided.

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

15 (10 ILCS 5/24B-10.1)

16 Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures
17 for Counting and Tallying Ballots. In an election jurisdiction
18 where Precinct Tabulation Optical Scan Technology counting
19 equipment is used, the following procedures for counting and
20 tallying the ballots shall apply:

21 Before the opening of the polls, and before the ballots
22 are entered into the automatic tabulating equipment, the
23 judges of election shall be sure that the totals are all zeros
24 in the counting column. Ballots may then be counted by
25 entering or scanning each ballot into the automatic tabulating

1 equipment. Throughout the election day and before the closing
2 of the polls, no person may check any vote totals for any
3 candidate or proposition on the automatic tabulating
4 equipment. Such automatic tabulating equipment shall be
5 programmed so that no person may reset the equipment for
6 refeeding of ballots unless provided a code from an authorized
7 representative of the election authority. At the option of the
8 election authority, the ballots may be fed into the Precinct
9 Tabulation Optical Scan Technology equipment by the voters
10 under the direct supervision of the judges of elections.

11 Immediately after the closing of the polls, the precinct
12 judges of election shall open the ballot box and count the
13 number of ballots to determine if the number agrees with the
14 number of voters voting as shown on the Precinct Tabulation
15 Optical Scan Technology equipment and by the applications for
16 ballot or, if the same do not agree, the judges of election
17 shall make the ballots agree with the applications for ballot
18 in the manner provided by Section 17-18 of this Code. The
19 judges of election shall then examine all ballots which are in
20 the ballot box to determine whether the ballots contain the
21 initials of a precinct judge of election. If any ballot is not
22 initialed, it shall be marked on the back "Defective",
23 initialed as to such label by all judges immediately under the
24 word "Defective" and not counted. The judges of election shall
25 place an initialed blank official ballot in the place of the
26 defective ballot, so that the count of the ballots to be

1 counted on the automatic tabulating equipment will be the
2 same, and each "Defective Ballot" and "Replacement" ballot
3 shall contain the same serial number which shall be placed
4 thereon by the judges of election, beginning with number 1 and
5 continuing consecutively for the ballots of that kind in that
6 precinct. The original "Defective" ballot shall be placed in
7 the "Defective Ballot Envelope" provided for that purpose.

8 If the judges of election have removed a ballot pursuant
9 to Section 17-18, have labeled "Defective" a ballot which is
10 not initialed, or have otherwise determined under this Code to
11 not count a ballot originally deposited into a ballot box, the
12 judges of election shall be sure that the totals on the
13 automatic tabulating equipment are reset to all zeros in the
14 counting column. Thereafter the judges of election shall enter
15 or otherwise scan each ballot to be counted in the automatic
16 tabulating equipment. Resetting the automatic tabulating
17 equipment to all zeros and re-entering of ballots to be
18 counted may occur at the precinct polling place, the office of
19 the election authority, or any receiving station designated by
20 the election authority. The election authority shall designate
21 the place for resetting and re-entering or re-scanning.

22 When a Precinct Tabulation Optical Scan Technology
23 electronic voting system is used which uses a paper ballot,
24 the judges of election shall examine the ballot for write-in
25 votes. When the voter has cast a write-in vote, the judges of
26 election shall compare the write-in vote with the votes on the

1 ballot to determine whether the write-in results in an
2 overvote for any office, unless the Precinct Tabulation
3 Optical Scan Technology equipment has already done so. In case
4 of an overvote for any office, the judges of election,
5 consisting in each case of at least one judge of election of
6 each of the 2 major political parties, shall make a true
7 duplicate ballot of all votes on such ballot except for the
8 office which is overvoted, by using the ballot of the precinct
9 and one of the marking devices, or equivalent ballot, of the
10 precinct so as to transfer all votes of the voter, except for
11 the office overvoted, to a duplicate ballot. The original
12 ballot upon which there is an overvote shall be clearly
13 labeled "Overvoted Ballot", and each such "Overvoted Ballot"
14 as well as its "Replacement" shall contain the same serial
15 number which shall be placed thereon by the judges of
16 election, beginning with number 1 and continuing consecutively
17 for the ballots of that kind in that precinct. The "Overvoted
18 Ballot" shall be placed in an envelope provided for that
19 purpose labeled "Duplicate Ballot" envelope, and the judges of
20 election shall initial the "Replacement" ballots and shall
21 place them with the other ballots to be counted on the
22 automatic tabulating equipment.

23 If any ballot is damaged, ~~or~~ defective, or if any ballot
24 otherwise contains a Voting Defect, so that it cannot properly
25 be counted by the automatic tabulating equipment, the voter or
26 the judges of election, consisting in each case of at least one

1 judge of election of each of the 2 major political parties,
2 shall make a true duplicate ballot of all votes on such ballot
3 by using the ballot of the precinct and one of the marking
4 devices of the precinct, or equivalent. If a damaged ballot,
5 the original ballot shall be clearly labeled "Damaged Ballot"
6 and the ballot so produced shall be clearly labeled "Damaged
7 Ballot" and the ballot so produced shall be clearly labeled
8 "Duplicate Damaged Ballot", and each shall contain the same
9 serial number which shall be placed by the judges of election,
10 beginning with number 1 and continuing consecutively for the
11 ballots of that kind in the precinct. The judges of election
12 shall initial the "Duplicate Damaged Ballot" ballot and shall
13 enter or otherwise scan the duplicate damaged ballot into the
14 automatic tabulating equipment. The "Damaged Ballots" shall be
15 placed in the "Duplicated Ballots" envelope; after all ballots
16 have been successfully read, the judges of election shall
17 check to make certain that the Precinct Tabulation Optical
18 Scan Technology equipment readout agrees with the number of
19 voters making application for ballot in that precinct. The
20 number shall be listed on the "Statement of Ballots" form
21 provided by the election authority.

22 The totals for all candidates and propositions shall be
23 tabulated. One copy of an "In-Precinct Totals Report" shall be
24 generated by the automatic tabulating equipment for return to
25 the election authority. One copy of an "In-Precinct Totals
26 Report" shall be generated and posted in a conspicuous place

1 inside the polling place, provided that any authorized
2 pollwatcher or other official authorized to be present in the
3 polling place to observe the counting of ballots is present.
4 The judges of election shall provide, if requested, a copy for
5 each authorized pollwatcher or other official authorized to be
6 present in the polling place to observe the counting of
7 ballots. In addition, sufficient time shall be provided by the
8 judges of election to the pollwatchers to allow them to copy
9 information from the copy which has been posted.

10 The judges of election shall count all unused ballots and
11 enter the number on the "Statement of Ballots". All "Spoiled",
12 "Defective" and "Duplicated" ballots shall be counted and the
13 number entered on the "Statement of Ballots".

14 The precinct judges of election shall select a bi-partisan
15 team of 2 judges, who shall immediately return the ballots in a
16 sealed container, along with all other election materials as
17 instructed by the election authority; provided, however, that
18 such container must first be sealed by the election judges
19 with filament tape or other approved sealing devices provided
20 for the purpose which shall be wrapped around the container
21 lengthwise and crosswise, at least twice each way, in a manner
22 that the ballots cannot be removed from the container without
23 breaking the seal and filament tape and disturbing any
24 signatures affixed by the election judges to the container, or
25 which other approved sealing devices are affixed in a manner
26 approved by the election authority. The election authority

1 shall keep the office of the election authority or any
2 receiving stations designated by the authority, open for at
3 least 12 consecutive hours after the polls close or until the
4 ballots from all precincts with in-precinct counting equipment
5 within the jurisdiction of the election authority have been
6 returned to the election authority. Ballots returned to the
7 office of the election authority which are not signed and
8 sealed as required by law shall not be accepted by the election
9 authority until the judges returning the ballots make and sign
10 the necessary corrections. Upon acceptance of the ballots by
11 the election authority, the judges returning the ballots shall
12 take a receipt signed by the election authority and stamped
13 with the time and date of the return. The election judges whose
14 duty it is to return any ballots as provided shall, in the
15 event the ballots cannot be found when needed, on proper
16 request, produce the receipt which they are to take as above
17 provided. The precinct judges of election shall also deliver
18 the Precinct Tabulation Optical Scan Technology equipment to
19 the election authority.

20 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
21 95-699, eff. 11-9-07.)

22 (10 ILCS 5/24B-14)

23 Sec. 24B-14. Damaged, defective, or unreadable ballots;
24 duplicates ~~Ballots; Duplicates.~~

25 If any ballot is damaged, or defective, ~~or so that it~~ cannot

1 otherwise properly be counted by the automatic Precinct
2 Tabulation Optical Scan Technology tabulating equipment, a
3 true duplicate copy shall be made of the ~~damaged~~ ballot in the
4 presence of witnesses and substituted for the original ~~damaged~~
5 ballot. Likewise, a duplicate ballot shall ~~be made of a~~
6 ~~defective ballot which shall~~ not include the invalid votes
7 appearing on the original ballot. All duplicate ballots shall
8 be clearly labeled "Duplicate", shall bear a serial number
9 which shall be registered on the damaged, ~~or~~ defective, or
10 otherwise unreadable ballot, and shall be counted in lieu of
11 the damaged, ~~or~~ defective, or otherwise unreadable ballot.

12 (Source: P.A. 89-394, eff. 1-1-97.)

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