

1 AN ACT concerning elections.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Election Code is amended by changing
5 Sections 19-2.1 and 24A-20 as follows:

6 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

7 Sec. 19-2.1. At the consolidated primary, general
8 primary, consolidated, and general elections, electors
9 entitled to vote by absentee ballot under the provisions of
10 Section 19-1 may vote in person at the office of the
11 municipal clerk, if the elector is a resident of a
12 municipality not having a board of election commissioners, or
13 at the office of the township clerk or, in counties not under
14 township organization, at the office of the road district
15 clerk if the elector is not a resident of a municipality;
16 provided, in each case that the municipal, township or road
17 district clerk, as the case may be, is authorized to conduct
18 in-person absentee voting pursuant to this Section. Absentee
19 voting in such municipal and township clerk's offices under
20 this Section shall be conducted from the 22nd day through the
21 day before the election.

22 Municipal and township clerks (or road district clerks)
23 who have regularly scheduled working hours at regularly
24 designated offices other than a place of residence and whose
25 offices are open for business during the same hours as the
26 office of the election authority shall conduct in-person
27 absentee voting for said elections. Municipal and township
28 clerks (or road district clerks) who have no regularly
29 scheduled working hours but who have regularly designated
30 offices other than a place of residence shall conduct
31 in-person absentee voting for said elections during the hours

1 of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m.,
2 weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not
3 during such hours as the office of the election authority is
4 closed, unless the clerk files a written waiver with the
5 election authority not later than July 1 of each year stating
6 that he or she is unable to conduct such voting and the
7 reasons therefor. Such clerks who conduct in-person absentee
8 voting may extend their hours for that purpose to include any
9 hours in which the election authority's office is open.
10 Municipal and township clerks (or road district clerks) who
11 have no regularly scheduled office hours and no regularly
12 designated offices other than a place of residence may not
13 conduct in-person absentee voting for said elections. The
14 election authority may devise alternative methods for
15 in-person absentee voting before said elections for those
16 precincts located within the territorial area of a
17 municipality or township (or road district) wherein the clerk
18 of such municipality or township (or road district) has
19 waived or is not entitled to conduct such voting. In
20 addition, electors may vote by absentee ballot under the
21 provisions of Section 19-1 at the office of the election
22 authority having jurisdiction over their residence.

23 In conducting absentee voting under this Section, the
24 respective clerks shall not be required to verify the
25 signature of the absentee voter by comparison with the
26 signature on the official registration record card. However,
27 the clerk shall reasonably ascertain the identity of such
28 applicant, shall verify that each such applicant is a
29 registered voter, and shall verify the precinct in which he
30 or she is registered and the proper ballots of the political
31 subdivisions in which the applicant resides and is entitled
32 to vote, prior to providing any absentee ballot to such
33 applicant. The clerk shall verify the applicant's
34 registration and from the most recent poll list provided by

1 the county clerk, and if the applicant is not listed on that
2 poll list then by telephoning the office of the county clerk.

3 Absentee voting procedures in the office of the
4 municipal, township and road district clerks shall be subject
5 to all of the applicable provisions of this Article 19.
6 Pollwatchers may be appointed to observe in-person absentee
7 voting procedures at the office of the municipal, township or
8 road district clerks' offices where such absentee voting is
9 conducted. Such pollwatchers shall qualify and be appointed
10 in the same manner as provided in Sections 7-34 and 17-23,
11 except each candidate, political party or organization of
12 citizens may appoint only one pollwatcher for each location
13 where in-person absentee voting is conducted. Pollwatchers
14 shall be residents of the county and possess valid
15 pollwatcher credentials. All requirements in this Article
16 applicable to election authorities shall apply to the
17 respective local clerks, except where inconsistent with this
18 Section.

19 The sealed absentee ballots in their carrier envelope
20 shall be delivered by the respective clerks, or by the
21 election authority on behalf of a clerk if the clerk and the
22 election authority agree, to the proper polling place before
23 the close of the polls on the day of the general primary,
24 consolidated primary, consolidated, or general election.

25 Not more than 23 days before the nonpartisan, general and
26 consolidated elections, the county clerk shall make available
27 to those municipal, township and road district clerks
28 conducting in-person absentee voting within such county, a
29 sufficient number of applications, absentee ballots,
30 envelopes, and printed voting instruction slips for use by
31 absentee voters in the offices of such clerks. The respective
32 clerks shall receipt for all ballots received, shall return
33 all unused or spoiled ballots to the county clerk on the day
34 of the election and shall strictly account for all ballots

1 received.

2 The ballots delivered to the respective clerks shall
3 include absentee ballots for each precinct in the
4 municipality, township or road district, or shall include
5 such separate ballots for each political subdivision
6 conducting an election of officers or a referendum on that
7 election day as will permit any resident of the municipality,
8 township or road district to vote absentee in the office of
9 the proper clerk.

10 The clerks of all municipalities, townships and road
11 districts may distribute applications for absentee ballot for
12 the use of voters who wish to mail such applications to the
13 appropriate election authority. Such applications for
14 absentee ballots shall be made on forms provided by the
15 election authority. Duplication of such forms by the
16 municipal, township or road district clerk is prohibited.

17 In-person absentee voting may be conducted upon direct
18 recording electronic voting systems when approved by the
19 State Board of Elections, as prescribed in Section 24A-16,
20 and when the use of those systems is provided for by the
21 election authority, as prescribed in Section 24A-20.

22 (Source: P.A. 91-210, eff. 1-1-00.)

23 (10 ILCS 5/24A-20)

24 Sec. 24A-20. State Board testing of electronic ballot
25 forms using direct recording electronic voting systems. The
26 State Board of Elections may test direct recording electronic
27 voting systems. Testing by the State Board of Elections shall
28 include the operation of direct recording electronic voting
29 systems during a mock voting procedure and during a mock
30 contested election in which ballots are objected to or
31 recounted. The State Board of Elections shall certify to the
32 General Assembly the results of any tests it performs under
33 this Section. When the State Board of Elections has

1 determined that a direct recording electronic voting system
2 meets the requirements of Section 24A-16, election
3 authorities may experiment with such equipment during an
4 actual election by authorizing the use of such system for the
5 casting of in-person absentee votes as prescribed in Section
6 19-2.1. No such system shall be used without the joint
7 approval of the State Board of Elections and the election
8 authority. ~~Notwithstanding the results of the State Board~~
9 ~~of Elections test and its certification to the General~~
10 ~~Assembly, nothing in this Section shall authorize the use of~~
11 ~~a direct recording electronic voting system unless further~~
12 ~~authorized by the General Assembly.~~

13 (Source: P.A. 90-745, eff. 8-14-98.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.