



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

### HB0612

Introduced 2/5/2007, by Rep. Lou Lang

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-105	
10 ILCS 5/5-105	
10 ILCS 5/6-105	
10 ILCS 5/19-2.1	from Ch. 46, par. 19-2.1
10 ILCS 5/19-8	from Ch. 46, par. 19-8
10 ILCS 5/19-10	from Ch. 46, par. 19-10
10 ILCS 5/19-20	
10 ILCS 5/19A-15	
10 ILCS 5/24-15	from Ch. 46, par. 24-15
10 ILCS 5/24A-6	from Ch. 46, par. 24A-6
10 ILCS 5/24B-6	
10 ILCS 5/24C-1	
10 ILCS 5/24C-6	
10 ILCS 5/24C-13	

Amends the Election Code. Eliminates in-person absentee voting, except in the office of a municipal, township, or road district clerk as authorized by an election authority. Extends early voting through the Monday before an election (now, through the 5th day before an election). Removes language permitting pollwatchers in the office of a municipal, township, or road district clerk during absentee voting. Removes language permitting pollwatchers in polling places when absentee ballots are counted (absentee ballots are no longer counted in polling places).

LRB095 03986 JAM 26529 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 4-105, 5-105, 6-105, 19-2.1, 19-8, 19-10, 19-20,  
6 19A-15, 24-15, 24A-6, 24B-6, 24C-1, 24C-6, and 24C-13 as  
7 follows:

8 (10 ILCS 5/4-105)

9 Sec. 4-105. First time voting. If a person registered to  
10 vote by mail, the person must vote for the first time in person  
11 and not by an absentee ballot, except that the person may vote  
12 by early voting. The election judge or official is required to  
13 verify the signature of the early voter by comparison of his or  
14 her signature with the signature on the official registration  
15 card, and the judge or official must verify (i) the identity of  
16 the applicant, (ii) that the applicant is a registered voter,  
17 (iii) the precinct in which the applicant is registered, and  
18 (iv) the proper ballots of the political subdivision in which  
19 the applicant resides and that the applicant is entitled to  
20 vote before providing an early ballot to the applicant. The  
21 applicant's identity must be verified by the applicant's  
22 presentation of an Illinois driver's license, a non-driver  
23 identification document containing the applicant's photograph.

1 The election judge or official must verify the applicant's  
2 registration from the most recent poll list provided by the  
3 election authority, and if the applicant is not listed on that  
4 poll list, by telephoning the office of the election authority.  
5 ~~absentee ballot in person if the person first provides the~~  
6 ~~appropriate election authority with sufficient proof of~~  
7 ~~identity by the person's driver's license number or State~~  
8 ~~identification card number or, if the person does not have~~  
9 ~~either of those, by the last 4 digits of the person's social~~  
10 ~~security number, a copy of a current and valid photo~~  
11 ~~identification, or a copy of any of the following current~~  
12 ~~documents that show the person's name and address: utility~~  
13 ~~bill, bank statement, paycheck, government check, or other~~  
14 ~~government document.~~

15 (Source: P.A. 94-645, eff. 8-22-05.)

16 (10 ILCS 5/5-105)

17 Sec. 5-105. First time voting. If a person registered to  
18 vote by mail, the person must vote for the first time in person  
19 and not by an absentee ballot, except that the person may vote  
20 by early voting. The election judge or official is required to  
21 verify the signature of the early voter by comparison of his or  
22 her signature with the signature on the official registration  
23 card, and the judge or official must verify (i) the identity of  
24 the applicant, (ii) that the applicant is a registered voter,  
25 (iii) the precinct in which the applicant is registered, and

1 (iv) the proper ballots of the political subdivision in which  
2 the applicant resides and that the applicant is entitled to  
3 vote before providing an early ballot to the applicant. The  
4 applicant's identity must be verified by the applicant's  
5 presentation of an Illinois driver's license, a non-driver  
6 identification document containing the applicant's photograph.  
7 The election judge or official must verify the applicant's  
8 registration from the most recent poll list provided by the  
9 election authority, and if the applicant is not listed on that  
10 poll list, by telephoning the office of the election authority.  
11 ~~absentee ballot in person if the person first provides the~~  
12 ~~appropriate election authority with sufficient proof of~~  
13 ~~identity by the person's driver's license number or State~~  
14 ~~identification card number or, if the person does not have~~  
15 ~~either of those, by the last 4 digits of the person's social~~  
16 ~~security number, a copy of a current and valid photo~~  
17 ~~identification, or a copy of any of the following current~~  
18 ~~documents that show the person's name and address: utility~~  
19 ~~bill, bank statement, paycheck, government check, or other~~  
20 ~~government document.~~

21 (Source: P.A. 94-645, eff. 8-22-05.)

22 (10 ILCS 5/6-105)

23 Sec. 6-105. First time voting. If a person registered to  
24 vote by mail, the person must vote for the first time in person  
25 and not by an absentee ballot, except that the person may vote

1 by early voting. The election judge or official is required to  
2 verify the signature of the early voter by comparison of his or  
3 her signature with the signature on the official registration  
4 card, and the judge or official must verify (i) the identity of  
5 the applicant, (ii) that the applicant is a registered voter,  
6 (iii) the precinct in which the applicant is registered, and  
7 (iv) the proper ballots of the political subdivision in which  
8 the applicant resides and that the applicant is entitled to  
9 vote before providing an early ballot to the applicant. The  
10 applicant's identity must be verified by the applicant's  
11 presentation of an Illinois driver's license, a non-driver  
12 identification document containing the applicant's photograph.  
13 The election judge or official must verify the applicant's  
14 registration from the most recent poll list provided by the  
15 election authority, and if the applicant is not listed on that  
16 poll list, by telephoning the office of the election authority.  
17 ~~absentee ballot in person if the person first provides the~~  
18 ~~appropriate election authority with sufficient proof of~~  
19 ~~identity by the person's driver's license number or State~~  
20 ~~identification card number or, if the person does not have~~  
21 ~~either of those, by the last 4 digits of the person's social~~  
22 ~~security number, a copy of a current and valid photo~~  
23 ~~identification, or a copy of any of the following current~~  
24 ~~documents that show the person's name and address: utility~~  
25 ~~bill, bank statement, paycheck, government check, or other~~  
26 ~~government document.~~

1 (Source: P.A. 94-645, eff. 8-22-05.)

2 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

3 Sec. 19-2.1. At the consolidated primary, general primary,  
4 consolidated, and general elections, electors entitled to vote  
5 by absentee ballot under the provisions of Section 19-1 may  
6 vote in person at the office of the municipal clerk, if the  
7 elector is a resident of a municipality not having a board of  
8 election commissioners, or at the office of the township clerk  
9 or, in counties not under township organization, at the office  
10 of the road district clerk if the elector is not a resident of  
11 a municipality; provided, in each case that the municipal,  
12 township or road district clerk, as the case may be, is  
13 authorized to conduct in-person absentee voting pursuant to  
14 this Section. Absentee voting in such municipal and township  
15 clerk's offices under this Section shall be conducted from the  
16 22nd day through the day before the election.

17 Municipal and township clerks (or road district clerks) who  
18 have regularly scheduled working hours at regularly designated  
19 offices other than a place of residence and whose offices are  
20 open for business during the same hours as the office of the  
21 election authority shall conduct in-person absentee voting for  
22 said elections. Municipal and township clerks (or road district  
23 clerks) who have no regularly scheduled working hours but who  
24 have regularly designated offices other than a place of  
25 residence shall conduct in-person absentee voting for said

1 elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00  
2 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on  
3 Saturdays, but not during such hours as the office of the  
4 election authority is closed, unless the clerk files a written  
5 waiver with the election authority not later than July 1 of  
6 each year stating that he or she is unable to conduct such  
7 voting and the reasons therefor. Such clerks who conduct  
8 in-person absentee voting may extend their hours for that  
9 purpose to include any hours in which the election authority's  
10 office is open. Municipal and township clerks (or road district  
11 clerks) who have no regularly scheduled office hours and no  
12 regularly designated offices other than a place of residence  
13 may not conduct in-person absentee voting for said elections.  
14 The election authority may devise alternative methods for  
15 in-person absentee voting before said elections for those  
16 precincts located within the territorial area of a municipality  
17 or township (or road district) wherein the clerk of such  
18 municipality or township (or road district) has waived or is  
19 not entitled to conduct such voting. In addition, electors may  
20 vote by absentee ballot under the provisions of Section 19-1 at  
21 the office of the election authority having jurisdiction over  
22 their residence. Unless specifically authorized by the  
23 election authority, municipal, township, and road district  
24 clerks shall not conduct in-person absentee voting. No less  
25 than 45 days before the date of an election, the election  
26 authority shall notify the municipal, township, and road

1 district clerks within its jurisdiction if they are to conduct  
2 in-person absentee voting. ~~Election authorities, however, may~~  
3 ~~conduct in-person absentee voting in one or more designated~~  
4 ~~appropriate public buildings from the fourth day before the~~  
5 ~~election through the day before the election.~~

6 In conducting in-person absentee voting under this  
7 Section, the respective clerks shall be required to verify the  
8 signature of the absentee voter by comparison with the  
9 signature on the official registration record card. The clerk  
10 also shall reasonably ascertain the identity of such applicant,  
11 shall verify that each such applicant is a registered voter,  
12 and shall verify the precinct in which he or she is registered  
13 and the proper ballots of the political subdivisions in which  
14 the applicant resides and is entitled to vote, prior to  
15 providing any absentee ballot to such applicant. The clerk  
16 shall verify the applicant's registration and from the most  
17 recent poll list provided by the county clerk, and if the  
18 applicant is not listed on that poll list then by telephoning  
19 the office of the county clerk.

20 Absentee voting procedures in the office of the municipal,  
21 township and road district clerks shall be subject to all of  
22 the applicable provisions of this Article 19. Pollwatchers may  
23 be appointed to observe in-person absentee voting procedures  
24 and view all reasonably requested records relating to the  
25 conduct of the election, provided the secrecy of the ballot is  
26 not impinged, at the office of the municipal, township or road



1 district clerks' offices where such absentee voting is  
2 conducted. Such pollwatchers shall qualify and be appointed in  
3 the same manner as provided in Sections 7-34 and 17-23, except  
4 each candidate, political party or organization of citizens may  
5 appoint only one pollwatcher for each location where in-person  
6 absentee voting is conducted. Pollwatchers must be registered  
7 to vote in Illinois and possess valid pollwatcher credentials.  
8 All requirements in this Article applicable to election  
9 authorities shall apply to the respective local clerks, except  
10 where inconsistent with this Section.

11 The sealed absentee ballots in their carrier envelope shall  
12 be delivered by the respective clerks, or by the election  
13 authority on behalf of a clerk if the clerk and the election  
14 authority agree, to the election authority's central ballot  
15 counting location before the close of the polls on the day of  
16 the general primary, consolidated primary, consolidated, or  
17 general election.

18 Not more than 23 days before the general and consolidated  
19 elections, the county clerk shall make available to those  
20 municipal, township and road district clerks conducting  
21 in-person absentee voting within such county, a sufficient  
22 number of applications, absentee ballots, envelopes, and  
23 printed voting instruction slips for use by absentee voters in  
24 the offices of such clerks. The respective clerks shall receipt  
25 for all ballots received, shall return all unused or spoiled  
26 ballots to the county clerk on the day of the election and

1 shall strictly account for all ballots received.

2 The ballots delivered to the respective clerks shall  
3 include absentee ballots for each precinct in the municipality,  
4 township or road district, or shall include such separate  
5 ballots for each political subdivision conducting an election  
6 of officers or a referendum on that election day as will permit  
7 any resident of the municipality, township or road district to  
8 vote absentee in the office of the proper clerk.

9 The clerks of all municipalities, townships and road  
10 districts may distribute applications for absentee ballot for  
11 the use of voters who wish to mail such applications to the  
12 appropriate election authority. Such applications for absentee  
13 ballots shall be made on forms provided by the election  
14 authority. Duplication of such forms by the municipal, township  
15 or road district clerk is prohibited.

16 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
17 94-1000, eff. 7-3-06.)

18 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

19 Sec. 19-8. Time and place of counting ballots.

20 (a) (Blank.)

21 (b) Each absent voter's ballot returned to an election  
22 authority, by any means authorized by this Article, and  
23 received by that election authority before the closing of the  
24 polls on election day shall be endorsed by the receiving  
25 election authority with the day and hour of receipt and shall

1 be counted in the central ballot counting location of the  
2 election authority on the day of the election after 7:00 p.m.,  
3 except as provided in subsections (g) and (g-5).

4 (c) Each absent voter's ballot that is mailed to an  
5 election authority and postmarked by the midnight preceding the  
6 opening of the polls on election day, but that is received by  
7 the election authority after the polls close on election day  
8 and before the close of the period for counting provisional  
9 ballots cast at that election, shall be endorsed by the  
10 receiving authority with the day and hour of receipt and shall  
11 be counted at the central ballot counting location of the  
12 election authority during the period for counting provisional  
13 ballots.

14 (d) Special write-in absentee voter's blank ballots  
15 returned to an election authority, by any means authorized by  
16 this Article, and received by the election authority at any  
17 time before the closing of the polls on election day shall be  
18 endorsed by the receiving election authority with the day and  
19 hour of receipt and shall be counted at the central ballot  
20 counting location of the election authority during the same  
21 period provided for counting absent voters' ballots under  
22 subsections (b), (g), and (g-5). Special write-in absentee  
23 voter's blank ballots that are mailed to an election authority  
24 and postmarked by the midnight preceding the opening of the  
25 polls on election day, but that are received by the election  
26 authority after the polls close on election day and before the

1 closing of the period for counting provisional ballots cast at  
2 that election, shall be endorsed by the receiving authority  
3 with the day and hour of receipt and shall be counted at the  
4 central ballot counting location of the election authority  
5 during the same periods provided for counting absent voters'  
6 ballots under subsection (c).

7 (e) Except as otherwise provided in this Section, absent  
8 voters' ballots and special write-in absentee voter's blank  
9 ballots received by the election authority after the closing of  
10 the polls on an election day shall be endorsed by the election  
11 authority receiving them with the day and hour of receipt and  
12 shall be safely kept unopened by the election authority for the  
13 period of time required for the preservation of ballots used at  
14 the election, and shall then, without being opened, be  
15 destroyed in like manner as the used ballots of that election.

16 (f) Counting required under this Section to begin on  
17 election day after the closing of the polls shall commence no  
18 later than 8:00 p.m. and shall be conducted by a panel or  
19 panels of election judges appointed in the manner provided by  
20 law. The counting shall continue until all absent voters'  
21 ballots and special write-in absentee voter's blank ballots  
22 required to be counted on election day have been counted.

23 (g) The procedures set forth in Articles 17 and 18 of this  
24 Code shall apply to all ballots counted under this Section. In  
25 addition, within 2 days after an absentee ballot, other than an  
26 in-person absentee ballot, is received, but in all cases before

1 the close of the period for counting provisional ballots, the  
2 election judge or official shall compare the voter's signature  
3 on the certification envelope of that absentee ballot with the  
4 signature of the voter on file in the office of the election  
5 authority. If the election judge or official determines that  
6 the 2 signatures match, and that the absentee voter is  
7 otherwise qualified to cast an absentee ballot, the election  
8 authority shall cast and count the ballot on election day or  
9 the day the ballot is determined to be valid, whichever is  
10 later, adding the results to the precinct in which the voter is  
11 registered. If the election judge or official determines that  
12 the signatures do not match, or that the absentee voter is not  
13 qualified to cast an absentee ballot, then without opening the  
14 certification envelope, the judge or official shall mark across  
15 the face of the certification envelope the word "Rejected" and  
16 shall not cast or count the ballot.

17 In addition to the voter's signatures not matching, an  
18 absentee ballot may be rejected by the election judge or  
19 official:

20 (1) if the ballot envelope is open or has been opened  
21 and resealed;

22 (2) if the voter has already cast an early or grace  
23 period ballot;

24 (3) if the voter voted in person on election day or the  
25 voter is not a duly registered voter in the precinct; or

26 (4) on any other basis set forth in this Code.

1           If the election judge or official determines that any of  
2 these reasons apply, the judge or official shall mark across  
3 the face of the certification envelope the word "Rejected" and  
4 shall not cast or count the ballot.

5           (g-5) If an absentee ballot, ~~other than an in person~~  
6 ~~absentee ballot,~~ is rejected by the election judge or official  
7 for any reason, the election authority shall, within 2 days  
8 after the rejection but in all cases before the close of the  
9 period for counting provisional ballots, notify the absentee  
10 voter that his or her ballot was rejected. The notice shall  
11 inform the voter of the reason or reasons the ballot was  
12 rejected and shall state that the voter may appear before the  
13 election authority, on or before the 14th day after the  
14 election, to show cause as to why the ballot should not be  
15 rejected. The voter may present evidence to the election  
16 authority supporting his or her contention that the ballot  
17 should be counted. The election authority shall appoint a panel  
18 of 3 election judges to review the contested ballot,  
19 application, and certification envelope, as well as any  
20 evidence submitted by the absentee voter. No more than 2  
21 election judges on the reviewing panel shall be of the same  
22 political party. The reviewing panel of election judges shall  
23 make a final determination as to the validity of the contested  
24 absentee ballot. The judges' determination shall not be  
25 reviewable either administratively or judicially.

26           An absentee ballot subject to this subsection that is

1 determined to be valid shall be counted before the close of the  
2 period for counting provisional ballots.

3 (g-10) All absentee ballots determined to be valid shall be  
4 added to the vote totals for the precincts for which they were  
5 cast in the order in which the ballots were opened.

6 (h) Each political party, candidate, and qualified civic  
7 organization shall be entitled to have present one pollwatcher  
8 for each panel of election judges therein assigned.

9 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06.)

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

11 Sec. 19-10. Pollwatchers may be appointed to observe  
12 ~~in-person absentee voting procedures~~ and view all reasonably  
13 requested records relating to the conduct of the election,  
14 provided the secrecy of the ballot is not impinged, ~~at the~~  
15 ~~office of the election authority as well as at municipal,~~  
16 ~~township or road district clerks' offices where such absentee~~  
17 ~~voting is conducted. Such pollwatchers shall qualify and be~~  
18 ~~appointed in the same manner as provided in Sections 7-34 and~~  
19 ~~17-23, except each candidate, political party or organization~~  
20 ~~of citizens may appoint only one pollwatcher for each location~~  
21 ~~where in-person absentee voting is conducted. Pollwatchers~~  
22 must be registered to vote in Illinois and possess valid  
23 pollwatcher credentials.

24 ~~In the polling place on election day, pollwatchers shall be~~  
25 ~~permitted to be present during the casting of the absent~~

1 ~~voters' ballots and the vote of any absent voter may be~~  
2 ~~challenged for cause the same as if he were present and voted~~  
3 ~~in person, and the judges of the election or a majority thereof~~  
4 ~~shall have power and authority to hear and determine the~~  
5 ~~legality of such ballot; Provided, however, that if a challenge~~  
6 ~~to any absent voter's right to vote is sustained, notice of the~~  
7 ~~same must be given by the judges of election by mail addressed~~  
8 ~~to the voter's place of residence.~~

9       Where ~~certain~~ absent voters' ballots are counted on the  
10 night day of the election in the office of the election  
11 authority as provided in Section 19-8 of this Act, each  
12 political party, candidate and qualified civic organization  
13 shall be entitled to have present one pollwatcher for each  
14 panel of election judges therein assigned. Such pollwatchers  
15 shall be subject to the same provisions as are provided for  
16 pollwatchers in Sections 7-34 and 17-23 of this Code, and shall  
17 be permitted to observe the election judges making the  
18 signature comparison between that which is on the ballot  
19 envelope and that which is on the permanent voter registration  
20 record card taken from the master file.

21 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

22 (10 ILCS 5/19-20)

23       Sec. 19-20. Report on absentee ballots. ~~This Section~~  
24 ~~applies to absentee ballots other than in-person absentee~~  
25 ~~ballots.~~



1 On or before the 21st day after an election, each election  
2 authority shall transmit to the State Board of Elections the  
3 following information with respect to that election:

4 (1) The number, by precinct, of absentee ballots  
5 requested, provided, and counted.

6 (2) The number of rejected absentee ballots.

7 (3) The number of voters seeking review of rejected  
8 absentee ballots pursuant to subsection (g-5) of Section  
9 19-8.

10 (4) The number of absentee ballots counted following  
11 review pursuant to subsection (g-5) of Section 19-8.

12 On or before the 28th day after an election, the State Board of  
13 Elections shall compile the information received under this  
14 Section with respect to that election and make that information  
15 available to the public.

16 (Source: P.A. 94-1000, eff. 7-3-06.)

17 (10 ILCS 5/19A-15)

18 Sec. 19A-15. Period for early voting; hours.

19 (a) The period for early voting by personal appearance  
20 begins the 22nd day preceding a general primary, consolidated  
21 primary, consolidated, or general election and extends through  
22 the Monday ~~5th day~~ before election day.

23 (b) A permanent polling place for early voting must remain  
24 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.  
25 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on

1 Saturdays, Sundays, and holidays.

2 (Source: P.A. 94-645, eff. 8-22-05.)

3 (10 ILCS 5/24-15) (from Ch. 46, par. 24-15)

4 Sec. 24-15. As soon as the polls are closed, the voting  
5 machine or machines shall be locked in order to prevent further  
6 voting and each machine shall be sealed against voting and  
7 tampering, with a numbered metal seal, and the number of such  
8 metal seal shall be recorded at once on the certificate  
9 provided for that purpose, and the number on the protective  
10 counter of each voting machine shall also be recorded on the  
11 certificate in the space provided for that purpose, and the  
12 number on the public counter shall be recorded in the space  
13 provided for that purpose. The counting compartment shall then  
14 be opened in the presence of all the precinct election  
15 officials and all watchers and other persons who may be  
16 lawfully within the room, giving full view of the numbers  
17 announcing the votes cast for each candidate, and the vote for  
18 and against each of the questions or other propositions.  
19 Provided, however, when a machine is equipped with a device  
20 which will automatically record the number on the registering  
21 columns for each candidate, question or proposition on the back  
22 of the machine to a paper recording sheet then the recording  
23 sheet shall be removed and the vote cast shall be announced  
24 from the recording sheet for each candidate and the vote for  
25 and against each question or proposition. When voting machines

1 are used in an election precinct, the watchers provided by law  
2 to be present in the polling place on election day shall be  
3 permitted to make a record of the number on the metal seal with  
4 which each voting machine is sealed, and to also record the  
5 number shown on the protective counter of each voting machine,  
6 and such watchers shall also be permitted to examine the  
7 counters of the voting machines as the totals are being  
8 announced for transcription to the return sheets or from the  
9 recording sheets and also to examine the return sheets or the  
10 recording sheets as the totals are being recorded or checked  
11 thereon. In voting machine precincts where the voting machine  
12 is not equipped with the automatic recording sheet the officer,  
13 officers board or boards charged by law to furnish the ballot  
14 labels for the voting machines shall also furnish for each  
15 election precinct in which a voting machine is to be used, at  
16 least two duplicate return sheets which shall be used by the  
17 precinct election board of such election precinct for recording  
18 the results of the election. Such return sheets shall be  
19 printed in the form of a diagram exactly corresponding, in  
20 arrangement, with the face of the voting machine, and such  
21 return sheets shall also correspond, in as far as arrangement  
22 is concerned, with the sample ballots, and each return sheet  
23 shall provide printed instructions for the exact procedure  
24 which the precinct election board shall follow when making the  
25 canvass of the results of the election, and such return sheets  
26 shall also provide the office titles, party names, candidates'

1 names and code letters and number, arranged in the same manner  
2 as on the ballot labels, and there shall be provided a space  
3 for inserting the serial number of each voting machine, so that  
4 the totals recorded from each voting machine may be identified  
5 as being from a certain voting machine, and there shall be  
6 provided a space for recording such separate total for each  
7 candidate and constitutional amendment, or other question or  
8 proposition, from each separate voting machine, and a space for  
9 recording the total of the mail ~~and~~ absentee votes ~~vote~~ in the  
10 same manner, so that the final total for each candidate,  
11 constitutional amendment, question or other proposition, may  
12 be totaled by adding all the figures in a column. Totals on the  
13 return sheets shall be recorded in figures only, in ink. The  
14 same authorities shall also furnish to each such election  
15 precinct suitable printed forms for use by the precinct  
16 election board, in making out the certificates provided for in  
17 this Article. Such certificates shall be made a part of the  
18 return sheets if practicable, or may be on separate sheets.

19 (Source: Laws 1961, p. 2492.)

20 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

21 Sec. 24A-6. The ballot information, whether placed on the  
22 ballot or on the marking device, shall, as far as practicable,  
23 be in the order of arrangement provided for paper ballots,  
24 except that such information may be in vertical or horizontal  
25 rows, or in a number of separate pages. Ballots for all

1 questions or propositions to be voted on must be provided in  
2 the same manner and must be arranged on or in the marking  
3 device or on the ballot sheet in the places provided for such  
4 purposes.

5       When an electronic voting system utilizes a ballot label  
6 booklet and ballot card, ballots for candidates, ballots  
7 calling for a constitutional convention, constitutional  
8 amendment ballots, judicial retention ballots, public  
9 measures, and all propositions to be voted upon may be placed  
10 on the electronic voting device by providing in the ballot  
11 booklet separate ballot label pages or series of pages  
12 distinguished by differing colors as provided below. When an  
13 electronic voting system utilizes a ballot sheet, ballots  
14 calling for a constitutional convention, constitutional  
15 amendment ballots and judicial retention ballots shall be  
16 placed on the ballot sheet by providing a separate portion of  
17 the ballot sheet for each such kind of ballot which shall be  
18 printed in ink of a color distinct from the color of ink used  
19 in printing any other portion of the ballot sheet. Ballots for  
20 candidates, public measures and all other propositions to be  
21 voted upon shall be placed on the ballot sheet by providing a  
22 separate portion of the ballot sheet for each such kind of  
23 ballot. Below the name of the last candidate listed for an  
24 office shall be printed a line on which the name of a candidate  
25 may be written by the voter, and immediately to the left of  
26 such line an area shall be provided for marking a vote for such

1 write-in candidate. More than one amendment to the constitution  
2 may be placed on the same ballot page or series of pages or on  
3 the same portion of the ballot sheet, as the case may be.  
4 Ballot label pages for constitutional conventions or  
5 constitutional amendments shall be on paper of blue color and  
6 shall precede all other ballot label pages in the ballot label  
7 booklet. More than one public measure or proposition may be  
8 placed on the same ballot label page or series of pages or on  
9 the same portion of the ballot sheet, as the case may be. More  
10 than one proposition for retention of judges in office may be  
11 placed on the same ballot label page or series of pages or on  
12 the same portion of the ballot sheet, as the case may be.  
13 Ballot label pages for candidates shall be on paper of white  
14 color, except that in primary elections the ballot label page  
15 or pages for the candidates of each respective political party  
16 shall be of the color designated by the election official in  
17 charge of the election for that political party's candidates;  
18 provided that the ballot label pages or pages for candidates  
19 for use at the nonpartisan and consolidated elections may be on  
20 paper of different colors, except blue, whenever necessary or  
21 desirable to facilitate distinguishing between the pages for  
22 different political subdivisions. On each page of the candidate  
23 booklet, where the election is made to list ballot information  
24 vertically, the party affiliation of each candidate or the word  
25 "independent" shall appear immediately to the left of the  
26 candidate's name, and the name of candidates for the same

1 office shall be listed vertically under the title of that  
2 office. In the case of nonpartisan elections for officers of  
3 political subdivisions, unless the statute or an ordinance  
4 adopted pursuant to Article VII of the Constitution requires  
5 otherwise, the listing of such nonpartisan candidates shall not  
6 include any party or "independent" designation. Ballot label  
7 pages for judicial retention ballots shall be on paper of green  
8 color, and ballot label pages for all public measures and other  
9 propositions shall be on paper of some other distinct and  
10 different color. In primary elections, a separate ballot label  
11 booklet, marking device and voting booth shall be used for each  
12 political party holding a primary, with the ballot label  
13 booklet arranged to include ballot label pages of the  
14 candidates of the party and public measures and other  
15 propositions to be voted upon on the day of the primary  
16 election. One ballot card may be used for recording the voter's  
17 vote or choice on all such ballots, proposals, public measures  
18 or propositions, and such ballot card shall be arranged so as  
19 to record the voter's vote or choice in a separate column or  
20 columns for each such kind of ballot, proposal, public measure  
21 or proposition.

22 If the ballot label booklet includes both candidates for  
23 office and public measures or propositions to be voted on, the  
24 election official in charge of the election shall divide the  
25 pages by protruding tabs identifying the division of the pages,  
26 and printing on such tabs "Candidates" and "Propositions".

1           The ballot card and all of its columns and the ballot card  
2 envelope shall be of the color prescribed for candidate's  
3 ballots at the general or primary election, whichever is being  
4 held. At an election where no candidates are being nominated or  
5 elected, the ballot card, its columns, and the ballot card  
6 envelope shall be of a color designated by the election  
7 official in charge of the election.

8           The ballot cards, ballot card envelopes and ballot sheets  
9 may, at the discretion of the election authority, be printed on  
10 white paper and then striped with the appropriate colors.

11           When ballot sheets are used, the various portions thereof  
12 shall be arranged to conform to the foregoing format.

13           Absentee ballots may consist of ballot cards, envelopes,  
14 paper ballots or ballot sheets voted ~~in person in the office of~~  
15 ~~the election official in charge of the election or voted by~~  
16 mail. Where a ballot card is used for voting by mail it must be  
17 accompanied by a punching tool or other appropriate marking  
18 device, voter instructions and a specimen ballot showing the  
19 proper positions to vote on the ballot card or ballot sheet for  
20 each party, candidate, proposal, public measure or  
21 proposition, and in the case of a ballot card must be mounted  
22 on a suitable material to receive the punched out chip.

23           Any voter who spoils his ballot or makes an error may  
24 return the ballot to the judges of election and secure another.  
25 However, the protruding identifying tab for proposals for a  
26 constitutional convention or constitutional amendments shall



1 have printed thereon "Constitutional Ballot", and the ballot  
2 label page or pages for such proposals shall precede the ballot  
3 label pages for candidates in the ballot label booklet.

4 (Source: P.A. 89-700, eff. 1-17-97.)

5 (10 ILCS 5/24B-6)

6 Sec. 24B-6. Ballot Information; Arrangement; Electronic  
7 Precinct Tabulation Optical Scan Technology Voting System;  
8 Absentee Ballots; Spoiled Ballots. The ballot information,  
9 shall, as far as practicable, be in the order of arrangement  
10 provided for paper ballots, except that the information may be  
11 in vertical or horizontal rows, or on a number of separate  
12 pages or displays on the marking device. Ballots for all  
13 questions or propositions to be voted on should be provided in  
14 a similar manner and must be arranged on the ballot sheet or  
15 marking device in the places provided for such purposes.  
16 Ballots shall be of white paper unless provided otherwise by  
17 administrative rule of the State Board of Elections or  
18 otherwise specified.

19 All propositions, including but not limited to  
20 propositions calling for a constitutional convention,  
21 constitutional amendment, judicial retention, and public  
22 measures to be voted upon shall be placed on separate portions  
23 of the ballot sheet or marking device by utilizing borders or  
24 grey screens. Candidates shall be listed on a separate portion  
25 of the ballot sheet or marking device by utilizing borders or

1 grey screens. Below the name of the last candidate listed for  
2 an office shall be printed or displayed a line or lines on  
3 which the voter may select a write-in candidate. Such line or  
4 lines shall be proximate to an area provided for marking votes  
5 for the write-in candidate or candidates. The number of  
6 write-in lines for an office shall equal the number of  
7 candidates for which a voter may vote. More than one amendment  
8 to the constitution may be placed on the same portion of the  
9 ballot sheet or marking device. Constitutional convention or  
10 constitutional amendment propositions shall be printed or  
11 displayed on a separate portion of the ballot sheet or marking  
12 device and designated by borders or grey screens, unless  
13 otherwise provided by administrative rule of the State Board of  
14 Elections. More than one public measure or proposition may be  
15 placed on the same portion of the ballot sheet or marking  
16 device. More than one proposition for retention of judges in  
17 office may be placed on the same portion of the ballot sheet or  
18 marking device. Names of candidates shall be printed in black.  
19 The party affiliation of each candidate or the word  
20 "independent" shall appear near or under the candidate's name,  
21 and the names of candidates for the same office shall be listed  
22 vertically under the title of that office, on separate pages of  
23 the marking device, or as otherwise approved by the State Board  
24 of Elections. In the case of nonpartisan elections for officers  
25 of political subdivisions, unless the statute or an ordinance  
26 adopted pursuant to Article VII of the Constitution requires

1 otherwise, the listing of nonpartisan candidates shall not  
2 include any party or "independent" designation. Judicial  
3 retention questions and ballot questions for all public  
4 measures and other propositions shall be designated by borders  
5 or grey screens on the ballot or marking device. In primary  
6 elections, a separate ballot, or displays on the marking  
7 device, shall be used for each political party holding a  
8 primary, with the ballot or marking device arranged to include  
9 names of the candidates of the party and public measures and  
10 other propositions to be voted upon on the day of the primary  
11 election.

12 If the ballot includes both candidates for office and  
13 public measures or propositions to be voted on, the election  
14 official in charge of the election shall divide the ballot or  
15 displays on the marking device in sections for "Candidates" and  
16 "Propositions", or separate ballots may be used.

17 Absentee ballots may consist of envelopes, paper ballots or  
18 ballot sheets voted ~~in person in the office of the election~~  
19 ~~official in charge of the election or voted~~ by mail. Where a  
20 Precinct Tabulation Optical Scan Technology ballot is used for  
21 voting by mail it must be accompanied by voter instructions.

22 Any voter who spoils his or her ballot, makes an error, or  
23 has a ballot returned by the automatic tabulating equipment may  
24 return the ballot to the judges of election and get another  
25 ballot.

26 (Source: P.A. 93-574, eff. 8-21-03.)

1 (10 ILCS 5/24C-1)

2 Sec. 24C-1. Purpose. The purpose of this Article is to  
3 authorize the use of Direct Recording Electronic Voting Systems  
4 approved by the State Board of Elections. In a Direct Recording  
5 Electronic Voting System, voters cast votes by means of a  
6 ballot display provided with mechanical or electro-optical  
7 devices that can be activated by the voters to mark their  
8 choices for the candidates of their preference and for or  
9 against public questions. Such voting devices shall be capable  
10 of instantaneously recording such votes, storing such votes,  
11 producing a permanent paper record and tabulating such votes at  
12 the precinct or at one or more counting stations. This Article  
13 authorizes the use of Direct Recording Electronic Voting  
14 Systems for in-precinct counting applications and for  
15 ~~in person absentee voting in the office of the election~~  
16 ~~authority and in the~~ offices of local officials authorized by  
17 the election authority to conduct such absentee voting. All  
18 other absentee ballots must be counted at the office of the  
19 election authority.

20 (Source: P.A. 93-574, eff. 8-21-03.)

21 (10 ILCS 5/24C-6)

22 Sec. 24C-6. Ballot Information; Arrangement; Direct  
23 Recording Electronic Voting System; Absentee Ballots; Spoiled  
24 Ballots. The ballot information, shall, as far as practicable,

1 be in the order of arrangement provided for paper ballots,  
2 except that the information may be in vertical or horizontal  
3 rows, or on a number of separate pages or display screens.

4 Ballots for all public questions to be voted on should be  
5 provided in a similar manner and must be arranged on the ballot  
6 in the places provided for such purposes. All public questions,  
7 including but not limited to public questions calling for a  
8 constitutional convention, constitutional amendment, or  
9 judicial retention, shall be placed on the ballot separate and  
10 apart from candidates. Ballots for all public questions shall  
11 be clearly designated by borders or different color screens.  
12 More than one amendment to the constitution may be placed on  
13 the same portion of the ballot sheet. Constitutional convention  
14 or constitutional amendment propositions shall be placed on a  
15 separate portion of the ballot and designated by borders or  
16 unique color screens, unless otherwise provided by  
17 administrative rule of the State Board of Elections. More than  
18 one public question may be placed on the same portion of the  
19 ballot. More than one proposition for retention of judges in  
20 office may be placed on the same portion of the ballot.

21 The party affiliation, if any, of each candidate or the  
22 word "independent", where applicable, shall appear near or  
23 under the candidate's name, and the names of candidates for the  
24 same office shall be listed vertically under the title of that  
25 office. In the case of nonpartisan elections for officers of  
26 political subdivisions, unless the statute or an ordinance

1 adopted pursuant to Article VII of the Constitution requires  
2 otherwise, the listing of nonpartisan candidates shall not  
3 include any party or "independent" designation. In primary  
4 elections, a separate ballot shall be used for each political  
5 party holding a primary, with the ballot arranged to include  
6 names of the candidates of the party and public questions and  
7 other propositions to be voted upon on the day of the primary  
8 election.

9 If the ballot includes both candidates for office and  
10 public questions or propositions to be voted on, the election  
11 official in charge of the election shall divide the ballot in  
12 sections for "Candidates" and "Public Questions", or separate  
13 ballots may be used.

14 Any voter who spoils his or her ballot, makes an error, or  
15 has a ballot rejected by the automatic tabulating equipment  
16 shall be provided a means of correcting the ballot or obtaining  
17 a new ballot prior to casting his or her ballot.

18 Any election authority using a Direct Recording Electronic  
19 Voting System may use voting systems approved for use under  
20 Articles 24A or 24B of this Code in conducting absentee voting  
21 ~~in the office of the election authority or voted~~ by mail.

22 (Source: P.A. 93-574, eff. 8-21-03.)

23 (10 ILCS 5/24C-13)

24 Sec. 24C-13. Absentee ballots; Early voting ballots;  
25 Proceedings at Location for Central Counting; Employees;

1 Approval of List.

2 (a) All jurisdictions using Direct Recording Electronic  
3 Voting Systems shall use paper ballots or paper ballot sheets  
4 approved for use under Articles 16, 24A or 24B of this Code  
5 when conducting absentee voting ~~except that Direct Recording~~  
6 ~~Electronic Voting Systems may be used for in person absentee~~  
7 ~~voting conducted pursuant to Section 19 2.1 of this Code.~~ All  
8 absentee ballots shall be counted at the central ballot  
9 counting location of the election authority. The provisions of  
10 Section 24A-9, 24B-9 and 24C-9 of this Code shall apply to the  
11 testing and notice requirements for central count tabulation  
12 equipment, including comparing the signature on the ballot  
13 envelope with the signature of the voter on the permanent voter  
14 registration record card taken from the master file. Vote  
15 results shall be recorded by precinct and shall be added to the  
16 vote results for the precinct in which the absent voter was  
17 eligible to vote prior to completion of the official canvass.

18 (b) All proceedings at the location for central counting  
19 shall be under the direction of the county clerk or board of  
20 election commissioners. Except for any specially trained  
21 technicians required for the operation of the Direct Recording  
22 Electronic Voting System, the employees at the counting station  
23 shall be equally divided between members of the 2 leading  
24 political parties and all duties performed by the employees  
25 shall be by teams consisting of an equal number of members of  
26 each political party. Thirty days before an election the county

1 clerk or board of election commissioners shall submit to the  
2 chairman of each political party, for his or her approval or  
3 disapproval, a list of persons of his or her party proposed to  
4 be employed. If a chairman fails to notify the election  
5 authority of his or her disapproval of any proposed employee  
6 within a period of 10 days thereafter the list shall be deemed  
7 approved.

8 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
9 94-1000, eff. 7-3-06.)