

# HB5299



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5299

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/11-2

from Ch. 46, par. 11-2

Amends the Election Code. Requires that precincts be substantially equal in number of registered voters (now, 500 to 800 voters).

LRB095 17846 JAM 43926 b

A BILL FOR

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 Section  
5 11-2 as follows:

6 (10 ILCS 5/11-2) (from Ch. 46, par. 11-2)

7 Sec. 11-2. The County Board in each county, except in  
8 counties having a population of 3,000,000 inhabitants or over,  
9 shall establish, at its regular meeting in June, ~~divide~~ its  
10 election precincts. ~~which contain more than 800 voters, into~~  
11 ~~election districts so that each district shall contain, as near~~  
12 ~~as may be practicable, 500 voters, and not more in any case~~  
13 ~~than 800. Whenever the County Board ascertains that any~~  
14 ~~election precinct contains more than 600 registered voters, it~~  
15 ~~may divide such precinct, at its regular meeting in June, into~~  
16 ~~election precincts so that each precinct shall contain, as~~  
17 ~~nearly as may be practicable, 500 voters.~~ Insofar as is  
18 practicable, each precinct shall be situated within a single  
19 congressional, legislative and representative district and in  
20 not more than one County Board district and one municipal ward.  
21 In order to situate each precinct within a single district or  
22 ward, the County Board shall change the boundaries of election  
23 precincts after each decennial census as soon as is practicable

1 following the completion of congressional and legislative  
2 redistricting. ~~In determining whether a division of precincts~~  
3 ~~should be made, the county board may anticipate increased voter~~  
4 ~~registration in any precinct in which there is in progress new~~  
5 ~~construction of dwelling units which will be occupied by voters~~  
6 ~~more than 30 days before the next election.~~ Each district shall  
7 be substantially equal in number of registered voters and  
8 composed of contiguous territory in as compact form as can be  
9 for the convenience of the electors voting therein. The several  
10 county boards in establishing districts shall describe them by  
11 metes and bounds and number them. And so often thereafter as it  
12 shall appear by the number of votes cast at the general  
13 election held in November of any year, that any election  
14 district or ~~undivided election~~ precinct is substantially  
15 unequal in voters ~~contains more than 800 voters,~~ the County  
16 Board of the county in which the district or precinct may be,  
17 shall at its regular meeting in June, or an adjourned meeting  
18 in July next, after such November election, redivide or  
19 readjust such election district or election precinct, ~~so that~~  
20 ~~no district or election precinct shall contain more than the~~  
21 ~~number of votes above specified.~~ If for any reason the County  
22 Board fails in any year to redivide or readjust the election  
23 districts or election precinct, then the districts or precincts  
24 as then existing shall continue until the next regular June  
25 meeting of the County Board; at which regular June meeting or  
26 an adjourned meeting in July the County Board shall redivide or

1 readjust the election districts or election precincts in manner  
2 as herein required. When at any meeting of the County Board any  
3 redivision, readjustment or change in name or number of  
4 election districts or election precincts is made by the County  
5 Board, the County Clerk shall immediately notify the State  
6 Board of Elections of such redivision, readjustment or change.  
7 The County Board in every case shall fix and establish the  
8 places for holding elections in its respective county and all  
9 elections shall be held at the places so fixed. The polling  
10 places shall in all cases be upon the ground floor in the front  
11 room, the entrance to which is in a highway or public street  
12 which is at least 40 feet wide, and is as near the center of the  
13 voting population of the precinct as is practicable, and for  
14 the convenience of the greatest number of electors to vote  
15 thereat; provided, however, where the County Board is unable to  
16 secure a suitable polling place within the boundaries of a  
17 precinct, it may select a polling place at the most  
18 conveniently located suitable place outside the precinct; but  
19 in no case shall an election be held in any room used or  
20 occupied as a saloon, dramshop, bowling alley or as a place of  
21 resort for idlers and disreputable persons, billiard hall or in  
22 any room connected therewith by doors or hallways. No person  
23 shall be permitted to vote at any election except at the  
24 polling place for the precinct in which he resides, except as  
25 otherwise provided in this Section or Article 19 of this Act.  
26 In counties having a population of 3,000,000 inhabitants or

1 over the County Board shall divide its election precincts and  
2 shall fix and establish places for holding elections as  
3 hereinbefore provided during the month of January instead of at  
4 its regular meeting in June or at an adjourned meeting in July.

5 However, in the event that additional divisions of election  
6 precincts are indicated after a division made by the County  
7 Board in the month of January, such additional divisions may be  
8 made by the County Board in counties having a population of  
9 3,000,000 inhabitants or over, at the regular meeting in June  
10 or at adjourned meeting in July. The county board of such  
11 county may divide or readjust precincts at any meeting of the  
12 county board when the voter registration in a precinct has  
13 increased ~~beyond 800~~ and an election is scheduled before the  
14 next regular January or June meeting of the county board.

15 When in any city, village or incorporated town territory  
16 has been annexed thereto or disconnected therefrom, which  
17 annexation or disconnection becomes effective after election  
18 precincts or election districts have been established as above  
19 provided in this Section, the clerk of the municipality shall  
20 inform the county clerk thereof as provided in Section 4-21,  
21 5-28.1, or 6-31.1, whichever is applicable. In the event that a  
22 regular meeting of the County Board is to be held after such  
23 notification and before any election, the County Board shall,  
24 at its next regular meeting establish new election precinct  
25 lines in affected territory. In the event that no regular  
26 meeting of the County Board is to be held before such election

1 the county clerk shall, within 5 days after being so informed,  
2 call a special meeting of the county board on a day fixed by  
3 him not more than 20 days thereafter for the purpose of  
4 establishing election precincts or election districts in the  
5 affected territory for the ensuing elections.

6 At any consolidated primary or consolidated election at  
7 which municipal officers are to be elected, and at any  
8 emergency referendum at which a public question relating to a  
9 municipality is to be voted on, notwithstanding any other  
10 provision of this Code, the election authority shall establish  
11 a polling place within such municipality, upon the request of  
12 the municipal council or board of trustees at least 60 days  
13 before the election and provided that the municipality provides  
14 a suitable polling place. ~~To accomplish this purpose, the~~  
15 ~~election authority may establish an election precinct~~  
16 ~~constituting a single municipality of under 500 population for~~  
17 ~~all elections, notwithstanding the minimum precinct size~~  
18 ~~otherwise specified herein.~~

19 ~~Notwithstanding the above, when there are no more than 50~~  
20 ~~registered voters in a precinct who are entitled to vote in a~~  
21 ~~local government or school district election, the election~~  
22 ~~authority having jurisdiction over the precinct is authorized~~  
23 ~~to reassign such voters to one or more polling places in~~  
24 ~~adjacent precincts, within or without the election authority's~~  
25 ~~jurisdiction, for that election. For the purposes of such local~~  
26 ~~government or school district election only, the votes of the~~

1 ~~reassigned voters shall be tallied and canvassed as votes from~~  
2 ~~the precinct of the polling place to which such voters have~~  
3 ~~been reassigned. The election authority having jurisdiction~~  
4 ~~over the precinct shall approve all administrative and polling~~  
5 ~~place procedures. Such procedures shall take into account voter~~  
6 ~~convenience, and ensure that the integrity of the election~~  
7 ~~process is maintained and that the secrecy of the ballot is not~~  
8 ~~violated.~~

9       Except in the event of a fire, flood or total loss of heat  
10 in a place fixed or established by any county board or election  
11 authority pursuant to this Section as a polling place for an  
12 election, no election authority shall change the location of a  
13 polling place so established for any precinct after notice of  
14 the place of holding the election for that precinct has been  
15 given as required under Article 12 unless the election  
16 authority notifies all registered voters in the precinct of the  
17 change in location by first class mail in sufficient time for  
18 such notice to be received by the registered voters in the  
19 precinct at least one day prior to the date of the election.

20       The provisions of this Section apply to all precincts,  
21 including those where voting machines or electronic voting  
22 systems are used.

23       (Source: P.A. 86-867.)