



Rep. John A. Fritchey

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1 AMENDMENT TO HOUSE BILL 2673

2 AMENDMENT NO. _____. Amend House Bill 2673 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 16-4.1, 17-11, 17-21, 18-9, 22-15.1, 24-1, 24A-5.1,
6 24A-6, 24A-15, 24A-16, 24B-5.1, 24B-6, 24B-15, 24B-16, 24C-1,
7 and 24C-11 and by adding Section 17-19a as follows:

8 (10 ILCS 5/16-4.1) (from Ch. 46, par. 16-4.1)

9 Sec. 16-4.1. Ballots; Form; Consolidated Elections. This
10 Section shall apply only to the consolidated primary election,
11 and the consolidated election, except as otherwise expressly
12 provided herein.

13 The ballot for the nomination or election of officers of
14 each political subdivision shall be considered a separate
15 ballot, and candidates for such offices shall be grouped
16 together. Where paper ballots are used, the names of candidates

1 for nomination or election to more than one political
2 subdivision may be contained on a common ballot, provided that
3 such ballot clearly indicates and separates each political
4 subdivision from which such officers are to be nominated or
5 elected. In the case of partisan elections of officers, a
6 separate party circle shall be included at the head of the
7 portion of the ballot for each political subdivision for which
8 candidates of political parties have been nominated. When an
9 electronic voting system is used that utilizes a ballot label
10 booklet, the party circles for straight-party voting shall be
11 on the same ballot page on which are listed the candidates for
12 the political subdivision election for which that party circle
13 applies.

14 At the consolidated election, the ballot for school
15 district offices shall precede the ballot for community college
16 district offices, and thereafter the ballot order of the
17 political subdivision officers to be elected shall be as
18 determined by the election authority. In the case of school
19 districts other than community consolidated school districts,
20 the ballot for non-high school district offices shall precede
21 the ballot for high school district offices.

22 At the consolidated primary and at the consolidated
23 election, the ballot for nomination or election of municipal
24 officers shall precede the ballot for township officers. At the
25 consolidated election, following the ballot for municipal and
26 township offices shall be the ballots for park district and

1 library district offices, following which shall be the ballots
2 for other political subdivision offices in the order determined
3 by the election authority.

4 The election authority, in determining the order of ballot
5 placement for offices of political subdivisions whose ballot
6 placement is not specified in this Section, shall give due
7 regard to the clarity of the ballot presentation to the voters,
8 cost and administrative ease, and the requirement to provide
9 separate ballot formats within precincts in which the electors
10 are not entitled to vote for the same offices or propositions.
11 At the request of a political subdivision which extends into
12 more than one election jurisdiction, the election authority
13 shall endeavor to coordinate placement and color of the ballot
14 for such subdivision with the other election authorities
15 responsible for preparing ballots for such subdivision
16 election. The election authority may conduct a lottery to
17 determine the order of ballot placement of political
18 subdivision ballots where such order is not specified in this
19 Section. Such lottery may be conducted jointly by two or more
20 election authorities.

21 (Source: P.A. 89-700, eff. 1-17-97; 90-358, eff. 1-1-98;
22 90-655, eff. 7-30-98.)

23 (10 ILCS 5/17-11) (from Ch. 46, par. 17-11)

24 Sec. 17-11. On receipt of his ballot the voter shall
25 forthwith, and without leaving the inclosed space, retire

1 alone, or accompanied by children as provided in Section 17-8,
2 to one of the voting booths so provided and shall prepare his
3 ballot by making in the appropriate margin or place a cross (X)
4 opposite the name of the candidate of his choice for each
5 office to be filled, or by writing in the name of the candidate
6 of his choice in a blank space on said ticket, making a cross
7 (X) opposite thereto; and in case of a question submitted to
8 the vote of the people, by making in the appropriate margin or
9 place a cross (X) against the answer he desires to give. A
10 cross (X) in the square in front of the bracket enclosing the
11 names of a team of candidates for Governor and Lieutenant
12 Governor counts as one vote for each of such candidates. If the
13 voter desires to vote for all of the candidates of one
14 political party or group of petitioners, he may place such mark
15 at the appropriate place preceding the appellation or title
16 under which the names of the candidates of such party or group
17 of petitioners are printed, and the ballot so marked shall be
18 counted as cast for all of the candidates named under that
19 title, provided, further, that the voter may place such mark at
20 the appropriate place preceding the appellation or title of one
21 party or group of petitioners and may also mark, at the
22 appropriate place preceding the name or names of one or more
23 candidates printed under the appellation or title of some other
24 party or group of petitioners, and a ballot so marked shall be
25 counted as cast for all the candidates named under the
26 appellation or title that has been so marked, except as to the

1 officers as to which he has placed such mark preceding the name
2 or names of some other candidate or candidates printed under
3 the title of some other party or group of petitioners, and as
4 to such it shall be counted as cast for the candidate or
5 candidates preceding whose name or names such mark may have
6 been placed. Before leaving the voting booth the voter shall
7 fold his ballot in such manner as to conceal the marks thereon.
8 He shall then vote forthwith in the manner herein provided,
9 except that the number corresponding to the number of the voter
10 on the poll books shall not be indorsed on the back of his
11 ballot. He shall mark and deliver his ballot without undue
12 delay, and shall quit said inclosed space as soon as he has
13 voted; except that immediately after voting, the voter shall be
14 instructed whether the voting equipment, if used, accepted or
15 rejected the ballot or identified the ballot as under-voted for
16 a statewide constitutional office. A voter whose ballot is
17 identified as under-voted may return to the voting booth and
18 complete the voting of that ballot. A voter whose ballot is not
19 accepted by the voting equipment may, upon surrendering the
20 ballot, request and vote another ballot. The voter's
21 surrendered ballot shall be initialed by the election judge and
22 handled as provided in the appropriate Article governing that
23 voting equipment.

24 No voter shall be allowed to occupy a voting booth already
25 occupied by another, nor remain within said inclosed space more
26 than ten minutes, nor to occupy a voting booth more than five

1 minutes in case all of said voting booths are in use and other
2 voters waiting to occupy the same. No voter not an election
3 officer, shall, after having voted, be allowed to re-enter said
4 inclosed space during said election. No person shall take or
5 remove any ballot from the polling place before the close of
6 the poll. No voter shall vote or offer to vote any ballot
7 except such as he has received from the judges of election in
8 charge of the ballots. Any voter who shall, by accident or
9 mistake, spoil his ballot, may, on returning said spoiled
10 ballot, receive another in place thereof only after the word
11 "spoiled" has been written in ink diagonally across the entire
12 face of the ballot returned by the voter.

13 Where voting machines or electronic voting systems are
14 used, the provisions of this section may be modified as
15 required or authorized by Article 24, 24A, 24B, or 24C,
16 whichever is applicable, except that the requirements of this
17 Section that (i) the voter must be notified of the voting
18 equipment's acceptance or rejection of the voter's ballot or
19 identification of an under-vote for a statewide constitutional
20 office and (ii) the voter shall have the opportunity to correct
21 an under-vote or surrender the ballot that was not accepted and
22 vote another ballot shall not be modified.

23 (Source: P.A. 94-288, eff. 1-1-06; 95-699, eff. 11-9-07.)

24 (10 ILCS 5/17-19a new)

25 Sec. 17-19a. Tallying straight ticket votes. At all

1 general and special elections held in this State, when the law
2 requires that judges tally the votes received by candidates at
3 the election, it shall not be necessary for the judges of
4 election to mark upon their tally sheets separate marks or
5 tallies for each vote received by the candidates upon the
6 ballots containing the same names, commonly known and in this
7 Code designated as "straight tickets". When the judges have
8 counted and announced to the judges keeping the tally, as near
9 as may be as provided by law, the number of votes received by
10 each set of candidates upon the "straight tickets", the tally
11 judges shall set that number of votes down, in figures opposite
12 or directly below the names of the respective candidates, in a
13 column or line provided for that purpose upon the tally sheets.
14 That column or line shall read "number of straight votes". The
15 same column shall be used for the candidates for Governor and
16 Lieutenant Governor running on the same ticket. The judges
17 shall then proceed to count and announce the votes received by
18 each candidate upon all ballots other than "straight tickets",
19 including all ballots known as "split tickets" and all ballots
20 known as "scratched tickets". The tally judges shall proceed to
21 tally the votes upon the tally sheets and to compare and
22 announce the result thereof. The counting, announcing, and
23 tallying shall be conducted as otherwise provided in this Act.
24 The tally judges shall set down, in figures, the number of
25 votes received by each candidate on ballots other than
26 "straight tickets", as so ascertained and announced, in an

1 adjoining column or line provided for that purpose upon the
2 tally sheets, immediately opposite or below the name of each
3 candidate. That line shall read "Number of other votes". The
4 judges keeping the tally shall then proceed to add together the
5 number of votes received by each candidate, as shown in the
6 column or line containing the straight votes and the number as
7 shown in the column or line containing the votes other than
8 straight votes. The result will show the total number of votes
9 received by each candidate. After comparing their results and
10 finding that the results agree and are correct, the judges
11 shall set down the results, in figures, in an adjoining column
12 or line provided upon the tally sheets for that purpose, which
13 shall be directly opposite or below the line for recording the
14 votes on split and scratched ballots and shall read "candidates
15 total vote". One of the tally judges shall announce in a loud
16 voice to the other judges the total number of votes received by
17 and counted for each candidate.

18 Nothing in this Section shall be construed to authorize or
19 permit canvassing, counting, or tallying ballots with any less
20 degree of strictness than otherwise required by law. The
21 intention of this Section is to dispense with the individual
22 tally marks only so far as the so-called "straight tickets" are
23 concerned. All other operations of tallying, counting,
24 canvassing, and announcing the votes shall proceed as near as
25 may be in accordance with the other provisions of this Code.
26 Tally sheets and certificates may be prepared in book form or

1 in accordion folds.

2 (10 ILCS 5/17-21) (from Ch. 46, par. 17-21)

3 Sec. 17-21. When the votes shall have been examined and
4 counted, the judges shall set down on a sheet or return form to
5 be supplied to them, the name of every person voted for,
6 written or printed at full length, the office for which such
7 person received such votes, and the number he did receive,
8 including the number of straight votes and the number of split
9 votes, and such additional information as is necessary to
10 complete, as nearly as circumstances will admit, the following
11 form, to-wit:

12 TALLY SHEET AND CERTIFICATE OF
13 RESULTS

14 We do hereby certify that at the election held in the
15 precinct hereinafter (general or special) specified on the
16 day of, in the year ~~of our Lord, one thousand nine~~
17 ~~hundred and~~, a total of voters requested and received
18 ballots and we do further certify:

19 Number of blank ballots delivered to us

20 ~~Number of absentee ballots delivered to us~~

21 ~~Total number of ballots delivered to us~~

22 Number of blank and spoiled ballots returned.

23 (1) Total number of ballots cast (in box)....

24 Straight Republican ballots cast

25 Straight Democratic ballots cast

1 form for use under this Section.

2 ~~Each tally sheet shall be in substantially one of the~~
3 ~~following forms:~~

4 _____

5 Candidate's

6

7	Name of	Candidates	Total	
8	office	Names	Vote	5 10 15 20
9	_____			
10	United	John Smith	77	11
11	States			
12	Senator			
13	_____			
14	_____			

15 ~~Names of candidates~~

16 ~~Name of~~ ~~and total vote~~

17 ~~office~~ ~~for each~~ ~~5 10 15 20~~

18 _____

19 For United John Smith

20 States

21 Senator

22 ~~Total Vote~~

23 _____

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

1 Sec. 18-9. The judges of election shall first count the
2 whole number of ballots in the box. If the ballots shall be
3 found to exceed the number of applications for ballot, they
4 shall reject the ballots, if any, found folded inside of a
5 ballot. And if the ballots and the applications for ballot
6 still do not agree after such rejection, the ballots shall be
7 replaced in the box and the box closed and well shaken, and
8 again opened; and one of the judges shall publicly draw out so
9 many ballots unopened as shall be equal to such excess. Such
10 excess ballots shall be marked "Excess-Not Counted" and signed
11 by a majority of judges and shall be placed in the "After 6:00
12 p.m. Defective Ballots Envelope". The number of excess ballots
13 shall be noted in the remarks section of the Certificate of
14 Results. "Excess" ballots shall not be counted in the total of
15 "defective" ballots. And the ballots and applications for
16 ballot being made to agree in this way, the judges shall
17 proceed to count the votes in the following manner: The judges
18 shall open the ballots and place those which contain the same
19 names together, so that the several kinds shall be in separate
20 piles or on separate files. Each of the judges shall examine
21 the separate files which are, or are supposed to be, alike, and
22 exclude from such files any which may have a name or an
23 erasure, or in any manner shall be different from the others of
24 such file. One of the judges shall then take one file of the
25 kind of ballots which contain the same names, and count them by
26 tens, carefully examining each name on each of the ballots.

1 Such judge shall then pass the ten ballots aforesaid to the
2 judge sitting next to him, who shall count them in the same
3 manner, who shall then pass them to a third judge, who shall
4 also count them in the same manner. Then the third judge shall
5 call the names of the persons named in the ten ballots, and the
6 offices for which they are designated, and 2 of the judges, who
7 did not assist in the counting shall tally ten votes for each
8 of such persons, except as herein otherwise provided. When the
9 judges shall have gone through such file of ballots, containing
10 the same names, and shall count them by tens in the same way,
11 and shall call the names of the persons named in the ballots
12 and the office for which they are designated, the tally judges
13 shall tally the votes by tens for each of such persons in the
14 same manner as in the first instance. When the counting of each
15 file of ballots which contain the same names shall be
16 completed, the tally judges shall compare their tallies
17 together and ascertain the total number of ballots of that kind
18 so canvassed; and when they agree upon the number, one of them
19 shall announce it in a loud voice to the other judges. The
20 judges shall then canvass the other kinds of ballots which do
21 not correspond, those containing names partly from one kind of
22 ballots and partly from another, being those from which the
23 name of the person proper to be voted for on such ballots has
24 been omitted or erased, usually called "scratched tickets".
25 They shall be canvassed separately by one of the judges sitting
26 between 2 other judges, which judge shall call each name to the

1 tally judges and the office for which it is designated, and the
2 other judges looking at the ballot at the same time, and the
3 tally judges making tally of the same. When all the ballots
4 have been canvassed in this manner, the tally judges shall
5 compare their tallies together, and ascertain the total number
6 of votes received by each candidate and when they agree upon
7 the numbers one of them shall announce in a loud voice to the
8 judges the number of votes received by each candidate on each
9 of the kinds of ballots containing his name, the number
10 received by him on the straight and scratch tickets, and the
11 total number of votes received by him. The provisions of
12 Section 17-19a shall apply to the tallying of votes on straight
13 tickets.

14 The votes for the offices of Governor and Lieutenant
15 Governor shall be counted and tallied jointly.

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

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

21 (10 ILCS 5/22-15.1) (from Ch. 46, par. 22-15.1)

22 Sec. 22-15.1. (a) Within 60 days following the canvass of
23 the general election within each election jurisdiction, the
24 election authority shall prepare, in typewritten or legible
25 computer-generated form, a report of the abstracts of votes by

1 precinct for all offices and questions of public policy in
2 connection with which votes were cast within the election
3 jurisdiction at the general election. The report shall include
4 the total number of ballots cast within each precinct or ward,
5 ~~and~~ the total number of registered voters within each precinct
6 or ward, and, in those election jurisdictions in which
7 electronic voting systems are used, the total number of
8 straight-party ballots cast at the general election. The
9 election authority shall provide a copy of the report to the
10 chairman of the county central committee of each established
11 political party in the county within which the election
12 jurisdiction is contained, and shall make a reasonable number
13 of copies of the report available for distribution to the
14 public.

15 (b) Within 60 days after the effective date of this
16 amendatory Act of 1985, each election authority shall prepare,
17 in typewritten or legible computer-generated form, a report of
18 the type required by subsection (a) concerning the general
19 election of 1984. The election authority shall provide a copy
20 of the report to the chairman of the county central committee
21 of each established political party in the county in which the
22 election jurisdiction is contained, and shall make a reasonable
23 number of copies of the report available for distribution to
24 the public.

25 (c) An election authority may charge a fee to reimburse the
26 actual cost of duplicating each copy of a report provided

1 pursuant to subsection (a) or (b).

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

3 (10 ILCS 5/24-1) (from Ch. 46, par. 24-1)

4 Sec. 24-1. The election authority in all jurisdictions when
5 voting machines are used shall, except as otherwise provided in
6 this Code, provide a voting machine or voting machines for any
7 or all of the election precincts or election districts, as the
8 case may be, for which the election authority is by law charged
9 with the duty of conducting an election or elections. A voting
10 machine or machines sufficient in number to provide a machine
11 for each 400 voters or fraction thereof shall be supplied for
12 use at all elections. However, no such voting machine shall be
13 used, purchased, or adopted, and no person or entity may have a
14 written contract, including a contract contingent upon
15 certification of the voting machines, to sell, lease, or loan
16 voting machines to an election authority, until the board of
17 voting machine commissioners hereinafter provided for, or a
18 majority thereof, shall have made and filed a report certifying
19 that they have examined such machine; that it affords each
20 elector an opportunity to vote in absolute secrecy; that it
21 enables each elector to vote a straight-party ticket; that it
22 enables each elector to vote a ticket selected in part from the
23 nominees of one party, and in part from the nominees of any or
24 all other parties, and in part from independent nominees
25 printed in the columns of candidates for public office, and in

1 part of persons not in nomination by any party or upon any
2 independent ticket; that it enables each elector to vote a
3 written or printed ballot of his own selection, for any person
4 for any office for whom he may desire to vote; that it enables
5 each elector to vote for all candidates for whom he is entitled
6 to vote, and prevents him from voting for any candidate for any
7 office more than once, unless he is lawfully entitled to cast
8 more than one vote for one candidate, and in that event permits
9 him to cast only as many votes for that candidate as he is by
10 law entitled, and no more; that it prevents the elector from
11 voting for more than one person for the same office, unless he
12 is lawfully entitled to vote for more than one person therefor,
13 and in that event permits him to vote for as many persons for
14 that office as he is by law entitled, and no more; that it
15 identifies when an elector has not voted for all statewide
16 constitutional offices; and that such machine will register
17 correctly by means of exact counters every vote cast for the
18 regular tickets thereon; and has the capacity to contain the
19 tickets of at least 5 political parties with the names of all
20 the candidates thereon, together with all propositions in the
21 form provided by law, where such form is prescribed, and where
22 no such provision is made for the form thereof, then in brief
23 form, not to exceed 75 words; that all votes cast on the
24 machine on a regular ballot or ballots shall be registered;
25 that voters may, by means of irregular ballots or otherwise
26 vote for any person for any office, although such person may

1 not have been nominated by any party and his name may not
2 appear on such machine; that when a vote is cast for any person
3 for any such office, when his name does not appear on the
4 machine, the elector cannot vote for any other name on the
5 machine for the same office; that each elector can,
6 understandingly and within the period of 4 minutes cast his
7 vote for all candidates of his choice; that the machine is so
8 constructed that the candidates for presidential electors of
9 any party can be voted for only by voting for the ballot label
10 containing a bracket within which are the names of the
11 candidates for President and Vice-President of the party or
12 group; that the machine is provided with a lock or locks by the
13 use of which any movement of the voting or registering
14 mechanism is absolutely prevented so that it cannot be tampered
15 with or manipulated for any purpose; that the machine is
16 susceptible of being closed during the progress of the voting
17 so that no person can see or know the number of votes
18 registered for any candidate; that each elector is permitted to
19 vote for or against any question, proposition or amendment upon
20 which he is entitled to vote, and is prevented from voting for
21 or against any question, proposition or amendment upon which he
22 is not entitled to vote; that the machine is capable of
23 adjustment by the election authority, so as to permit the
24 elector, at a party primary election, to vote only for the
25 candidates seeking nomination by the political party in which
26 primary he is entitled to vote: Provided, also that no such

1 machine or machines shall be purchased, unless the party or
2 parties making the sale shall guarantee in writing to keep the
3 machine or machines in good working order for 5 years without
4 additional cost and shall give a sufficient bond conditioned to
5 that effect.

6 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

7 (10 ILCS 5/24A-5.1) (from Ch. 46, par. 24A-5.1)

8 Sec. 24A-5.1. For the instruction of voters on election
9 day, the election official in charge of the election shall
10 provide at each polling place one instruction-model electronic
11 voting system marking device. Each such instruction-model
12 shall show the arrangement of party rows, office columns and
13 questions. Such model shall be located at a place which voters
14 must pass to reach the official marking device used in the
15 actual casting of votes.

16 Before entering the voting booth each voter shall be
17 offered instruction in the operation of the marking device by
18 use of the instruction-model and the voter shall be given ample
19 opportunity to operate the model by himself. In instructing
20 voters, no precinct official may show partiality to any
21 political party, and when instructing a voter on how to vote a
22 straight ticket for one political party the precinct official
23 shall at the same time instruct the voter how to vote a
24 straight ticket for any other political party that appears on
25 the ballot label. The duties of instruction shall be discharged

1 by a judge from each of the political parties represented and
2 they shall alternate serving as instructor so that each judge
3 shall serve a like time at such duties. No instructions may be
4 given after the voter has entered the voting booth.

5 No precinct official, or person assisting a voter may in
6 any manner request, suggest, or seek to persuade or induce any
7 voter to cast his vote for any particular ticket, candidate,
8 amendment, question or proposition. All instructions shall be
9 given by precinct officials in such a manner that it may be
10 observed by other persons in the polling place.

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

12 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

13 Sec. 24A-6. The ballot information, whether placed on the
14 ballot or on the marking device, shall, as far as practicable,
15 be in the order of arrangement provided for paper ballots,
16 except that such information may be in vertical or horizontal
17 rows, or in a number of separate pages. Ballots for all
18 questions or propositions to be voted on must be provided in
19 the same manner and must be arranged on or in the marking
20 device or on the ballot sheet in the places provided for such
21 purposes.

22 When an electronic voting system utilizes a ballot label
23 booklet and ballot card, ballots for candidates, ballots
24 calling for a constitutional convention, constitutional
25 amendment ballots, judicial retention ballots, public

1 measures, and all propositions to be voted upon may be placed
2 on the electronic voting device by providing in the ballot
3 booklet separate ballot label pages or series of pages
4 distinguished by differing colors as provided below. When an
5 electronic voting system utilizes a ballot sheet, ballots
6 calling for a constitutional convention, constitutional
7 amendment ballots and judicial retention ballots shall be
8 placed on the ballot sheet by providing a separate portion of
9 the ballot sheet for each such kind of ballot which shall be
10 printed in ink of a color distinct from the color of ink used
11 in printing any other portion of the ballot sheet. Ballots for
12 candidates, public measures and all other propositions to be
13 voted upon shall be placed on the ballot sheet by providing a
14 separate portion of the ballot sheet for each such kind of
15 ballot. Whenever a person has submitted a declaration of intent
16 to be a write-in candidate as required in Sections 17-16.1 and
17 18-9.1, a line on which the name of a candidate may be written
18 by the voter shall be printed below the name of the last
19 candidate nominated for such office, and immediately to the
20 left of such line an area shall be provided for marking a vote
21 for such write-in candidate. The number of write-in lines for
22 an office shall equal the number of persons who have filed
23 declarations of intent to be write-in candidates plus an
24 additional line or lines for write-in candidates who qualify to
25 file declarations to be write-in candidates under Sections
26 17-16.1 and 18-9.1 when the certification of ballot contains

1 the words "OBJECTION PENDING" next to the name of the
2 candidate, up to the number of candidates for which a voter may
3 vote. More than one amendment to the constitution may be placed
4 on the same ballot page or series of pages or on the same
5 portion of the ballot sheet, as the case may be. Ballot label
6 pages for constitutional conventions or constitutional
7 amendments shall be on paper of blue color and shall precede
8 all other ballot label pages in the ballot label booklet. More
9 than one public measure or proposition may be placed on the
10 same ballot label page or series of pages or on the same
11 portion of the ballot sheet, as the case may be. More than one
12 proposition for retention of judges in office may be placed on
13 the same ballot label page or series of pages or on the same
14 portion of the ballot sheet, as the case may be. Ballot label
15 pages for candidates shall be on paper of white color, except
16 that in primary elections the ballot label page or pages for
17 the candidates of each respective political party shall be of
18 the color designated by the election official in charge of the
19 election for that political party's candidates; provided that
20 the ballot label pages or pages for candidates for use at the
21 nonpartisan and consolidated elections may be on paper of
22 different colors, except blue, whenever necessary or desirable
23 to facilitate distinguishing between the pages for different
24 political subdivisions. Except as provided in Section 16-4.1,
25 in elections where provision is made for straight-party voting
26 by marking a party circle, the designation of the political

1 parties for straight-party voting shall be on a separate page
2 on which no names of candidates shall appear, except no
3 straight-party circle shall be necessary for any special
4 election not conducted on a regularly scheduled election day.
5 However, such page shall be of the same color as the pages
6 containing the names of candidates for office. On each
7 succeeding page of the candidate booklet, where the election is
8 made to list ballot information vertically, the party
9 affiliation of each candidate or the word "independent" shall
10 appear immediately to the left of the candidate's name, and the
11 name of candidates for the same office shall be listed
12 vertically under the title of that office. In the case of
13 nonpartisan elections for officers of political subdivisions,
14 unless the statute or an ordinance adopted pursuant to Article
15 VII of the Constitution requires otherwise, the listing of such
16 nonpartisan candidates shall not include any party or
17 "independent" designation. Ballot label pages for judicial
18 retention ballots shall be on paper of green color, and ballot
19 label pages for all public measures and other propositions
20 shall be on paper of some other distinct and different color.
21 In primary elections, a separate ballot label booklet, marking
22 device and voting booth shall be used for each political party
23 holding a primary, with the ballot label booklet arranged to
24 include ballot label pages of the candidates of the party and
25 public measures and other propositions to be voted upon on the
26 day of the primary election. One ballot card may be used for

1 recording the voter's vote or choice on all such ballots,
2 proposals, public measures or propositions, and such ballot
3 card shall be arranged so as to record the voter's vote or
4 choice in a separate column or columns for each such kind of
5 ballot, proposal, public measure or proposition.

6 If the ballot label booklet includes both candidates for
7 office and public measures or propositions to be voted on, the
8 election official in charge of the election shall divide the
9 pages by protruding tabs identifying the division of the pages,
10 and printing on such tabs "Candidates" and "Propositions".

11 The ballot card and all of its columns and the ballot card
12 envelope shall be of the color prescribed for candidate's
13 ballots at the general or primary election, whichever is being
14 held. At an election where no candidates are being nominated or
15 elected, the ballot card, its columns, and the ballot card
16 envelope shall be of a color designated by the election
17 official in charge of the election.

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

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

23 Absentee ballots may consist of ballot cards, envelopes,
24 paper ballots or ballot sheets voted in person in the office of
25 the election official in charge of the election or voted by
26 mail. Where a ballot card is used for voting by mail it must be

1 accompanied by a punching tool or other appropriate marking
2 device, voter instructions and a specimen ballot showing the
3 proper positions to vote on the ballot card or ballot sheet for
4 each party, candidate, proposal, public measure or
5 proposition, and in the case of a ballot card must be mounted
6 on a suitable material to receive the punched out chip.

7 Any voter who spoils his ballot or makes an error may
8 return the ballot to the judges of election and secure another.
9 However, the protruding identifying tab for proposals for a
10 constitutional convention or constitutional amendments shall
11 have printed thereon "Constitutional Ballot", and the ballot
12 label page or pages for such proposals shall precede the ballot
13 label pages for candidates in the ballot label booklet.

14 (Source: P.A. 95-699, eff. 11-9-07.)

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

16 Sec. 24A-15. The precinct return printed by the automatic
17 tabulating equipment shall include the number of ballots cast and
18 straight-party tickets, and votes cast for each candidate and
19 proposition and shall constitute the official return of each
20 precinct. Every ballot on which the voter has cast a vote for
21 all candidates of one party and no votes for any other
22 candidates shall be reported as a straight-party ticket, and
23 all other ballots shall be reported as split tickets. In
24 addition to the precinct return, the election authority shall
25 provide the number of applications for ballots in each

1 precinct, the write-in votes, the total number of ballots
2 counted in each precinct for each political subdivision and
3 district and the number of registered voters in each precinct.
4 However, the election authority shall check the totals shown by
5 the precinct return and, if there is an obvious discrepancy
6 with respect to the total number of votes cast in any precinct,
7 shall have the ballots for such precinct retabulated to correct
8 the return. The procedures for retabulation shall apply prior
9 to and after the proclamation is completed; however, after the
10 proclamation of results, the election authority must obtain a
11 court order to unseal voted ballots except for election
12 contests and discovery recounts. In those election
13 jurisdictions that utilize in-precinct counting equipment, the
14 certificate of results, which has been prepared by the judges
15 of election after the ballots have been tabulated, shall be the
16 document used for the canvass of votes for such precinct.
17 Whenever a discrepancy exists during the canvass of votes
18 between the unofficial results and the certificate of results,
19 or whenever a discrepancy exists during the canvass of votes
20 between the certificate of results and the set of totals which
21 has been affixed to such certificate of results, the ballots
22 for such precinct shall be retabulated to correct the return.
23 As an additional part of this check prior to the proclamation,
24 in those jurisdictions where in-precinct counting equipment is
25 utilized, the election authority shall retabulate the total
26 number of votes cast in 5% of the precincts within the election

1 jurisdiction. The precincts to be retabulated shall be selected
2 after election day on a random basis by the State Board of
3 Elections, so that every precinct in the election jurisdiction
4 has an equal mathematical chance of being selected. The State
5 Board of Elections shall design a standard and scientific
6 random method of selecting the precincts which are to be
7 retabulated. The State central committee chairman of each
8 established political party shall be given prior written notice
9 of the time and place of such random selection procedure and
10 may be represented at such procedure. Such retabulation shall
11 consist of counting the ballot cards which were originally
12 counted and shall not involve any determination as to which
13 ballot cards were, in fact, properly counted. The ballots from
14 the precincts selected for such retabulation shall remain at
15 all times under the custody and control of the election
16 authority and shall be transported and retabulated by the
17 designated staff of the election authority.

18 As part of such retabulation, the election authority shall
19 test the computer program in the selected precincts. Such test
20 shall be conducted by processing a preaudited group of ballots
21 so punched so as to record a predetermined number of valid
22 votes for each candidate and on each public question, and shall
23 include for each office one or more ballots which have votes in
24 excess of the number allowed by law in order to test the
25 ability of the equipment to reject such votes. If any error is
26 detected, the cause therefor shall be ascertained and corrected

1 and an errorless count shall be made prior to the official
2 canvass and proclamation of election results.

3 The State Board of Elections, the State's Attorney and
4 other appropriate law enforcement agencies, the county
5 chairman of each established political party and qualified
6 civic organizations shall be given prior written notice of the
7 time and place of such retabulation and may be represented at
8 such retabulation.

9 The results of this retabulation shall be treated in the
10 same manner and have the same effect as the results of the
11 discovery procedures set forth in Section 22-9.1 of this Act.
12 Upon completion of the retabulation, the election authority
13 shall print a comparison of the results of the retabulation
14 with the original precinct return printed by the automatic
15 tabulating equipment. Such comparison shall be done for each
16 precinct and for each office voted upon within that precinct,
17 and the comparisons shall be open to the public.

18 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

19 (10 ILCS 5/24A-16) (from Ch. 46, par. 24A-16)

20 Sec. 24A-16. The State Board of Elections shall approve all
21 voting systems provided by this Article.

22 No voting system shall be approved unless it fulfills the
23 following requirements:

- 24 (1) It enables a voter to vote in absolute secrecy;
25 (2) It enables a voter to vote a straight-party ticket

1 ~~(Blank);~~

2 (3) It enables a voter to vote a ticket selected in
3 part from the nominees of one party, and in part from the
4 nominees of any or all parties, and in part from
5 independent candidates and in part of candidates whose
6 names are written in by the voter;

7 (4) It enables a voter to vote a written or printed
8 ticket of his own selection for any person for any office
9 for whom he may desire to vote;

10 (5) It will reject all votes for an office or upon a
11 proposition when the voter has cast more votes for such
12 office or upon such proposition than he is entitled to
13 cast;

14 (5.5) It will identify when a voter has not voted for
15 all statewide constitutional offices;

16 (6) It will accommodate all propositions to be
17 submitted to the voters in the form provided by law or,
18 where no such form is provided, then in brief form, not to
19 exceed 75 words.

20 The State Board of Elections shall not approve any voting
21 equipment or system that includes an external Infrared Data
22 Association (IrDA) communications port.

23 The State Board of Elections is authorized to withdraw its
24 approval of a voting system if the system fails to fulfill the
25 above requirements.

26 The vendor, person, or other private entity shall be solely

1 responsible for the production and cost of: all application
2 fees; all ballots; additional temporary workers; and other
3 equipment or facilities needed and used in the testing of the
4 vendor's, person's, or other private entity's respective
5 equipment and software.

6 Any voting system vendor, person, or other private entity
7 seeking the State Board of Elections' approval of a voting
8 system shall, as part of the approval application, submit to
9 the State Board a non-refundable fee. The State Board of
10 Elections by rule shall establish an appropriate fee structure,
11 taking into account the type of voting system approval that is
12 requested (such as approval of a new system, a modification of
13 an existing system, the size of the modification, etc.). No
14 voting system or modification of a voting system shall be
15 approved unless the fee is paid.

16 No vendor, person, or other entity may sell, lease, or
17 loan, or have a written contract, including a contract
18 contingent upon State Board approval of the voting system or
19 voting system component, to sell, lease, or loan, a voting
20 system or voting system component to any election jurisdiction
21 unless the voting system or voting system component is first
22 approved by the State Board of Elections pursuant to this
23 Section.

24 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

1 Sec. 24B-5.1. Instruction of Voters; Instruction Model;
2 Partiality to Political Party; Manner of Instruction. Before
3 entering the voting booth each voter shall be offered
4 instruction in the marking of the Precinct Tabulation Optical
5 Scan Technology ballot sheet. In instructing voters, no
6 precinct official may show partiality to any political party,
7 and when instructing a voter on how to vote a straight ticket
8 for one political party the precinct official shall at the same
9 time instruct the voter how to vote a straight ticket for any
10 other political party that appears on the ballot label. The
11 duties of instruction shall be discharged by a judge from each
12 of the political parties represented and they shall alternate
13 serving as instructor so that each judge shall serve a like
14 time at such duties. No instructions may be given after the
15 voter has entered the voting booth.

16 No precinct official, or person assisting a voter may in
17 any manner request, suggest, or seek to persuade or induce any
18 voter to cast his or her vote for any particular ticket,
19 candidate, amendment, question or proposition. All
20 instructions shall be given by precinct officials in a manner
21 that it may be observed by other persons in the polling place.

22 (Source: P.A. 89-394, eff. 1-1-97; 89-700, eff. 1-17-97.)

23 (10 ILCS 5/24B-6)

24 Sec. 24B-6. Ballot Information; Arrangement; Electronic
25 Precinct Tabulation Optical Scan Technology Voting System;

1 Absentee Ballots; Spoiled Ballots. The ballot information,
2 shall, as far as practicable, be in the order of arrangement
3 provided for paper ballots, except that the information may be
4 in vertical or horizontal rows, or on a number of separate
5 pages or displays on the marking device. Ballots for all
6 questions or propositions to be voted on should be provided in
7 a similar manner and must be arranged on the ballot sheet or
8 marking device in the places provided for such purposes.
9 Ballots shall be of white paper unless provided otherwise by
10 administrative rule of the State Board of Elections or
11 otherwise specified.

12 All propositions, including but not limited to
13 propositions calling for a constitutional convention,
14 constitutional amendment, judicial retention, and public
15 measures to be voted upon shall be placed on separate portions
16 of the ballot sheet or marking device by utilizing borders or
17 grey screens. Candidates shall be listed on a separate portion
18 of the ballot sheet or marking device by utilizing borders or
19 grey screens. Whenever a person has submitted a declaration of
20 intent to be a write-in candidate as required in Sections
21 17-16.1 and 18-9.1, a line or lines on which the voter may
22 select a write-in candidate shall be printed below the name of
23 the last candidate nominated for such office. Such line or
24 lines shall be proximate to an area provided for marking votes
25 for the write-in candidate or candidates. The number of
26 write-in lines for an office shall equal the number of persons

1 who have filed declarations of intent to be write-in candidates
2 plus an additional line or lines for write-in candidates who
3 qualify to file declarations to be write-in candidates under
4 Sections 17-16.1 and 18-9.1 when the certification of ballot
5 contains the words "OBJECTION PENDING" next to the name of that
6 candidate, up to the number of candidates for which a voter may
7 vote. More than one amendment to the constitution may be placed
8 on the same portion of the ballot sheet or marking device.
9 Constitutional convention or constitutional amendment
10 propositions shall be printed or displayed on a separate
11 portion of the ballot sheet or marking device and designated by
12 borders or grey screens, unless otherwise provided by
13 administrative rule of the State Board of Elections. More than
14 one public measure or proposition may be placed on the same
15 portion of the ballot sheet or marking device. More than one
16 proposition for retention of judges in office may be placed on
17 the same portion of the ballot sheet or marking device. Names
18 of candidates shall be printed in black. The designation of the
19 political parties for straight-party voting shall be in a
20 special section of the ballot, except no means by which a voter
21 can cast a straight-party vote shall be necessary for any
22 special election not conducted on a regularly scheduled
23 election day. The party affiliation of each candidate or the
24 word "independent" shall appear near or under the candidate's
25 name, and the names of candidates for the same office shall be
26 listed vertically under the title of that office, on separate

1 pages of the marking device, or as otherwise approved by the
2 State Board of Elections. In the case of nonpartisan elections
3 for officers of political subdivisions, unless the statute or
4 an ordinance adopted pursuant to Article VII of the
5 Constitution requires otherwise, the listing of nonpartisan
6 candidates shall not include any party or "independent"
7 designation. Judicial retention questions and ballot questions
8 for all public measures and other propositions shall be
9 designated by borders or grey screens on the ballot or marking
10 device. In primary elections, a separate ballot, or displays on
11 the marking device, shall be used for each political party
12 holding a primary, with the ballot or marking device arranged
13 to include names of the candidates of the party and public
14 measures and other propositions to be voted upon on the day of
15 the primary election.

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

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

26 Any voter who spoils his or her ballot, makes an error, or

1 has a ballot returned by the automatic tabulating equipment may
2 return the ballot to the judges of election and get another
3 ballot.

4 (Source: P.A. 95-699, eff. 11-9-07.)

5 (10 ILCS 5/24B-15)

6 Sec. 24B-15. Official Return of Precinct; Check of Totals;
7 Retabulation. The precinct return printed by the automatic
8 Precinct Tabulation Optical Scan Technology tabulating
9 equipment shall include the number of ballots cast, l
10 straight-party tickets, and votes cast for each candidate and
11 proposition and shall constitute the official return of each
12 precinct. Every ballot on which the voter has cast a vote for
13 all candidates of one party and no votes for any other
14 candidates shall be reported as a straight-party ticket, and
15 all other ballots shall be reported as split tickets. In
16 addition to the precinct return, the election authority shall
17 provide the number of applications for ballots in each
18 precinct, the write-in votes, the total number of ballots
19 counted in each precinct for each political subdivision and
20 district and the number of registered voters in each precinct.
21 However, the election authority shall check the totals shown by
22 the precinct return and, if there is an obvious discrepancy
23 regarding the total number of votes cast in any precinct, shall
24 have the ballots for that precinct retabulated to correct the
25 return. The procedures for retabulation shall apply prior to

1 and after the proclamation is completed; however, after the
2 proclamation of results, the election authority must obtain a
3 court order to unseal voted ballots except for election
4 contests and discovery recounts. In those election
5 jurisdictions that use in-precinct counting equipment, the
6 certificate of results, which has been prepared by the judges
7 of election after the ballots have been tabulated, shall be the
8 document used for the canvass of votes for such precinct.
9 Whenever a discrepancy exists during the canvass of votes
10 between the unofficial results and the certificate of results,
11 or whenever a discrepancy exists during the canvass of votes
12 between the certificate of results and the set of totals which
13 has been affixed to the certificate of results, the ballots for
14 that precinct shall be retabulated to correct the return. As an
15 additional part of this check prior to the proclamation, in
16 those jurisdictions where in-precinct counting equipment is
17 used, the election authority shall retabulate the total number
18 of votes cast in 5% of the precincts within the election
19 jurisdiction. The precincts to be retabulated shall be selected
20 after election day on a random basis by the State Board of
21 Elections, so that every precinct in the election jurisdiction
22 has an equal mathematical chance of being selected. The State
23 Board of Elections shall design a standard and scientific
24 random method of selecting the precincts which are to be
25 retabulated. The State central committee chairman of each
26 established political party shall be given prior written notice

1 of the time and place of the random selection procedure and may
2 be represented at the procedure. The retabulation shall consist
3 of counting the ballots which were originally counted and shall
4 not involve any determination of which ballots were, in fact,
5 properly counted. The ballots from the precincts selected for
6 the retabulation shall remain at all times under the custody
7 and control of the election authority and shall be transported
8 and retabulated by the designated staff of the election
9 authority.

10 As part of the retabulation, the election authority shall
11 test the computer program in the selected precincts. The test
12 shall be conducted by processing a preaudited group of ballots
13 marked to record a predetermined number of valid votes for each
14 candidate and on each public question, and shall include for
15 each office one or more ballots which have votes in excess of
16 the number allowed by law to test the ability of the equipment
17 and the marking device to reject such votes. If any error is
18 detected, the cause shall be determined and corrected, and an
19 errorless count shall be made prior to the official canvass and
20 proclamation of election results.

21 The State Board of Elections, the State's Attorney and
22 other appropriate law enforcement agencies, the county
23 chairman of each established political party and qualified
24 civic organizations shall be given prior written notice of the
25 time and place of the retabulation and may be represented at
26 the retabulation.

1 The results of this retabulation shall be treated in the
2 same manner and have the same effect as the results of the
3 discovery procedures set forth in Section 22-9.1 of this Code.
4 Upon completion of the retabulation, the election authority
5 shall print a comparison of the results of the retabulation
6 with the original precinct return printed by the automatic
7 tabulating equipment. The comparison shall be done for each
8 precinct and for each office voted upon within that precinct,
9 and the comparisons shall be open to the public. Upon
10 completion of the retabulation, the returns shall be open to
11 the public.

12 (Source: P.A. 94-1000, eff. 7-3-06; 95-699, eff. 11-9-07.)

13 (10 ILCS 5/24B-16)

14 Sec. 24B-16. Approval of Precinct Tabulation Optical Scan
15 Technology Voting Systems; Requisites. The State Board of
16 Elections shall approve all Precinct Tabulation Optical Scan
17 Technology voting systems provided by this Article.

18 No Precinct Tabulation Optical Scan Technology voting
19 system shall be approved unless it fulfills the following
20 requirements:

21 (a) It enables a voter to vote in absolute secrecy;

22 (b) It enables a voter to vote a straight-party ticket

23 ~~(Blank);~~

24 (c) It enables a voter to vote a ticket selected in
25 part from the nominees of one party, and in part from the

1 nominees of any or all parties, and in part from
2 independent candidates, and in part of candidates whose
3 names are written in by the voter;

4 (d) It enables a voter to vote a written or printed
5 ticket of his or her own selection for any person for any
6 office for whom he or she may desire to vote;

7 (e) It will reject all votes for an office or upon a
8 proposition when the voter has cast more votes for the
9 office or upon the proposition than he or she is entitled
10 to cast;

11 (e-5) It will identify when a voter has not voted for
12 all statewide constitutional offices; and

13 (f) It will accommodate all propositions to be
14 submitted to the voters in the form provided by law or,
15 where no form is provided, then in brief form, not to
16 exceed 75 words.

17 The State Board of Elections shall not approve any voting
18 equipment or system that includes an external Infrared Data
19 Association (IrDA) communications port.

20 The State Board of Elections is authorized to withdraw its
21 approval of a Precinct Tabulation Optical Scan Technology
22 voting system if the system fails to fulfill the above
23 requirements.

24 The vendor, person, or other private entity shall be solely
25 responsible for the production and cost of: all application
26 fees; all ballots; additional temporary workers; and other

1 equipment or facilities needed and used in the testing of the
2 vendor's, person's, or other private entity's respective
3 equipment and software.

4 Any voting system vendor, person, or other private entity
5 seeking the State Board of Elections' approval of a voting
6 system shall, as part of the approval application, submit to
7 the State Board a non-refundable fee. The State Board of
8 Elections by rule shall establish an appropriate fee structure,
9 taking into account the type of voting system approval that is
10 requested (such as approval of a new system, a modification of
11 an existing system, the size of the modification, etc.). No
12 voting system or modification of a voting system shall be
13 approved unless the fee is paid.

14 No vendor, person, or other entity may sell, lease, or
15 loan, or have a written contract, including a contract
16 contingent upon State Board approval of the voting system or
17 voting system component, to sell, lease, or loan, a voting
18 system or Precinct Tabulation Optical Scan Technology voting
19 system component to any election jurisdiction unless the voting
20 system or voting system component is first approved by the
21 State Board of Elections pursuant to this Section.

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

23 (10 ILCS 5/24C-1)

24 Sec. 24C-1. Purpose; straight ticket voting.

25 (a) The purpose of this Article is to authorize the use of

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

18 (b) This Article shall be implemented to permit straight
19 ticket voting as authorized by this Code.

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

21 (10 ILCS 5/24C-11)

22 Sec. 24C-11. Functional requirements. A Direct Recording
23 Electronic Voting System shall, in addition to satisfying the
24 other requirements of this Article, fulfill the following
25 functional requirements:

1 (a) Provide a voter in a primary election with the means of
2 casting a ballot containing votes for any and all candidates of
3 the party or parties of his or her choice, and for any and all
4 non-partisan candidates and public questions and preclude the
5 voter from voting for any candidate of any other political
6 party except when legally permitted. In a general election, the
7 system shall provide the voter with means of selecting the
8 appropriate number of candidates for any office, and of voting
9 on any public question on the ballot to which he or she is
10 entitled to vote.

11 (b) If a voter is not entitled to vote for particular
12 candidates or public questions appearing on the ballot, the
13 system shall prevent the selection of the prohibited votes.

14 (c) Once the proper ballot has been selected, the system
15 devices shall provide a means of enabling the recording of
16 votes and the casting of said ballot.

17 (d) System voting devices shall provide voting choices that
18 are clear to the voter and labels indicating the names of every
19 candidate and the text of every public question on the voter's
20 ballot. Each label shall identify the selection button or
21 switch, or the active area of the ballot associated with it.
22 The system shall be able to incorporate minimal, easy-to-follow
23 on-screen instruction for the voter on how to cast a ballot.

24 (e) Voting devices shall (i) enable the voter to vote for
25 any and all candidates and public questions appearing on the
26 ballot for which the voter is lawfully entitled to vote, in any

1 legal number and combination, including a straight party
2 ticket; (ii) detect and reject all votes for an office or upon
3 a public question when the voter has cast more votes for the
4 office or upon the public question than the voter is entitled
5 to cast; (iii) notify the voter if the voter's choices as
6 recorded on the ballot for an office or public question are
7 fewer than or exceed the number that the voter is entitled to
8 vote for on that office or public question and the effect of
9 casting more or fewer votes than legally permitted; (iv) notify
10 the voter if the voter has failed to completely cast a vote for
11 an office or public question appearing on the ballot; and (v)
12 permit the voter, in a private and independent manner, to
13 verify the votes selected by the voter, to change the ballot or
14 to correct any error on the ballot before the ballot is
15 completely cast and counted. A means shall be provided to
16 indicate each selection after it has been made or canceled.

17 (f) System voting devices shall provide a means for the
18 voter to signify that the selection of candidates and public
19 questions has been completed. Upon activation, the system shall
20 record an image of the completed ballot, increment the proper
21 ballot position registers, and shall signify to the voter that
22 the ballot has been cast. The system shall then prevent any
23 further attempt to vote until it has been reset or re-enabled
24 by a judge of election.

25 (g) Each system voting device shall be equipped with a
26 public counter that can be set to zero prior to the opening of

1 the polling place, and that records the number of ballots cast
2 at a particular election. The counter shall be incremented only
3 by the casting of a ballot. The counter shall be designed to
4 prevent disabling or resetting by other than authorized persons
5 after the polls close. The counter shall be visible to all
6 judges of election so long as the device is installed at the
7 polling place.

8 (h) Each system voting device shall be equipped with a
9 protective counter that records all of the testing and election
10 ballots cast since the unit was built. This counter shall be
11 designed so that its reading cannot be changed by any cause
12 other than the casting of a ballot. The protective counter
13 shall be incapable of ever being reset and it shall be visible
14 at all times when the device is configured for testing,
15 maintenance, or election use.

16 (i) All system devices shall provide a means of preventing
17 further voting once the polling place has closed and after all
18 eligible voters have voted. Such means of control shall
19 incorporate a visible indication of system status. Each device
20 shall prevent any unauthorized use, prevent tampering with
21 ballot labels and preclude its re-opening once the poll closing
22 has been completed for that election.

23 (j) The system shall produce a printed summary report of
24 the votes cast upon each voting device. Until the proper
25 sequence of events associated with closing the polling place
26 has been completed, the system shall not allow the printing of

1 a report or the extraction of data. The printed report shall
2 also contain all system audit information to be required by the
3 election authority. Data shall not be altered or otherwise
4 destroyed by report generation and the system shall ensure the
5 integrity and security of data for a period of at least 6
6 months after the polls close.

7 (k) If more than one voting device is used in a polling
8 place, the system shall provide a means to manually or
9 electronically consolidate the data from all such units into a
10 single report even if different voting systems are used to
11 record absentee ballots. The system shall also be capable of
12 merging the vote tabulation results produced by other vote
13 tabulation systems, if necessary.

14 (l) System functions shall be implemented such that
15 unauthorized access to them is prevented and the execution of
16 authorized functions in an improper sequence is precluded.
17 System functions shall be executable only in the intended
18 manner and order, and only under the intended conditions. If
19 the preconditions to a system function have not been met, the
20 function shall be precluded from executing by the system's
21 control logic.

22 (m) All system voting devices shall incorporate at least 3
23 memories in the machine itself and in its programmable memory
24 devices.

25 (n) The system shall include capabilities of recording and
26 reporting the date and time of normal and abnormal events and

1 of maintaining a permanent record of audit information that
2 cannot be turned off. Provisions shall be made to detect and
3 record significant events (e.g., casting a ballot, error
4 conditions that cannot be disposed of by the system itself,
5 time-dependent or programmed events that occur without the
6 intervention of the voter or a judge of election).

7 (o) The system and each system voting device must be
8 capable of creating, printing and maintaining a permanent paper
9 record and an electronic image of each ballot that is cast such
10 that records of individual ballots are maintained by a
11 subsystem independent and distinct from the main vote
12 detection, interpretation, processing and reporting path. The
13 electronic images of each ballot must protect the integrity of
14 the data and the anonymity of each voter, for example, by means
15 of storage location scrambling. The ballot image records may be
16 either machine-readable or manually transcribed, or both, at
17 the discretion of the election authority.

18 (p) The system shall include built-in test, measurement and
19 diagnostic software and hardware for detecting and reporting
20 the system's status and degree of operability.

21 (q) The system shall contain provisions for maintaining the
22 integrity of memory voting and audit data during an election
23 and for a period of at least 6 months thereafter and shall
24 provide the means for creating an audit trail.

25 (r) The system shall be fully accessible so as to permit
26 blind or visually impaired voters as well as physically

1 disabled voters to exercise their right to vote in private and
2 without assistance.

3 (s) The system shall provide alternative language
4 accessibility if required pursuant to Section 203 of the Voting
5 Rights Act of 1965.

6 (t) Each voting device shall enable a voter to vote for a
7 person whose name does not appear on the ballot.

8 (u) The system shall record and count accurately each vote
9 properly cast for or against any candidate and for or against
10 any public question, including the names of all candidates
11 whose names are written in by the voters.

12 (v) The system shall allow for accepting provisional
13 ballots and for separating such provisional ballots from
14 precinct totals until authorized by the election authority.

15 (w) The system shall provide an effective audit trail as
16 defined in Section 24C-2 in this Code.

17 (x) The system shall be suitably designed for the purpose
18 used, be durably constructed, and be designed for safety,
19 accuracy and efficiency.

20 (y) The system shall comply with all provisions of federal,
21 State and local election laws and regulations and any future
22 modifications to those laws and regulations.

23 (Source: P.A. 95-699, eff. 11-9-07.)

24 (10 ILCS 5/1-7 rep.)

25 Section 10. The Election Code is amended by repealing

1 Section 1-7.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".