

1 AMENDMENT TO HOUSE BILL 3147

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3147, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Election Code is amended by changing  
6 Sections 7-19, 7-46, 7-47, 7-49, 7-52, 7-53, 7-54, 7-55,  
7 7-66, 15-6, 16-11, 17-14, 17-43, 18-40, 19-15, 20-15, 24A-2,  
8 24A-6.1, 24A-7, 24A-8, 24A-9, 24A-10.1, 24A-14, 24B-2,  
9 24B-10.1, and 24B-14 and adding Section 1A-20 as follows:

10 (10 ILCS 5/1A-20 new)

11 Sec. 1A-20. In-precinct automatic tabulating equipment  
12 grants. The State Board of Elections, from moneys  
13 appropriated for this purpose, shall develop and administer a  
14 program of grants to election authorities for the costs of  
15 acquiring, leasing, or upgrading in-precinct automatic  
16 tabulating equipment with voting defect identification as  
17 provided in Articles 24A and 24B of this Code and the costs  
18 of training an election authority's employees in the use of  
19 such equipment. An election authority may apply to the State  
20 Board for reimbursement, subject to appropriation, of up to  
21 100% of the election authority's cost of acquiring or leasing  
22 new equipment or upgrading existing equipment owned or leased

1 by the election authority in order to implement voting defect  
2 identification technology, except that the amount of  
3 reimbursement shall not include any amount reimbursed or paid  
4 for by federal funds. For the purpose of this program,  
5 acquisition or lease of new equipment includes, but is not  
6 limited to, acquisition or lease before the effective date of  
7 this amendatory Act of the 92nd General Assembly of equipment  
8 used after the effective date of this amendatory Act of the  
9 92nd General Assembly.

10 Grants shall be awarded annually. If appropriations are  
11 insufficient to fully fund all grants in the first year that  
12 grants are awarded, the State Board shall give each approved  
13 applicant a pro rata share of the funds appropriated that  
14 fiscal year for the grant program. In subsequent years that  
15 grants are awarded, the State Board shall use that year's  
16 appropriation first to give grant recipients from previous  
17 years, whose grant payments have not completely reimbursed  
18 approved costs, a pro rata share of the appropriation and  
19 then, to the extent any of the appropriation remains, to give  
20 each of the current year's approved applicants a pro rata  
21 share of the remaining appropriation.

22 The State Board of Elections shall adopt rules necessary  
23 for the implementation of this Section.

24 (10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

25 Sec. 7-19. The primary ballot of each political party for  
26 each precinct shall be arranged and printed substantially in  
27 the manner following:

28 1. Designating words. At the top of the ballot shall be  
29 printed in large capital letters, words designating the  
30 ballot, if a Republican ballot, the designating words shall  
31 be: "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the  
32 designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and  
33 in like manner for each political party.

1           2.    Order of Names, Directions to Voters, etc. Beginning  
2   not less than one inch below designating words, the name of  
3   each office to be filled shall be printed in capital letters.  
4   Such names may be printed on the ballot either in a single  
5   column or in 2 or more columns and in the following order,  
6   to-wit:

7           President of the United States, State offices,  
8   congressional offices, delegates and alternate delegates to  
9   be elected from the State at large to National nominating  
10   conventions, delegates and alternate delegates to be elected  
11   from congressional districts to National nominating  
12   conventions, member or members of the State central  
13   committee, trustees of sanitary districts, county offices,  
14   judicial officers, city, village and incorporated town  
15   offices, town offices, or of such of the said offices as  
16   candidates are to be nominated for at such primary, and  
17   precinct, township or ward committeemen. If two or more  
18   columns are used, the foregoing offices to and including  
19   member of the State central committee shall be listed in the  
20   left-hand column and Senatorial offices, as defined in  
21   Section 8-3, shall be the first offices listed in the second  
22   column.

23           Below the name of each office shall be printed in small  
24   letters the directions to voters: "Vote for one"; "Vote for  
25   two"; "Vote for three"; or a spelled number designating how  
26   many persons under that head are to be voted for.

27           Next to the name of each candidate for delegate or  
28   alternate delegate to a national nominating convention shall  
29   appear either (a) the name of the candidate's preference for  
30   President of the United States or the word "uncommitted" or  
31   (b) no official designation, depending upon the action taken  
32   by the State central committee pursuant to Section 7-10.3 of  
33   this Act.

34           Below the name of each office shall be printed in capital

1 letters the names of all candidates, arranged in the order in  
2 which their petitions for nominations were filed, except as  
3 otherwise provided in Sections 7-14 and 7-17 of this Article.  
4 Opposite and in front of the name of each candidate shall be  
5 printed a square and all squares upon the primary ballot  
6 shall be of uniform size. Spaces between the names of  
7 candidates under each office shall be uniform and sufficient  
8 spaces shall separate the names of candidates for one office  
9 from the names of candidates for another office, to avoid  
10 confusion and to permit the writing in of the names of other  
11 candidates.

12 Where voting machines or electronic voting systems are  
13 used, the provisions of this Section may be modified as  
14 required or authorized by Article 24, ~~or~~ Article 24A, or  
15 Article 24B, whichever is applicable.

16 (Source: P.A. 83-33.)

17 (10 ILCS 5/7-46) (from Ch. 46, par. 7-46)

18 Sec. 7-46. On receiving from the primary judges a primary  
19 ballot of his party, the primary elector shall forthwith and  
20 without leaving the polling place, retire alone to one of the  
21 voting booths and prepare such primary ballot by marking a  
22 cross (X) in the square in front of and opposite the name of  
23 each candidate of his choice for each office to be filled,  
24 and for delegates and alternate delegates to national  
25 nominating conventions, and for committeemen, if committeemen  
26 are being elected at such primary.

27 Any primary elector may, instead of voting for any  
28 candidate for nomination or for committeeman or for delegate  
29 or alternate delegate to national nominating conventions,  
30 whose name is printed on the primary ballot, write in the  
31 name of any other person affiliated with such party as a  
32 candidate for the nomination for any office, or for  
33 committeeman, or for delegates or alternate delegates to

1 national nominating conventions, and indicate his choice of  
2 such candidate or committeeman or delegate or alternate  
3 delegate, by placing to the left of and opposite the name  
4 thus written a square and placing in the square a cross (X).

5 Where voting machines or electronic voting systems are  
6 used, the provisions of this section may be modified as  
7 required or authorized by Article 24, ~~or~~ Article 24A, or  
8 Article 24B, whichever is applicable.

9 (Source: Laws 1965, p. 2220.)

10 (10 ILCS 5/7-47) (from Ch. 46, par. 7-47)

11 Sec. 7-47. Before leaving the booth, the primary elector  
12 shall fold his primary ballot in such manner as to conceal  
13 the marks thereon. Such voter shall then vote forthwith by  
14 handing the primary judge the primary ballot received by such  
15 voter. Thereupon the primary judge shall deposit such primary  
16 ballot in the ballot box. One of the judges shall thereupon  
17 enter in the primary poll book the name of the primary  
18 elector, his residence and his party affiliation or shall  
19 make the entries on the official poll record as required by  
20 articles 4, 5 and 6, if any one of them is applicable.

21 Where voting machines or electronic voting systems are  
22 used, the provisions of this section may be modified as  
23 required or authorized by Article 24, ~~or~~ Article 24A, Article  
24 24B, whichever is applicable.

25 (Source: Laws 1965, p. 2220.)

26 (10 ILCS 5/7-49) (from Ch. 46, par. 7-49)

27 Sec. 7-49. After the opening of the polls at a primary no  
28 adjournment shall be had nor recess taken until the canvass  
29 of all the votes is completed and the returns carefully  
30 enveloped and sealed.

31 Where voting machines or electronic voting systems are  
32 used, the provisions of this section may be modified as

1 required or authorized by Article 24, ~~or~~ Article 24A, or  
2 Article 24B, whichever is applicable.

3 (Source: Laws 1965, p. 2220.)

4 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

5 Sec. 7-52. Immediately upon closing the polls, the  
6 primary judges shall proceed to canvass the votes in the  
7 manner following:

8 (1) They shall separate and count the ballots of each  
9 political party.

10 (2) They shall then proceed to ascertain the number of  
11 names entered on the applications for ballot under each party  
12 affiliation.

13 (3) If the primary ballots of any political party exceed  
14 the number of applications for ballot by voters of such  
15 political party, the primary ballots of such political party  
16 shall be folded and replaced in the ballot box, the box  
17 closed, well shaken and again opened and one of the primary  
18 judges, who shall be blindfolded, shall draw out so many of  
19 the primary ballots of such political party as shall be equal  
20 to such excess. Such excess ballots shall be marked  
21 "Excess-Not Counted" and signed by a majority of the judges  
22 and shall be placed in the "After 6:00 p.m. Defective Ballots  
23 Envelope". The number of excess ballots shall be noted in the  
24 remarks section of the Certificate of Results. "Excess"  
25 ballots shall not be counted in the total of "defective"  
26 ballots;

27 (4) The primary judges shall then proceed to count the  
28 primary ballots of each political party separately; and as  
29 the primary judges shall open and read the primary ballots, 3  
30 of the judges shall carefully and correctly mark upon  
31 separate tally sheets the votes which each candidate of the  
32 party whose name is written or printed on the primary ballot  
33 has received, in a separate column for that purpose, with the

1 name of such candidate, the name of his political party and  
2 the name of the office for which he is a candidate for  
3 nomination at the head of such column.

4 Where voting machines or electronic voting systems are  
5 used, the provisions of this section may be modified as  
6 required or authorized by Article 24, ~~or~~ Article 24A, or  
7 Article 24B, whichever is applicable.

8 (Source: P.A. 80-484.)

9 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

10 Sec. 7-53. As soon as the ballots of a political party  
11 shall have been read and the votes of the political party  
12 counted, as provided in the last above section, the 3 judges  
13 in charge of the tally sheets shall foot up the tally sheets  
14 so as to show the total number of votes cast for each  
15 candidate of the political party and for each candidate for  
16 State Central committeeman and precinct committeeman,  
17 township committeeman or ward committeeman, and delegate and  
18 alternate delegate to National nominating conventions, and  
19 certify the same to be correct. Thereupon, the primary judges  
20 shall set down in a certificate of results on the tally  
21 sheet, under the name of the political party, the name of  
22 each candidate voted for upon the primary ballot, written at  
23 full length, the name of the office for which he is a  
24 candidate for nomination or for committeeman, or delegate or  
25 alternate delegate to National nominating conventions, the  
26 total number of votes which the candidate received, and they  
27 shall also set down the total number of ballots voted by the  
28 primary electors of the political party in the precinct. The  
29 certificate of results shall be made substantially in the  
30 following form:

31 ..... Party

32 At the primary election held in the .... precinct of the  
33 (1) \*township of ....., or (2) \*City of ....., or (3) \*....

1 ward in the city of .... on (insert date), the primary  
 2 electors of the .... party voted .... ballots, and the  
 3 respective candidates whose names were written or printed on  
 4 the primary ballot of the .... party, received respectively  
 5 the following votes:

6 Name of		7 No. of
8 Candidate,	9 Title of Office,	10 Votes
11 John Jones	Governor	100
12 Sam Smith	Governor	70
13 Frank Martin	Attorney General	150
14 William Preston	Rep. in Congress	200
15 Frederick John	Circuit Judge	50

16 \*Fill in either (1), (2) or (3).

17 And so on for each candidate.

18 We hereby certify the above and foregoing to be true and  
 19 correct.

20 Dated (insert date).

21 .....  
 22 Name Address  
 23 .....  
 24 Name Address  
 25 .....  
 26 Name Address  
 27 .....  
 28 Name Address

29 Judges of Primary

30 Where voting machines or electronic voting systems are  
 31 used, the provisions of this Section may be modified as  
 32 required or authorized by Article 24, and Article 24A, or  
 33 Article 24B, whichever is applicable.

(Source: P.A. 91-357, eff. 7-29-99.)



1 (10 ILCS 5/7-54) (from Ch. 46, par. 7-54)

2 Sec. 7-54. After the votes of a political party have been  
3 counted and set down and the tally sheets footed and the  
4 entry made in the primary poll books or return, as above  
5 provided, all the primary ballots of said political party,  
6 except those marked "defective" or "objected to" shall be  
7 securely bound, lengthwise and in width, with a soft cord  
8 having a minimum tensile strength of 60 pounds separately for  
9 each political party in the order in which said primary  
10 ballots have been read, and shall thereupon be carefully  
11 sealed in an envelope, which envelope shall be endorsed as  
12 follows:

13 "Primary ballots of the.... party of the.... precinct of  
14 the county of.... and State of Illinois."

15 Below each endorsement, each primary judge shall write  
16 his name.

17 Immediately thereafter the judges shall designate one of  
18 their number to go to the nearest telephone and report to the  
19 office of the county clerk or board of election commissioners  
20 (as the case may be) the results of such primary. Such clerk  
21 or board shall keep his or its office open after the close of  
22 the polls until he or it has received from each precinct  
23 under his or its jurisdiction the report above provided for.  
24 Immediately upon receiving such report such clerk or board  
25 shall cause the same to be posted in a public place in his or  
26 its office for inspection by the public. Immediately after  
27 making such report such judge shall return to the polling  
28 place.

29 Where voting machines or electronic voting systems are  
30 used, the provisions of this section may be modified as  
31 required or authorized by Article 24, ~~or~~ Article 24A, or  
32 Article 24B, whichever is applicable.

33 (Source: P.A. 81-1433.)

1 (10 ILCS 5/7-55) (from Ch. 46, par. 7-55)

2 Sec. 7-55. The primary poll books or the official poll  
3 record, and the tally sheets with the certificates of the  
4 primary judges written thereon, together with the envelopes  
5 containing the ballots, including the envelope containing the  
6 ballots marked "defective" or "objected to", shall be  
7 carefully enveloped and sealed up together, properly  
8 endorsed, and the primary judges shall elect 2 judges (one  
9 from each of the major political parties), who shall  
10 immediately deliver the same to the clerk from whom the  
11 primary ballots were obtained, which clerk shall safely keep  
12 the same for 2 months, and thereafter shall safely keep the  
13 poll books until the next primary. Each election authority  
14 shall keep the office of the election authority, or any  
15 receiving stations designated by such authority, open for at  
16 least 12 consecutive hours after the polls close, or until  
17 the judges of each precinct under the jurisdiction of the  
18 election authority have delivered to the election authority  
19 all the above materials sealed up together and properly  
20 endorsed as provided herein. Materials delivered to the  
21 election authority which are not in the condition required by  
22 this Section shall not be accepted by the election authority  
23 until the judges delivering the same make and sign the  
24 necessary corrections. Upon acceptance of the materials by  
25 the election authority, the judges delivering the same shall  
26 take a receipt signed by the election authority and stamped  
27 with the time and date of such delivery. The election judges  
28 whose duty it is to deliver any materials as above provided  
29 shall, in the event such materials cannot be found when  
30 needed, on proper request, produce the receipt which they are  
31 to take as above provided.

32 The county clerk or board of election commissioners shall  
33 deliver a copy of each tally sheet to the county chairmen of  
34 the two largest political parties.

1           Where voting machines or electronic voting systems are  
 2 used, the provisions of this section may be modified as  
 3 required or authorized by Article 24, and Article 24A, or  
 4 Article 24B, whichever is applicable.

5           (Source: P.A. 83-764.)

6           (10 ILCS 5/7-66)

7           Sec. 7-66. Electronic voting systems; precinct  
 8 tabulation optical scan technology voting equipment.

9           If the election authority has adopted the use of  
 10 electronic voting systems pursuant to Article 24A of this  
 11 Code or Precinct Tabulation Optical Scan Technology voting  
 12 equipment pursuant to Article 24B of this Code, and the  
 13 provisions of those Articles ~~the Article~~ are in conflict with  
 14 the provisions of this Article 7, the provisions of Article  
 15 24A or Article 24B, as the case may be, shall govern the  
 16 procedures followed by the election authority, its judges of  
 17 elections, and all employees and agents. In following the  
 18 provisions of Article 24A or Article 24B, the election  
 19 authority is authorized to develop and implement procedures  
 20 to fully utilize electronic voting systems or Precinct  
 21 Tabulation Optical Scan Technology voting equipment  
 22 authorized by the State Board of Elections as long as the  
 23 procedure is not in conflict with Article 24A, either Article  
 24 24B, or the administrative rules of the State Board of  
 25 Elections.

26           (Source: P.A. 89-394, eff. 1-1-97.)

27           (10 ILCS 5/15-6)

28           Sec. 15-6. Electronic voting systems; precinct  
 29 tabulation optical scan technology voting equipment.

30           If the election authority has adopted the use of  
 31 electronic voting systems pursuant to Article 24A of this  
 32 Code or Precinct Tabulation Optical Scan Technology voting

1 equipment pursuant to Article 24B of this Code, and the  
 2 provisions of those Articles ~~the-Artiele~~ are in conflict with  
 3 the provisions of this Article 15, the provisions of Article  
 4 24A or Article 24B, as the case may be, shall govern the  
 5 procedures followed by the election authority, its judges of  
 6 elections, and all employees and agents. In following the  
 7 provisions of Article 24A or Article 24B, the election  
 8 authority is authorized to develop and implement procedures  
 9 to fully utilize electronic voting systems or Precinct  
 10 Tabulation Optical Scan Technology voting equipment  
 11 authorized by the State Board of Elections as long as the  
 12 procedure is not in conflict with Article 24A, either Article  
 13 24B, or the administrative rules of the State Board of  
 14 Elections.

15 (Source: P.A. 89-394, eff. 1-1-97.)

16 (10 ILCS 5/16-11)

17 Sec. 16-11. Electronic voting systems; precinct  
 18 tabulation optical scan technology voting equipment.

19 If the election authority has adopted the use of  
 20 electronic voting systems pursuant to Article 24A of this  
 21 Code or Precinct Tabulation Optical Scan Technology voting  
 22 equipment pursuant to Article 24B of this Code, and the  
 23 provisions of those Articles ~~the-Artiele~~ are in conflict with  
 24 the provisions of this Article 16, the provisions of Article  
 25 24A or Article 24B, as the case may be, shall govern the  
 26 procedures followed by the election authority, its judges of  
 27 elections, and all employees and agents. In following the  
 28 provisions of Article 24A or Article 24B, the election  
 29 authority is authorized to develop and implement procedures  
 30 to fully utilize electronic voting systems or Precinct  
 31 Tabulation Optical Scan Technology voting equipment  
 32 authorized by the State Board of Elections as long as the  
 33 procedure is not in conflict with Article 24A, either Article

1 24B, or the administrative rules of the State Board of  
2 Elections.

3 (Source: P.A. 89-394, eff. 1-1-97.)

4 (10 ILCS 5/17-14) (from Ch. 46, par. 17-14)

5 Sec. 17-14. Any voter who declares upon oath, properly  
6 witnessed and with his or her signature or mark affixed, that  
7 he or she requires assistance to vote by reason of blindness,  
8 physical disability or inability to read, write or speak the  
9 English language shall, upon request, be assisted in marking  
10 his or her ballot, by 2 judges of election of different  
11 political parties, to be selected by all judges of election  
12 of each precinct at the opening of the polls or by a person  
13 of the voter's choice, other than the voter's employer or  
14 agent of that employer or officer or agent of the voter's  
15 union. A voter who presents an Illinois Disabled Person  
16 Identification Card, issued to that person under the  
17 provisions of the Illinois Identification Card Act,  
18 indicating that such voter has a Class 1A or Class 2  
19 disability under the provisions of Section 4A of the Illinois  
20 Identification Card Act, or a voter who declares upon oath,  
21 properly witnessed, that by reason of any physical disability  
22 he is unable to mark his ballot shall, upon request, be  
23 assisted in marking his ballot by 2 of the election officers  
24 of different parties as provided above in this Section or by  
25 a person of the voter's choice other than the voter's  
26 employer or agent of that employer or officer or agent of the  
27 voter's union. Such voter shall state specifically the reason  
28 why he cannot vote without assistance and, in the case of a  
29 physically disabled voter, what his physical disability is  
30 and whether or not the disability is permanent. Prior to  
31 entering the voting booth, the person providing the  
32 assistance, if other than 2 judges of election, shall be  
33 presented with written instructions on how assistance shall

1 be provided. This instruction shall be prescribed by the  
2 State Board of Elections and shall include the penalties for  
3 attempting to influence the voter's choice of candidates,  
4 party, or votes in relation to any question on the ballot and  
5 for not marking the ballot as directed by the voter.  
6 Additionally, the person providing the assistance shall sign  
7 an oath, swearing not to influence the voter's choice of  
8 candidates, party, or votes in relation to any question on  
9 the ballot and to cast the ballot as directed by the voter.  
10 The oath shall be prescribed by the State Board of Elections  
11 and shall include the penalty for violating this Section. In  
12 the voting booth, such person shall mark the ballot as  
13 directed by the voter, and shall thereafter give no  
14 information regarding the same. The judges of election shall  
15 enter upon the poll lists or official poll record after the  
16 name of any elector who received such assistance in marking  
17 his ballot a memorandum of the fact and if the disability is  
18 permanent. Intoxication shall not be regarded as a physical  
19 disability, and no intoxicated person shall be entitled to  
20 assistance in marking his ballot.

21 The assistance a voter may receive under this Section  
22 includes assistance with inserting his or her ballot in any  
23 in-precinct automatic tabulating equipment as provided in  
24 Articles 24A and 24B. Any prohibition in those Articles  
25 against a person other than the voter inserting his or her  
26 ballot in the in-precinct automatic tabulating equipment does  
27 not apply to assistance received by the voter under this  
28 Section.

29 No person shall secure or attempt to secure assistance in  
30 voting who is not blind, physically disabled or illiterate as  
31 herein provided, nor shall any person knowingly assist a  
32 voter in voting contrary to the provisions of this Section.

33 (Source: P.A. 90-101, eff. 7-11-97.)

(10 ILCS 5/17-43)

Sec. 17-43. Electronic voting systems; precinct tabulation optical scan technology voting equipment.

If the election authority has adopted the use of electronic voting systems pursuant to Article 24A of this Code or Precinct Tabulation Optical Scan Technology voting equipment pursuant to Article 24B of this Code, and the provisions of those Articles ~~the-Artiele~~ are in conflict with the provisions of this Article 17, the provisions of Article 24A or Article 24B, as the case may be, shall govern the procedures followed by the election authority, its judges of elections, and all employees and agents. In following the provisions of Article 24A or Article 24B, the election authority is authorized to develop and implement procedures to fully utilize electronic voting systems or Precinct Tabulation Optical Scan Technology voting equipment authorized by the State Board of Elections as long as the procedure is not in conflict with either Article 24A, Article 24B, or the administrative rules of the State Board of Elections.

(Source: P.A. 89-394, eff. 1-1-97.)

(10 ILCS 5/18-40)

Sec. 18-40. Electronic voting systems; precinct tabulation optical scan technology voting equipment.

If the election authority has adopted the use of electronic voting systems pursuant to Article 24A of this Code or Precinct Tabulation Optical Scan Technology voting equipment pursuant to Article 24B of this Code, and the provisions of those Articles ~~the-Artiele~~ are in conflict with the provisions of this Article 18, the provisions of Article 24A or Article 24B, as the case may be, shall govern the procedures followed by the election authority, its judges of elections, and all employees and agents. In following the

1 provisions of Article 24A or Article 24B, the election  
 2 authority is authorized to develop and implement procedures  
 3 to fully utilize electronic voting systems or Precinct  
 4 Tabulation Optical Scan Technology voting equipment  
 5 authorized by the State Board of Elections as long as the  
 6 procedure is not in conflict with either Article 24A, Article  
 7 24B, or the administrative rules of the State Board of  
 8 Elections.

9 (Source: P.A. 89-394, eff. 1-1-97.)

10 (10 ILCS 5/19-15)

11 Sec. 19-15. Electronic voting systems; precinct  
 12 tabulation optical scan technology voting equipment.

13 If the election authority has adopted the use of  
 14 electronic voting systems pursuant to Article 24A of this  
 15 Code or Precinct Tabulation Optical Scan Technology voting  
 16 equipment pursuant to Article 24B of this Code, and the  
 17 provisions of those Articles ~~the Article~~ are in conflict with  
 18 the provisions of this Article 19, the provisions of Article  
 19 24A or Article 24B, as the case may be, shall govern the  
 20 procedures followed by the election authority, its judges of  
 21 elections, and all employees and agents. In following the  
 22 provisions of Article 24A or Article 24B, the election  
 23 authority is authorized to develop and implement procedures  
 24 to fully utilize electronic voting systems or Precinct  
 25 Tabulation Optical Scan Technology voting equipment  
 26 authorized by the State Board of Elections as long as the  
 27 procedure is not in conflict with Article 24A, either Article  
 28 24B, or the administrative rules of the State Board of  
 29 Elections.

30 (Source: P.A. 89-394, eff. 1-1-97.)

31 (10 ILCS 5/20-15)

32 Sec. 20-15. Electronic voting systems; precinct



1 tabulation optical scan technology voting equipment.

2 If the election authority has adopted the use of  
3 electronic voting systems pursuant to Article 24A of this  
4 Code or Precinct Tabulation Optical Scan Technology voting  
5 equipment pursuant to Article 24B of this Code, and the  
6 provisions of those Articles ~~the-Artiele~~ are in conflict with  
7 the provisions of this Article 20, the provisions of Article  
8 24A or Article 24B, as the case may be, shall govern the  
9 procedures followed by the election authority, its judges of  
10 elections, and all employees and agents. In following the  
11 provisions of Article 24A or Article 24B, the election  
12 authority is authorized to develop and implement procedures  
13 to fully utilize electronic voting systems or Precinct  
14 Tabulation Optical Scan Technology voting equipment  
15 authorized by the State Board of Elections as long as the  
16 procedure is not in conflict with Article 24A, either Article  
17 24B, or the administrative rules of the State Board of  
18 Elections.

19 (Source: P.A. 89-394, eff. 1-1-97.)

20 (10 ILCS 5/24A-2) (from Ch. 46, par. 24A-2)

21 Sec. 24A-2. As used in this Article: "Computer",  
22 "Automatic tabulating equipment" or "equipment" includes  
23 apparatus necessary to automatically examine and count votes  
24 as designated on ballots, and data processing machines which  
25 can be used for counting ballots and tabulating results.

26 "Ballot card" means a ballot which is voted by the  
27 process of punching.

28 "Ballot configuration" means the particular combination  
29 of political subdivision ballots including, for each  
30 political subdivision, the particular combination of offices,  
31 candidate names and ballot position numbers for each  
32 candidate and question as it appears for each group of voters  
33 who may cast the same ballot.

1 "Ballot labels" means the cards, papers, booklet, pages  
2 or other material containing the names of officers and  
3 candidates and statements of measures to be voted on.

4 "Ballot sheet" means a paper ballot printed on one or  
5 both sides which is (1) designed and prepared so that the  
6 voter may indicate his or her votes in designated areas,  
7 which must be enclosed areas clearly printed or otherwise  
8 delineated for such purpose, and (2) capable of having votes  
9 marked in the designated areas automatically examined,  
10 counted, and tabulated by an electronic scanning process.

11 "Ballot" may include ballot cards, ballot labels and  
12 paper ballots.

13 "Separate ballot", with respect to ballot sheets, means a  
14 separate portion of the ballot sheet in which the color of  
15 the ink used in printing that portion of the ballot sheet is  
16 distinct from the color of the ink used in printing any other  
17 portion of the ballot sheet.

18 "Column" in an electronic voting system which utilizes a  
19 ballot card means a space on a ballot card for punching the  
20 voter's vote arranged in a row running lengthwise on the  
21 ballot card.

22 "Central Counting" means the counting of ballots in one  
23 or more locations selected by the election authority for the  
24 processing or counting, or both, of ballots. A location for  
25 central counting shall be within the territorial jurisdiction  
26 of such election authority unless there is no suitable  
27 tabulating equipment available within his territorial  
28 jurisdiction. However, in any event a counting location shall  
29 be within this State.

30 "In-precinct automatic tabulating equipment" means the  
31 automatic equipment provided by the election authority that  
32 is capable of counting ballots in the same precinct polling  
33 place in which those ballots are cast.

34 "In-precinct counting" means the counting of ballots on

1 automatic tabulating equipment provided by the election  
2 authority in the same precinct polling place in which those  
3 ballots have been cast.

4 "Computer operator" means any person or persons  
5 designated by the election authority to operate the automatic  
6 tabulating equipment during any portion of the vote tallying  
7 process in an election, but shall not include judges of  
8 election operating vote tabulating equipment in the precinct.

9 "Computer program" or "program" means the set of  
10 operating instructions for the automatic tabulating equipment  
11 by which it examines, counts, tabulates, canvasses and prints  
12 votes recorded by a voter on a ballot card or other medium.

13 "Edit listing" means a computer generated listing of the  
14 names and ballot position numbers for each candidate and  
15 proposition as they appear in the program for each precinct.

16 "Voting System" or "Electronic Voting System" means that  
17 combination of equipment and programs used in the casting,  
18 examination and tabulation of ballots and the cumulation and  
19 reporting of results by electronic means.

20 "Header card" or "program card" means a data processing  
21 card which is coded to indicate to the computer the precinct  
22 identity of the ballot cards that will follow immediately and  
23 may indicate to the computer how such ballot cards are to be  
24 tabulated.

25 "Marking device" means either an apparatus in which  
26 ballots or ballot cards are inserted and used in connection  
27 with a punch apparatus for the piercing of ballots by the  
28 voter, or any approved device for marking a paper ballot with  
29 ink or other substance which will enable the ballot to be  
30 tabulated by means of automatic tabulating equipment or by an  
31 electronic scanning process.

32 "Precinct program memory medium" or "PPMM" means the  
33 program disc or pack of an in-precinct computer tabulator  
34 that is programmed for a single precinct and that may be

1 activated by means other than a header card or precinct  
2 identifier card to indicate to the automatic tabulating  
3 equipment the precinct identity of the ballot cards to be  
4 counted by the tabulator and how such ballot cards are to be  
5 counted.

6 "Public counter" means a mechanical or electronic display  
7 on in-precinct automatic tabulating equipment that displays  
8 the number of ballots counted by the equipment. Public  
9 counters shall not display any vote totals.

10 "Redundant count" means a verification of the original  
11 computer count by another count using compatible equipment or  
12 by hand as part of a discovery recount.

13 "Security punch" means a punch placed on a ballot card to  
14 identify to the computer program the offices and propositions  
15 for which votes may be cast and to indicate the manner in  
16 which votes cast should be tabulated while negating any  
17 inadmissible votes.

18 "Security sleeve" or "security envelope" means an opaque  
19 envelope or sleeve into which a voted ballot card shall be  
20 inserted that fully covers all votes cast on the ballot and  
21 that permits the ballot to be inserted into the automatic  
22 tabulating equipment from within the envelope or sleeve  
23 without public observation of the votes cast on the ballot.

24 "Voting defect" means an overvoted ballot, an undervoted  
25 ballot, a ballot that cannot be read by automatic tabulating  
26 equipment, or a ballot that does not contain the initials of  
27 a judge of election.

28 "Voting defect identification" means the capability to  
29 detect ballots that contain a voting defect.

30 (Source: P.A. 86-867.)

31 (10 ILCS 5/24A-6.1) (from Ch. 46, par. 24A-6.1)

32 Sec. 24A-6.1. In all elections conducted pursuant to  
33 this Article, ballot cards shall have a security punch. In

1 precincts where more than one ballot configuration may be  
2 voted upon, ballot cards shall have a different security  
3 punch for each ballot configuration. If a precinct has only  
4 one possible ballot configuration, the ballot cards must have  
5 a security punch to identify the election. Where ballot  
6 cards from more than one precinct are being tabulated,  
7 precinct header cards or program cards shall also be used:  
8 official results shall not be generated unless the precinct  
9 identification of the header cards or program cards for any  
10 precinct correspond. Where the tabulating equipment being  
11 used requires entering the program immediately prior to  
12 tabulating the ballot cards for each precinct, the precinct  
13 program may be used in lieu of header cards.

14 (Source: P.A. 82-1014.)

15 (10 ILCS 5/24A-7) (from Ch. 46, par. 24A-7)

16 Sec. 24A-7. A separate write-in ballot, which may be in  
17 the form of a paper ballot, card, extended stub of a ballot  
18 card, security or envelope, or security sleeve in which the  
19 elector places his ballot card after voting, shall be  
20 designated and provided by the election authority if  
21 necessary to permit electors to write in the names of persons  
22 whose names are not on the ballot. The ballots, ballot cards,  
23 and security ballot-card envelopes or sleeves may, at the  
24 discretion of the election authority, be printed on white  
25 paper and then striped with the appropriate colors. When an  
26 electronic voting system is used which utilizes a ballot stub  
27 of the ballot card, each ballot card envelope shall contain  
28 the write-in form and information required by Section 16-3 of  
29 this Act.

30 (Source: P.A. 83-110.)

31 (10 ILCS 5/24A-8) (from Ch. 46, par. 24A-8)

32 Sec. 24A-8. The county clerk or board of election

1 commissioners, as the case may be, shall cause the marking  
2 devices to be put in order, set, adjusted and made ready for  
3 voting when delivered to the polling places. Before the  
4 opening of the polls the judges of election shall compare the  
5 ballots used in the marking devices with the specimen ballots  
6 furnished and see that the names, numbers and letters thereon  
7 agree and shall certify thereto on forms provided by the  
8 county clerk or board of election commissioners, as the case  
9 may be.

10 In addition, in those polling places where in-precinct  
11 counting equipment is utilized, the judges of election shall  
12 make an operational check of the automatic tabulating  
13 equipment before the opening of the polls. Either  
14 instructions for activating the precincts program memory  
15 medium or a precinct identification card provided by the  
16 election authority shall be entered into the automatic  
17 tabulating equipment to ensure that the totals are all zeroes  
18 in the count column on the printing unit.

19 Pollwatchers as provided by law shall be permitted to  
20 closely observe the judges in these procedures and to  
21 periodically inspect the equipment when not in use by the  
22 voters to see that the ballot labels are in proper position  
23 and have not been marked upon or mutilated.

24 (Source: P.A. 82-1014.)

25 (10 ILCS 5/24A-9) (from Ch. 46, par. 24A-9)

26 Sec. 24A-9. Prior to the public test, the election  
27 authority shall conduct an errorless pre-test of the  
28 automatic tabulating equipment and program to ascertain that  
29 they will correctly count the votes cast for all offices and  
30 all measures. On any day not less than 5 days prior to the  
31 election day, the election authority shall publicly test the  
32 automatic tabulating equipment and program to ascertain that  
33 they will correctly count the votes cast for all offices and

1 on all measures. Public notice of the time and place of the  
2 test shall be given at least 48 hours prior thereto by  
3 publication once in one or more newspapers published within  
4 the election jurisdiction of the election authority if a  
5 newspaper is published therein, otherwise in a newspaper of  
6 general circulation therein. Timely written notice stating  
7 the date, time and location of the public test shall also be  
8 provided to the State Board of Elections. The test shall be  
9 open to representatives of the political parties, the press,  
10 representatives of the State Board of Elections, and the  
11 public. The test shall be conducted by processing a  
12 preaudited group of ballots so punched or marked as to record  
13 a predetermined number of valid votes for each candidate and  
14 on each measure, and shall include for each office one or  
15 more ballots which have votes in excess of the number allowed  
16 by law in order to test the ability of the automatic  
17 tabulating equipment to reject such votes. Such test shall  
18 also include the use of precinct header cards or precinct  
19 program memory medium and may include the production of an  
20 edit listing. In those election jurisdictions where  
21 in-precinct counting equipment is utilized, a public test of  
22 both such equipment and program shall be conducted as nearly  
23 as possible in the manner prescribed above. The State Board  
24 of Elections may select as many election jurisdictions as the  
25 Board deems advisable in the interests of the election  
26 process of this State in which to order a special test of the  
27 automatic tabulating equipment and program prior to any  
28 regular election. The Board may order a special test in any  
29 election jurisdiction where, during the preceding twelve  
30 months, computer programming errors or other errors in the  
31 use of electronic voting systems resulted in vote tabulation  
32 errors. Not less than 30 days prior to any election, the  
33 State Board of Elections shall provide written notice to  
34 those selected jurisdictions of their intent to conduct a

1 test. Within 5 days of receipt of the State Board of  
2 Elections' written notice of intent to conduct a test, the  
3 selected jurisdictions shall forward to the principal office  
4 of the State Board of Elections a copy of all specimen  
5 ballots. The State Board of Elections' tests shall be  
6 conducted and completed not less than 2 days prior to the  
7 public test utilizing testing materials supplied by the Board  
8 and under the supervision of the Board, and the Board shall  
9 reimburse the election authority for the reasonable cost of  
10 computer time required to conduct the special test. After  
11 an errorless test, materials used in the public test,  
12 including the program, if appropriate, shall be sealed and  
13 remain so until the test is run again on election day. If any  
14 error is detected, the cause therefor shall be ascertained  
15 and corrected and an errorless public test shall be made  
16 before the automatic tabulating equipment is approved. Each  
17 election authority shall file a sealed copy of each tested  
18 program to be used within its jurisdiction at an election  
19 with the State Board of Elections prior to the election. The  
20 Board shall secure the program or programs of each election  
21 jurisdiction so filed in its office for the 60 days following  
22 the canvass and proclamation of election results. Upon the  
23 expiration of that time, if no election contest or appeal  
24 therefrom is pending in an election jurisdiction, the Board  
25 shall return the sealed program or programs to the election  
26 authority of the jurisdiction. Except where in-precinct  
27 counting equipment is utilized, the test shall be repeated  
28 immediately before the start of the official count of the  
29 ballots, in the same manner as set forth above. After the  
30 completion of the count, the test shall be re-run using the  
31 same program. An election jurisdiction that was employing,  
32 as of January 1, 1983, an electronic voting system that,  
33 because of its design, is not technically capable of  
34 compliance with such a post-tabulation testing requirement



1 shall satisfy the post-tabulation testing requirement by  
 2 conducting the post-tabulation test on a duplicate program  
 3 until such electronic voting system is replaced or until  
 4 November 1, 1992, whichever is earlier. Immediately  
 5 thereafter the ballots, all material employed in testing the  
 6 program and the program shall be sealed and retained under  
 7 the custody of the election authority for a period of 60  
 8 days. At the expiration of that time the election authority  
 9 shall destroy the voted ballot cards, together with all  
 10 unused ballots returned from the precincts. Provided, if any  
 11 contest of election is pending at such time in which such  
 12 ballots may be required as evidence and such election  
 13 authority has notice thereof, the same shall not be destroyed  
 14 until after such contest is finally determined. If the use of  
 15 back-up equipment becomes necessary, the same testing  
 16 required for the original equipment shall be conducted.

17 (Source: P.A. 86-873; 86-874; 86-1028; 87-1052.)

18 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

19 Sec. 24A-10.1. In an election jurisdiction where  
 20 in-precinct automatic tabulating counting equipment is  
 21 utilized, the ~~following~~ procedures for counting and tallying  
 22 the ballots set forth in this Section and in Section 24A-14  
 23 shall apply:

24 (a) Voter ballot insertion during poll hours.

25 (1) The in-precinct automatic tabulating equipment  
 26 shall be set to count each ballot for candidates and for  
 27 or against propositions to be voted upon as the ballot is  
 28 inserted into the automatic tabulating equipment, and the  
 29 equipment shall internally tally accurate vote totals for  
 30 all such candidates and for and against all such  
 31 propositions. Before the opening of the polls and before  
 32 ballots are entered into the counting equipment, the  
 33 judges of election shall turn on the automatic tabulating

1 equipment, activate the precinct program memory medium,  
2 and verify that the public counter is set at zero.

3 (2) After the polls have been declared open, each  
4 ballot shall be inserted into the automatic tabulating  
5 equipment by the voter immediately after the voter has  
6 completed marking his or her ballot and placing it in a  
7 security envelope or sleeve. The ballot shall be  
8 inserted into the automatic tabulating equipment from  
9 within the security envelope or sleeve without public  
10 observation of the votes cast on the ballot. The judges  
11 of election shall not handle any voted ballot except as  
12 provided in this Code for uninitialed, spoiled, and  
13 defective and damaged ballots. Each voted ballot shall  
14 be deposited into a secure ballot box immediately after  
15 it has been counted by the automatic tabulating  
16 equipment.

17 (3) The automatic tabulating equipment shall have  
18 voting defect identification capability, and the  
19 equipment shall be set to automatically return to the  
20 voter any ballot that does not contain a judge's initial  
21 in the area required by this Code. If the judges of  
22 election reasonably believe that the failure to initial  
23 the ballot was due to an error by the judges and that no  
24 fraud or other irregularity has occurred affecting the  
25 integrity of the ballots, the ballot shall then be  
26 initialed by one of the judges of election and  
27 re-inserted by the voter into the automatic tabulating  
28 equipment. Otherwise, the ballot shall be marked  
29 "Spoiled Ballot", initialed by all judges immediately  
30 under the words "Spoiled Ballot", and not counted. The  
31 judges shall initial and issue a new ballot to the voter  
32 in lieu of the original "Spoiled Ballot" and the voter  
33 shall then be permitted to vote the new ballot.

34 (4) The automatic tabulating equipment shall be set

1 to automatically return to the voter any ballot on which  
2 the number of votes for an office or proposition exceeds  
3 the number of votes that the voter is entitled to cast.  
4 If the voter, after being informed that an overvote has  
5 occurred, determines to have the ballot counted despite  
6 containing an overvote, the automatic tabulating  
7 equipment shall be set to accept the ballot and count the  
8 votes for or against propositions and for candidates for  
9 offices for which there is no overvote. If the overvoted  
10 ballot was also rejected because it lacks a judge's  
11 initials, the voter may request that a judge initial the  
12 ballot before the voter re-inserts the ballot into the  
13 automatic tabulating equipment. If the voter determines  
14 to have the overvoted ballot rejected and to vote a new  
15 ballot, the original ballot shall be marked "Spoiled  
16 Ballot", initialed by all judges immediately under the  
17 words "Spoiled Ballot", and not counted. The judges  
18 shall issue a new ballot to the voter in lieu of the  
19 original "Spoiled Ballot" and the voter shall then be  
20 permitted to vote the new ballot.

21 (5) The automatic tabulating equipment, to the  
22 extent the equipment is capable, shall be set to  
23 automatically return to the voter any ballot on which the  
24 number of votes for an office or proposition is less than  
25 the number of votes that the voter is entitled to cast.  
26 The voter, after being informed that an undervote has  
27 occurred, may return to the voting area and complete  
28 voting that ballot. If the voter, after being informed  
29 that an undervote has occurred, determines to have the  
30 ballot counted despite containing an undervote, the  
31 automatic tabulating equipment shall be set to accept the  
32 ballot and count the votes for or against propositions  
33 and for candidates for offices. If the undervoted ballot  
34 was also rejected because it lacks a judge's initials,

1 the voter may request that a judge initial the ballot  
2 before the voter re-inserts the ballot into the automatic  
3 tabulating equipment. If the voter determines to have the  
4 undervoted ballot rejected and to vote a new ballot, the  
5 original ballot shall be marked "Spoiled Ballot",  
6 initialed by all judges immediately under the words  
7 "Spoiled Ballot", and not counted. The judges shall  
8 issue a new ballot to the voter in lieu of the original  
9 "Spoiled Ballot" and the voter shall then be permitted to  
10 vote the new ballot.

11 (6) The automatic tabulating equipment shall be set  
12 to return any ballot that is damaged or defective and  
13 cannot properly be read by the automatic tabulating  
14 equipment. The ballot shall be marked "Spoiled Ballot",  
15 initialed by all judges immediately under the words  
16 "Spoiled Ballot", and not counted. The judges shall  
17 initial and issue a new ballot to the voter in lieu of  
18 the original "Spoiled Ballot" and the voter shall then be  
19 permitted to vote the new ballot.

20 (7) Immediately after the closing of the polls and  
21 after the insertion of absentee ballots entitled to be  
22 counted, the automatic tabulating equipment shall be  
23 locked against further processing of ballots and the vote  
24 totals shall be displayed and read.

25 (8) Throughout the election day and before the  
26 close of the polls, no person shall be permitted to check  
27 for vote totals for any candidate or proposition on the  
28 automatic tabulating equipment. However, any voter,  
29 judge of election, or poll watcher may examine the number  
30 of counted ballots shown on the public counter of the  
31 automatic tabulating equipment when the polls are open.  
32 During the time that polling places are open for voting,  
33 no person may reset the equipment for re-insertion of  
34 ballots except upon the specific authorization of the

1 election authority; the automatic tabulating equipment  
2 shall be programmed to prevent such re-insertion unless  
3 provided a code by an authorized representative of the  
4 election authority. If the automatic tabulating  
5 equipment becomes inoperative during voting hours, until  
6 such time as it is repaired and restarted by a  
7 representative of the election authority, the voters  
8 shall deposit their voted ballots into the secure portion  
9 of the supply carrier case or other secure ballot  
10 container supplied by the election authority and the  
11 judges of election shall open the container used for this  
12 purpose only after the close of the polls and shall then  
13 insert each of the deposited ballots into the automatic  
14 tabulating equipment to be tallied.

15 (b) Procedures after the close of the polls.

16 (1) Immediately after the closing of the polls, the  
17 absentee ballots delivered to the precinct judges of  
18 election by the election authority shall be examined to  
19 determine that such ballots comply with Sections 19-9 and  
20 20-9 of this Act and are entitled to be deposited in the  
21 ballot box; those entitled to be deposited in the ballot  
22 box shall be initialed by the precinct judges of election  
23 and deposited in the ballot box. Those not entitled to  
24 be deposited in the ballot box shall be marked "Rejected"  
25 and disposed of as provided in said Sections 19-9 and  
26 20-9.

27 (2) The precinct judges of election shall open the  
28 ballot box and count the number of ballots therein to  
29 determine if such number agrees with the number of voters  
30 voting as shown by the automatic tabulating equipment, by  
31 the public counter on the automatic tabulating equipment  
32 where available, and by applications for ballot. ~~er,~~ If  
33 the same do not agree, the judges of election shall make  
34 such ballots agree with the applications for ballot in

1 the manner provided by Section 17-18 of this Code Act.

2 (3) The judges of election shall then examine all  
3 ballot cards and ballot card envelopes which are in the  
4 ballot box to determine whether the ballot cards and  
5 ballot card envelopes contain the initials of a precinct  
6 judge of election. If any ballot card or ballot card  
7 envelope is not initialed, it shall be marked on the back  
8 "Defective", initialed as to such label by all judges  
9 immediately under the word "Defective" and not counted.  
10 The judges of election shall place an initialed blank  
11 official ballot card in the place of the defective ballot  
12 card, so that the count of the ballot cards to be counted  
13 on the automatic tabulating equipment will be the same,  
14 and each "Defective Ballot" card and "Replacement" card  
15 shall contain the same serial number which shall be  
16 placed thereon by the judges of election, commencing with  
17 number 1 and continuing consecutively for the ballots of  
18 that kind in that precinct. The original "Defective" card  
19 shall be placed in the "Defective Ballot Envelope"  
20 provided for that purpose.

21 (4) When an electronic voting system is used which  
22 utilizes a ballot card, before separating the-remaining  
23 ballot cards from their respective covering envelopes or  
24 sleeves, the judges of election shall examine the ballot  
25 cards, ballot card envelopes, ballot card stubs, or  
26 security sleeves for write-in votes. When the voter has  
27 cast a write-in vote, the judges of election shall  
28 compare the write-in vote with the votes on the ballot  
29 card to determine whether such write-in results in an  
30 overvote for any office unless the automatic tabulating  
31 equipment has already done so. In case of an overvote  
32 for any office, the judges of election, consisting in  
33 each case of at least one judge of election of each of  
34 the 2 major political parties, shall make a true

1 duplicate ballot of all votes on such ballot card except  
2 for the office which is overvoted, by using the ballot  
3 label booklet of the precinct and one of the marking  
4 devices of the precinct so as to transfer all votes of  
5 the voter, except for the office overvoted, to a  
6 duplicate card. The original ballot card and envelope  
7 upon which there is an overvote shall be clearly labeled  
8 "Overvoted Ballot", and each such "Overvoted Ballot" as  
9 well as its "Replacement" shall contain the same serial  
10 number which shall be placed thereon by the judges of  
11 election, commencing with number 1 and continuing  
12 consecutively for the ballots of that kind in that  
13 precinct. The "Overvoted Ballot" card and ballot  
14 envelope shall be placed in an envelope provided for that  
15 purpose labeled "Duplicate Ballot" envelope, and the  
16 judges of election shall initial the "Replacement" ballot  
17 cards and shall place them with the other ballot cards to  
18 be counted on the automatic tabulating equipment.  
19 Envelopes, ballot cards, ballot card stubs, or security  
20 envelopes or sleeves containing write-in votes marked in  
21 the place designated therefor and containing the initials  
22 of a precinct judge of election and not resulting in an  
23 overvote and otherwise complying with the election laws  
24 as to marking shall be counted and tallied and their  
25 votes recorded on a tally sheet provided by the election  
26 authority.

27 The ballot cards and ballot card envelopes or  
28 sleeves shall be separated in preparation for counting by  
29 the automatic tabulating equipment provided for that  
30 purpose by the election authority.

31 (5) After closing the polls and examining the  
32 absentee ballots pursuant to subsection (c)(1) of this  
33 Section, the judges of election shall insert into the  
34 automatic tabulating equipment all absentee ballots

1 entitled to be counted. Thereafter, the judges of  
 2 election shall generate vote totals for all candidates  
 3 and propositions.

4 Before the ballots are entered into the automatic  
 5 tabulating equipment, a precinct identification card  
 6 provided by the election authority shall be entered into  
 7 the device to ensure that the totals are all zeroes in  
 8 the count column on the printing unit. A precinct judge  
 9 of election shall then count the ballots by entering each  
 10 ballot card into the automatic tabulating equipment, and  
 11 if any ballot or ballot card is damaged or defective so  
 12 that it cannot properly be counted by the automatic  
 13 tabulating equipment, the judges of election, consisting  
 14 in each case of at least one judge of election of each of  
 15 the two major political parties, shall make a true  
 16 duplicate ballot of all votes on such ballot card by  
 17 using the ballot label booklet of the precinct and one of  
 18 the marking devices of the precinct. The original ballot  
 19 or ballot card and envelope shall be clearly labeled  
 20 "Damaged Ballot" and the ballot or ballot card so  
 21 produced shall be clearly labeled "Duplicate Damaged  
 22 Ballot", and each shall contain the same serial number  
 23 which shall be placed thereon by the judges of election,  
 24 commencing with number 1 and continuing consecutively for  
 25 the ballots of that kind in the precinct. The judges of  
 26 election shall initial the "Duplicate Damaged Ballot"  
 27 ballot or ballot cards and shall enter the duplicate  
 28 damaged cards into the automatic tabulating equipment.  
 29 The "Damaged Ballot" cards shall be placed in the  
 30 "Duplicated Ballots" envelope; after all ballot cards  
 31 have been successfully read, the judges of election shall  
 32 check to make certain that the last number printed by the  
 33 printing unit is the same as the number of voters making  
 34 application for ballot in that precinct. The number



1 shall--be--listed--on--the--"Statement--of--Ballots"--form  
2 provided-by-the-election-authority.

3 (6) The totals for all candidates and propositions  
4 shall be tabulated; 4 sets shall be attached to the 4  
5 sets of "Certificate of Results", which may be generated  
6 by the automatic tabulating equipment, provided by the  
7 election authority; one set shall be posted in a  
8 conspicuous place inside the polling place; and every  
9 effort shall be made by the judges of election to provide  
10 a set for each authorized pollwatcher or other official  
11 authorized to be present in the polling place to observe  
12 the counting of ballots; but in no case shall the number  
13 of sets to be made available to pollwatchers be fewer  
14 than 4, chosen by lot by the judges of election. In  
15 addition, sufficient time shall be provided by the judges  
16 of election to the pollwatchers to allow them to copy  
17 information from the set which has been posted.

18 (7) The judges of election shall count all unused  
19 ballot cards and enter the number on the "Statement of  
20 Ballots". All "Spoiled", "Defective" and "Duplicated"  
21 ballot cards shall be counted and the number entered on  
22 the "Statement of Ballots".

23 (8) The precinct judges of election shall select a  
24 bi-partisan team of 2 judges, who shall immediately  
25 return the ballots in a sealed container, along with all  
26 other election materials as instructed by the election  
27 authority; provided, however, that such container must  
28 first be sealed by the election judges with filament tape  
29 provided for such purpose which shall be wrapped around  
30 the container lengthwise and crosswise, at least twice  
31 each way, in such manner that the ballots cannot be  
32 removed from such container without breaking the seal and  
33 filament tape and disturbing any signatures affixed by  
34 the election judges to the container. The election

1 authority shall keep the office of the election  
 2 authority, or any receiving stations designated by such  
 3 authority, open for at least 12 consecutive hours after  
 4 the polls close or until the ballots from all precincts  
 5 with in-precinct automatic tabulating counting equipment  
 6 within the jurisdiction of the election authority have  
 7 been returned to the election authority. Ballots returned  
 8 to the office of the election authority which are not  
 9 signed and sealed as required by law shall not be  
 10 accepted by the election authority until the judges  
 11 returning the same make and sign the necessary  
 12 corrections. Upon acceptance of the ballots by the  
 13 election authority, the judges returning the same shall  
 14 take a receipt signed by the election authority and  
 15 stamped with the time and date of such return. The  
 16 election judges whose duty it is to return any ballots as  
 17 herein provided shall, in the event such ballots cannot  
 18 be found when needed, on proper request, produce the  
 19 receipt which they are to take as above provided.

20 (Source: P.A. 83-1362.)

21 (10 ILCS 5/24A-14) (from Ch. 46, par. 24A-14)

22 Sec. 24A-14. Damaged ballots. In precincts that utilize  
 23 in-precinct automatic tabulating equipment having voting  
 24 defect identification capability and in which voters insert  
 25 their ballots into the automatic tabulating equipment, if any  
 26 ballot is damaged or defective so that it cannot properly be  
 27 counted by the automatic tabulating equipment, that ballot  
 28 shall be treated as a spoiled ballot as provided in Section  
 29 24A-10.1. If--any--ballot--is--damaged--or--defective--so--that--it  
 30 cannot--properly--be--counted--by--the--automatic--tabulating  
 31 equipment, a true duplicate copy shall be made of the damaged  
 32 ballot in the presence of witnesses and substituted for the  
 33 damaged ballot. Likewise, a duplicate ballot shall be made of

1 a-defective-ballot-which-shall-not-include-the-invalid-votes.  
 2 All--duplicate--ballots-shall-be-clearly-labeled-"duplicate",  
 3 shall-bear-a-serial-number-which-shall-be-registered--on--the  
 4 damaged--or-defective-ballot,-and-shall-be-counted-in-lieu-of  
 5 the-damaged-or-defective-ballot.

6 (Source: Laws 1965, p. 2220.)

7 (10 ILCS 5/24B-2)

8 Sec. 24B-2. Definitions. As used in this Article:

9 "Computer", "automatic tabulating equipment" or  
 10 "equipment" includes apparatus necessary to automatically  
 11 examine and count votes as designated on ballots, and data  
 12 processing machines which can be used for counting ballots  
 13 and tabulating results.

14 "Ballot" means paper ballot sheets.

15 "Ballot configuration" means the particular combination  
 16 of political subdivision ballots including, for each  
 17 political subdivision, the particular combination of offices,  
 18 candidate names and questions as it appears for each group of  
 19 voters who may cast the same ballot.

20 "Ballot sheet" means a paper ballot printed on one or  
 21 both sides which is (1) designed and prepared so that the  
 22 voter may indicate his or her votes in designated areas,  
 23 which must be areas clearly printed or otherwise delineated  
 24 for such purpose, and (2) capable of having votes marked in  
 25 the designated areas automatically examined, counted, and  
 26 tabulated by an electronic scanning process.

27 "Central counting" means the counting of ballots in one  
 28 or more locations selected by the election authority for the  
 29 processing or counting, or both, of ballots. A location for  
 30 central counting shall be within the territorial jurisdiction  
 31 of the election authority unless there is no suitable  
 32 tabulating equipment available within his territorial  
 33 jurisdiction. However, in any event a counting location

1 shall be within this State.

2 "Computer operator" means any person or persons  
3 designated by the election authority to operate the automatic  
4 tabulating equipment during any portion of the vote tallying  
5 process in an election, but shall not include judges of  
6 election operating vote tabulating equipment in the precinct.

7 "Computer program" or "program" means the set of  
8 operating instructions for the automatic tabulating equipment  
9 that examines, counts, tabulates, canvasses and prints votes  
10 recorded by a voter on a ballot.

11 "Edit listing" means a computer generated listing of the  
12 names of each candidate and proposition as they appear in the  
13 program for each precinct.

14 "Header sheet" means a data processing document which is  
15 coded to indicate to the computer the precinct identity of  
16 the ballots that will follow immediately and may indicate to  
17 the computer how such ballots are to be tabulated.

18 "In-precinct automatic tabulating equipment" means the  
19 automatic equipment provided by the election authority that  
20 is capable of counting ballots in the same precinct polling  
21 place in which those ballots are cast.

22 "In-precinct counting" means the counting of ballots on  
23 automatic tabulating equipment provided by the election  
24 authority in the same precinct polling place in which those  
25 ballots have been cast.

26 "Marking device" means a pen or similar device approved  
27 by the State Board of Elections for marking a paper ballot  
28 with ink or other substance which will enable the ballot to  
29 be tabulated by automatic tabulating equipment or by an  
30 electronic scanning process.

31 "Precinct Tabulation Optical Scan Technology" means the  
32 capability to examine a ballot through electronic means and  
33 tabulate the votes at one or more counting places.

34 "Redundant count" means a verification of the original

1 computer count by another count using compatible equipment or  
2 by hand as part of a discovery recount.

3 "Security designation" means a printed designation placed  
4 on a ballot to identify to the computer program the offices  
5 and propositions for which votes may be cast and to indicate  
6 the manner in which votes cast should be tabulated while  
7 negating any inadmissible votes.

8 "Separate ballot", with respect to ballot sheets, means a  
9 separate portion of the ballot sheet which is clearly defined  
10 by a border or borders or shading.

11 "Voting defect identification" means the capability to  
12 detect overvoted ballots that contain a voting defect or  
13 ballots--which--cannot--be--read--by--the--automatic--tabulating  
14 equipment.

15 "Voting defects" means an overvoted ballot, an undervoted  
16 ballot, or a ballot which cannot be read by the automatic  
17 tabulating equipment, or a ballot that does not contain the  
18 initials of a judge of election.

19 "Voting system" or "electronic voting system" means that  
20 combination of equipment and programs used in the casting,  
21 examination and tabulation of ballots and the cumulation and  
22 reporting of results by electronic means.

23 (Source: P.A. 89-394, eff. 1-1-97.)

24 (10 ILCS 5/24B-10.1)

25 Sec. 24B-10.1. In-Precinct Counting Equipment;  
26 Procedures for Counting and Tallying Ballots. In an election  
27 jurisdiction where Precinct Tabulation Optical Scan  
28 Technology counting equipment is used, the following  
29 procedures for counting and tallying the ballots shall apply:

30 (a) The in-precinct automatic tabulating equipment shall  
31 be set to count each ballot for candidates and for or against  
32 propositions to be voted upon as the ballot is inserted into  
33 the automatic tabulating equipment, and the equipment shall

1 internally tally accurate vote totals for all such candidates  
2 and for and against all such propositions. Before the opening  
3 of the polls, and before the ballots are entered into the  
4 automatic tabulating equipment, the judges of election shall  
5 turn on the automatic tabulating equipment, activate the  
6 precinct program memory medium, and verify that the public  
7 counter is set at zero shall-be-sure-that-the-totals-are-all  
8 zeros-in-the-counting-column. Ballots-may-then-be-counted-by  
9 entering-each-ballot-into-the-automatic-tabulating-equipment.

10 After the polls have been declared open, each ballot  
11 shall be inserted into the automatic tabulating equipment by  
12 the voter immediately after the voter has completed marking  
13 his or her ballot. The ballot shall be inserted into the  
14 automatic tabulating equipment without public observation of  
15 the votes cast on the ballot. The judges of election shall  
16 not handle any voted ballot except as provided in this Code  
17 for uninitialed, spoiled, and defective and damaged ballots.  
18 Each voted ballot shall be deposited into a secure ballot box  
19 immediately after it has been counted by the automatic  
20 tabulating equipment.

21 Immediately after the closing of the polls and after the  
22 insertion of absentee ballots entitled to be counted, the  
23 automatic tabulating equipment shall be locked against  
24 further processing of ballots and the vote totals shall be  
25 displayed and read.

26 Throughout the election day and before the closing of the  
27 polls, no person shall be permitted to may check for any vote  
28 totals for any candidate or proposition on the automatic  
29 tabulating equipment. However, any voter, judge of election,  
30 or poll watcher may examine the number of counted ballots  
31 shown on the public counter of the automatic tabulating  
32 equipment when the polls are open. During the time that  
33 polling places are open for voting, no person may reset the  
34 equipment for re-insertion of ballots except upon the

1 specific authorization of the election authority; the  
2 automatic tabulating equipment shall be programmed to prevent  
3 such re-insertion unless provided a code by an authorized  
4 representative of the election authority. If the automatic  
5 tabulating equipment becomes inoperative during voting hours,  
6 until such time as it is repaired and restarted by a  
7 representative of the election authority, the voters shall  
8 deposit their voted ballots into the secure portion of the  
9 supply carrier case or other secure ballot container supplied  
10 by the election authority and the judges of election shall  
11 open the container used for this purpose only after the close  
12 of the polls and shall then insert each of the deposited  
13 ballots into the automatic tabulating equipment to be  
14 tallied. Such---automatic---tabulating---equipment---shall---be  
15 programmed---so---that---no---person---may---reset---the---equipment---for  
16 refeeding---of---ballots---unless---provided---a---code---from---an  
17 authorized---representative---of---the---election---authority---.---At---the  
18 option---of---the---election---authority---,---the---ballots---may---be---fed---into  
19 the---Precinct---Tabulation---Optical---Scan---Technology---equipment---by  
20 the---voters---under---the---direct---supervision---of---the---judges---of  
21 elections.

22 (b) The in-precinct automatic tabulating equipment shall  
23 have the capability to identify voting defects. The election  
24 authority shall develop and implement procedures for the  
25 following:

26 (1) The equipment shall be set to automatically  
27 return to the voter any ballot that does not contain a  
28 judge's initial in the area required by this Code. If  
29 the judges of election reasonably believe that the  
30 failure to initial the ballot was due to an error by the  
31 judges and that no fraud or other irregularity has  
32 occurred affecting the integrity of the ballots, the  
33 ballot shall then be initialed by one of the judges of  
34 election and re-inserted by the voter into the automatic

1 tabulating equipment. Otherwise, the ballot shall be  
2 marked "Spoiled Ballot", initialed by all judges  
3 immediately under the words "Spoiled Ballot", and not  
4 counted. The judges shall initial and issue a new ballot  
5 to the voter in lieu of the original "Spoiled Ballot" and  
6 the voter shall then be permitted to vote the new ballot.

7 (2) The counting equipment shall be set to  
8 automatically return to the voter any ballot on which the  
9 number of votes for an office or proposition exceeds the  
10 number of votes that the voter is entitled to cast. If  
11 the voter, after being informed that an overvote has  
12 occurred, determines to have the ballot counted despite  
13 containing an overvote, the automatic tabulating  
14 equipment shall be set to accept the ballot and count the  
15 votes for or against propositions and for candidates for  
16 offices for which there is no overvote. If the overvoted  
17 ballot was also rejected because it lacks a judge's  
18 initials, the voter may request that a judge initial the  
19 ballot before the voter re-inserts the ballot into the  
20 automatic tabulating equipment. If the voter determines  
21 to have the overvoted ballot rejected and to vote a new  
22 ballot, the original ballot shall be marked "Spoiled  
23 Ballot", initialed by all judges immediately under the  
24 words "Spoiled Ballot", and not counted. The judges  
25 shall issue a new ballot to the voter in lieu of the  
26 original "Spoiled Ballot" and the voter shall then be  
27 permitted to vote the new ballot.

28 (3) The counting equipment, to the extent the  
29 equipment is capable, shall be set to automatically  
30 return to the voter any ballot on which the number of  
31 votes for an office or proposition is less than the  
32 number of votes that the voter is entitled to cast. The  
33 voter, after being informed that an undervote has  
34 occurred, may return to the voting area and complete



1 voting that ballot. If the voter, after being informed  
2 that an undervote has occurred, determines to have the  
3 ballot counted despite containing an undervote, the  
4 automatic tabulating equipment shall be set to accept the  
5 ballot and count the votes for or against propositions  
6 and for candidates for offices. If the undervoted ballot  
7 was also rejected because it lacks a judge's initials,  
8 the voter may request that a judge initial the ballot  
9 before the voter re-inserts the ballot into the automatic  
10 tabulating equipment. If the voter determines to have the  
11 undervoted ballot rejected and to vote a new ballot, the  
12 original ballot shall be marked "Spoiled Ballot",  
13 initialed by all judges immediately under the words  
14 "Spoiled Ballot", and not counted. The judges shall  
15 issue a new ballot to the voter in lieu of the original  
16 "Spoiled Ballot" and the voter shall then be permitted to  
17 vote the new ballot.

18 (4) The equipment shall be set to return any ballot  
19 that is damaged or defective and cannot properly be read  
20 by the automatic tabulating equipment. The ballot shall  
21 be marked "Spoiled Ballot", initialed by all judges  
22 immediately under the words "Spoiled Ballot", and not  
23 counted. The judges shall initial and issue a new ballot  
24 to the voter in lieu of the original "Spoiled Ballot" and  
25 the voter shall then be permitted to vote the new ballot.

26 (c) Immediately after the closing of the polls, the  
27 absentee ballots delivered to the precinct judges of election  
28 by the election authority shall be examined to determine that  
29 the ballots comply with Sections 19-9 and 20-9 of this Code  
30 and are entitled to be scanned by the Precinct Tabulation  
31 Optical Scan Technology equipment and then deposited in the  
32 ballot box; those entitled to be scanned and deposited in the  
33 ballot box shall be initialed by the precinct judges of  
34 election and then scanned and deposited in the ballot box.

1 Those not entitled to be deposited in the ballot box shall be  
2 marked "Rejected" and disposed of as provided in said  
3 Sections 19-9 and 20-9.

4 The precinct judges of election shall open the ballot box  
5 and count the number of ballots to determine if the number  
6 agrees with the number of voters voting as shown on the  
7 Precinct Tabulation Optical Scan Technology equipment and by  
8 the applications for ballot or, if the same do not agree, the  
9 judges of election shall make the ballots agree with the  
10 applications for ballot in the manner provided by Section  
11 17-18 of this Code. The judges of election shall then  
12 examine all ballots which are in the ballot box to determine  
13 whether the ballots contain the initials of a precinct judge  
14 of election. If any ballot is not initialed, it shall be  
15 marked on the back "Defective", initialed as to such label by  
16 all judges immediately under the word "Defective" and not  
17 counted. The judges of election shall place an initialed  
18 blank official ballot in the place of the defective ballot,  
19 so that the count of the ballots to be counted on the  
20 automatic tabulating equipment will be the same, and each  
21 "Defective Ballot" and "Replacement" ballot shall contain the  
22 same serial number which shall be placed thereon by the  
23 judges of election, beginning with number 1 and continuing  
24 consecutively for the ballots of that kind in that precinct.  
25 The original "Defective" ballot shall be placed in the  
26 "Defective Ballot Envelope" provided for that purpose.

27 If the judges of election have removed a ballot pursuant  
28 to Section 17-18, have labeled "Defective" a ballot which is  
29 not initialed, or have otherwise determined under this Code  
30 to not count a ballot originally deposited into a ballot box,  
31 the judges of election shall be sure that the totals on the  
32 automatic tabulating equipment are reset to all zeros in the  
33 counting column. Thereafter the judges of election shall  
34 enter each ballot to be counted in the automatic tabulating

1 equipment. Resetting the automatic tabulating equipment to  
2 all zeros and re-entering of ballots to be counted may occur  
3 at the precinct polling place, the office of the election  
4 authority, or any receiving station designated by the  
5 election authority. The election authority shall designate  
6 the place for resetting and re-entering.

7 When a Precinct Tabulation Optical Scan Technology  
8 electronic voting system is used which uses a paper ballot,  
9 the judges of election shall examine the ballot for write-in  
10 votes. When the voter has cast a write-in vote, the judges  
11 of election shall compare the write-in vote with the votes on  
12 the ballot to determine whether the write-in results in an  
13 overvote for any office, unless the Precinct Tabulation  
14 Optical Scan Technology equipment has already done so. In  
15 case of an overvote for any office, the judges of election,  
16 consisting in each case of at least one judge of election of  
17 each of the 2 major political parties, shall make a true  
18 duplicate ballot of all votes on such ballot except for the  
19 office which is overvoted, by using the ballot of the  
20 precinct and one of the marking devices of the precinct so as  
21 to transfer all votes of the voter, except for the office  
22 overvoted, to a duplicate ballot. The original ballot upon  
23 which there is an overvote shall be clearly labeled  
24 "Overvoted Ballot", and each such "Overvoted Ballot" as well  
25 as its "Replacement" shall contain the same serial number  
26 which shall be placed thereon by the judges of election,  
27 beginning with number 1 and continuing consecutively for the  
28 ballots of that kind in that precinct. The "Overvoted  
29 Ballot" shall be placed in an envelope provided for that  
30 purpose labeled "Duplicate Ballot" envelope, and the judges  
31 of election shall initial the "Replacement" ballots and shall  
32 place them with the other ballots to be counted on the  
33 automatic tabulating equipment.

34 If any ballot is damaged or defective, or if any ballot

1 contains a Voting Defect, so that it cannot properly be  
2 counted by the automatic tabulating equipment, the voter or  
3 the judges of election, consisting in each case of at least  
4 one judge of election of each of the 2 major political  
5 parties, shall make a true duplicate ballot of all votes on  
6 such ballot by using the ballot of the precinct and one of  
7 the marking devices of the precinct. If a damaged ballot,  
8 the original ballot shall be clearly labeled "Damaged Ballot"  
9 and the ballot so produced shall be clearly labeled "Damaged  
10 Ballot" and the ballot so produced shall be clearly labeled  
11 "Duplicate Damaged Ballot", and each shall contain the same  
12 serial number which shall be placed by the judges of  
13 election, beginning with number 1 and continuing  
14 consecutively for the ballots of that kind in the precinct.  
15 The judges of election shall initial the "Duplicate Damaged  
16 Ballot" ballot and shall enter the duplicate damaged ballot  
17 into the automatic tabulating equipment. The "Damaged  
18 Ballots" shall be placed in the "Duplicated Ballots"  
19 envelope; after all ballots have been successfully read, the  
20 judges of election shall check to make certain that the  
21 Precinct Tabulation Optical Scan Technology equipment readout  
22 agrees with the number of voters making application for  
23 ballot in that precinct. The number shall be listed on the  
24 "Statement of Ballots" form provided by the election  
25 authority.

26 The totals for all candidates and propositions shall be  
27 tabulated; and 4 copies of a "Certificate of Results" shall  
28 be generated by the automatic tabulating equipment; one copy  
29 shall be posted in a conspicuous place inside the polling  
30 place; and every effort shall be made by the judges of  
31 election to provide a copy for each authorized pollwatcher or  
32 other official authorized to be present in the polling place  
33 to observe the counting of ballots; but in no case shall the  
34 number of copies to be made available to pollwatchers be

1 fewer than 4, chosen by lot by the judges of election. In  
2 addition, sufficient time shall be provided by the judges of  
3 election to the pollwatchers to allow them to copy  
4 information from the copy which has been posted.

5 The judges of election shall count all unused ballots and  
6 enter the number on the "Statement of Ballots". All  
7 "Spoiled", "Defective" and "Duplicated" ballots shall be  
8 counted and the number entered on the "Statement of Ballots".

9 The precinct judges of election shall select a  
10 bi-partisan team of 2 judges, who shall immediately return  
11 the ballots in a sealed container, along with all other  
12 election materials as instructed by the election authority;  
13 provided, however, that such container must first be sealed  
14 by the election judges with filament tape or other approved  
15 sealing devices provided for the purpose which shall be  
16 wrapped around the container lengthwise and crosswise, at  
17 least twice each way, in a manner that the ballots cannot be  
18 removed from the container without breaking the seal and  
19 filament tape and disturbing any signatures affixed by the  
20 election judges to the container, or which other approved  
21 sealing devices are affixed in a manner approved by the  
22 election authority. The election authority shall keep the  
23 office of the election authority or any receiving stations  
24 designated by the authority, open for at least 12 consecutive  
25 hours after the polls close or until the ballots from all  
26 precincts with in-precinct automatic tabulating counting  
27 equipment within the jurisdiction of the election authority  
28 have been returned to the election authority. Ballots  
29 returned to the office of the election authority which are  
30 not signed and sealed as required by law shall not be  
31 accepted by the election authority until the judges returning  
32 the ballots make and sign the necessary corrections. Upon  
33 acceptance of the ballots by the election authority, the  
34 judges returning the ballots shall take a receipt signed by

1 the election authority and stamped with the time and date of  
 2 the return. The election judges whose duty it is to return  
 3 any ballots as provided shall, in the event the ballots  
 4 cannot be found when needed, on proper request, produce the  
 5 receipt which they are to take as above provided. The  
 6 precinct judges of election shall also deliver the Precinct  
 7 Tabulation Optical Scan Technology equipment to the election  
 8 authority.

9 (Source: P.A. 89-394, eff. 1-1-97.)

10 (10 ILCS 5/24B-14)

11 Sec. 24B-14. Damaged Ballots;-Duplicates. In precincts  
 12 that utilize in-precinct automatic tabulating equipment  
 13 having voting defect identification capability and in which  
 14 voters insert their ballots into the automatic tabulating  
 15 equipment, if any ballot is damaged or defective so that it  
 16 cannot properly be counted by the automatic Precinct  
 17 Tabulation Optical Scan Technology tabulating equipment, that  
 18 ballot shall be treated as a spoiled ballot as provided in  
 19 Section 24B-10.1. If any ballot is damaged or defective so  
 20 that it cannot properly be counted by the automatic Precinct  
 21 Tabulation Optical Scan Technology tabulating equipment, a  
 22 true duplicate copy shall be made of the damaged ballot in  
 23 the presence of witnesses and substituted for the damaged  
 24 ballot. Likewise, a duplicate ballot shall be made of a  
 25 defective ballot which shall not include the invalid votes.  
 26 All duplicate ballots shall be clearly labeled "Duplicate",  
 27 shall bear a serial number which shall be registered on the  
 28 damaged or defective ballot, and shall be counted in lieu of  
 29 the damaged or defective ballot.

30 (Source: P.A. 89-394, eff. 1-1-97.)

31 Section 99. Effective date. This Act takes effect upon  
 32 becoming law."