



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1064

Introduced 2/11/2009, by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

| | |
|-----------------------|-------------------------|
| 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 5/24A-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 | |
| 10 ILCS 5/19-2.1 rep. | |

Amends the Election Code. Eliminates in-person absentee voting. Provides that early voting extends through the Monday (now, the 5th day) before an election.

LRB096 04108 JAM 14148 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 6-105, 19-8, 19-10, 19-20, 19A-15, 24A-6, 24B-6,
6 24C-1, 24C-6, and 24C-13 as follows:

7 (10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

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

9 (a) (Blank.)

10 (b) Each absent voter's ballot returned to an election
11 authority, by any means authorized by this Article, and
12 received by that election authority before the closing of the
13 polls on election day shall be endorsed by the receiving
14 election authority with the day and hour of receipt and shall
15 be counted in the central ballot counting location of the
16 election authority on the day of the election after 7:00 p.m.,
17 except as provided in subsections (g) and (g-5).

18 (c) Each absent voter's ballot that is mailed to an
19 election authority and postmarked by the midnight preceding the
20 opening of the polls on election day, but that is received by
21 the election authority after the polls close on election day
22 and before the close of the period for counting provisional
23 ballots cast at that election, shall be endorsed by the

1 receiving authority with the day and hour of receipt and shall
2 be counted at the central ballot counting location of the
3 election authority during the period for counting provisional
4 ballots.

5 Each absent voter's ballot that is mailed to an election
6 authority absent a postmark, but that is received by the
7 election authority after the polls close on election day and
8 before the close of the period for counting provisional ballots
9 cast at that election, shall be endorsed by the receiving
10 authority with the day and hour of receipt, opened to inspect
11 the date inserted on the certification, and, if the
12 certification date is a date preceding the election day and the
13 ballot is otherwise found to be valid under the requirements of
14 this Section, counted at the central ballot counting location
15 of the election authority during the period for counting
16 provisional ballots. Absent a date on the certification, the
17 ballot shall not be counted.

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

1 voter's blank ballots that are mailed to an election authority
2 and postmarked by the midnight preceding the opening of the
3 polls on election day, but that are received by the election
4 authority after the polls close on election day and before the
5 closing of the period for counting provisional ballots cast at
6 that election, shall be endorsed by the receiving authority
7 with the day and hour of receipt and shall be counted at the
8 central ballot counting location of the election authority
9 during the same periods provided for counting absent voters'
10 ballots under subsection (c).

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

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

1 (g) The procedures set forth in Articles 17 and 18 of this
2 Code shall apply to all ballots counted under this Section. In
3 addition, within 2 days after an absentee ballot, other than an
4 in-person absentee ballot, is received, but in all cases before
5 the close of the period for counting provisional ballots, the
6 election judge or official shall compare the voter's signature
7 on the certification envelope of that absentee ballot with the
8 signature of the voter on file in the office of the election
9 authority. If the election judge or official determines that
10 the 2 signatures match, and that the absentee voter is
11 otherwise qualified to cast an absentee ballot, the election
12 authority shall cast and count the ballot on election day or
13 the day the ballot is determined to be valid, whichever is
14 later, adding the results to the precinct in which the voter is
15 registered. If the election judge or official determines that
16 the signatures do not match, or that the absentee voter is not
17 qualified to cast an absentee ballot, then without opening the
18 certification envelope, the judge or official shall mark across
19 the face of the certification envelope the word "Rejected" and
20 shall not cast or count the ballot.

21 In addition to the voter's signatures not matching, an
22 absentee ballot may be rejected by the election judge or
23 official:

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

26 (2) if the voter has already cast an early or grace

1 period ballot;

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

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

5 If the election judge or official determines that any of
6 these reasons apply, the judge or official shall mark across
7 the face of the certification envelope the word "Rejected" and
8 shall not cast or count the ballot.

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

1 make a final determination as to the validity of the contested
2 absentee ballot. The judges' determination shall not be
3 reviewable either administratively or judicially.

4 An absentee ballot subject to this subsection that is
5 determined to be valid shall be counted before the close of the
6 period for counting provisional ballots.

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

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

13 (Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06;
14 95-699, eff. 11-9-07.)

15 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

16 Sec. 19-10. Pollwatchers may be appointed to ~~observe~~
17 ~~in person absentee voting procedures and~~ view all reasonably
18 requested records relating to the conduct of the election,
19 provided the secrecy of the ballot is not impinged, ~~at the~~
20 ~~office of the election authority as well as at municipal,~~
21 ~~township or road district clerks' offices where such absentee~~
22 ~~voting is conducted. Such pollwatchers shall qualify and be~~
23 ~~appointed in the same manner as provided in Sections 7-34 and~~
24 ~~17-23, except each candidate, political party or organization~~
25 ~~of citizens may appoint only one pollwatcher for each location~~

1 ~~where in person absentee voting is conducted.~~ Pollwatchers
2 must be registered to vote in Illinois and possess valid
3 pollwatcher credentials.

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

14 Where ~~certain~~ absent voters' ballots are counted on the day
15 of the election in the office of the election authority as
16 provided in Section 19-8 of this Act, each political party,
17 candidate and qualified civic organization shall be entitled to
18 have present one pollwatcher for each panel of election judges
19 therein assigned. Such pollwatchers shall be subject to the
20 same provisions as are provided for pollwatchers in Sections
21 7-34 and 17-23 of this Code, and shall be permitted to observe
22 the election judges making the signature comparison between
23 that which is on the ballot envelope and that which is on the
24 permanent voter registration record card taken from the master
25 file.

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

1 (10 ILCS 5/19-20)

2 Sec. 19-20. Report on absentee ballots. ~~This Section~~
3 ~~applies to absentee ballots other than in-person absentee~~
4 ~~ballots.~~

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

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

10 (2) The number of rejected absentee ballots.

11 (3) The number of voters seeking review of rejected
12 absentee ballots pursuant to subsection (g-5) of Section
13 19-8.

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

16 On or before the 28th day after an election, the State Board of
17 Elections shall compile the information received under this
18 Section with respect to that election and make that information
19 available to the public.

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

21 (10 ILCS 5/19A-15)

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

23 (a) The period for early voting by personal appearance
24 begins the 22nd day preceding a general primary, consolidated

1 primary, consolidated, or general election and extends through
2 the Monday ~~5th day~~ before election day.

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

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

8 (10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

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

18 When an electronic voting system utilizes a ballot label
19 booklet and ballot card, ballots for candidates, ballots
20 calling for a constitutional convention, constitutional
21 amendment ballots, judicial retention ballots, public
22 measures, and all propositions to be voted upon may be placed
23 on the electronic voting device by providing in the ballot
24 booklet separate ballot label pages or series of pages
25 distinguished by differing colors as provided below. When an

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

1 portion of the ballot sheet, as the case may be. Ballot label
2 pages for constitutional conventions or constitutional
3 amendments shall be on paper of blue color and shall precede
4 all other ballot label pages in the ballot label booklet. More
5 than one public measure or proposition may be placed on the
6 same ballot label page or series of pages or on the same
7 portion of the ballot sheet, as the case may be. More than one
8 proposition for retention of judges in office may be placed on
9 the same ballot label page or series of pages or on the same
10 portion of the ballot sheet, as the case may be. Ballot label
11 pages for candidates shall be on paper of white color, except
12 that in primary elections the ballot label page or pages for
13 the candidates of each respective political party shall be of
14 the color designated by the election official in charge of the
15 election for that political party's candidates; provided that
16 the ballot label pages or pages for candidates for use at the
17 nonpartisan and consolidated elections may be on paper of
18 different colors, except blue, whenever necessary or desirable
19 to facilitate distinguishing between the pages for different
20 political subdivisions. On each page of the candidate booklet,
21 where the election is made to list ballot information
22 vertically, the party affiliation of each candidate or the word
23 "independent" shall appear immediately to the left of the
24 candidate's name, and the name of candidates for the same
25 office shall be listed vertically under the title of that
26 office. If no candidate or candidates file for an office and if

1 no person or persons file a declaration as a write-in candidate
2 for that office, then below the title of that office the
3 election authority instead shall print "No Candidate". In the
4 case of nonpartisan elections for officers of political
5 subdivisions, unless the statute or an ordinance adopted
6 pursuant to Article VII of the Constitution requires otherwise,
7 the listing of such nonpartisan candidates shall not include
8 any party or "independent" designation. Ballot label pages for
9 judicial retention ballots shall be on paper of green color,
10 and ballot label pages for all public measures and other
11 propositions shall be on paper of some other distinct and
12 different color. In primary elections, a separate ballot label
13 booklet, marking device and voting booth shall be used for each
14 political party holding a primary, with the ballot label
15 booklet arranged to include ballot label pages of the
16 candidates of the party and public measures and other
17 propositions to be voted upon on the day of the primary
18 election. One ballot card may be used for recording the voter's
19 vote or choice on all such ballots, proposals, public measures
20 or propositions, and such ballot card shall be arranged so as
21 to record the voter's vote or choice in a separate column or
22 columns for each such kind of ballot, proposal, public measure
23 or proposition.

24 If the ballot label booklet includes both candidates for
25 office and public measures or propositions to be voted on, the
26 election official in charge of the election shall divide the

1 pages by protruding tabs identifying the division of the pages,
2 and printing on such tabs "Candidates" and "Propositions".

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

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

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

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

25 Any voter who spoils his ballot or makes an error may
26 return the ballot to the judges of election and secure another.

1 However, the protruding identifying tab for proposals for a
2 constitutional convention or constitutional amendments shall
3 have printed thereon "Constitutional Ballot", and the ballot
4 label page or pages for such proposals shall precede the ballot
5 label pages for candidates in the ballot label booklet.

6 (Source: P.A. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08.)

7 (10 ILCS 5/24B-6)

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

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

1 grey screens. Candidates shall be listed on a separate portion
2 of the ballot sheet or marking device by utilizing borders or
3 grey screens. Whenever a person has submitted a declaration of
4 intent to be a write-in candidate as required in Sections
5 17-16.1 and 18-9.1, a line or lines on which the voter may
6 select a write-in candidate shall be printed below the name of
7 the last candidate nominated for such office. Such line or
8 lines shall be proximate to an area provided for marking votes
9 for the write-in candidate or candidates. The number of
10 write-in lines for an office shall equal the number of persons
11 who have filed declarations of intent to be write-in candidates
12 plus an additional line or lines for write-in candidates who
13 qualify to file declarations to be write-in candidates under
14 Sections 17-16.1 and 18-9.1 when the certification of ballot
15 contains the words "OBJECTION PENDING" next to the name of that
16 candidate, up to the number of candidates for which a voter may
17 vote. More than one amendment to the constitution may be placed
18 on the same portion of the ballot sheet or marking device.
19 Constitutional convention or constitutional amendment
20 propositions shall be printed or displayed on a separate
21 portion of the ballot sheet or marking device and designated by
22 borders or grey screens, unless otherwise provided by
23 administrative rule of the State Board of Elections. More than
24 one public measure or proposition may be placed on the same
25 portion of the ballot sheet or marking device. More than one
26 proposition for retention of judges in office may be placed on

1 the same portion of the ballot sheet or marking device. Names
2 of candidates shall be printed in black. The party affiliation
3 of each candidate or the word "independent" shall appear near
4 or under the candidate's name, and the names of candidates for
5 the same office shall be listed vertically under the title of
6 that office, on separate pages of the marking device, or as
7 otherwise approved by the State Board of Elections. If no
8 candidate or candidates file for an office and if no person or
9 persons file a declaration as a write-in candidate for that
10 office, then below the title of that office the election
11 authority instead shall print "No Candidate". In the case of
12 nonpartisan elections for officers of political subdivisions,
13 unless the statute or an ordinance adopted pursuant to Article
14 VII of the Constitution requires otherwise, the listing of
15 nonpartisan candidates shall not include any party or
16 "independent" designation. Judicial retention questions and
17 ballot questions for all public measures and other propositions
18 shall be designated by borders or grey screens on the ballot or
19 marking device. In primary elections, a separate ballot, or
20 displays on the marking device, shall be used for each
21 political party holding a primary, with the ballot or marking
22 device arranged to include names of the candidates of the party
23 and public measures and other propositions to be voted upon on
24 the day of the primary election.

25 If the ballot includes both candidates for office and
26 public measures or propositions to be voted on, the election

1 official in charge of the election shall divide the ballot or
2 displays on the marking device in sections for "Candidates" and
3 "Propositions", or separate ballots may be used.

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

9 Any voter who spoils his or her ballot, makes an error, or
10 has a ballot returned by the automatic tabulating equipment may
11 return the ballot to the judges of election and get another
12 ballot.

13 (Source: P.A. 95-699, eff. 11-9-07; 95-862, eff. 8-19-08.)

14 (10 ILCS 5/24C-1)

15 Sec. 24C-1. Purpose. The purpose of this Article is to
16 authorize the use of Direct Recording Electronic Voting Systems
17 approved by the State Board of Elections. In a Direct Recording
18 Electronic Voting System, voters cast votes by means of a
19 ballot display provided with mechanical or electro-optical
20 devices that can be activated by the voters to mark their
21 choices for the candidates of their preference and for or
22 against public questions. Such voting devices shall be capable
23 of instantaneously recording such votes, storing such votes,
24 producing a permanent paper record and tabulating such votes at
25 the precinct or at one or more counting stations. This Article

1 authorizes the use of Direct Recording Electronic Voting
2 Systems for in-precinct counting applications ~~and for~~
3 ~~in-person absentee voting in the office of the election~~
4 ~~authority and in the offices of local officials authorized by~~
5 ~~the election authority to conduct such absentee voting.~~ All
6 ~~other~~ absentee ballots must be counted at the office of the
7 election authority.

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

9 (10 ILCS 5/24C-6)

10 Sec. 24C-6. Ballot Information; Arrangement; Direct
11 Recording Electronic Voting System; Absentee Ballots; Spoiled
12 Ballots. The ballot information, shall, as far as practicable,
13 be in the order of arrangement provided for paper ballots,
14 except that the information may be in vertical or horizontal
15 rows, or on a number of separate pages or display screens.

16 Ballots for all public questions to be voted on should be
17 provided in a similar manner and must be arranged on the ballot
18 in the places provided for such purposes. All public questions,
19 including but not limited to public questions calling for a
20 constitutional convention, constitutional amendment, or
21 judicial retention, shall be placed on the ballot separate and
22 apart from candidates. Ballots for all public questions shall
23 be clearly designated by borders or different color screens.
24 More than one amendment to the constitution may be placed on
25 the same portion of the ballot sheet. Constitutional convention

1 or constitutional amendment propositions shall be placed on a
2 separate portion of the ballot and designated by borders or
3 unique color screens, unless otherwise provided by
4 administrative rule of the State Board of Elections. More than
5 one public question may be placed on the same portion of the
6 ballot. More than one proposition for retention of judges in
7 office may be placed on the same portion of the ballot.

8 The party affiliation, if any, of each candidate or the
9 word "independent", where applicable, shall appear near or
10 under the candidate's name, and the names of candidates for the
11 same office shall be listed vertically under the title of that
12 office. In the case of nonpartisan elections for officers of
13 political subdivisions, unless the statute or an ordinance
14 adopted pursuant to Article VII of the Constitution requires
15 otherwise, the listing of nonpartisan candidates shall not
16 include any party or "independent" designation. If no candidate
17 or candidates file for an office and if no person or persons
18 file a declaration as a write-in candidate for that office,
19 then below the title of that office the election authority
20 shall print "No Candidate". In primary elections, a separate
21 ballot shall be used for each political party holding a
22 primary, with the ballot arranged to include names of the
23 candidates of the party and public questions and other
24 propositions to be voted upon on the day of the primary
25 election.

26 If the ballot includes both candidates for office and

1 public questions or propositions to be voted on, the election
2 official in charge of the election shall divide the ballot in
3 sections for "Candidates" and "Public Questions", or separate
4 ballots may be used.

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

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

13 (Source: P.A. 95-862, eff. 8-19-08.)

14 (10 ILCS 5/24C-13)

15 Sec. 24C-13. Absentee ballots; Early voting ballots;
16 Proceedings at Location for Central Counting; Employees;
17 Approval of List.

18 (a) All jurisdictions using Direct Recording Electronic
19 Voting Systems shall use paper ballots or paper ballot sheets
20 approved for use under Articles 16, 24A or 24B of this Code
21 when conducting absentee voting ~~except that Direct Recording~~
22 ~~Electronic Voting Systems may be used for in-person absentee~~
23 ~~voting conducted pursuant to Section 19-2.1 of this Code.~~ All
24 absentee ballots shall be counted at the central ballot
25 counting location of the election authority. The provisions of

1 Section 24A-9, 24B-9 and 24C-9 of this Code shall apply to the
2 testing and notice requirements for central count tabulation
3 equipment, including comparing the signature on the ballot
4 envelope with the signature of the voter on the permanent voter
5 registration record card taken from the master file. Vote
6 results shall be recorded by precinct and shall be added to the
7 vote results for the precinct in which the absent voter was
8 eligible to vote prior to completion of the official canvass.

9 (b) All proceedings at the location for central counting
10 shall be under the direction of the county clerk or board of
11 election commissioners. Except for any specially trained
12 technicians required for the operation of the Direct Recording
13 Electronic Voting System, the employees at the counting station
14 shall be equally divided between members of the 2 leading
15 political parties and all duties performed by the employees
16 shall be by teams consisting of an equal number of members of
17 each political party. Thirty days before an election the county
18 clerk or board of election commissioners shall submit to the
19 chairman of each political party, for his or her approval or
20 disapproval, a list of persons of his or her party proposed to
21 be employed. If a chairman fails to notify the election
22 authority of his or her disapproval of any proposed employee
23 within a period of 10 days thereafter the list shall be deemed
24 approved.

25 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;
26 94-1000, eff. 7-3-06.)

1 (10 ILCS 5/19-2.1 rep.)

2 Section 10. The Election Code is amended by repealing

3 Section 19-2.1.