

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 22-1 and 22-9 as follows:

6 (10 ILCS 5/22-1) (from Ch. 46, par. 22-1)

7 Sec. 22-1. Abstracts of votes. Within 7 days after the  
8 close of the election at which candidates for offices  
9 hereinafter named in this Section are voted upon, the county  
10 clerks of the respective counties, with the assistance of the  
11 chairmen of the county central committees of the Republican  
12 and Democratic parties of the county, shall open the returns  
13 and make abstracts of the votes on a separate sheet for each  
14 of the following:

15 A. For Governor and Lieutenant Governor;

16 B. For State officers;

17 C. For presidential electors;

18 D. For United States Senators and Representatives to  
19 Congress;

20 E. For judges of the Supreme Court;

21 F. For judges of the Appellate Court;

22 G. For judges of the circuit court;

23 H. For Senators and Representatives to the General  
24 Assembly;

25 I. For State's Attorneys elected from 2 or more  
26 counties;

27 J. For amendments to the Constitution, and for other  
28 propositions submitted to the electors of the entire State;

29 K. For county officers and for propositions submitted to  
30 the electors of the county only;

31 L. For Regional Superintendent of Schools;

1 M. For trustees of Sanitary Districts; and

2 N. For Trustee of a Regional Board of School Trustees.

3 Multiple originals of each of the sheets shall be  
4 prepared and one of each shall be turned over to the chairman  
5 of the county central committee of each of the then existing  
6 established political parties, as defined in Section 10-2, or  
7 his duly authorized representative immediately after the  
8 completion of the entries on the sheets and before the totals  
9 have been compiled.

10 The foregoing abstracts shall be preserved by the county  
11 clerk in his office.

12 Whenever any county chairman is also county clerk or  
13 whenever any county chairman is unable to serve as a member  
14 of such canvassing board the vice-chairman or secretary of  
15 his county central committee, in that order, shall serve in  
16 his place as member of such canvassing board; provided, that  
17 if none of these persons is able to serve, the county  
18 chairman may appoint a member of his county central committee  
19 to serve as a member of such canvassing board.

20 If a candidate has a margin of victory of, or a  
21 referendum is approved by, 0.5% or less of the votes cast for  
22 the nomination or office that the candidate is seeking or  
23 with respect to the referendum, the votes must be recounted  
24 manually as quickly as possible after the close of the  
25 election. If a candidate has a margin of victory of, or a  
26 referendum is approved by, 0.7% or less but more than 0.5%  
27 of the votes cast for the nomination or office that the  
28 candidate is seeking or with respect to the referendum, the  
29 votes must be recounted by machine as quickly as possible  
30 after the close of the election. The State Board of  
31 Elections shall adopt rules for the uniform conduct of  
32 recounts throughout the State, including but not limited to  
33 the testing of equipment, the determination of voter intent,  
34 and the persons permitted to view the recount.

1           The powers and duties of the county canvassing board are  
 2 limited to those specified in this Section. In no event shall  
 3 such canvassing board open any package in which the ballots  
 4 have been wrapped or any envelope containing "defective" or  
 5 "objected to" ballots, or in any manner undertake to examine  
 6 the ballots used in the election, except as provided in this  
 7 Section or Section 22-9.1 or when directed by a court in an  
 8 election contest. Nor shall such canvassing board call in the  
 9 precinct judges of election or any other persons to open or  
 10 recount the ballots.

11 (Source: P.A. 89-5, eff. 1-1-96.)

12 (10 ILCS 5/22-9) (from Ch. 46, par. 22-9)

13 Sec. 22-9. It shall be the duty of such Board of  
 14 Canvassers to canvass, and add up and declare the result of  
 15 every election hereafter held within the boundaries of such  
 16 city, village or incorporated town, operating under Article 6  
 17 of this Act, ~~and~~

18 If a candidate has a margin of victory of, or a  
 19 referendum is approved by, 0.5% or less of the votes cast for  
 20 the nomination or office that the candidate is seeking or  
 21 with respect to the referendum, the votes must be recounted  
 22 manually as quickly as possible after the close of the  
 23 election. If a candidate has a margin of victory of, or a  
 24 referendum is approved by, 0.7% or less but more than 0.5% of  
 25 the votes cast for the nomination or office that the  
 26 candidate is seeking or with respect to the referendum, the  
 27 votes must be recounted by machine as quickly as possible  
 28 after the close of the election. The State Board of  
 29 Elections shall adopt rules for the uniform conduct of  
 30 recounts throughout the State, including but not limited to  
 31 the testing of equipment, the determination of voter intent,  
 32 and the persons permitted to view the recount.

33 The judge of the circuit court shall thereupon enter of

1 record such abstract and result, and a certified copy of such  
2 record shall thereupon be filed with the County Clerk of the  
3 county; and such abstracts or results shall be treated, by  
4 the County Clerk in all respects, as if made by the  
5 Canvassing Board now provided by the foregoing sections of  
6 this law, and he shall transmit the same to the State Board  
7 of Elections, or other proper officer, as required  
8 hereinabove. And such abstracts or results so entered and  
9 declared by such judge, and a certified copy thereof, shall  
10 be treated everywhere within the state, and by all public  
11 officers, with the same binding force and effect as the  
12 abstract of votes now authorized by the foregoing provisions  
13 of this Act.

14 (Source: P.A. 78-918.)