1   AMENDMENT TO HOUSE BILL 4898

2   AMENDMENT NO. _____. Amend House Bill 4898 by replacing

3   everything after the enacting clause with the following:

4   "Section 5. The Election Code is amended by adding

5   Section 1A-20 as follows:

6   (10 ILCS 5/1A-20 new)

7   Sec. 1A-20. Provisional ballots.

8   (a) Notwithstanding any other provision of this Code to

9   the   contrary,   the   State Board of Elections shall adopt and

10 election authorities shall implement procedures for the

11 casting and counting of provisional ballots at any election

12 in accordance with this Section.

13   (b) A person claiming to be entitled to vote but whose

14 registration cannot be verified at the polling place shall be

15 given a provisional ballot. After the person has marked or

16 otherwise cast the provisional ballot, the provisional ballot

17 shall be placed in an envelope that indicates its provisional

18 status and shall be kept separately from non-provisional

19 ballots. If the election authority cannot verify the person's

20 valid registration through comparison of the signature on the

21 provisional ballot request with the signature on his or her

22 registration application, the provisional ballot shall not be

1   counted. If the election authority verifies the person's

2   valid registration through comparison of the signature on the

3   provisional ballot request with the signature on his or her

4   registration application, the provisional ballot shall be

5   counted.

6   (c) Attempted verification of the person's valid

7   registration must be timely and efficient. Judges at the

8   polling place may be required to make a good faith effort to

9   contact the election authority for verification at the

10   person's request, and the election authority may be required

11   to make a good faith effort to attempt verification before

12   the provisional ballot has been cast. Once a provisional

13   ballot is cast, the election authority must review all

14   provisional ballot applications and make timely and good

15   faith efforts to verify the registration in order to include

16   all verified and validated provisional ballot votes in the

17   official abstract of votes and canvass of ballots. If the

18   person's signature on his or her provisional ballot request

19   varies from the signature on an otherwise valid registration

20   application solely because of the substitution of initials

21   for the first or middle name, the election authority may not

22   reject the provisional ballot as that of an unqualified

23   voter.

24   (d) A provisional ballot may be requested by a person

25   who has been provided an absentee ballot but who is unable to

26   surrender to the election judge his or her uncast ballot. The

27   provisional ballot shall not be counted if the absentee

28   ballot has been cast.

29   (e) An election authority must give notice to any person

30   who cast a provisional ballot that was not counted if the

31   reason the ballot was not counted was the person's lack of

32   valid registration. The notice must explain the steps

33   necessary for the person to properly register.

34   (f) To the extent possible, the rules adopted under this

1   Section   must   apply   to   provisional   ballots   this   Code's

2   procedures for handling and counting other types of ballots,

3   including the use of electronic voting systems.

4   (g) Notwithstanding any statutory provisions to the

5   contrary, those officials charged with making abstracts of

6   votes shall complete the abstracts within 14 days after any

7   election where provisional ballots have been cast.".