



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB1244

Introduced 1/31/2023, by Rep. Kam Buckner

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Creates the Rights of Voters Article. Prohibits the imposition or application of a voting qualification, prerequisite, standard, practice, or procedure by the State or any locality in a manner that results in a denial or abridgment of the right of any citizen of the United States to vote based on race, color, or membership in a language minority. Provides that an election authority must provide election materials in the language of a single language minority if the area or part of an area of the election authority has more than 5% of its eligible voters or 10,000 eligible voters who are members of the single language minority and are unable to speak or understand English adequately to participate in the electoral process. Requires notice of certain changes in the election process and allows for a public comment period. Alternatively, allows the county board or board of election commissioners to submit proposed changes to the Attorney General for implementation. Prohibits the use of an at-large method of election in a manner that impairs the ability of members of a protected class to elect candidates of its choice or its ability to influence the outcome of an election. Creates the Voter Education and Outreach Fund as a special fund in the State treasury to deposit all penalties and charges related to violations of the provisions. Allows the Attorney General or a member of a language minority to commence a civil action in response to a violation of the provisions. Makes other changes. Provides that the amendatory Act may be referred to as the Illinois Voting Protection Act.

LRB103 05859 AWJ 50880 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 1. This Act may be referred to as the Illinois  
5 Voting Protection Act.

6 Section 5. The Election Code is amended by adding Article  
7 3A and Sections 29-21, 29-22, and 29-23 and by changing  
8 Sections 12-1, 17-14, 18-5, and 29-4 as follows:

9 (10 ILCS 5/Art. 3A heading new)

10 ARTICLE 3A. RIGHTS OF VOTERS

11 (10 ILCS 5/3A-1 new)

12 Sec. 3A-1. Definitions. As used in this Article:

13 "Covered locality" means a locality or part of a locality  
14 designated by the State Board of Elections as a covered  
15 locality under subsection (a) of Section 3A-15.

16 "Locality" means the geographic area within which an  
17 election authority operates.

18 "Protected class" means a group of citizens protected from  
19 discrimination based on race, color, or membership in a  
20 language minority.

1 (10 ILCS 5/3A-5 new)

2 Sec. 3A-5. Vote denial or dilution.

3 (a) No voting qualification, prerequisite, standard,  
4 practice, or procedure shall be imposed or applied by the  
5 State or any locality in a manner that results in a denial or  
6 abridgment of the right of any citizen of the United States to  
7 vote based on the citizen's protected class.

8 (b) A violation of subsection (a) is established if, on  
9 the basis of the totality of the circumstances, it is shown  
10 that the political processes leading to nomination or election  
11 in the State or a locality are not equally open to  
12 participation by members of a protected class. The extent to  
13 which members of a protected class have been elected to office  
14 in the State or locality is one circumstance that may be  
15 considered.

16 (c) Nothing in this Section shall be construed to  
17 establish a right to have members of a protected class elected  
18 in numbers equal to their proportion in the population.

19 (10 ILCS 5/3A-10 new)

20 Sec. 3A-10. Impairment of voting rights of registered  
21 voters. Nothing in this Article shall be construed to deny,  
22 impair, or otherwise adversely affect the right to vote of any  
23 registered voter.

24 (10 ILCS 5/3A-15 new)

1       Sec. 3A-15. Minority language accessibility; covered  
2 locality.

3       (a) The State Board of Elections shall designate a  
4 locality or a part of a locality as a covered locality if it  
5 determines, in consultation with the Census Bureau of the  
6 United States Department of Commerce and after review of  
7 American Community Survey census data, or comparable census  
8 data, that (i) more than 5% of the citizens of voting age of  
9 the locality or a part of the locality are members of a single  
10 language minority and are unable to speak or understand  
11 English adequately enough to participate in the electoral  
12 process or (ii) more than 10,000 of the citizens of voting age  
13 of the locality or a part of the locality are members of a  
14 single language minority and are unable to speak or understand  
15 English adequately enough to participate in the electoral  
16 process.

17       (b) Whenever the election authority of a covered locality  
18 provides any voting or election materials, it must provide the  
19 materials in the language of the applicable minority group as  
20 well as in the English language in the covered locality. The  
21 election authority of a covered locality must distribute the  
22 materials in the preferred language identified by the voter in  
23 the covered locality.

24       As used in this subsection:

25       "Registration notices" means any notice of voter  
26 registration approval, denial, or cancellation required by

1 this Code.

2 "Voting or election materials" means registration or  
3 voting notices, forms, instructions, assistance, voter  
4 information pamphlets, ballots, sample ballots, candidate  
5 qualification information, and notices regarding changes to  
6 local election districts, precincts, or polling places.

7 (c) The Attorney General, or any qualified voter who is a  
8 member of a language minority for whom the election authority  
9 of a covered locality is required to provide voting or  
10 election materials in that language, may institute a cause of  
11 action in the circuit court of the covered locality to compel  
12 the provision of the voting or election materials in the  
13 language of the applicable minority group. In the action, the  
14 court may, in its discretion, allow a private, prevailing  
15 plaintiff reasonable attorney's fees as part of the costs.

16 (10 ILCS 5/3A-20 new)

17 Sec. 3A-20. Covered practices; actions required before  
18 enactment or administration.

19 (a) As used in this Section:

20 "Certification of no objection" means a certification  
21 issued by the Attorney General that there is no objection to  
22 the enactment or administration of a covered practice by the  
23 county board or board of election commissioners of a locality  
24 because the covered practice neither has the purpose or effect  
25 of denying or abridging the right to vote based on a protected

1 class nor will result in the retrogression in the position of  
2 members of a racial or ethnic group with respect to exercising  
3 their right to vote.

4 "Covered practice" means:

5 (1) any change to the method of election of members of  
6 a governing body or an elected school board by adding  
7 seats elected at large or by converting one or more seats  
8 elected from a single-member district to one or more  
9 at-large seats or seats from a multi-member district;

10 (2) any change, or series of changes within a 12-month  
11 period, to the boundaries of the locality that reduces by  
12 more than 5 percentage points the proportion of the  
13 locality's voting-age population that is composed of  
14 members of a single racial or language minority, as  
15 determined by the most recent American Community Survey  
16 census data or comparable census data;

17 (3) any change to the boundaries of election districts  
18 or wards in the locality, including changes made pursuant  
19 to a decennial redistricting measure;

20 (4) any change that restricts the ability of any  
21 person to provide interpreter services to voters in any  
22 language other than English or that limits or impairs the  
23 creation or distribution of voting or election materials  
24 in any language other than English; or

25 (5) any change that reduces the number of, or  
26 consolidates or relocates polling places in, the locality,

1 except where permitted by law in the event of an  
2 emergency.

3 "Voting-age population" means the resident population of  
4 persons who are 18 years of age or older, as determined by the  
5 most recent American Community Survey census data, or  
6 comparable census data, available at the time any change to a  
7 covered practice is published pursuant to subsection (b).

8 (b) Before enacting or seeking to administer a covered  
9 practice that is a voting qualification, prerequisite,  
10 standard, practice, or procedure, the election authority must  
11 publish on the website for the county or election commission,  
12 as applicable, the proposed covered practice and a notice of  
13 opportunity for public comment on the proposed covered  
14 practice. The election authority shall also publicize the  
15 notice through press releases and other media, as the election  
16 authority deems appropriate. The notice shall be made at least  
17 45 days in advance of the last date prescribed in the notice  
18 for public comment.

19 Public comments shall be accepted for a period of no fewer  
20 than 30 days. During this period, the election authority must  
21 allow interested persons to submit data, views, and arguments  
22 in writing by mail, fax, or email or through an online public  
23 comment forum on the website for the county or election  
24 authority. The county board or board of election commissioners  
25 shall conduct at least one public hearing during this 30-day  
26 period to receive public comments on the proposed covered

1 practice.

2 The county board or board of election commissioners may  
3 make changes to the proposed covered practice in response to  
4 public comments received. If doing so, the revised covered  
5 practice shall be published and public comments shall be  
6 accepted in accordance with this subsection, except the public  
7 comment period shall be no fewer than 15 days.

8 (c) Following the public comment period or periods  
9 required under subsection (b), the election authority shall  
10 publish the final covered practice, which shall include a  
11 plain English description of the practice and the text of an  
12 ordinance giving effect to the practice, maps of proposed  
13 boundary changes, or other relevant materials, and notice that  
14 the covered practice will take effect in 30 days. During this  
15 30-day waiting period, any person who will be subject to or  
16 affected by the covered practice may challenge in the circuit  
17 court of the locality where the covered practice is to be  
18 implemented the covered practice as (i) having the purpose or  
19 effect of denying or abridging the right to vote on the basis  
20 of a protected class or (ii) resulting in the retrogression in  
21 the position of members of a racial or ethnic group with  
22 respect to exercising their right to vote. In the action, the  
23 court may, in its discretion, allow a prevailing plaintiff  
24 reasonable attorney's fees as part of the costs.

25 (d) A county board or board of election commissioners  
26 seeking to administer or implement a covered practice, in lieu



1 of following subsections (b) and (c), may submit the proposed  
2 covered practice to the Office of the Attorney General for  
3 issuance of a certification of no objection. The covered  
4 practice shall not be given effect until the Attorney General  
5 has issued the certification of no objection. A certification  
6 of no objection shall be deemed to have been issued if the  
7 Attorney General does not submit an objection to the election  
8 authority within 60 days after the county board's or board of  
9 election commissioners' submission or, if, upon good cause  
10 shown and to facilitate an expedited approval within 60 days  
11 after the county board's or board of election commissioners'  
12 submission, the Attorney General has affirmatively indicated  
13 that no objection will be made. An affirmative indication by  
14 the Attorney General that no objection will be made or the  
15 absence of an objection to the covered practice by the  
16 Attorney General does not bar a subsequent action to enjoin  
17 enforcement of the covered practice.

18 (10 ILCS 5/3A-25 new)

19 Sec. 3A-25. At-large method of election; limitations;  
20 violations; remedies.

21 (a) An at-large method of election, including one that  
22 combines at-large elections with district-based or ward-based  
23 elections, shall not be imposed or applied by the election  
24 authority in a manner that impairs the ability of members of a  
25 protected class to elect candidates of its choice or its

1 ability to influence the outcome of an election as a result of  
2 the dilution or the abridgment of the rights of voters who are  
3 members of a protected class.

4 (b) Any voter who is a member of a protected class and who  
5 resides in a locality where a violation of this Section is  
6 alleged may initiate a cause of action in the circuit court of  
7 the locality. In the action, the court may, in its discretion,  
8 allow a prevailing plaintiff reasonable attorney's fees as  
9 part of the costs. A plaintiff may establish a violation of  
10 subsection (a) if the plaintiff shows that racially polarized  
11 voting occurs within the locality and that this, in  
12 combination with the method of election, dilutes the voting  
13 strength of members of a protected class. A finding that  
14 racially polarized voting has occurred is not precluded by the  
15 fact that members of a protected class are not geographically  
16 compact or concentrated in a locality. Proof of an intent on  
17 the part of voters or elected officials to discriminate  
18 against members of a protected class shall not be required to  
19 prove a violation of subsection (a).

20 Upon a finding of a violation of subsection (a), the court  
21 shall order appropriate remedies that are tailored to remedy  
22 the violation and may monitor the ongoing implementation of  
23 remedies ordered by the court.

24 As used in this subsection, "racially polarized voting"  
25 refers to the extent to which the candidate preferences of  
26 members of the protected class and other voters in the

1 jurisdiction have differed in recent elections for the office  
2 at issue and other offices in which the voters have been  
3 presented with a choice between candidates who are members of  
4 the protected class and candidates who are not members of the  
5 protected class.

6 (10 ILCS 5/3A-30 new)

7 Sec. 3A-30. Voter Education and Outreach Fund. There is  
8 hereby created in the State treasury a special fund to be known  
9 as the Voter Outreach and Education Fund. All penalties and  
10 charges directed to the Fund by Section 3A-35 and all other  
11 funds from any public or private source directed to the Fund  
12 shall be paid into the Fund. Interest earned on moneys in the  
13 Fund shall remain in the Fund and be credited to it. Moneys in  
14 the Fund shall be used solely for the purposes of educating  
15 voters and persons qualified to be voters on the rights  
16 ensured to them pursuant to federal and State constitutional  
17 and statutory law and remedies.

18 (10 ILCS 5/3A-35 new)

19 Sec. 3A-35. Civil actions by Attorney General.

20 (a) Whenever the Attorney General has reasonable cause to  
21 believe that a violation of this Article has occurred and that  
22 the rights of any voter or group of voters have been affected  
23 by the violation, the Attorney General may commence a civil  
24 action in the appropriate circuit court for appropriate

1 relief.

2 (b) In the civil action, the court may do either of the  
3 following:

4 (1) Award preventive relief as is necessary to assure  
5 the full enjoyment of the rights granted by this Code,  
6 including an injunction, restraining order, or other order  
7 against the person or persons responsible for a violation  
8 of this Article.

9 (2) Assess a civil penalty against the person or  
10 persons responsible for a violation of this Article in an  
11 amount not exceeding \$50,000 for a first violation and in  
12 an amount not exceeding \$100,000 for any subsequent  
13 violation. The civil penalties are payable into the Voter  
14 Education and Outreach Fund.

15 (3) Award a prevailing plaintiff reasonable attorney's  
16 fees and costs.

17 (c) The court or jury may award such other relief to an  
18 aggrieved person as the court deems appropriate, including  
19 compensatory damages and punitive damages.

20 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

21 Sec. 12-1. At least 60 days prior to each general and  
22 consolidated election, the election authority shall provide  
23 public notice, calculated to reach elderly voters and voters  
24 with disabilities, of the availability of registration and  
25 voting aids under the Federal Voting Accessibility for the

1 Elderly and Handicapped Act, of the availability of assistance  
2 in marking the ballot, procedures for voting by vote by mail  
3 ballot, and procedures for voting early by personal  
4 appearance. The public notice shall also provide information  
5 where persons can view the election authority's covered  
6 practices under Section 3A-20.

7 At least 30 days before any general election, and at least  
8 20 days before any special congressional election, the county  
9 clerk shall publish a notice of the election in 2 or more  
10 newspapers published in the county, city, village,  
11 incorporated town or town, as the case may be, or if there is  
12 no such newspaper, then in any 2 or more newspapers published  
13 in the county and having a general circulation throughout the  
14 community. The notice may be substantially as follows:

15 Notice is hereby given that on (give date), at (give the  
16 place of holding the election and the name of the precinct or  
17 district) in the county of (name county), an election will be  
18 held for (give the title of the several offices to be filled),  
19 which election will be open at 6:00 a.m. and continued open  
20 until 7:00 p.m. of that day.

21 Dated at .... on (insert date).

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

23 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

24 Sec. 17-14. Any voter who declares upon oath, properly  
25 witnessed and with his or her signature or mark affixed, that

1 he or she requires assistance to vote by reason of blindness,  
2 physical disability or inability to read, write or speak the  
3 English language shall, upon request, be assisted in marking  
4 his or her ballot, by 2 judges of election of different  
5 political parties, to be selected by all judges of election of  
6 each precinct at the opening of the polls or by a person of the  
7 voter's choice, other than the voter's employer or agent of  
8 that employer or officer or agent of the voter's union. A voter  
9 who presents an Illinois Person with a Disability  
10 Identification Card, issued to that person under the  
11 provisions of the Illinois Identification Card Act, indicating  
12 that such voter has a Class 1A or Class 2 disability under the  
13 provisions of Section 4A of the Illinois Identification Card  
14 Act, or a voter who declares upon oath, properly witnessed,  
15 that by reason of any physical disability he is unable to mark  
16 his ballot shall, upon request, be assisted in marking his  
17 ballot by 2 of the election officers of different parties as  
18 provided above in this Section or by a person of the voter's  
19 choice other than the voter's employer or agent of that  
20 employer or officer or agent of the voter's union. Such voter  
21 shall state specifically the reason why he cannot vote without  
22 assistance and, in the case of a voter with a physical  
23 disability, what his physical disability is. Prior to entering  
24 the voting booth, the person providing the assistance, if  
25 other than 2 judges of election, shall be presented with  
26 written instructions on how assistance shall be provided. This

1 instruction shall be prescribed by the State Board of  
2 Elections and shall include the penalties for attempting to  
3 influence the voter's choice of candidates, party, or votes in  
4 relation to any question on the ballot and for not marking the  
5 ballot as directed by the voter. Additionally, the person  
6 providing the assistance shall sign an oath, swearing not to  
7 influence the voter's choice of candidates, party, or votes in  
8 relation to any question on the ballot and to cast the ballot  
9 as directed by the voter. The oath shall be prescribed by the  
10 State Board of Elections and shall include the penalty for  
11 violating this Section. In the voting booth, such person shall  
12 mark the ballot as directed by the voter, and shall thereafter  
13 give no information regarding the same. The judges of election  
14 shall enter upon the poll lists or official poll record after  
15 the name of any elector who received such assistance in  
16 marking his ballot a memorandum of the fact and if the  
17 disability is permanent. Intoxication shall not be regarded as  
18 a physical disability, and no intoxicated person shall be  
19 entitled to assistance in marking his ballot.

20 If the voter requires assistance in a language other than  
21 English and has not designated a person to provide assistance,  
22 an election officer may assist as an interpreter but shall  
23 first inquire of those authorized to be present whether they  
24 have a volunteer available who can interpret for the voter.  
25 One representative for each party or candidate, insofar as  
26 available, shall be permitted to observe the election officer

1 communicate with the voter. In any locality designated as a  
2 covered locality under Section 3A-15, the local election  
3 authority shall ensure that interpretation services in the  
4 language of the applicable minority group are available and  
5 easily accessible to voters needing assistance pursuant to  
6 this subsection.

7 No person shall secure or attempt to secure assistance in  
8 voting who is not blind, a person with a physical disability,  
9 or illiterate as herein provided, nor shall any person  
10 knowingly assist a voter in voting contrary to the provisions  
11 of this Section.

12 (Source: P.A. 99-143, eff. 7-27-15.)

13 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

14 Sec. 18-5. Any person desiring to vote and whose name is  
15 found upon the register of voters by the person having charge  
16 thereof, shall then be questioned by one of the judges as to  
17 his nativity, his term of residence at present address,  
18 precinct, State and United States, his age, whether  
19 naturalized and if so the date of naturalization papers and  
20 court from which secured, and he shall be asked to state his  
21 residence when last previously registered and the date of the  
22 election for which he then registered. The judges of elections  
23 shall check each application for ballot against the list of  
24 voters registered in that precinct to whom grace period, vote  
25 by mail, and early ballots have been issued for that election,



1 which shall be provided by the election authority and which  
2 list shall be available for inspection by pollwatchers. A  
3 voter applying to vote in the precinct on election day whose  
4 name appears on the list as having been issued a grace period,  
5 vote by mail, or early ballot shall not be permitted to vote in  
6 the precinct, except that a voter to whom a vote by mail ballot  
7 was issued may vote in the precinct if the voter submits to the  
8 election judges that vote by mail ballot for cancellation. If  
9 the voter is unable to submit the vote by mail ballot, it shall  
10 be sufficient for the voter to submit to the election judges  
11 (i) a portion of the vote by mail ballot if the vote by mail  
12 ballot was torn or mutilated or (ii) an affidavit executed  
13 before the election judges specifying that (A) the voter never  
14 received a vote by mail ballot or (B) the voter completed and  
15 returned a vote by mail ballot and was informed that the  
16 election authority did not receive that vote by mail ballot.  
17 If such person so registered shall be challenged as  
18 disqualified, the party challenging shall assign his reasons  
19 therefor, and thereupon one of the judges shall administer to  
20 him an oath to answer questions, and if he shall take the oath  
21 he shall then be questioned by the judge or judges touching  
22 such cause of challenge, and touching any other cause of  
23 disqualification. And he may also be questioned by the person  
24 challenging him in regard to his qualifications and identity.  
25 But if a majority of the judges are of the opinion that he is  
26 the person so registered and a qualified voter, his vote shall

1 then be received accordingly. But if his vote be rejected by  
2 such judges, such person may afterward produce and deliver an  
3 affidavit to such judges, subscribed and sworn to by him  
4 before one of the judges, in which it shall be stated how long  
5 he has resided in such precinct, and state; that he is a  
6 citizen of the United States, and is a duly qualified voter in  
7 such precinct, and that he is the identical person so  
8 registered. In addition to such an affidavit, the person so  
9 challenged shall provide to the judges of election proof of  
10 residence by producing 2 forms of identification showing the  
11 person's current residence address, provided that such  
12 identification may include a lease or contract for a residence  
13 and not more than one piece of mail addressed to the person at  
14 his current residence address and postmarked not earlier than  
15 30 days prior to the date of the election, or the person shall  
16 procure a witness personally known to the judges of election,  
17 and resident in the precinct (or district), or who shall be  
18 proved by some legal voter of such precinct or district, known  
19 to the judges to be such, who shall take the oath following,  
20 viz:

21 I do solemnly swear (or affirm) that I am a resident of  
22 this election precinct (or district), and entitled to vote at  
23 this election, and that I have been a resident of this State  
24 for 30 days last past, and am well acquainted with the person  
25 whose vote is now offered; that he is an actual and bona fide  
26 resident of this election precinct (or district), and has

1 resided herein 30 days, and as I verily believe, in this State,  
2 30 days next preceding this election.

3 The oath in each case may be administered by one of the  
4 judges of election, or by any officer, resident in the  
5 precinct or district, authorized by law to administer oaths.  
6 Also supported by an affidavit by a registered voter residing  
7 in such precinct, stating his own residence, and that he knows  
8 such person; and that he does reside at the place mentioned and  
9 has resided in such precinct and state for the length of time  
10 as stated by such person, which shall be subscribed and sworn  
11 to in the same way. For purposes of this Section, the  
12 submission of a photo identification issued by a college or  
13 university, accompanied by either (i) a copy of the  
14 applicant's contract or lease for a residence or (ii) one  
15 piece of mail addressed to the person at his or her current  
16 residence address and postmarked not earlier than 30 days  
17 prior to the date of the election, shall be sufficient to  
18 establish proof of residence. Whereupon the vote of such  
19 person shall be received, and entered as other votes. But such  
20 judges, having charge of such registers, shall state in their  
21 respective books the facts in such case, and the affidavits,  
22 so delivered to the judges, shall be preserved and returned to  
23 the office of the commissioners of election. Blank affidavits  
24 of the character aforesaid shall be sent out to the judges of  
25 all the precincts, and the judges of election shall furnish  
26 the same on demand and administer the oaths without criticism.

1 Such oaths, if administered by any other officer than such  
2 judge of election, shall not be received. Whenever a proposal  
3 for a constitutional amendment or for the calling of a  
4 constitutional convention is to be voted upon at the election,  
5 the separate blue ballot or ballots pertaining thereto shall  
6 be placed on top of the other ballots to be voted at the  
7 election in such manner that the legend appearing on the back  
8 thereof, as prescribed in Section 16-6 of this Act, shall be  
9 plainly visible to the voter, and in this fashion the ballots  
10 shall be handed to the voter by the judge.

11 If the voter requires assistance in a language other than  
12 English and has not designated a person to assist him, an  
13 election officer may assist as an interpreter but shall first  
14 inquire of those authorized to be present whether they have a  
15 volunteer available who can interpret for the voter. One  
16 representative for each party or candidate, insofar as  
17 available, shall be permitted to observe the election officer  
18 communicate with the voter. In any locality designated as a  
19 covered locality under Section 3A-15, the local election  
20 authority shall ensure that interpretation services in the  
21 language of the applicable minority group are available and  
22 easily accessible to voters needing assistance pursuant to  
23 this subsection.

24 Immediately after voting, the voter shall be instructed  
25 whether the voting equipment, if used, accepted or rejected  
26 the ballot or identified the ballot as under-voted. A voter

1 whose ballot is identified as under-voted for a statewide  
2 constitutional office may return to the voting booth and  
3 complete the voting of that ballot. A voter whose ballot is not  
4 accepted by the voting equipment may, upon surrendering the  
5 ballot, request and vote another ballot. The voter's  
6 surrendered ballot shall be initialed by the election judge  
7 and handled as provided in the appropriate Article governing  
8 that voting equipment.

9 The voter shall, upon quitting the voting booth, deliver  
10 to one of the judges of election all of the ballots, properly  
11 folded, which he received. The judge of election to whom the  
12 voter delivers his ballots shall not accept the same unless  
13 all of the ballots given to the voter are returned by him. If a  
14 voter delivers less than all of the ballots given to him, the  
15 judge to whom the same are offered shall advise him in a voice  
16 clearly audible to the other judges of election that the voter  
17 must return the remainder of the ballots. The statement of the  
18 judge to the voter shall clearly express the fact that the  
19 voter is not required to vote such remaining ballots but that  
20 whether or not he votes them he must fold and deliver them to  
21 the judge. In making such statement the judge of election  
22 shall not indicate by word, gesture or intonation of voice  
23 that the unreturned ballots shall be voted in any particular  
24 manner. No new voter shall be permitted to enter the voting  
25 booth of a voter who has failed to deliver the total number of  
26 ballots received by him until such voter has returned to the

1 voting booth pursuant to the judge's request and again quit  
2 the booth with all of the ballots required to be returned by  
3 him. Upon receipt of all such ballots the judges of election  
4 shall enter the name of the voter, and his number, as above  
5 provided in this Section, and the judge to whom the ballots are  
6 delivered shall immediately put the ballots into the ballot  
7 box. If any voter who has failed to deliver all the ballots  
8 received by him refuses to return to the voting booth after  
9 being advised by the judge of election as herein provided, the  
10 judge shall inform the other judges of such refusal, and  
11 thereupon the ballot or ballots returned to the judge shall be  
12 deposited in the ballot box, the voter shall be permitted to  
13 depart from the polling place, and a new voter shall be  
14 permitted to enter the voting booth.

15 The judge of election who receives the ballot or ballots  
16 from the voter shall announce the residence and name of such  
17 voter in a loud voice. The judge shall put the ballot or  
18 ballots received from the voter into the ballot box in the  
19 presence of the voter and the judges of election, and in plain  
20 view of the public. The judges having charge of such registers  
21 shall then, in a column prepared thereon, in the same line of,  
22 the name of the voter, mark "Voted" or the letter "V".

23 No judge of election shall accept from any voter less than  
24 the full number of ballots received by such voter without  
25 first advising the voter in the manner above provided of the  
26 necessity of returning all of the ballots, nor shall any such

1 judge advise such voter in a manner contrary to that which is  
2 herein permitted, or in any other manner violate the  
3 provisions of this Section; provided, that the acceptance by a  
4 judge of election of less than the full number of ballots  
5 delivered to a voter who refuses to return to the voting booth  
6 after being properly advised by such judge shall not be a  
7 violation of this Section.

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

9 (10 ILCS 5/29-4) (from Ch. 46, par. 29-4)

10 Sec. 29-4. Prevention of voting or candidate support.

11 (a) Any person who, by force, intimidation, threat,  
12 deception or forgery, knowingly prevents any other person from  
13 (a) registering to vote, or (b) lawfully voting, supporting or  
14 opposing the nomination or election of any person for public  
15 office or any public question voted upon at any election,  
16 shall be guilty of a Class 4 felony.

17 (b) In addition to the criminal penalty provided in  
18 subsection (a), violation of subsection (a) also creates a  
19 civil cause of action. A voter who is intimidated, threatened,  
20 or coerced by another person who is violating subsection (a)  
21 may institute an action for an injunction, restraining order,  
22 or other relief by the court against the person who violated  
23 subsection (a). The action must be instituted in the circuit  
24 court of the locality where the violation occurred or in which  
25 the voter resides. In an action, the court may, in its

1 discretion, allow a prevailing plaintiff reasonable attorney's  
2 fees as part of the costs.

3 (c) This Section applies to any election and to any method  
4 used by a political party for selection of its nominees and for  
5 selection of delegates to its conventions and meetings.

6 (Source: P.A. 78-887.)

7 (10 ILCS 5/29-21 new)

8 Sec. 29-21. Intimidation of election officers. Any person  
9 who, by bribery, intimidation, threats, coercion, or other  
10 means in violation of this Code, willfully hinders or  
11 prevents, or attempts to hinder or prevent, the election  
12 officers at any polling place, including an early voting  
13 polling place and any or other location being used by a  
14 locality for voting purposes, from holding an election is  
15 guilty of a Class 4 felony.

16 (10 ILCS 5/29-22 new)

17 Sec. 29-22. Communication of false information to  
18 registered voter.

19 (a) It shall be unlawful for any person to communicate to a  
20 registered voter, by any means, false information about (i)  
21 the date, time, and place of the election, (ii) the voter's  
22 precinct, polling place, or voter registration status, (iii)  
23 or the location of early voting polling places if the person  
24 knows the information to be false and is intending to impede



1 the voter in the exercise of the voter's right to vote.

2 (b) Any person who violates the provisions of this Section  
3 is guilty of a Class A misdemeanor. The violation may be  
4 prosecuted either in the jurisdiction from which the  
5 communication was made or in the jurisdiction in which the  
6 communication was received.

7 (c) In addition to the criminal penalty provided in  
8 subsection (b), a violation of the provisions of this Section  
9 also creates a civil cause of action. A registered voter to  
10 whom the false information is communicated may institute an  
11 action for an injunction, restraining order, or any other  
12 relief by the court against the person communicating the false  
13 information. The action may be instituted in the circuit court  
14 of either the jurisdiction from which the communication was  
15 made or the jurisdiction in which the communication was  
16 received. In any action, the court may, in its discretion,  
17 allow a prevailing plaintiff reasonable attorney's fees as  
18 part of the costs.

19 (10 ILCS 5/29-23 new)

20 Sec. 29-23. Interference with voting.

21 (a) Any person acting under the color of law who, contrary  
22 to an official policy or procedure, fails or refuses to permit  
23 a qualified voter to vote, or who willfully fails or refuses to  
24 tabulate, count, or report the vote of a qualified voter, is  
25 subject to a civil penalty in an amount not exceeding \$1,000

1 for each affected voter. The Attorney General may bring an  
2 action to enforce the provisions of this subsection. The civil  
3 penalties shall be payable into the Voter Education and  
4 Outreach Fund.

5 (b) Any person who (i) furnishes a ballot to a voter who  
6 the person knows cannot understand the language in which the  
7 ballot is printed and misinforms the voter as to the content of  
8 the ballot with an intent to deceive the voter and induce the  
9 voter to vote contrary to the voter's desire or (ii) changes a  
10 ballot of a voter to prevent the person from voting as he  
11 desires is guilty of a Class A misdemeanor. This subsection  
12 applies to any election and to any method used by a political  
13 party for selection of its nominees and for selection of  
14 delegates to its conventions and meetings.

15 Section 10. The State Finance Act is amended by adding  
16 Section 5.990 as follows:

17 (30 ILCS 105/5.990 new)

18 Sec. 5.990. The Voter Education and Outreach Fund.

1		INDEX
2		Statutes amended in order of appearance
3	10 ILCS 5/Art. 3A heading	
4	new	
5	10 ILCS 5/3A-1 new	
6	10 ILCS 5/3A-5 new	
7	10 ILCS 5/3A-10 new	
8	10 ILCS 5/3A-15 new	
9	10 ILCS 5/3A-20 new	
10	10 ILCS 5/3A-25 new	
11	10 ILCS 5/3A-30 new	
12	10 ILCS 5/3A-35 new	
13	10 ILCS 5/12-1	from Ch. 46, par. 12-1
14	10 ILCS 5/17-14	from Ch. 46, par. 17-14
15	10 ILCS 5/18-5	from Ch. 46, par. 18-5
16	10 ILCS 5/29-4	from Ch. 46, par. 29-4
17	10 ILCS 5/29-21 new	
18	10 ILCS 5/29-22 new	
19	10 ILCS 5/29-23 new	
20	30 ILCS 105/5.990 new	