

1 AMENDMENT TO HOUSE BILL 5647

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5647 on page 1, by  
3 replacing line 7 with the following:

4 "6-50.2, 6-50.3, 7-19, 7-46, 7-47, 7-49, 7-52, 7-53, 7-54,  
5 7-55, 7-66, 15-6, 16-11, 17-9, 17-43, 18-5, 18-40, 19-2.1,  
6 19-7, 19-8, 19-9, 19-10, 19-12.2, 19-15, 20-2, 20-2.1,  
7 20-2.2, 20-7, 20-8, 20-9, and 20-15 and by adding Article 24C  
8 as follows:"; and

9 on page 59, by inserting after line 18 the following:

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

11 Sec. 7-19. Arrangement and printing of primary ballot.

12 The primary ballot of each political party for each precinct  
13 shall be arranged and printed substantially in the manner  
14 following:

15 1. Designating words. At the top of the ballot shall be  
16 printed in large capital letters, words designating the  
17 ballot, if a Republican ballot, the designating words shall  
18 be: "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the  
19 designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and  
20 in like manner for each political party.

21 2. Order of Names, Directions to Voters, etc. Beginning  
22 not less than one inch below designating words, the name of

1 each office to be filled shall be printed in capital letters.  
2 Such names may be printed on the ballot either in a single  
3 column or in 2 or more columns and in the following order,  
4 to-wit:

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

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

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

32 Below the name of each office shall be printed in capital  
33 letters the names of all candidates, arranged in the order in  
34 which their petitions for nominations were filed, except as

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

10 Where voting machines, ~~or~~ electronic voting systems, or  
 11 Direct Recording Electronic Voting Systems are used, the  
 12 provisions of this Article Section may be modified as  
 13 required or authorized by Article 24, ~~or~~ Article 24A, or  
 14 Article 24C, whichever is applicable.

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

16 (10 ILCS 5/7-46) (from Ch. 46, par. 7-46)

17 Sec. 7-46. Voting of ballot; writing in names. On  
 18 receiving from the primary judges a primary ballot of his  
 19 party, the primary elector shall forthwith and without  
 20 leaving the polling place, retire alone to one of the voting  
 21 booths and prepare such primary ballot by marking a cross (X)  
 22 in the square in front of and opposite the name of each  
 23 candidate of his choice for each office to be filled, and for  
 24 delegates and alternate delegates to national nominating  
 25 conventions, and for committeemen, if committeemen are being  
 26 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, or  
 6 Direct Recording Electronic Voting Systems are used, the  
 7 provisions of this Article section may be modified as  
 8 required or authorized by Article 24, or Article 24A, or  
 9 Article 24C, whichever is applicable.

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

11 (10 ILCS 5/7-47) (from Ch. 46, par. 7-47)

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

23 Where voting machines, or electronic voting systems, or  
 24 Direct Recording Electronic Voting Systems are used, the  
 25 provisions of this Article section may be modified as  
 26 required or authorized by Article 24, or Article 24A, or  
 27 Article 24C, whichever is applicable.

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

29 (10 ILCS 5/7-49) (from Ch. 46, par. 7-49)

30 Sec. 7-49. No adjournment or recess after opening of  
 31 polls. After the opening of the polls at a primary no  
 32 adjournment shall be had nor recess taken until the canvass

1 of all the votes is completed and the returns carefully  
2 enveloped and sealed.

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

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

9 (10 ILCS 5/7-52) (from Ch. 46, par. 7-52)

10 Sec. 7-52. Precinct canvass of votes. Immediately upon  
11 closing the polls, the primary judges shall proceed to  
12 canvass the votes in the manner following:

13 (1) They shall separate and count the ballots of each  
14 political party.

15 (2) They shall then proceed to ascertain the number of  
16 names entered on the applications for ballot under each party  
17 affiliation.

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

32 (4) The primary judges shall then proceed to count the  
33 primary ballots of each political party separately; and as

1 the primary judges shall open and read the primary ballots, 3  
2 of the judges shall carefully and correctly mark upon  
3 separate tally sheets the votes which each candidate of the  
4 party whose name is written or printed on the primary ballot  
5 has received, in a separate column for that purpose, with the  
6 name of such candidate, the name of his political party and  
7 the name of the office for which he is a candidate for  
8 nomination at the head of such column.

9 Where voting machines, ~~or~~ electronic voting systems, or  
10 Direct Recording Electronic Voting Systems are used, the  
11 provisions of this Article ~~section~~ may be modified as  
12 required or authorized by Article 24, ~~or~~ Article 24A, or  
13 Article 24C, whichever is applicable.

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

15 (10 ILCS 5/7-53) (from Ch. 46, par. 7-53)

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

1 number of ballots voted by the primary electors of the  
2 political party in the precinct. The certificate of results  
3 shall be made substantially in the following form:

4 ..... Party

5 At the primary election held in the .... precinct of the  
6 (1) \*township of ....., or (2) \*City of ....., or (3) \*....  
7 ward in the city of .... on (insert date), the primary  
8 electors of the .... party voted .... ballots, and the  
9 respective candidates whose names were written or printed on  
10 the primary ballot of the .... party, received respectively  
11 the following votes:

Name of	Title of Office,	No. of
Candidate,		Votes
John Jones	Governor	100
Sam Smith	Governor	70
Frank Martin	Attorney General	150
William Preston	Rep. in Congress	200
Frederick John	Circuit Judge	50

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

20 And so on for each candidate.

21 We hereby certify the above and foregoing to be true and  
22 correct.

23 Dated (insert date).

24 .....

25 Name Address

26 .....

27 Name Address

28 .....

29 Name Address

30 .....

31 Name Address

32 .....

33 Name Address

34 Judges of Primary

1           Where voting machines, or electronic voting systems, or  
2 Direct Recording Electronic Voting Systems are used, the  
3 provisions of this Article Section may be modified as  
4 required or authorized by Article 24, and Article 24A, or  
5 Article 24C, whichever is applicable.

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

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

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

20           "Primary ballots of the.... party of the.... precinct of  
21 the county of.... and State of Illinois."

22           Below each endorsement, each primary judge shall write  
23 his name.

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



1 making such report such judge shall return to the polling  
2 place.

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

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

9 (10 ILCS 5/7-55) (from Ch. 46, par. 7-55)

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

1 the election authority, the judges delivering the same shall  
2 take a receipt signed by the election authority and stamped  
3 with the time and date of such delivery. The election judges  
4 whose duty it is to deliver any materials as above provided  
5 shall, in the event such materials cannot be found when  
6 needed, on proper request, produce the receipt which they are  
7 to take as above provided.

8 The county clerk or board of election commissioners shall  
9 deliver a copy of each tally sheet to the county chairmen of  
10 the two largest political parties.

11 Where voting machines, ~~or~~ electronic voting systems, or  
12 Direct Recording Electronic Voting Systems are used, the  
13 provisions of this Article ~~section~~ may be modified as  
14 required or authorized by Article 24, ~~and~~ Article 24A, or  
15 Article 24C, whichever is applicable.

16 (Source: P.A. 83-764.)

17 (10 ILCS 5/7-66)

18 Sec. 7-66. Precinct tabulation optical scan technology  
19 voting equipment and direct recording electronic voting  
20 systems equipment. If the election authority has adopted the  
21 use of Precinct Tabulation Optical Scan Technology voting  
22 equipment pursuant to Article 24B of this Code or Direct  
23 Recording Electronic Voting Systems equipment under Article  
24 24C of this Code, and the provisions of those Articles the  
25 ~~Article~~ are in conflict with the provisions of this Article  
26 7, the provisions of Article 24B or Article 24C, as the case  
27 may be, shall govern the procedures followed by the election  
28 authority, its judges of elections, and all employees and  
29 agents. In following the provisions of Article 24B or  
30 Article 24C, the election authority is authorized to develop  
31 and implement procedures to fully utilize Precinct Tabulation  
32 Optical Scan Technology voting equipment or Direct Recording  
33 Electronic Voting Systems equipment authorized by the State

1 Board of Elections as long as the procedure is not in  
2 conflict with either Article 24B, Article 24C, or the  
3 administrative rules of the State Board of Elections.

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

5 (10 ILCS 5/15-6)

6 Sec. 15-6. Precinct tabulation optical scan technology  
7 voting equipment and direct recording electronic voting  
8 systems equipment. If the election authority has adopted the  
9 use of Precinct Tabulation Optical Scan Technology voting  
10 equipment pursuant to Article 24B of this Code or Direct  
11 Recording Electronic Voting Systems equipment under Article  
12 24C of this Code, and the provisions of those Articles the  
13 ~~Article~~ are in conflict with the provisions of this Article  
14 15, the provisions of Article 24B or Article 24C, as the case  
15 may be, shall govern the procedures followed by the election  
16 authority, its judges of elections, and all employees and  
17 agents. In following the provisions of Article 24B or  
18 Article 24C, the election authority is authorized to develop  
19 and implement procedures to fully utilize Precinct Tabulation  
20 Optical Scan Technology voting equipment or Direct Recording  
21 Electronic Voting Systems equipment authorized by the State  
22 Board of Elections as long as the procedure is not in  
23 conflict with either Article 24B, Article 24C, or the  
24 administrative rules of the State Board of Elections.

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

26 (10 ILCS 5/16-11)

27 Sec. 16-11. Precinct tabulation optical scan technology  
28 voting equipment and direct recording electronic voting  
29 systems equipment. If the election authority has adopted the  
30 use of Precinct Tabulation Optical Scan Technology voting  
31 equipment pursuant to Article 24B of this Code or Direct  
32 Recording Electronic Voting Systems equipment under Article

1 24C of this Code, and the provisions of those Articles the  
 2 Articles are in conflict with the provisions of this Article  
 3 16, the provisions of Article 24B or Article 24C, as the case  
 4 may be, shall govern the procedures followed by the election  
 5 authority, its judges of elections, and all employees and  
 6 agents. In following the provisions of Article 24B or  
 7 Article 24C, the election authority is authorized to develop  
 8 and implement procedures to fully utilize Precinct Tabulation  
 9 Optical Scan Technology voting equipment or Direct Recording  
 10 Electronic Voting Systems equipment authorized by the State  
 11 Board of Elections as long as the procedure is not in  
 12 conflict with either Article 24B, Article 24C, or the  
 13 administrative rules of the State Board of Elections.

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

15 (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

16 Sec. 17-9. Any person desiring to vote shall give his  
 17 name and, if required to do so, his residence to the judges  
 18 of election, one of whom shall thereupon announce the same in  
 19 a loud and distinct tone of voice, clear, and audible; the  
 20 judges of elections shall check each application for ballot  
 21 against the list of voters registered in that precinct to  
 22 whom absentee ballots have been issued for that election,  
 23 which shall be provided by the election authority and which  
 24 list shall be available for inspection by pollwatchers. A  
 25 voter applying to vote in the precinct on election day whose  
 26 name appears on the list as having been issued an absentee  
 27 ballot shall not be permitted to vote in the precinct unless  
 28 that voter submits to the judges of election ~~7---~~~~for~~  
 29 ~~cancellation--or-revocation~~, his absentee ballot. In the case  
 30 that the voter's absentee ballot is not present in the  
 31 polling place, it shall be sufficient for any such voter to  
 32 submit to the judges of election in lieu of his absentee  
 33 ballot, either a portion of such ballot if torn or mutilated,

1 or an affidavit executed before the judges of election  
2 specifying that the voter never received an absentee ballot,  
3 ~~or--an--affidavit--executed--before--the--judges--of--election~~  
4 ~~specifying--that--the--voter--desires--to--cancel--or--revoke--any~~  
5 ~~absentee--ballot--that--may--have--been--cast--in--the--voter's--name.~~  
6 All applicable provisions of Articles 4, 5 or 6 shall be  
7 complied with and if such name is found on the register of  
8 voters by the officer having charge thereof, he shall  
9 likewise repeat said name, and the voter shall be allowed to  
10 enter within the proximity of the voting booths, as above  
11 provided. One of the judges shall give the voter one, and  
12 only one of each ballot to be voted at the election, on the  
13 back of which ballots such judge shall indorse his initials  
14 in such manner that they may be seen when each such ballot is  
15 properly folded, and the voter's name shall be immediately  
16 checked on the register list. In those election jurisdictions  
17 where perforated ballot cards are utilized of the type on  
18 which write-in votes can be cast above the perforation, the  
19 election authority shall provide a space both above and below  
20 the perforation for the judge's initials, and the judge shall  
21 endorse his or her initials in both spaces. Whenever a  
22 proposal for a constitutional amendment or for the calling of  
23 a constitutional convention is to be voted upon at the  
24 election, the separate blue ballot or ballots pertaining  
25 thereto shall, when being handed to the voter, be placed on  
26 top of the other ballots to be voted at the election in such  
27 manner that the legend appearing on the back thereof, as  
28 prescribed in Section 16-6 of this Act, shall be plainly  
29 visible to the voter. At all elections, when a registry may  
30 be required, if the name of any person so desiring to vote at  
31 such election is not found on the register of voters, he or  
32 she shall not receive a ballot until he or she shall have  
33 complied with the law prescribing the manner and conditions  
34 of voting by unregistered voters. If any person desiring to

1 vote at any election shall be challenged, he or she shall not  
 2 receive a ballot until he or she shall have established his  
 3 right to vote in the manner provided hereinafter; and if he  
 4 or she shall be challenged after he has received his ballot,  
 5 he shall not be permitted to vote until he or she has fully  
 6 complied with such requirements of the law upon being  
 7 challenged. Besides the election officer, not more than 2  
 8 voters in excess of the whole number of voting booths  
 9 provided shall be allowed within the proximity of the voting  
 10 booths at one time. The provisions of this Act, so far as  
 11 they require the registration of voters as a condition to  
 12 their being allowed to vote shall not apply to persons  
 13 otherwise entitled to vote, who are, at the time of the  
 14 election, or at any time within 60 days prior to such  
 15 election have been engaged in the military or naval service  
 16 of the United States, and who appear personally at the  
 17 polling place on election day and produce to the judges of  
 18 election satisfactory evidence thereof, but such persons, if  
 19 otherwise qualified to vote, shall be permitted to vote at  
 20 such election without previous registration.

21 All such persons shall also make an affidavit which shall  
 22 be in substantially the following form:

23 State of Illinois,)  
 24 ) ss.  
 25 County of .....)  
 26 ..... Precinct ..... Ward

27 I, ....., do solemnly swear (or affirm) that I am a  
 28 citizen of the United States, of the age of 18 years or over,  
 29 and that within the past 60 days prior to the date of this  
 30 election at which I am applying to vote, I have been engaged  
 31 in the .... (military or naval) service of the United States;  
 32 and I am qualified to vote under and by virtue of the  
 33 Constitution and laws of the State of Illinois, and that I am  
 34 a legally qualified voter of this precinct and ward except

1 that I have, because of such service, been unable to register  
2 as a voter; that I now reside at .... (insert street and  
3 number, if any) in this precinct and ward; that I have  
4 maintained a legal residence in this precinct and ward for 30  
5 days and in this State 30 days next preceding this election.

6 .....

7 Subscribed and sworn to before me on (insert date).

8 .....

9 Judge of Election.

10 The affidavit of any such person shall be supported by  
11 the affidavit of a resident and qualified voter of any such  
12 precinct and ward, which affidavit shall be in substantially  
13 the following form:

14 State of Illinois,)

15 ) ss.

16 County of .....

17 ..... Precinct ..... Ward

18 I, ....., do solemnly swear (or affirm), that I am a  
19 resident of this precinct and ward and entitled to vote at  
20 this election; that I am acquainted with .... (name of the  
21 applicant); that I verily believe him to be an actual bona  
22 fide resident of this precinct and ward and that I verily  
23 believe that he or she has maintained a legal residence  
24 therein 30 days and in this State 30 days next preceding this  
25 election.

26 .....

27 Subscribed and sworn to before me on (insert date).

28 .....

29 Judge of Election.

30 All affidavits made under the provisions of this Section  
31 shall be enclosed in a separate envelope securely sealed, and  
32 shall be transmitted with the returns of the elections to the  
33 county clerk or to the board of election commissioners, who

1 shall preserve the said affidavits for the period of 6  
2 months, during which period such affidavits shall be deemed  
3 public records and shall be freely open to examination as  
4 such.

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

6 (10 ILCS 5/17-43)

7 Sec. 17-43. Precinct tabulation optical scan technology  
8 voting equipment and direct recording electronic voting  
9 systems equipment. If the election authority has adopted the  
10 use of Precinct Tabulation Optical Scan Technology voting  
11 equipment pursuant to Article 24B of this Code or Direct  
12 Recording Electronic Voting Systems equipment under Article  
13 24C of this Code, and the provisions of those Articles the  
14 Articles are in conflict with the provisions of this Article  
15 17, the provisions of Article 24B or Article 24C, as the case  
16 may be, shall govern the procedures followed by the election  
17 authority, its judges of elections, and all employees and  
18 agents. In following the provisions of Article 24B or  
19 Article 24C, the election authority is authorized to develop  
20 and implement procedures to fully utilize Precinct Tabulation  
21 Optical Scan Technology voting equipment or Direct Recording  
22 Electronic Voting Systems equipment authorized by the State  
23 Board of Elections as long as the procedure is not in  
24 conflict with either Article 24B, Article 24C, or the  
25 administrative rules of the State Board of Elections.

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

27 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

28 Sec. 18-5. Questioning of person desiring to vote;  
29 receipt of ballots. Any person desiring to vote and whose  
30 name is found upon the register of voters by the person  
31 having charge thereof, shall then be questioned by one of the  
32 judges as to his nativity, his term of residence at present



1 address, precinct, State and United States, his age, whether  
2 naturalized and if so the date of naturalization papers and  
3 court from which secured, and he shall be asked to state his  
4 residence when last previously registered and the date of the  
5 election for which he then registered. The judges of  
6 elections shall check each application for ballot against the  
7 list of voters registered in that precinct to whom absentee  
8 ballots have been issued for that election, which shall be  
9 provided by the election authority and which list shall be  
10 available for inspection by pollwatchers. A voter applying to  
11 vote in the precinct on election day whose name appears on  
12 the list as having been issued an absentee ballot shall not  
13 be permitted to vote in the precinct unless that voter  
14 submits to the judges of election, ~~for cancellation or~~  
15 ~~revocation,~~ his absentee ballot. In the case that the  
16 voter's absentee ballot is not present in the polling place,  
17 it shall be sufficient for any such voter to submit to the  
18 judges of election in lieu of his absentee ballot, either a  
19 portion of such ballot if torn or mutilated, or an affidavit  
20 executed before the judges of election specifying that the  
21 voter never received an absentee ballot, ~~or an affidavit~~  
22 ~~executed before the judges of election specifying that the~~  
23 ~~voter desires to cancel or revoke any absentee ballot that~~  
24 ~~may have been cast in the voter's name.~~ If such person so  
25 registered shall be challenged as disqualified, the party  
26 challenging shall assign his reasons therefor, and thereupon  
27 one of the judges shall administer to him an oath to answer  
28 questions, and if he shall take the oath he shall then be  
29 questioned by the judge or judges touching such cause of  
30 challenge, and touching any other cause of disqualification.  
31 And he may also be questioned by the person challenging him  
32 in regard to his qualifications and identity. But if a  
33 majority of the judges are of the opinion that he is the  
34 person so registered and a qualified voter, his vote shall

1 then be received accordingly. But if his vote be rejected by  
2 such judges, such person may afterward produce and deliver an  
3 affidavit to such judges, subscribed and sworn to by him  
4 before one of the judges, in which it shall be stated how  
5 long he has resided in such precinct, and state; that he is a  
6 citizen of the United States, and is a duly qualified voter  
7 in such precinct, and that he is the identical person so  
8 registered. In addition to such an affidavit, the person so  
9 challenged shall provide to the judges of election proof of  
10 residence by producing 2 forms of identification showing the  
11 person's current residence address, provided that such  
12 identification to the person at his current residence address  
13 and postmarked not earlier than 30 days prior to the date of  
14 the election, or the person shall procure a witness  
15 personally known to the judges of election, and resident in  
16 the precinct (or district), or who shall be proved by some  
17 legal voter of such precinct or district, known to the judges  
18 to be such, who shall take the oath following, viz:

19 I do solemnly swear (or affirm) that I am a resident of  
20 this election precinct (or district), and entitled to vote at  
21 this election, and that I have been a resident of this State  
22 for 30 days last past, and am well acquainted with the person  
23 whose vote is now offered; that he is an actual and bona fide  
24 resident of this election precinct (or district), and has  
25 resided herein 30 days, and as I verily believe, in this  
26 State, 30 days next preceding this election.

27 The oath in each case may be administered by one of the  
28 judges of election, or by any officer, resident in the  
29 precinct or district, authorized by law to administer oaths.  
30 Also supported by an affidavit by a registered voter residing  
31 in such precinct, stating his own residence, and that he  
32 knows such person; and that he does reside at the place  
33 mentioned and has resided in such precinct and state for the  
34 length of time as stated by such person, which shall be

1 subscribed and sworn to in the same way. Whereupon the vote  
2 of such person shall be received, and entered as other votes.  
3 But such judges, having charge of such registers, shall state  
4 in their respective books the facts in such case, and the  
5 affidavits, so delivered to the judges, shall be preserved  
6 and returned to the office of the commissioners of election.  
7 Blank affidavits of the character aforesaid shall be sent out  
8 to the judges of all the precincts, and the judges of  
9 election shall furnish the same on demand and administer the  
10 oaths without criticism. Such oaths, if administered by any  
11 other officer than such judge of election, shall not be  
12 received. Whenever a proposal for a constitutional amendment  
13 or for the calling of a constitutional convention is to be  
14 voted upon at the election, the separate blue ballot or  
15 ballots pertaining thereto shall be placed on top of the  
16 other ballots to be voted at the election in such manner that  
17 the legend appearing on the back thereof, as prescribed in  
18 Section 16-6 of this Act, shall be plainly visible to the  
19 voter, and in this fashion the ballots shall be handed to the  
20 voter by the judge.

21 The voter shall, upon quitting the voting booth, deliver  
22 to one of the judges of election all of the ballots, properly  
23 folded, which he received. The judge of election to whom the  
24 voter delivers his ballots shall not accept the same unless  
25 all of the ballots given to the voter are returned by him. If  
26 a voter delivers less than all of the ballots given to him,  
27 the judge to whom the same are offered shall advise him in a  
28 voice clearly audible to the other judges of election that  
29 the voter must return the remainder of the ballots. The  
30 statement of the judge to the voter shall clearly express the  
31 fact that the voter is not required to vote such remaining  
32 ballots but that whether or not he votes them he must fold  
33 and deliver them to the judge. In making such statement the  
34 judge of election shall not indicate by word, gesture or

1 intonation of voice that the unreturned ballots shall be  
2 voted in any particular manner. No new voter shall be  
3 permitted to enter the voting booth of a voter who has failed  
4 to deliver the total number of ballots received by him until  
5 such voter has returned to the voting booth pursuant to the  
6 judge's request and again quit the booth with all of the  
7 ballots required to be returned by him. Upon receipt of all  
8 such ballots the judges of election shall enter the name of  
9 the voter, and his number, as above provided in this section,  
10 and the judge to whom the ballots are delivered shall  
11 immediately put the ballots into the ballot box. If any voter  
12 who has failed to deliver all the ballots received by him  
13 refuses to return to the voting booth after being advised by  
14 the judge of election as herein provided, the judge shall  
15 inform the other judges of such refusal, and thereupon the  
16 ballot or ballots returned to the judge shall be deposited in  
17 the ballot box, the voter shall be permitted to depart from  
18 the polling place, and a new voter shall be permitted to  
19 enter the voting booth.

20 The judge of election who receives the ballot or ballots  
21 from the voter shall announce the residence and name of such  
22 voter in a loud voice. The judge shall put the ballot or  
23 ballots received from the voter into the ballot box in the  
24 presence of the voter and the judges of election, and in  
25 plain view of the public. The judges having charge of such  
26 registers shall then, in a column prepared thereon, in the  
27 same line of, the name of the voter, mark "Voted" or the  
28 letter "V".

29 No judge of election shall accept from any voter less  
30 than the full number of ballots received by such voter  
31 without first advising the voter in the manner above provided  
32 of the necessity of returning all of the ballots, nor shall  
33 any such judge advise such voter in a manner contrary to that  
34 which is herein permitted, or in any other manner violate the

1 provisions of this section; provided, that the acceptance by  
 2 a judge of election of less than the full number of ballots  
 3 delivered to a voter who refuses to return to the voting  
 4 booth after being properly advised by such judge shall not be  
 5 a violation of this Section.

6 (Source: P.A. 89-653, eff. 8-14-96.)

7 (10 ILCS 5/18-40)

8 Sec. 18-40. Precinct tabulation optical scan technology  
 9 voting equipment and direct recording electronic voting  
 10 systems equipment. If the election authority has adopted the  
 11 use of Precinct Tabulation Optical Scan Technology voting  
 12 equipment pursuant to Article 24B of this Code or Direct  
 13 Recording Electronic Voting Systems equipment under Article  
 14 24C, and the provisions of those Articles ~~the-Article~~ are in  
 15 conflict with the provisions of this Article 18, the  
 16 provisions of Article 24B or Article 24C, as the case may be,  
 17 shall govern the procedures followed by the election  
 18 authority, its judges of elections, and all employees and  
 19 agents. In following the provisions of Article 24B or  
 20 Article 24C, the election authority is authorized to develop  
 21 and implement procedures to fully utilize Precinct Tabulation  
 22 Optical Scan Technology voting equipment or Direct Recording  
 23 Electronic Voting Systems equipment authorized by the State  
 24 Board of Elections as long as the procedure is not in  
 25 conflict with either Article 24B, Article 24C, or the  
 26 administrative rules of the State Board of Elections.

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

28 (10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

29 Sec. 19-2.1. At the consolidated primary, general  
 30 primary, consolidated, and general elections, electors  
 31 entitled to vote by absentee ballot under the provisions of  
 32 Section 19-1 may vote in person at the office of the

1 municipal clerk, if the elector is a resident of a  
2 municipality not having a board of election commissioners, or  
3 at the office of the township clerk or, in counties not under  
4 township organization, at the office of the road district  
5 clerk if the elector is not a resident of a municipality;  
6 provided, in each case that the municipal, township or road  
7 district clerk, as the case may be, is authorized to conduct  
8 in-person absentee voting pursuant to this Section. Absentee  
9 voting in such municipal and township clerk's offices under  
10 this Section shall be conducted from the 22nd day through the  
11 day before the election.

12 Municipal and township clerks (or road district clerks)  
13 who have regularly scheduled working hours at regularly  
14 designated offices other than a place of residence and whose  
15 offices are open for business during the same hours as the  
16 office of the election authority shall conduct in-person  
17 absentee voting for said elections. Municipal and township  
18 clerks (or road district clerks) who have no regularly  
19 scheduled working hours but who have regularly designated  
20 offices other than a place of residence shall conduct  
21 in-person absentee voting for said elections during the hours  
22 of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m.,  
23 weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not  
24 during such hours as the office of the election authority is  
25 closed, unless the clerk files a written waiver with the  
26 election authority not later than July 1 of each year stating  
27 that he or she is unable to conduct such voting and the  
28 reasons therefor. Such clerks who conduct in-person absentee  
29 voting may extend their hours for that purpose to include any  
30 hours in which the election authority's office is open.  
31 Municipal and township clerks (or road district clerks) who  
32 have no regularly scheduled office hours and no regularly  
33 designated offices other than a place of residence may not  
34 conduct in-person absentee voting for said elections. The

1 election authority may devise alternative methods for  
2 in-person absentee voting before said elections for those  
3 precincts located within the territorial area of a  
4 municipality or township (or road district) wherein the clerk  
5 of such municipality or township (or road district) has  
6 waived or is not entitled to conduct such voting. In  
7 addition, electors may vote by absentee ballot under the  
8 provisions of Section 19-1 at the office of the election  
9 authority having jurisdiction over their residence.

10 In conducting absentee voting under this Section, the  
11 respective clerks shall not be required to verify the  
12 signature of the absentee voter by comparison with the  
13 signature on the official registration record card. However,  
14 the clerk shall reasonably ascertain the identity of such  
15 applicant, shall verify that each such applicant is a  
16 registered voter, and shall verify the precinct in which he  
17 or she is registered and the proper ballots of the political  
18 subdivisions in which the applicant resides and is entitled  
19 to vote, prior to providing any absentee ballot to such  
20 applicant. The clerk shall verify the applicant's  
21 registration and from the most recent poll list provided by  
22 the county clerk, and if the applicant is not listed on that  
23 poll list then by telephoning the office of the county clerk.

24 Absentee voting procedures in the office of the  
25 municipal, township and road district clerks shall be subject  
26 to all of the applicable provisions of this Article 19.  
27 Pollwatchers may be appointed to observe in-person absentee  
28 voting procedures at the office of the municipal, township or  
29 road district clerks' offices where such absentee voting is  
30 conducted. Such pollwatchers shall qualify and be appointed  
31 in the same manner as provided in Sections 7-34 and 17-23,  
32 except each candidate, political party or organization of  
33 citizens may appoint only one pollwatcher for each location  
34 where in-person absentee voting is conducted. Pollwatchers

1 shall be residents of the county and possess valid  
2 pollwatcher credentials. All requirements in this Article  
3 applicable to election authorities shall apply to the  
4 respective local clerks, except where inconsistent with this  
5 Section.

6 In election jurisdictions that deliver absentee ballots  
7 to the polling place to be counted by the precinct judges on  
8 election day, the sealed absentee ballots in their carrier  
9 envelope shall be delivered by the respective clerks, or by  
10 the election authority on behalf of a clerk if the clerk and  
11 the election authority agree, to the proper polling place  
12 before the close of the polls on the day of the general  
13 primary, consolidated primary, consolidated, or general  
14 election.

15 In election jurisdictions that have adopted a Direct  
16 Recording Electronic Voting System under Article 24C and that  
17 count absentee ballots in the office of the election  
18 authority on election day, the sealed absentee ballots in  
19 their carrier envelope shall be delivered to the office of  
20 the election authority by the respective clerks before the  
21 close of the polls on the day of the general primary,  
22 consolidated primary, consolidated, or general election.

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

34 The ballots delivered to the respective clerks shall



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

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

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

16 (10 ILCS 5/19-7) (from Ch. 46, par. 19-7)

17 Sec. 19-7. Upon receipt of such absent voter's ballot,  
18 the election authority shall forthwith enclose the same  
19 unopened, together with the application made by said absent  
20 voter in a large or carrier envelope which shall be securely  
21 sealed and endorsed with the name and official title of such  
22 officer and the words, "This envelope contains an absent  
23 voter's ballot and must be opened on election day," together  
24 with the number and description of the precinct in which said  
25 ballot is to be voted, and such officer shall thereafter  
26 safely keep the same in his office until counted by him as  
27 provided in this Article ~~the next section~~.

28 Except as provided in Article 24C, the election authority  
29 may choose (i) to have the absentee ballots delivered before  
30 the closing of the polls to their proper polling places for  
31 counting by the precinct judges or (ii) to have the absentee  
32 ballots received after 12:00 noon on election day or too late  
33 for delivery before the closing of the polls on election day

1 counted in the office of the election authority by one or  
2 more panels of election judges appointed in the manner  
3 provided for in this Code.

4 (Source: P.A. 81-155.)

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

6 Sec. 19-8. In election jurisdictions that deliver  
7 absentee ballots to the polling place to be counted by the  
8 precinct judges, the provisions of this Section shall apply.

9 In case an absent voter's ballot is received by the  
10 election authority prior to the delivery of the official  
11 ballots to the judges of election of the precinct in which  
12 said elector resides, such ballot envelope and application,  
13 sealed in the carrier envelope, shall be enclosed in such  
14 package and therewith delivered to the judges of such  
15 precinct. In case the official ballots for such precinct have  
16 been delivered to the judges of election at the time of the  
17 receipt by the election authority of such absent voter's  
18 ballot, such authority shall immediately enclose said  
19 envelope containing the absent voter's ballot, together with  
20 his application therefor, in a larger or carrier envelope  
21 which shall be securely sealed and addressed on the face to  
22 the judges of election, giving the name or number of  
23 precinct, street and number of polling place, city or town in  
24 which such absent voter is a qualified elector, and the words  
25 "This envelope contains an absent voter's ballot and must be  
26 opened only on election day at the polls immediately after  
27 the polls are closed," mailing the same, postage prepaid, to  
28 such judges of election, or if more convenient, such officer  
29 may deliver such absent voter's ballot to the judges of  
30 election in person or by duly deputized agent, said officer  
31 to secure his receipt for delivery of such ballot or ballots.  
32 Absent voters' ballots returned by absentee voters to the  
33 election authority after the closing of the polls on an

1 election day shall be endorsed by the election authority  
2 receiving the same with the day and hour of receipt and shall  
3 be safely kept unopened by such election authority for the  
4 period of time required for the preservation of ballots used  
5 at such election, and shall then, without being opened, be  
6 destroyed in like manner as the used ballots of such  
7 election.

8 All absent voters' ballots received by the election  
9 authority after 12:00 noon on election day or too late for  
10 delivery to the proper polling place before the closing of  
11 the polls on election day, and Special Write-In Absentee  
12 Voter's Blank Ballots, except ballots returned by mail  
13 postmarked after midnight preceding the opening of the polls  
14 on election day, and all absent voters' ballots in election  
15 jurisdictions that use voting systems authorized by Article  
16 24C shall be endorsed by the election authority receiving the  
17 same with the day and hour of receipt and shall be counted in  
18 the office of the election authority on the day of the  
19 election after 7:00 p.m. All absent voters' ballots  
20 delivered in error to the wrong precinct polling place shall  
21 be returned to the election authority and counted under this  
22 provision; however, all absentee ballots received by the  
23 election authority by the close of absentee voting in the  
24 office of the election authority on the day preceding the day  
25 of election shall be delivered to the proper precinct polling  
26 places in time to be counted by the judges of election.

27 Such counting shall commence no later than 8:00 p.m. and  
28 shall be conducted by a panel or panels of election judges  
29 appointed in the manner provided by law. Such counting shall  
30 continue until all absent voters' ballots received as  
31 aforesaid have been counted.

32 The procedures set forth in Section 19-9 of this Act and  
33 Articles 17 and 18 of this Code, shall apply to all absent  
34 voters' ballots counted under this provision, including

1 comparing the signature on the ballot envelope with the  
2 signature of the voter on the permanent voter registration  
3 record card taken from the master file; except that votes  
4 shall be recorded ~~by without-regard-to~~ precinct designation,  
5 ~~except-for-precinct-offices~~.

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

7 (10 ILCS 5/19-9) (from Ch. 46, par. 19-9)

8 Sec. 19-9. At the close of the regular balloting and at  
9 the close of the polls the judges of election of each voting  
10 precinct or the panel or panels of judges in the office of  
11 the election authority, as the case may be, shall proceed to  
12 cast the absent voter's ballot separately, and as each absent  
13 voter's ballot is taken shall open the outer or carrier  
14 envelope, announce the absent voter's name, and compare the  
15 signature upon the application with the signature upon the  
16 certification on the ballot envelope and the signature of the  
17 voter on the permanent voter registration record card. In  
18 case the judges find the certifications properly executed,  
19 that the signatures correspond, that the applicant is a duly  
20 qualified elector in the precinct and the applicant has not  
21 been present and voted within the county where he represents  
22 himself to be a qualified elector on such election day, they  
23 shall open the envelope containing the absent voter's ballot  
24 in such manner as not to deface or destroy the certification  
25 thereon, or mark or tear the ballots therein and take out the  
26 ballot or ballots therein contained without unfolding or  
27 permitting the same to be unfolded or examined, and having  
28 endorsed the ballot in like manner as other ballots are  
29 required to be endorsed, shall deposit the same in the proper  
30 ballot box or boxes and enter the absent voter's name in the  
31 poll book the same as if he had been present and voted in  
32 person. The judges shall place the absentee ballot  
33 certification envelopes in a separate envelope as per the

1 direction of the election authority. Such envelope containing  
2 the absentee ballot certification envelopes shall be returned  
3 to the election authority and preserved in like manner as the  
4 official poll record.

5 In case such signatures do not correspond, or that the  
6 applicant is not a duly qualified elector in such precinct or  
7 that the ballot envelope is open or has been opened and  
8 resealed, or that said voter is present and has voted within  
9 the county where he represents himself to be a qualified  
10 elector on the day of such election at such election such  
11 previously cast vote shall not be allowed, but without  
12 opening the absent voter's envelope the judge of such  
13 election shall mark across the face thereof, "Rejected",  
14 giving the reason therefor.

15 In case the ballot envelope contains more than one ballot  
16 of any kind, said ballots shall not be counted, but shall be  
17 marked "Rejected", giving the reason therefor.

18 The absent voters' envelopes and affidavits and the  
19 absent voters' envelope with its contents unopened, when such  
20 absent vote is rejected shall be retained and preserved in  
21 the manner as now provided for the retention and preservation  
22 of official ballots rejected at such election.

23 As applied to an absentee ballot of a permanently  
24 disabled voter who has complied with Section 19-12.1, the  
25 word "certification" as used in this Section shall be  
26 construed to refer to the unsworn statement subscribed to by  
27 the voter pursuant to Section 19-12.1.

28 (Source: P.A. 87-1052.)

29 (10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

30 Sec. 19-10. Pollwatchers may be appointed to observe  
31 in-person absentee voting procedures at the office of the  
32 election authority as well as at municipal, township or road  
33 district clerks' offices where such absentee voting is

1 conducted. Such pollwatchers shall qualify and be appointed  
 2 in the same manner as provided in Sections 7-34 and 17-23,  
 3 except each candidate, political party or organization of  
 4 citizens may appoint only one pollwatcher for each location  
 5 where in-person absentee voting is conducted. Pollwatchers  
 6 shall be residents of the county and possess valid  
 7 pollwatcher credentials.

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

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

31 (Source: P.A. 86-875.)

32 (10 ILCS 5/19-12.2) (from Ch. 46, par. 19-12.2)  
 33 Sec. 19-12.2. Voting by physically incapacitated

1 electors who have made proper application to the election  
2 authority not later than 5 days before the regular primary  
3 and general election of 1980 and before each election  
4 thereafter shall be conducted on the premises of facilities  
5 licensed or certified pursuant to the Nursing Home Care Act  
6 for the sole benefit of residents of such facilities. Such  
7 voting shall be conducted during any continuous period  
8 sufficient to allow all applicants to cast their ballots  
9 between the hours of 9 a.m. and 7 p.m. either on the Friday,  
10 Saturday, Sunday or Monday immediately preceding the regular  
11 election. This absentee voting on one of said days designated  
12 by the election authority shall be supervised by two election  
13 judges who must be selected by the election authority in the  
14 following order of priority: (1) from the panel of judges  
15 appointed for the precinct in which such facility is located,  
16 or from a panel of judges appointed for any other precinct  
17 within the jurisdiction of the election authority in the same  
18 ward or township, as the case may be, in which the facility  
19 is located or, only in the case where a judge or judges from  
20 the precinct, township or ward are unavailable to serve, (3)  
21 from a panel of judges appointed for any other precinct  
22 within the jurisdiction of the election authority. The two  
23 judges shall be from different political parties. Not less  
24 than 30 days before each regular election, the election  
25 authority shall have arranged with the chief administrative  
26 officer of each facility in his or its election jurisdiction  
27 a mutually convenient time period on the Friday, Saturday,  
28 Sunday or Monday immediately preceding the election for such  
29 voting on the premises of the facility and shall post in a  
30 prominent place in his or its office a notice of the agreed  
31 day and time period for conducting such voting at each  
32 facility; provided that the election authority shall not  
33 later than noon on the Thursday before the election also post  
34 the names and addresses of those facilities from which no

1 applications were received and in which no supervised  
2 absentee voting will be conducted. All provisions of this  
3 Code applicable to pollwatchers shall be applicable herein.  
4 To the maximum extent feasible, voting booths or screens  
5 shall be provided to insure the privacy of the voter. Voting  
6 procedures shall be as described in Article 17 of this Code,  
7 except that ballots shall be treated as absentee ballots and  
8 shall not be counted until the close of the polls on the  
9 following day. After the last voter has concluded voting, the  
10 judges shall seal the ballots in an envelope and affix their  
11 signatures across the flap of the envelope. Immediately  
12 thereafter, the judges shall bring the sealed envelope to the  
13 office of the election authority who shall preserve the  
14 ballots in the office of the election authority in those  
15 jurisdictions that have adopted a Direct Recording Electronic  
16 Voting System under Article 24C and that count absentee  
17 ballots in the office of the election authority or shall  
18 deliver the such ballots to the proper precinct polling  
19 places prior to the closing of the polls on the day of  
20 election in election jurisdictions that count absentee  
21 ballots in the polling place. Provided, that in election  
22 jurisdictions that count absentee ballots in the polling  
23 place the election authority may arrange for the judges who  
24 conduct such voting on the Monday before the election to  
25 deliver the sealed envelope directly to the proper precinct  
26 polling place on the day of election and shall announce such  
27 procedure in the 30 day notice heretofore prescribed. The  
28 judges of election shall also report to the election  
29 authority the name of any applicant in the facility who, due  
30 to unforeseen circumstance or condition or because of a  
31 religious holiday, was unable to vote. In this event, the  
32 election authority may appoint a qualified person from his or  
33 its staff to deliver the ballot to such applicant on the day  
34 of election. This staff person shall follow the same



1 procedures prescribed for judges conducting absentee voting  
 2 in such facilities; but shall return the ballot to the proper  
 3 precinct polling place before the polls close. However, if  
 4 the facility from which the application was made is also used  
 5 as a regular precinct polling place for that voter, voting  
 6 procedures heretofore prescribed may be implemented by 2 of  
 7 the election judges of opposite party affiliation assigned to  
 8 that polling place during the hours of voting on the day of  
 9 the election. Judges of election shall be compensated not  
 10 less than \$25.00 for conducting absentee voting in such  
 11 facilities.

12 Not less than 120 days before each regular election, the  
 13 Department of Public Health shall certify to the State Board  
 14 of Elections a list of the facilities licensed or certified  
 15 pursuant to the Nursing Home Care Act, and shall indicate the  
 16 approved bed capacity and the name of the chief  
 17 administrative officer of each such facility, and the State  
 18 Board of Elections shall certify the same to the appropriate  
 19 election authority within 20 days thereafter.

20 (Source: P.A. 86-820; 86-875; 86-1028; 87-1052.)

21 (10 ILCS 5/19-15)

22 Sec. 19-15. Precinct tabulation optical scan technology  
 23 voting equipment and direct recording electronic voting  
 24 systems equipment. If the election authority has adopted the  
 25 use of Precinct Tabulation Optical Scan Technology voting  
 26 equipment pursuant to Article 24B of this Code or Direct  
 27 Recording Electronic Voting Systems equipment under Article  
 28 24C, and the provisions of those Articles ~~the-Articles~~ are in  
 29 conflict with the provisions of this Article 19, the  
 30 provisions of Article 24B or Article 24C, as the case may be,  
 31 shall govern the procedures followed by the election  
 32 authority, its judges of elections, and all employees and  
 33 agents. In following the provisions of Article 24B or

1 Article 24C, the election authority is authorized to develop  
2 and implement procedures to fully utilize Precinct Tabulation  
3 Optical Scan Technology voting equipment or Direct Recording  
4 Electronic Voting Systems equipment authorized by the State  
5 Board of Elections as long as the procedure is not in  
6 conflict with either Article 24B, Article 24C, or the  
7 administrative rules of the State Board of Elections.  
8 (Source: P.A. 89-394, eff. 1-1-97.)

9 (10 ILCS 5/20-2) (from Ch. 46, par. 20-2)

10 Sec. 20-2. Any member of the United States Service,  
11 otherwise qualified to vote, who expects in the course of his  
12 duties to be absent from the county in which he resides on  
13 the day of holding any election may make application for an  
14 absentee ballot to the election authority having jurisdiction  
15 over his precinct of residence on the official postcard or on  
16 a form furnished by the election authority as prescribed by  
17 Section 20-3 of this Article not less than 10 days before the  
18 election. A request pursuant to this Section shall entitle  
19 the applicant to an absentee ballot for every election in one  
20 calendar year. The original application for ballot shall be  
21 kept in the office of the election authority for one year as  
22 authorization to send a ballot to the voter for each election  
23 to be held within that calendar year. A certified copy of  
24 such application for ballot shall be sent each election with  
25 the absentee ballot to the polling place to be used in lieu  
26 of the original application for ballot. No registration shall  
27 be required in order to vote pursuant to this Section.

28 Ballots under this Section shall be mailed by the  
29 election authority in the manner prescribed by Section 20-5  
30 of this Article and not otherwise. Ballots voted under this  
31 Section must be returned ~~to--the--election--authority~~ in  
32 sufficient time for delivery (i) to the proper precinct  
33 polling place before the closing of the polls on the day of

1 the election in jurisdictions that count absentee ballots in  
2 the polling place or (ii) to the office of the election  
3 authority before the closing of the polls in those  
4 jurisdictions that have adopted a Direct Recording Electronic  
5 Voting System under Article 24C and that count absentee  
6 ballots in the office of the election authority.

7 (Source: P.A. 86-875.)

8 (10 ILCS 5/20-2.1) (from Ch. 46, par. 20-2.1)

9 Sec. 20-2.1. Citizens of the United States temporarily  
10 residing outside the territorial limits of the United States  
11 who are not registered but otherwise qualified to vote and  
12 who expect to be absent from their county of residence during  
13 the periods of voter registration provided for in Articles 4,  
14 5 or 6 of this Code and on the day of holding any election,  
15 may make simultaneous application to the election authority  
16 having jurisdiction over their precinct of residence for an  
17 absentee registration and absentee ballot not less than 30  
18 days before the election. Such application may be made on the  
19 official postcard or on a form furnished by the election  
20 authority as prescribed by Section 20-3 of this Article. A  
21 request pursuant to this Section shall entitle the applicant  
22 to an absentee ballot for every election in one calendar  
23 year. The original application for ballot shall be kept in  
24 the office of the election authority for one year as  
25 authorization to send a ballot to the voter for each election  
26 to be held within that calendar year. A certified copy of  
27 such application for ballot shall be sent each election with  
28 the absentee ballot to the polling place to be used in lieu  
29 of the original application for ballot.

30 Registration shall be required in order to vote pursuant  
31 to this Section. However, if the election authority receives  
32 one of such applications after 30 days but not less than 10  
33 days before a Federal election, said applicant shall be sent

1 a ballot containing the Federal offices only and registration  
2 for that election shall be waived.

3 Ballots under this Section shall be mailed by the  
4 election authority in the manner prescribed by Section 20-5  
5 of this Article and not otherwise.

6 Ballots under this Section must be returned to the  
7 ~~election~~-authority in sufficient time for delivery (i) to the  
8 proper precinct polling place before the closing of the polls  
9 on the day of the election in those jurisdictions that count  
10 absentee ballots in the polling place or (ii) to the office  
11 of the election authority before the closing of the polls on  
12 election day in those jurisdictions that have adopted a  
13 Direct Recording Electronic Voting System under Article 24C  
14 and that count absentee ballots in the office of the election  
15 authority.

16 (Source: P.A. 86-875.)

17 (10 ILCS 5/20-2.2) (from Ch. 46, par. 20-2.2)

18 Sec. 20-2.2. Any non-resident civilian citizen,  
19 otherwise qualified to vote, may make application to the  
20 election authority having jurisdiction over his precinct of  
21 former residence for an absentee ballot containing the  
22 Federal offices only not less than 10 days before a Federal  
23 election. Such application may be made only on the official  
24 postcard. A request pursuant to this Section shall entitle  
25 the applicant to an absentee ballot for every election in one  
26 calendar year at which Federal offices are filled. The  
27 original application for ballot shall be kept in the office  
28 of the election authority for one year as authorization to  
29 send a ballot to the voter for each election to be held  
30 within that calendar year at which Federal offices are  
31 filled. A certified copy of such application for ballot  
32 shall be sent each election with the absentee ballot to the  
33 polling place to be used in lieu of the original application

1 for ballot. No registration shall be required in order to  
2 vote pursuant to this Section. Ballots under this Section  
3 shall be mailed by the election authority in the manner  
4 prescribed by Section 20-5 of this Article and not otherwise.  
5 Ballots under this Section must be returned ~~to--the--election~~  
6 authority in sufficient time for delivery (i) to the proper  
7 precinct polling place before the closing of the polls on the  
8 day of the election in those jurisdictions that count  
9 absentee ballots in the polling place or (ii) to the office  
10 of the election authority before the closing of the polls on  
11 election day in those jurisdictions that have adopted a  
12 Direct Recording Electronic Voting System under Article 24C  
13 and that count absentee ballots in the office of the election  
14 authority.

15 (Source: P.A. 86-875.)

16 (10 ILCS 5/20-7) (from Ch. 46, par. 20-7)

17 Sec. 20-7. Upon receipt of such absent voter's ballot,  
18 the officer or officers above described shall forthwith  
19 enclose the same unopened, together with the application made  
20 by said absent voter in a large or carrier envelope which  
21 shall be securely sealed and endorsed with the name and  
22 official title of such officer and the words, "This envelope  
23 contains an absent voter's ballot and must be opened on  
24 election day," together with the number and description of  
25 the precinct in which said ballot is to be voted, and such  
26 officer shall thereafter safely keep the same in his office  
27 until counted by him as provided in this Article ~~the-next~~  
28 ~~section.~~

29 Except as provided in Article 24C, the election authority  
30 may choose (i) to deliver the absentee ballots to the proper  
31 precinct polling place before the close of the polls on the  
32 election day to be counted by the precinct judges or (ii) to  
33 have the absentee ballots received after 12:00 noon on

1 election day or too late for delivery before the closing of  
2 the polls on election day counted in the office of the  
3 election authority by one or more panels of election judges  
4 appointed in the manner provided for in this Code.

5 (Source: P.A. 81-155.)

6 (10 ILCS 5/20-8) (from Ch. 46, par. 20-8)

7 Sec. 20-8. (a) In election jurisdictions that count  
8 absentee ballots in the polling place, this subsection shall  
9 apply.

10 In case any such ballot is received by the election  
11 authority prior to the delivery of the official ballots to  
12 the judges of election of the precinct in which said elector  
13 resides, such ballot envelope and application, sealed in the  
14 carrier envelope, shall be enclosed in the same package with  
15 the other official ballots and therewith delivered to the  
16 judges of such precinct. In case the official ballots for  
17 such precinct have been delivered to the judges of election  
18 at the time of the receipt by the election authority of such  
19 absent voter's ballot, it shall immediately enclose said  
20 envelope containing the absent voter's ballot, together with  
21 his application therefor, in a larger or carrier envelope  
22 which shall be securely sealed and addressed on the face to  
23 the judges of election, giving the name or number of  
24 precinct, street and number of polling place, city or town in  
25 which such absent voter is a qualified elector, and the  
26 words, "This envelope contains an absent voter's ballot and  
27 must be opened only on election day at the polls immediately  
28 after the polls are closed," mailing the same, postage  
29 prepaid, to such judges of election, or if more convenient he  
30 or it may deliver such absent voter's ballot to the judges of  
31 election in person or by duly deputized agent and secure his  
32 receipt for delivery of such ballot or ballots. Absent  
33 voter's ballots postmarked after 11:59 p.m. of the day

1 immediately preceding the election returned to the election  
2 authority too late to be delivered to the proper polling  
3 place before the closing of the polls on the day of election  
4 shall be endorsed by the person receiving the same with the  
5 day and hour of receipt and shall be safely kept unopened by  
6 the election authority for the period of time required for  
7 the preservation of ballots used at such election, and shall  
8 then, without being opened, be destroyed in like manner as  
9 the used ballots of such election.

10 (b) All absent voters' ballots received by the election  
11 authority after 12:00 noon on election day or too late for  
12 delivery to the proper polling place before the closing of  
13 the polls on election day, except ballots returned by mail  
14 postmarked after midnight preceding the opening of the polls  
15 on election day, and all absent voters' ballots in election  
16 jurisdictions that use voting systems authorized by Article  
17 24C shall be counted in the office of the election authority  
18 on the day of the election after 7:00 p.m. All absent voters'  
19 ballots delivered in error to the wrong precinct polling  
20 place shall be returned to the election authority and counted  
21 under this provision.

22 Such counting shall commence no later than 8:00 p.m. and  
23 shall be conducted by a panel or panels of election judges  
24 appointed in the manner provided by law. Such counting shall  
25 continue until all absent voters' ballots received as  
26 aforesaid have been counted.

27 The procedures set forth in Section 19-9 of this Act and  
28 Articles 17 and 18 of this Code, shall apply to all absent  
29 voters' ballots counted under this provision; except that  
30 votes shall be recorded by ~~without--regard--to~~ precinct  
31 designation.

32 Where certain absent voters' ballots are counted in the  
33 office of the election authority as provided in this Section,  
34 each political party, candidate and qualified civic

1 organization shall be entitled to have present one  
2 pollwatcher for each panel of election judges therein  
3 assigned.

4 (Source: P.A. 84-861.)

5 (10 ILCS 5/20-9) (from Ch. 46, par. 20-9)

6 Sec. 20-9. At the close of the regular balloting and at  
7 the close of the polls the judges of election of each voting  
8 precinct or the panel or panels of judges in the office of  
9 the election authority, as the case may be, shall proceed to  
10 cast the absent voter's ballot separately, and as each absent  
11 voter's ballot is taken shall open the outer or carrier  
12 envelope, announce the absent voter's name, and compare the  
13 signature upon the application with the signature upon the  
14 registration record card if the voter is registered or upon  
15 the certification on the ballot envelope if there is no  
16 registration card. In case the judges find the certifications  
17 properly executed, that the signatures correspond, that the  
18 applicant is a duly qualified elector in the precinct and the  
19 applicant has not been present and voted within the county  
20 where he represents himself to be a qualified elector on such  
21 election day, they shall open the envelope containing the  
22 absent voter's ballot in such manner as not to deface or  
23 destroy the certification thereon, or mark or tear the  
24 ballots therein and take out the ballot or ballots therein  
25 contained without unfolding or permitting the same to be  
26 unfolded or examined, and having endorsed or initialed the  
27 ballot in like manner as other ballots are required to be  
28 endorsed, shall deposit the same in the proper ballot box or  
29 boxes and mark the voter's registration record card  
30 accordingly or file the application in lieu thereof. The  
31 judges shall place the absentee ballot certification  
32 envelopes in a separate envelope as per the direction of the  
33 election authority. Such envelope containing the absentee



1 ballot certification envelopes shall be returned to the  
2 election authority and preserved in like manner as the  
3 official poll record.

4 In case the signatures do not correspond, or that the  
5 applicant is not a duly qualified elector in such precinct or  
6 that the ballot envelope is open or has been opened and  
7 resealed (except for the purpose of military censorship), or  
8 that said voter is present and has voted within the county  
9 where he represents himself to be a qualified elector on the  
10 day of such election at such election such previously cast  
11 vote shall not be allowed, but without opening the absent  
12 voter's envelope the judge of such election shall mark across  
13 the face thereof, "Rejected", giving the reason therefor.

14 In case the ballot envelope contains duplicate ballots,  
15 said ballots shall not be counted, but shall be marked  
16 "Rejected", giving the reason therefor.

17 The absent voters' envelopes and certifications and the  
18 absent voters' envelope with its contents unopened, when such  
19 absent vote is rejected shall be retained and preserved in  
20 the manner as now provided for the retention and preservation  
21 of official ballots rejected at such election.

22 (Source: P.A. 87-1052.)

23 (10 ILCS 5/20-15)

24 Sec. 20-15. Precinct tabulation optical scan technology  
25 voting equipment and direct recording electronic voting  
26 systems equipment. If the election authority has adopted the  
27 use of Precinct Tabulation Optical Scan Technology voting  
28 equipment pursuant to Article 24B of this Code or Direct  
29 Recording Electronic Voting Systems equipment under Article  
30 24C of this Code, and the provisions of those Articles the  
31 Artiele are in conflict with the provisions of this Article  
32 20, the provisions of Article 24B or Article 24C, as the case  
33 may be, shall govern the procedures followed by the election

1 authority, its judges of elections, and all employees and  
 2 agents. In following the provisions of Article 24B or  
 3 Article 24C, the election authority is authorized to develop  
 4 and implement procedures to fully utilize Precinct Tabulation  
 5 Optical Scan Technology voting equipment or Direct Recording  
 6 Electronic Voting Systems equipment authorized by the State  
 7 Board of Elections as long as the procedure is not in  
 8 conflict with either Article 24B, Article 24C, or the  
 9 administrative rules of the State Board of Elections.  
 10 (Source: P.A. 89-394, eff. 1-1-97.)

11 (10 ILCS 5/Art. 24C heading new)

12 ARTICLE 24C. DIRECT RECORDING

13 ELECTRONIC VOTING SYSTEMS

14 (10 ILCS 5/24C-1 new)

15 Sec. 24C-1. Purpose. The purpose of this Article is to  
 16 authorize the use of Direct Recording Electronic Voting  
 17 Systems approved by the State Board of Elections. In a  
 18 Direct Recording Electronic Voting System, voters cast votes  
 19 by means of a ballot display provided with mechanical or  
 20 electro-optical devices that can be activated by the voters  
 21 to mark their choices for the candidates of their preference  
 22 and for or against public questions. The voting devices shall  
 23 be capable of instantaneously recording the votes, storing  
 24 the votes, and tabulating the votes at the precinct. This  
 25 Article authorizes the use of Direct Recording Electronic  
 26 Voting Systems for in-precinct counting applications, except  
 27 that absentee ballots must be counted at the office of the  
 28 election authority.

29 (10 ILCS 5/24C-2 new)

30 Sec. 24C-2. Definitions. As used in this Article:

31 "Audit trail" means a continuous trail of evidence

1 linking individual transactions related to the vote count  
2 with the summary record of vote totals, but that shall not  
3 allow for the identification of the voter. It shall permit  
4 verification of the accuracy of the count and detection and  
5 correction of problems and shall provide a record of each  
6 step taken in: defining and producing ballots and generating  
7 related software for specific elections; installing ballots  
8 and software; testing system readiness; casting and  
9 tabulating ballots; and producing reports of vote totals.  
10 The record shall incorporate system status and error messages  
11 generated during election processing, including a log of  
12 machine activities and routine and unusual intervention by  
13 authorized and unauthorized individuals. Also part of an  
14 election audit trail is the documentation of such items as  
15 ballots delivered and collected, administrative procedures  
16 for system security, pre-election testing of voting systems,  
17 and maintenance performed on voting equipment.

18 "Ballot" means an electronic audio or video display or  
19 any other medium used to record a voter's choices for the  
20 candidates of his or her preference and for or against public  
21 questions.

22 "Ballot configuration" means the particular combination  
23 of political subdivision or district ballots including, for  
24 each political subdivision or district, the particular  
25 combination of offices, candidate names, and public questions  
26 as they appear for each group of voters who may cast the same  
27 ballot.

28 "Ballot image" means a corresponding representation in  
29 electronic form of the mark or vote position of a ballot.

30 "Ballot label" or "ballot screen" means the display of  
31 material containing the names of offices and candidates and  
32 public questions to be voted on.

33 "Computer", "automatic and electronic tabulating  
34 equipment", or "equipment" includes (i) apparatus necessary

1 to automatically or electronically examine and count votes as  
2 designated on ballots and (ii) data processing machines that  
3 can be used for counting ballots and tabulating results.

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 or electronic  
11 tabulating equipment that examines, records, counts,  
12 tabulates, canvasses, and prints votes recorded by a voter on  
13 a ballot.

14 "Direct recording electronic voting system", "voting  
15 system", or "system" means the combination of equipment and  
16 programs that records votes by means of a ballot display  
17 provided with mechanical or electro-optical devices that can  
18 be activated by the voter, that processes the data by means  
19 of a computer program, that records voting data and ballot  
20 images in internal memory devices, and that produces a  
21 tabulation of the voting data as hard copy or stored in a  
22 removable memory device.

23 "Edit listing" means a computer generated listing of the  
24 names of each candidate and public question as they appear in  
25 the program for each precinct.

26 "In-precinct counting" means the recording and counting  
27 of ballots on automatic or electronic tabulating equipment  
28 provided by the election authority in the same precinct  
29 polling place in which those ballots have been cast.

30 "Separate ballot" means a separate page or display screen  
31 of the ballot that is clearly defined and distinguishable  
32 from other portions of the ballot.

33 "Voting device" or "voting machine" means a Direct  
34 Recording Voting System apparatus.

1 (10 ILCS 5/24C-3 new)

2 Sec. 24C-3. Adoption, experimentation, or abandonment of  
3 Direct Recording Electronic Voting System; boundaries of  
4 precincts; notice. Any county board or board of county  
5 commissioners, with respect to territory within its  
6 jurisdiction, may adopt, experiment with, or abandon a Direct  
7 Recording Electronic Voting System approved for use by the  
8 State Board of Elections and may use the system in all or  
9 some of the precincts within its jurisdiction, or in  
10 combination with punch cards, paper ballots, or ballot  
11 sheets. In no case may a county board, board of county  
12 commissioners, or board of election commissioners contract or  
13 arrange for the purchase, lease, or loan of a Direct  
14 Recording Electronic Voting System or system component  
15 without the approval of the State Board of Elections as  
16 provided by Section 24C-16. The county board and board of  
17 county commissioners of each county having a population of  
18 40,000 or more, with respect to all elections for which an  
19 election authority is charged with the duty of providing  
20 materials and supplies, must provide either a Direct  
21 Recording Electronic Voting System approved for use by the  
22 State Board of Elections under this Article or voting systems  
23 under Article 24, Article 24A, or Article 24B for each  
24 precinct for all elections, except as provided in Section  
25 24-1.2. For purposes of this Section "population" does not  
26 include persons prohibited from voting by Section 3-5 of this  
27 Code.

28 Before any Direct Recording Electronic Voting System is  
29 introduced, adopted, or used in any precinct or territory, at  
30 least 2 months public notice must be given before the date of  
31 the first election when the system is to be used. The  
32 election authority shall publish the notice at least once in  
33 one or more newspapers published within the county, or other  
34 jurisdiction, where the election is held. If there is no

1 such newspaper, the notice shall be published in a newspaper  
2 published in the county and having a general circulation  
3 within the jurisdiction. The notice shall be substantially  
4 as follows:

5 "Notice is hereby given that on (give date), at (insert  
6 place where election is held) in the county of (insert  
7 county) an election will be held for (insert name of offices  
8 to be filled) at which a Direct Recording Electronic Voting  
9 System will be used."

10 Dated at ... (insert date)"

11 This notice referred to shall be given only at the first  
12 election at which the Direct Recording Electronic Voting  
13 System is used.

14 (10 ILCS 5/24C-3.1 new)

15 Sec. 24C-3.1. Retention, consolidation, or alteration of  
16 existing precincts; change of location. When a Direct  
17 Recording Electronic Voting System is used, the county board  
18 or board of election commissioners may retain existing  
19 precincts or may consolidate, combine, alter, decrease, or  
20 enlarge the boundaries of the precincts to change the number  
21 of registered voters of the precincts using the system,  
22 establishing the number of registered voters within each  
23 precinct at a number not to exceed 800 as the appropriate  
24 county board or board of election commissioners determines  
25 will afford adequate voting facilities and efficient and  
26 economical elections.

27 Except in the event of a fire, flood, or total loss of  
28 heat in a place fixed or established pursuant to law by any  
29 county board or board of election commissioners as a polling  
30 place for an election, no election authority shall change the  
31 location of a polling place established for any precinct  
32 after notice of the place of holding the election for that  
33 precinct has been given as required under Article 12, unless

1 the election authority notifies all registered voters in the  
2 precinct of the change in location by first class mail in  
3 sufficient time for the notice to be received by the  
4 registered voters in the precinct at least one day prior to  
5 the date of the election.

6 (10 ILCS 5/24C-4 new)

7 Sec. 24C-4. Use of Direct Recording Electronic Voting  
8 System; requisites; applicable procedure. Direct Recording  
9 Electronic Voting Systems may be used in elections provided  
10 that the systems enable the voter to cast a vote for all  
11 offices and on all public questions for which he or she is  
12 entitled to vote, and that the systems are approved for use  
13 by the State Board of Elections.

14 So far as applicable, the procedure provided for voting  
15 paper ballots shall apply when Direct Recording Electronic  
16 Voting Systems are used. The provisions of this Article 24C  
17 will govern when there are conflicts.

18 (10 ILCS 5/24C-5 new)

19 Sec. 24C-5. Voting booths. In precincts where a Direct  
20 Recording Electronic Voting System is used, a sufficient  
21 number of voting booths shall be provided for the use of the  
22 system according to the requirements determined by the State  
23 Board of Elections. Each booth shall be placed so that the  
24 entrance to each booth faces a wall in a manner that no judge  
25 of election or pollwatcher is able to observe a voter casting  
26 a ballot.

27 (10 ILCS 5/24C-5.1 new)

28 Sec. 24C-5.1. Instruction of voters. Before entering the  
29 voting booth each voter shall be offered instruction in using  
30 the Direct Recording Electronic Voting System. In  
31 instructing voters, no election judge may show partiality to

1 any political party or candidate. The duties of instruction  
2 shall be discharged by a judge from each of the political  
3 parties represented and they shall alternate serving as  
4 instructor so that each judge shall serve a like time at  
5 those duties. No instructions may be given after the voter  
6 has entered the voting booth.

7 No election judge or person assisting a voter may in any  
8 manner request, suggest, or seek to persuade or induce any  
9 voter to cast his or her vote for any particular ticket,  
10 candidate, amendment, question, or proposition. All  
11 instructions shall be given by election judges in a manner  
12 that it may be observed by other persons in the polling  
13 place.

14 (10 ILCS 5/24C-5.2 new)

15 Sec. 24C-5.2. Demonstration of Direct Recording  
16 Electronic Voting System; placement in public library. When  
17 a Direct Recording Electronic Voting System is to be used in  
18 a forthcoming election, the election authority may provide,  
19 for the purpose of instructing voters in the election, one  
20 demonstrator Direct Recording Electronic Voting System unit  
21 for placement in any public library within the political  
22 subdivision where the election occurs. If the placement of a  
23 demonstrator takes place it shall be made available at least  
24 30 days before the election.

25 (10 ILCS 5/24C-6 new)

26 Sec. 24C-6. Ballot information; arrangement; absentee  
27 ballots; spoiled ballots. The ballot information shall, as  
28 far as practicable, be in the order of arrangement provided  
29 for paper ballots, except that the information may be in  
30 vertical or horizontal rows or on a number of separate pages  
31 or display screens.

32 All public questions, including but not limited to public



1 questions calling for a constitutional convention,  
2 constitutional amendment, or judicial retention, shall be  
3 placed on the ballot separate and apart from candidates.  
4 Ballots for all public questions shall be clearly designated  
5 pursuant to administrative rule of the State Board of  
6 Elections. More than one amendment to the constitution may  
7 be placed on the same portion of the ballot screen.  
8 Constitutional convention or constitutional amendment  
9 propositions shall precede all candidates and other  
10 propositions and shall be placed on a separate portion of the  
11 ballot and designated by borders or unique color screens,  
12 unless otherwise provided by administrative rule of the State  
13 Board of Elections. More than one public question may be  
14 placed on the same portion of the ballot. Judicial retention  
15 propositions shall be placed on a separate portion of the  
16 ballot designated pursuant to administrative rule of the  
17 State Board of Elections. More than one proposition for  
18 retention of judges in office may be placed on the same  
19 portion of the ballot.

20 The party affiliation, if any, of each candidate or the  
21 word "independent", where applicable, shall appear near or  
22 under the candidate's name, and the names of candidates for  
23 the same office shall be listed vertically under the title of  
24 that office. In the case of nonpartisan elections for  
25 officers of political subdivisions, unless the statute or an  
26 ordinance adopted pursuant to Article VII of the Illinois  
27 Constitution requires otherwise, the listing of nonpartisan  
28 candidates shall not include any party or "independent"  
29 designation. In primary elections, a separate ballot, shall  
30 be used for each political party holding a primary, with the  
31 ballot arranged to include names of the candidates of the  
32 party and public questions and other propositions to be voted  
33 upon on the day of the primary election.

34 If the ballot includes both candidates for office and

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

5 Any voter who spoils his or her ballot or makes an error  
6 shall be provided a means of correcting the ballot or  
7 obtaining a new ballot prior to casting his or her ballot.

8 (10 ILCS 5/24C-6.1 new)

9 Sec. 24C-6.1. Security designation. In all elections  
10 conducted under this Article, ballots shall have a security  
11 designation. In precincts where more than one ballot  
12 configuration may be voted upon, ballots shall have a  
13 different security designation for each ballot configuration.  
14 If a precinct has only one possible ballot configuration, the  
15 ballots must have a security designation to identify the  
16 precinct and the election. Where ballots from more than one  
17 precinct are being tabulated, the ballots from each precinct  
18 must be clearly identified; official results shall not be  
19 generated unless the precinct identification for any precinct  
20 corresponds. The Direct Recording Electronic Voting System  
21 shall be designed to ensure that the proper ballot is  
22 selected for each polling place and that the format can be  
23 matched to the software or firmware required to interpret it  
24 correctly. The system shall provide a means of programming  
25 each piece of equipment to reflect the ballot requirements of  
26 the election and shall include a means for validating the  
27 correctness of the program and of the program's installation  
28 in the equipment or in a programmable memory device.

29 (10 ILCS 5/24C-7 new)

30 Sec. 24C-7. Write-in ballots. Pursuant to administrative  
31 rule of the State Board of Elections, a Direct Recording  
32 Electronic Voting System shall provide an acceptable method

1 for a voter to vote for a person whose name does not appear  
2 on the ballot using the same Direct Recording Electronic  
3 Voting System used to record votes for candidates whose name  
4 do appear on the ballot.

5 (10 ILCS 5/24C-8 new)

6 Sec. 24C-8. Preparation for use; comparison of ballots;  
7 operational checks of Direct Recording Electronic Voting  
8 Systems equipment; pollwatchers. The election authority  
9 shall cause the approved Direct Recording Electronic Voting  
10 System equipment to be delivered to the polling places.  
11 Before the opening of the polls, all Direct Recording  
12 Electronic Voting System devices shall provide a printed  
13 record of the following, upon verification of the  
14 authenticity of the commands by a judge of election: the  
15 election's identification data, the equipment's unit  
16 identification, the ballot's format identification, the  
17 contents of each active candidate register by office and of  
18 each active public question register showing that they  
19 contain all zeros, all ballot fields that can be used to  
20 invoke special voting options, and other information needed  
21 to ensure the readiness of the equipment, and to accommodate  
22 administrative reporting requirements.

23 The Direct Recording Electronic Voting System shall  
24 provide a means for the election judges to open the polling  
25 place and ready the equipment for the casting of ballots.  
26 Those means shall incorporate a security seal, a password, or  
27 a data code recognition capability to prevent inadvertent or  
28 unauthorized actuation of the poll-opening function. If more  
29 than one step is required, it shall enforce their execution  
30 in the proper sequence.

31 Pollwatchers, as provided by law, shall be permitted to  
32 closely observe the judges in these procedures and to  
33 periodically inspect the Direct Recording Electronic Voting

1 System equipment when not in use by the voters.

2 (10 ILCS 5/24C-9 new)

3 Sec. 24C-9. Testing of Direct Recording Electronic Voting  
4 System equipment and programs; custody of programs, test  
5 materials, and ballots. Prior to the public test, the  
6 election authority shall conduct an errorless pre-test of the  
7 Direct Recording Electronic Voting System equipment and  
8 programs to determine that they will correctly detect voting  
9 defects and count the votes cast for all offices and all  
10 public questions. On any day not less than 5 days prior to  
11 the election day, the election authority shall publicly test  
12 the Direct Recording Electronic Voting System equipment and  
13 programs to determine that they will correctly count the  
14 votes cast for all offices and on all public questions.  
15 Public notice of the time and place of the test shall be  
16 given at least 48 hours before the test by publishing the  
17 notice in one or more newspapers within the election  
18 jurisdiction of the election authority, if a newspaper is  
19 published in that jurisdiction. If a newspaper is not  
20 published in that jurisdiction, notice shall be published in  
21 a newspaper of general circulation in that jurisdiction.  
22 Timely written notice stating the date, time, and location of  
23 the public test shall also be provided to the State Board of  
24 Elections. The test shall be open to representatives of the  
25 political parties, the press, representatives of the State  
26 Board of Elections, and the public. The test shall be  
27 conducted by entering a preaudited group of ballots marked to  
28 record a predetermined number of valid votes for each  
29 candidate and on each public question, and shall include for  
30 each office one or more ballots having votes exceeding the  
31 number allowed by law to test the ability of the electronic  
32 tabulating equipment to reject the votes. The test shall  
33 also include producing an edit listing.

1       The State Board of Elections may select as many election  
2       jurisdictions that the Board deems advisable in the interests  
3       of the election process of this State to order a special test  
4       of the electronic tabulating equipment and program before any  
5       regular election. The Board may order a special test in any  
6       election jurisdiction where, during the preceding 12 months,  
7       computer programming errors or other errors in the use of the  
8       system resulted in vote tabulation errors. Not less than 30  
9       days before any election, the State Board of Elections shall  
10       provide written notice to those selected jurisdictions of its  
11       intent to conduct a test. Within 5 days of receipt of the  
12       State Board of Elections' written notice of intent to conduct  
13       a test, the selected jurisdictions shall forward to the  
14       principal office of the State Board of Elections a copy of  
15       all specimen ballots. The State Board of Elections' tests  
16       shall be conducted and completed not less than 2 days before  
17       the public test using testing materials supplied by the Board  
18       and under the supervision of the Board, and the Board shall  
19       reimburse the election authority for the reasonable cost of  
20       computer time required to conduct the special test. After an  
21       errorless test, materials used in the public test, including  
22       the program, if appropriate, shall be sealed and remain  
23       sealed until the test is run again on election day. If any  
24       error is detected, the cause of the error shall be determined  
25       and corrected, and an errorless public test shall be made  
26       before the automatic tabulating equipment is approved. Each  
27       election authority shall file a sealed copy of each tested  
28       program to be used within its jurisdiction at an election  
29       with the State Board of Elections before the election. The  
30       Board shall secure the program or programs of each election  
31       jurisdiction so filed in its office for the 60 days following  
32       the canvass and proclamation of election results. At the  
33       expiration of that time, if no election contest or appeal is  
34       pending in an election jurisdiction, the Board shall return

1 the sealed program or programs to the election authority of  
2 the jurisdiction. After the completion of the count, the test  
3 shall be re-run using the same program. Immediately after  
4 the re-run, all material used in testing the program and the  
5 programs shall be sealed and retained under the custody of  
6 the election authority for a period of 60 days. At the  
7 expiration of that time the election authority shall destroy  
8 the voted ballots, together with all unused ballots returned  
9 from the precincts, provided, that if any contest of election  
10 is pending at the time in which the ballots may be required  
11 as evidence and the election authority has notice of the  
12 contest, the ballots shall not be destroyed until after the  
13 contest is finally determined. If the use of back-up  
14 equipment becomes necessary, the same testing required for  
15 the original equipment shall be conducted.

16 (10 ILCS 5/24C-10 new)

17 Sec. 24C-10. Recording of votes by Direct Recording  
18 Electronic Voting Systems. Whenever a Direct Recording  
19 Electronic Voting System is used to electronically record and  
20 count the votes of ballots, the provisions of this Section  
21 shall apply. A voter shall cast a proper vote on a ballot  
22 pursuant to the instructions provided on the screen or  
23 labels.

24 (10 ILCS 5/24C-11 new)

25 Sec. 24C-11. Functional requirements. The functional  
26 requirements of a Direct Recording Electronic Voting System  
27 shall be specified by the administrative rules of the State  
28 Board of Elections.

29 (10 ILCS 5/24C-12 new)

30 Sec. 24C-12. Procedures for counting and tallying of  
31 ballots. In an election jurisdiction where a Direct Recording

1 Electronic Voting System is used, the procedures in this  
2 Section for counting and tallying the ballots shall apply.

3 Before the opening of the polls, the judges of elections  
4 shall assemble the voting equipment and devices and turn the  
5 equipment on. The judges shall, if necessary, take steps to  
6 actuate the voting devices and counting equipment by  
7 inserting into the equipment and voting devices appropriate  
8 electronic media containing passwords and data codes that  
9 will select the proper ballot formats for that polling place  
10 and that will prevent inadvertent or unauthorized actuation  
11 of the poll-opening function. Before voting begins and  
12 before ballots are entered into the voting devices, the  
13 judges of election shall cause to be printed a record of the  
14 following: (i) the election's identification data, (ii) the  
15 device's unit identification, (iii) the ballot's format  
16 identification, (iv) the contents of each active candidate  
17 register by office and of each active public question  
18 register showing that they contain all zeros, (v) all ballot  
19 fields that can be used to invoke special voting options, and  
20 (vi) other information needed to ensure the readiness of the  
21 equipment and to accommodate administrative reporting  
22 requirements. The judges must also check to be sure that the  
23 totals are all zeros in the counting columns and in the  
24 public counter affixed to the voting devices.

25 After the judges have determined that a person is  
26 qualified to vote, the judges shall enable a voting device to  
27 be used by the voter and the proper ballot to which the voter  
28 is entitled shall be selected. The ballot may then be cast  
29 by the voter by marking by appropriate means the designated  
30 area of the ballot for the casting of a vote for any  
31 candidate or for or against any public question. The voter  
32 shall be able to vote for any and all candidates and public  
33 measures appearing on the ballot in any legal number and  
34 combination and the voter shall be able to delete or change

1 his or her selections before the ballot is cast. The voter  
2 shall be able to select candidates whose names do not appear  
3 upon the ballot for any office by following the instructions  
4 provided on the screen or labels as many names of candidates  
5 as the voter is entitled to select for each office.

6 Upon completing his or her selection of candidates or  
7 public questions, the voter shall signify that voting has  
8 been completed by activating the appropriate button, switch,  
9 or active area of the ballot screen associated with end of  
10 voting. Upon activation, the voting system shall record an  
11 image of the completed ballot, shall increment the proper  
12 ballot position registers, and shall signify to the voter  
13 that the ballot has been cast. The voter shall exit the  
14 voting station and the voting system shall prevent any  
15 further attempt to vote until it has been re-activated by the  
16 judges of election. If the voter fails to cast his or her  
17 ballot and leaves the polling place, 2 judges of election,  
18 one from each of the 2 major political parties, shall spoil  
19 the ballot.

20 Throughout the election day and before the closing of the  
21 polls, no person may check any vote totals for any candidate  
22 or public question on the voting or counting equipment.

23 The precinct judges of election shall check the public  
24 register to determine whether the number of ballots counted  
25 by the voting equipment agrees with the number of voters  
26 voting as shown by the applications for ballot. If the same  
27 do not agree, the judges of election shall immediately  
28 contact the offices of the election authority in charge of  
29 the election for further instructions. If the number of  
30 ballots counted by the voting equipment agrees with the  
31 number of voters voting as shown by the application for  
32 ballot, the number shall be listed on the "Statement of  
33 Ballots" form provided by the election authority.

34 The totals for all candidates and propositions shall be



1 tabulated and 4 copies of a "Certificate of Results" shall be  
2 printed by the electronic tabulating equipment. In addition,  
3 one copy shall be posted in a conspicuous place inside the  
4 polling place and every effort shall be made by the judges of  
5 election to provide a copy for each authorized pollwatcher or  
6 other official authorized to be present in the polling place  
7 to observe the counting of ballots. Additional copies shall  
8 be made available to pollwatchers, but in no case shall there  
9 be fewer than 4 chosen by lot by the judges of election. In  
10 addition, sufficient time shall be provided by the judges of  
11 election to the pollwatchers to allow them to copy  
12 information from the copy that has been posted.

13 If instructed by the election authority, the judges of  
14 election shall cause the tabulated returns to be transmitted  
15 electronically to the offices of the election authority via  
16 modem or other electronic medium.

17 The precinct judges of election shall select a  
18 bi-partisan team of 2 judges, who shall immediately return  
19 the ballots in a sealed container, along with all other  
20 election materials and equipment as instructed by the  
21 election authority; provided, however, that the container  
22 must first be sealed by the election judges with filament  
23 tape or other approved sealing devices provided for the  
24 purpose in a manner that the ballots cannot be removed from  
25 the container without breaking the seal or filament tape and  
26 disturbing any signatures affixed by the election judges to  
27 the container. The election authority shall keep the office  
28 of the election authority, or any receiving stations  
29 designated by the authority, open for at least 12 consecutive  
30 hours after the polls close or until the ballots and election  
31 material and equipment, as instructed by the election  
32 authority, from all precincts within the jurisdiction of the  
33 election authority have been returned to the election  
34 authority. Ballots and election materials and equipment

1 returned to the office of the election authority that are not  
2 signed and sealed as required by law shall not be accepted by  
3 the election authority until the judges returning the ballots  
4 make and sign the necessary corrections. Upon acceptance of  
5 the ballots and election materials and equipment by the  
6 election authority, the judges returning the ballots shall  
7 take a receipt signed by the election authority and stamped  
8 with the time and date of the return. The election judges  
9 whose duty it is to return any ballots and election materials  
10 and equipment as provided shall, in the event the ballots,  
11 materials, or equipment cannot be found when needed, on  
12 proper request, produce the receipt that they are to take as  
13 above provided.

14 (10 ILCS 5/24C-13 new)

15 Sec. 24C-13. Counting of absentee ballots. All  
16 jurisdictions using Direct Recording Electronic Voting  
17 Systems shall count absentee ballots at the office of the  
18 election authority. The provisions of Sections 24A-9 and  
19 24B-9 shall apply to the testing and notice requirements for  
20 central count tabulation equipment, including comparing the  
21 signature on the ballot envelope with the signature of the  
22 voter on the permanent voter registration record card taken  
23 from the master file; except that votes shall be recorded by  
24 precinct.

25 Any election authority using a direct recording  
26 electronic voting system shall use voting systems approved  
27 for use under Articles 16, 24A, or 24B when conducting  
28 absentee voting. The absentee ballots shall be examined and  
29 processed pursuant to Sections 19-9 and 20-9. The results  
30 shall be recorded by precinct and shall become part of the  
31 certificate of results.

32 (10 ILCS 5/24C-14 new)

1       Sec. 24C-14. Tabulating votes; direction; presence of  
2 public; computer operator's log and canvass. The procedure  
3 for tabulating the votes by the Direct Recording Electronic  
4 Voting System shall be under the direction of the election  
5 authority and shall conform to the requirements of the Direct  
6 Recording Electronic Voting System. During any  
7 election-related activity using the Direct Recording  
8 Electronic Voting System equipment, the election authority  
9 shall dedicate the equipment to vote processing to ensure the  
10 security and integrity of the system.

11       A reasonable number of pollwatchers shall be admitted to  
12 the counting location. Persons may observe the tabulating  
13 process at the discretion of the election authority; however,  
14 at least one representative of each established political  
15 party and authorized agents of the State Board of Elections  
16 shall be permitted to observe this process at all times. No  
17 persons except those employed and authorized for the purpose  
18 shall touch any ballot, ballot box, return, or equipment.

19       The computer operator shall be designated by the election  
20 authority and shall be sworn as a deputy of the election  
21 authority. In conducting the vote tabulation and canvass, the  
22 computer operator must maintain a log which shall include the  
23 following information:

24           (1) alterations made to programs associated with  
25 the vote counting process;

26           (2) if applicable, console messages relating to the  
27 program and the respective responses made by the  
28 operator;

29           (3) the starting time for each precinct counted,  
30 the number of ballots counted for each precinct, any  
31 equipment problems and, insofar as practicable, the  
32 number of invalid security designations encountered  
33 during that count; and

34           (4) changes and repairs made to the equipment

1 during the vote tabulation and canvass.

2 The computer operator's log and canvass shall be  
3 available for public inspection in the office of the election  
4 authority for a period of 60 days following the proclamation  
5 of election results. A copy of the computer operator's log  
6 and the canvass shall be transmitted to the State Board of  
7 Elections upon its request and at its expense.

8 (10 ILCS 5/24C-15 new)

9 Sec. 24C-15. Official return of precinct; check of  
10 totals; audit. The precinct return printed by the Direct  
11 Recording Electronic Voting System tabulating equipment shall  
12 include the number of ballots cast, ballots cast by each  
13 political party for a primary election, and votes cast for  
14 each candidate and public question and shall constitute the  
15 official return of each precinct. In addition to the  
16 precinct return, the election authority shall provide the  
17 number of applications for ballots in each precinct, the  
18 total number of ballots counted in each precinct for each  
19 political subdivision and district, and the number of  
20 registered voters in each precinct. The election authority  
21 shall check the totals shown by the precinct return and, if  
22 there is an obvious discrepancy regarding the total number of  
23 votes cast in any precinct, shall have the ballots for that  
24 precinct audited to correct the return. The procedures for  
25 this audit shall apply prior to and after the proclamation is  
26 completed; however, after the proclamation of results, the  
27 election authority must obtain a court order to unseal voted  
28 ballots except for election contests and discovery recounts.  
29 The certificate of results, that has been prepared and signed  
30 by the judges of election in the polling place and at the  
31 election authority's office after the ballots have been  
32 tabulated, shall be the document used for the canvass of  
33 votes for the precinct. Whenever a discrepancy exists during

1 the canvass of votes between the unofficial results and the  
2 certificate of results, or whenever a discrepancy exists  
3 during the canvass of votes between the certificate of  
4 results and the set of totals reflected on the certificate of  
5 results, the ballots for that precinct shall be audited to  
6 correct the return.

7 Prior to the proclamation, the election authority shall  
8 test the voting devices and equipment in 5% of the precincts  
9 within the election jurisdiction. The precincts to be tested  
10 shall be selected after election day on a random basis by the  
11 State Board of Elections, so that every precinct in the  
12 election jurisdiction has an equal mathematical chance of  
13 being selected.

14 The test shall be conducted by entering a preaudited  
15 group of ballots marked to record a predetermined number of  
16 valid votes for each candidate and on each public question,  
17 and shall include for each office one or more ballots that  
18 have votes in excess of the number allowed by law to test the  
19 ability of the equipment to reject those votes. If any error  
20 is detected, the cause shall be determined and corrected, and  
21 an errorless count shall be made prior to the official  
22 canvass and proclamation of election results.

23 The State Board of Elections, the State's Attorney and  
24 other appropriate law enforcement agencies, the chairman of  
25 the county central committee of each established political  
26 party, and qualified civic organizations shall be given prior  
27 written notice of the time and place of the test and may be  
28 represented at the test.

29 The results of this re-tabulation shall be treated in the  
30 same manner and have the same effect as the results of the  
31 discovery procedures set forth in Section 22-9.1 of this  
32 Code. Upon completion of the test, the election authority  
33 shall print a report showing the results of the test and any  
34 errors encountered and the report shall be made available for

1 public inspection.

2 (10 ILCS 5/24C-15.01 new)

3 Sec. 24C-15.01. Transporting ballots to central counting  
4 station; container. Upon completion of the tabulation,  
5 audit, or test of voting equipment, if the election authority  
6 so instructs, pursuant to Sections 24C-11 through 24C-15, the  
7 voting equipment and ballots from each precinct shall be  
8 replaced in the container in which they were transported to  
9 the central counting station. If the container is not a type  
10 that may be securely locked, then each container, before  
11 being transferred from the counting station to storage, shall  
12 be sealed with filament tape wrapped around the container  
13 lengthwise and crosswise, at least twice each way, and in a  
14 manner that the equipment and ballots cannot be removed from  
15 the container without breaking the tape.

16 (10 ILCS 5/24C-15.1 new)

17 Sec. 24B-15.1. Discovery recounts and election contests.  
18 Discovery recounts and election contests shall be conducted  
19 as otherwise provided for in this Code. The Direct Recording  
20 Electronic Voting System equipment shall be tested prior to  
21 the discovery recount or election contest as provided in  
22 Section 24C-9 and then the official ballots shall be audited.

23 The log of the computer operator and all materials  
24 retained by the election authority in relation to vote  
25 tabulation and canvass shall be made available for any  
26 discovery recount or election contest.

27 (10 ILCS 5/24C-16 new)

28 Sec. 24C-16. Approval of Direct Recording Electronic  
29 Voting Systems; requisites. The State Board of Elections  
30 shall approve all Direct Recording Electronic Voting Systems  
31 provided by this Article.

1       No Direct Recording Electronic Voting System shall be  
2 approved unless it fulfills the following requirements:

3           (1) It enables a voter to vote in absolute secrecy,  
4 except in the case of voters who receive assistance as  
5 provided in this Code.

6           (2) It enables each voter to vote at an election  
7 for all persons and offices for whom and for which the  
8 voter is lawfully entitled to vote, to vote for as many  
9 persons for an office as the voter is entitled to vote  
10 for, and to vote for or against any public question upon  
11 which the voter is entitled to vote, but no other.

12           (3) It will detect and reject all votes for an  
13 office or upon a public question when the voter has cast  
14 more votes for the office or upon the public question  
15 than he or she is entitled to cast; provided, however,  
16 that it will inform a voter that the voter's choices as  
17 recorded on the ballot for an office or public question  
18 exceeds the number that the voter is entitled to vote for  
19 on that office or public question and will offer the  
20 voter an opportunity to correct the error before  
21 rejecting the choices recorded on the voter's ballot.

22           (4) It will enable each voter in primary elections  
23 to vote only for the candidates of the political party  
24 with which he or she had declared affiliation and  
25 preclude the voter from voting for any candidate of any  
26 other political party.

27           (5) It enables a voter to vote a split ticket  
28 selected in part from the nominees of one party, in part  
29 from the nominees of any or all parties, in part from  
30 independent candidates, and in part of candidates whose  
31 names are written in by the voter.

32           (6) It enables a voter, at a Presidential election,  
33 by a single selection to vote for the candidates of a  
34 political party for Presidential electors.

1           (7) It will prevent anyone voting for the same  
2 person more than once for the same office.

3           (8) It will record and count accurately each vote  
4 properly cast for or against any candidate and for or  
5 against any public question, including the names of all  
6 candidates whose names are written in by the voters.

7           (9) It will be capable of merging the vote  
8 tabulation results produced by other vote tabulation  
9 systems, if necessary.

10          (10) It will provide a means for sealing and  
11 resealing the vote recording devices to prevent their  
12 unauthorized use and to prevent tampering with ballot  
13 labels.

14          (11) It will be suitably designed for the purpose  
15 used, be durably constructed, and be designed for safety,  
16 accuracy, and efficiency.

17          (12) It will be designed to accommodate the needs  
18 of elderly, handicapped, and disabled voters.

19          (13) It will enable a voter to vote for a person  
20 whose name does not appear on the ballot.

21          (14) It will be designed to ensure that vote  
22 recording devices or electronic tabulating equipment that  
23 count votes at the precinct will not be capable of  
24 reporting vote totals before the close of the polls.

25          (15) It will provide a paper audit trail.

26          The State Board of Elections is authorized to withdraw  
27 its approval of a Direct Recording Electronic Voting System  
28 if the system fails to fulfill the above requirements.

29          No vendor, person, or other entity may sell, lease, or  
30 loan a Direct Recording Electronic Voting System or system  
31 component to any election jurisdiction unless the system or  
32 system component is first approved by the State Board of  
33 Elections pursuant to this Section. The State Board of  
34 Elections shall not accept for testing or approval of any



1 system or system component that has not first been evaluated  
2 by an independent testing laboratory or laboratories for  
3 performance and reliability using the standards that may from  
4 time to time be promulgated by the United States Federal  
5 Election Commission. When the functional requirements of  
6 this Section are in conflict with the standards promulgated  
7 by the Federal Election Commission, the standards of the  
8 Federal Election Commission shall govern.

9 (10 ILCS 5/24C-17 new)

10 Sec. 24C-17. Rules; number of voting booths. The State  
11 Board of Elections may make reasonable rules for the  
12 administration of this Article and may prescribe the number  
13 of voting booths required for the various types of voting  
14 systems.

15 (10 ILCS 5/24C-18 new)

16 Sec. 24C-18. Specimen ballots; publication. When a  
17 Direct Recording Electronic Voting System is used, the  
18 election authority shall cause to be published, at least 5  
19 days before the day of each general and general primary  
20 election, in 2 or more newspapers published in and having a  
21 general circulation in the county, a true and legible copy of  
22 the specimen ballot containing the names of offices,  
23 candidates, and public questions to be voted on, as near as  
24 may be, in the form in which they will appear on the official  
25 ballot on election day. A true legible copy may be in the  
26 form of an actual size ballot and shall be published as  
27 required by this Section if distributed in 2 or more  
28 newspapers published and having a general circulation in the  
29 county as an insert. For each election prescribed in Article  
30 2A of this Code, specimen ballots shall be made available for  
31 public distribution and shall be supplied to the judges of  
32 election for posting in the polling place on the day of

1 election. Notice for the consolidated primary and  
2 consolidated elections shall be given as provided in Article  
3 12.

4 (10 ILCS 5/24C-19 new)

5 Sec. 24C-19. Additional method of voting. This Article  
6 shall be deemed to provide a method of voting in addition to  
7 the methods otherwise provided in this Code.

8 (10 ILCS 5/24A-20 rep.)

9 Section 10. The Election Code is amended by repealing  
10 Section 24A-20."