U.S. ELECTION ASSISTANCE COMMISSION

2016 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing Federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help EAC to better understand the quantitative data relating to the 2016 general election that we are collecting from all U.S. states and territories.

EAC understands that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

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DIRECTIONS AND EXAMPLE

As appropriate, please provide your state's legal citation for the responses to the questions beginning on the following page.

Please answer each question to the best of your ability. If a term or concept is ambiguous, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks statutory reference in your state but is widely used in practice, please explain. If election procedures vary at the local level within your state, please explain these variations to the best of your ability.

The Statutory Overview data collection document has two columns below each question.

- On the left, we have provided you with the answer your state provided for the 2014 Statutory Overview. If there has not been a change in your state's laws or legal citation in the response to a question, please mark the box labeled **No Change since 2014** at the top of the left column.

- If the response has changed since 2014 – or your state has not answered this question previously for some reason— please mark the box labeled **Changed since 2014** at the top of the right column and then provide the new answer in the text box provided. If your response is too long to fit in the box, please make a note in the text box and place your response in the "Notes" page at the end of the document. Additionally, if a law was repealed in full, please answer "repealed in full" in the box.

If any of your state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court or by executive decision, please specify.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

State code 1.11 - An attempt to vote for a larger number of candidates than is allowed.

b) Under-vote

☐ **No Change since 2014** ☒ **Changed since 2014**

This term has no legal definition.

State code 1.12 - An attempt to vote for a smaller number of candidates than is allowed.

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a) Over-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

IL Administrative Code; Title 26: Elections, Chapter I; Part 204. Section 204.40:
4) It will reject all votes for an office or upon a proposition when the voter has cast more votes for such office or upon such proposition than he is entitled to cast.

10 ILCS 24B-2 Definitions:
"voting defect" means an overvoted ballot, or a ballot…

IL Administrative Code; Title 26: Elections, Chapter I; Part 207. Section 207.80:
f) For the purpose of subsection (d) of this Section an overvote occurs each time a voter casts more votes than he is entitled to cast for an office or a proposition.

2016 Response:

b) Under-vote

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

IL Administrative Code; Title 26: Elections, Chapter I; Part 207. Section 207.80:
e) For the purpose of subsection (a) of this Section an undervote occurs each time a voter fails or omits to cast a vote for each candidate or proposition for which he is entitled to cast a vote.
10 ILCS 5/24A-16 (5.5) "It will identify when a voter has not voted for all statewide constitutional offices."
10 ILCS 5/24B-16 (e-5) "It will identify when a voter has not voted for all statewide constitutional offices."

2016 Response:

c) Blank ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix B

2016 Response:

d) Void/Spoiled ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

10 ILCS 5/24A-6, 24B-6, 24C-6
… Any voter who spoils his ballot or makes an error may return the ballot to the
judges of election and secure another. However, the protruding identifying tab for
proposals for a constitutional convention or constitutional amendments shall have
printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label
booklet.
10 ILCS 5/17-16
…The envelope to be used for enclosing ballots spoiled by voters while
attempting to vote shall bear upon its face, in large type, the legend: "This
envelope is for use before 7:00 P.M. only." All ballots not voted, and all that have
been spoiled by voters while attempting to vote, shall be returned by the judges of
election to the county clerk and a receipt taken therefor, and shall be preserved 2
months;

2016 Response:

e) Provisional/Challenged ballot

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix B

2016 Response:

f) Absentee

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

(10 ILCS 5/19-2) (from Ch. 46, par. 19-2)
Sec. 19-2. Any elector as defined in Section 19-1 may by mail or electronically on the website of the appropriate election authority, not more than 90 nor less than 5 days prior to the date of such election, or by personal delivery not more than 90 nor less than one day prior to the date of such election, make application to the county clerk or to the Board of Election Commissioners for an official ballot for the voter's precinct to be voted at such election. The URL address at which voters may electronically request an absentee ballot shall be fixed no later than 90 calendar days before an election and shall not be changed until after the election. Such a ballot shall be delivered to the elector only upon separate application by the elector for each election. (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13; 98-691, eff. 7-1-14.)

2016 Response:

Sec. 19-2. Any elector as defined in Section 19-1 may by mail or electronically on the website of the appropriate election authority, not more than 90 nor less than 5 days prior to the date of such election, or by personal delivery not more than 90 nor less than one day prior to the date of such election, make application to the county clerk or to the Board of Election Commissioners for an official ballot for the voter's precinct to be voted at such election. The URL address at which voters may electronically request a vote by mail ballot shall be fixed no later than 90 calendar days before an election and shall not be changed until after the election. Such a ballot shall be delivered to the elector only upon separate application by the elector for each election.

g) Early voting

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

10 ILCS 5/1-11 was repealed
(10 ILCS 5/1-12)
Sec. 1-12. Public university voting.
(a) Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting in a high traffic location on the campus of a public university within the election authority's jurisdiction. The voting required by this subsection (a) to be conducted on campus must be conducted as otherwise required by Article 19A of this Code. If an election authority has voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority shall extend early voting under this Section to any registered voter in the election authority's jurisdiction. However, if the election authority does not have voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority may limit early voting under this Section to registered voters in precincts where the public university is located and precincts bordering the university. Each public university shall make the space available in a high traffic area

2016 Response:

Sec. 1-12. Public university voting.
(a) Each appropriate election authority shall, in addition to the early voting conducted at locations otherwise required by law, conduct early voting, grace period registration, and grace period voting at the student union on the campus of a public university within the election authority's jurisdiction. The voting required by this subsection (a) to be conducted on campus must be conducted from the 6th day before a general primary or general election until and including the 4th day before a general primary or general election from 10:00 a.m. to 5 p.m. and as otherwise required by Article 19A of this Code, except that the voting required by this subsection (a) need not be conducted during a consolidated primary or consolidated election. If an election authority has voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority shall extend early voting and grace period registration and voting under this Section to any registered voter in the election authority's jurisdiction. However, if the election authority does not have voting equipment that can accommodate a ballot in every form required in the election authority's jurisdiction, then the election authority may limit early voting and grace period registration and voting under

h) Active Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

There is no definition in the Illinois Election Code

2016 Response:

i) Inactive Voter

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Inactive voter – an inactive voter is a person who, having once submitted a voter registration application subsequently acknowledged by the election authority having jurisdiction over the voter's place of residence, or a registration card, has not responded to a notice to confirm his or her address, but whose authority to vote has not yet been canceled.

2016 Response:

j) Other terms (please specify) _____

☐ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

A2. Please provide the legal citation for any *significant* changes to election laws or procedures that have been enacted or adopted since the previous Federal election. "Significant" does not include routine or technical changes (such as changes to election district boundaries or polling place changes). However, EAC would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:	2016 Response:
See Appendix B	

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
Bottom-up [10 ILCS 1A-25]	

If your state uses a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
It is downloaded to the state master list every 24 hours (overnight) [10 ILCS 1A-25]	

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Use NVRA procedures
This process is not used for UOCAVA voters.

2016 Response:

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Use NVRA procedures
They are not the same for UOCAVA voters.

2016 Response:

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's driver's license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or Federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

Yes- driver's license agency
Yes – Social Security Administration
Yes – IL Department of Public Health for Death Records
Yes – IL Department of Corrections for convictions

2016 Response:

ERIC added August 2016

Sec. 1A-45. Electronic Registration Information Center.
(a) The State Board of Elections shall enter into an agreement with the Electronic Registration Information Center effective no later than January 1, 2016, for the purpose of maintaining a statewide voter registration database. The State Board of Elections shall comply with the requirements of the Electronic Registration Information Center Membership Agreement. The State Board of Elections shall require a term in the Electronic Registration Information Center Membership Agreement that requires the State to share identification records contained in the Secretary of State's Driver Services Department and Vehicle Services Department, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Aging, and the Department of Employment Security databases (excluding those fields unrelated to voter eligibility, such as income or health information).
(b) The Secretary of State and the Board of Elections shall enter

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with NCOA?

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

At the State level, once a year we match the voter registration database against the NCOA file. We provide these potential matches to the Election Authorities (EA's), for their use. This information is used by the EA's to generate mailings to those out of jurisdictions individuals and used to start a change of address for those within the jurisdictions. We have received reports that the information can sometimes be incorrect, as date-of-birth is not available for matching criteria. Also, there have been reports of individuals having already moved to a different address, by the time the information can be used. Overall, it is a helpful piece of information, that can be used in conjunction with other information for list maintenance.

2016 Response:

Sec. 1A-16.8. Automatic transfer of registration based upon information from the National Change of Address database. The State Board of Elections shall cross-reference the statewide voter registration database against the United States Postal Service's National Change of Address database twice each calendar year, April 15 and October 1 in odd-numbered years and April 15 and December 1 in even-numbered years, and shall share the findings with the election authorities. An election authority shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction provided that:
(1) the election authority whose jurisdiction

includes the new registration address provides the voter an opportunity to reject the change in registration address through a mailing, sent by non-forwardable mail, to the new registration address, and

(2) when the election authority whose jurisdiction

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

10 ILCS5/3-5
Sec. 3-5. No person who has been legally convicted, in this or another State or in any federal court, of any crime, and is serving a sentence of confinement in any penal institution, or who has been convicted under any section of this Act and is serving a sentence of confinement in any penal institution, shall vote, offer to vote, attempt to vote or be permitted to vote at any election until his release from confinement. Confinement for purposes of this Section shall include any person convicted and imprisoned but granted a furlough as provided by Section 3-11-1 of the "Unified Code of Corrections", or admitted to a work release program as provided by Section 3-13-2 of the "Unified Code of Corrections". Confinement shall not include any person convicted and imprisoned but released on parole.

2016 Response:

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix B

2016 Response:

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Both
Election Day ballots are counted at the precinct. All other ballots are counted centrally.

2016 Response:

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes, 10 ILCS 5/19-8 (g-10) – Vote by Mail ballots
Yes, 10 ILCS 5/18A-15 (g) – Provisional ballots
Yes, 10 ILCS 5/19A-50 – Early voting ballots
Yes, 10 ILCS 4-50, 5-50 and 6-100 – Grace period voting ballots

2016 Response:

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Single number. See answer to b. above.

2016 Response:

d. How are UOCAVA ballots counted and reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Centrally counted then added to the vote totals for the precincts for which they were cast, 10 ILCS 5/20-8 (g-10)

2016 Response:

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

We allow no-excuse vote by mail voting (10 ILCS 5/19-3)

2016 Response:

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Yes, 10 ILCS 5/19A
Centrally counted, reported on the canvass under their respective precincts

2016 Response:

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

No

2016 Response:

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

10 ILCS 5/18A-5
Sec. 18A-5. Provisional voting; general provisions.
(a) A person who claims to be a registered voter is entitled to cast a provisional ballot under the following circumstances:
(1) The person's name does not appear on the official list of eligible voters for the precinct in which the person seeks to vote. The official list is the centralized statewide voter registration list established and maintained in accordance with Section 1A-25;
(2) The person's voting status has been challenged by an election judge, a pollwatcher, or any legal voter and that challenge has been sustained by a majority of the election judges;
(3) A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period; or
(4) The voter registered to vote by mail and is required by law to present identification when voting either in person or by absentee ballot, but fails to do so.
(5) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period; or
(6) The voter received an absentee ballot but did not return

2016 Response:

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix B

2016 Response:

C7. Please describe your state's laws regarding post-election audits, if any. A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark.

If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

See Appendix B

2016 Response:

C8. Please describe any state requirements for poll worker training.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Election Judge training is set forth in 10 ILCS 5/13-2.1 and 13-2.2.

2016 Response:

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

All equipment approved for use in Illinois can detect undervotes and overvotes per statute and SBE Rules.
IL Administrative Code; Title 26: Elections, Chapter I; Part 204. Section 204.40: 4) It will reject all votes for an office or upon a proposition when the voter has cast more votes for such office or upon such proposition than he is entitled to cast.
10 ILCS 5/24A-16 (5.5) The voting system will identify when a voter has not voted for all statewide constitutional offices.
10 ILCS 5/24B-16 (e-5) The voting system will identify when a voter has not voted for all statewide constitutional offices.

2016 Response:

D2. What identification does your state require from voters in the following situations:

a. registering to vote;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

(10 ILCS 5/4-10) (from Ch. 46, par. 4-10)
Sec. 4-10. Except as herein provided, no person shall be registered, unless he applies in person to a registration officer, answers such relevant questions as may be asked of him by the registration officer, and executes the affidavit of registration. The registration officer shall require the applicant to furnish two forms of identification, and except in the case of a homeless individual, one of which must include his or her residence address. These forms of identification shall include, but not be limited to, any of the following: driver's license, social security card, public aid identification card, utility bill, employee or student identification card, credit card, or a civic, union or professional association membership card. The registration officer shall require a homeless individual to furnish evidence of his or her use of the mailing address stated. This use may be demonstrated by a piece of mail addressed to that individual and received at

2016 Response:

b. casting an in-person ballot;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

10 ILCS 5/19-2.1
In conducting in-person absentee voting under this Section, the respective clerks shall be required to verify the signature of the absentee voter by comparison with the signature on the official registration record card. The clerk also shall reasonably ascertain the identity of such applicant, shall verify that each such applicant is a registered voter, and shall verify the precinct in which he or she is registered and the proper ballots of the political subdivisions in which the applicant resides and is entitled to vote, prior to providing any absentee ballot to such applicant. The clerk shall verify the applicant's registration and from the most recent poll list provided by the county clerk, and if the applicant is not listed on that poll list then by telephoning the office of the county clerk.

2016 Response:

Sec. 17-9. Any person desiring to vote shall give his name and, if required to do so, his residence to the judges of election, one of whom shall thereupon announce the same in a loud and distinct tone of voice, clear, and audible; the judges of elections shall check each application for ballot against the list of voters registered in that precinct to whom grace period, vote by mail, or early ballots have been issued for that election, which shall be provided by the election authority and which list shall be available for inspection by pollwatchers. A voter applying to vote in the precinct on election day whose name appears on the list as having been issued a grace period, vote by mail, or early ballot shall not be permitted to vote in the precinct, except that a voter to whom a vote by mail ballot was issued may vote in the precinct if the voter submits to the election judges that vote by mail ballot for cancellation. If the voter is unable to submit the vote by mail ballot, it shall be sufficient for the voter to submit to the election judges (i) a portion of the vote by mail ballot if the vote by mail ballot was torn or mutilated or (ii) an affidavit executed before the election judges specifying that (A) the voter never received a vote by mail ballot or (B) the voter completed and returned a vote by mail ballot and was informed that the election authority did not receive that vote by mail ballot. All applicable provisions of Articles 4, 5 or 6 shall be complied with and if such name is found

c. casting a mail-in or absentee vote;

☐ **No Change since 2014** ☒ **Changed since 2014**

2014 Response:

10 ILCS 5-19-4
Sec. 19-4. Mailing or delivery of ballots - Time.)
Immediately upon the receipt of such application either by mail, not more than 40 days nor less than 5 days prior to such election, or by personal delivery not more than 40 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for an absentee ballot

2016 Response:

Sec. 19-4. Mailing or delivery of ballots; time. Immediately upon the receipt of such application either by mail or electronic means, not more than 90 days nor less than 5 days prior to such election, or by personal delivery not more than 90 days nor less than one day prior to such election, at the office of such election authority, it shall be the duty of such election authority to examine the records to ascertain whether or not such applicant is lawfully entitled to vote as requested, including a verification of the applicant's signature by comparison with the signature on the official registration record card, and if found so to be entitled to vote, to post within one business day thereafter the name, street address, ward and precinct number or township and district number, as the case may be, of such applicant given on a list, the pages of which are to be numbered consecutively to be kept by such election authority for such purpose in a conspicuous, open and public place accessible to the public at the entrance of the office of such election authority, and in such a manner that such list may be viewed without necessity of requesting permission therefor. Within one day after posting the name and other information of an applicant for a vote by mail ballot, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections that name and other

d. casting a ballot under UOCAVA;

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

(10 ILCS 5/20-4) (from Ch. 46, par. 20-4)
Sec. 20-4. Immediately upon the receipt of the official postcard or an application as provided in Section 20-3 within the times heretofore prescribed, the election authority shall ascertain whether or not such applicant is legally entitled to vote as requested, including verification of the applicant's signature by comparison with the signature on the official registration record card, if any. If the election authority ascertains that the applicant is lawfully entitled to vote, it shall enter the name, street address, ward and precinct number of such applicant on a list to be posted in his or its office in a place accessible to the public. Within one day after posting the name and other information of an applicant for a ballot, the election authority shall transmit that name and posted information to the State Board of Elections, which shall maintain the names and other information in an electronic format on its website, arranged by county and accessible to State and local political committees. As soon as the official ballot is prepared the election authority shall immediately deliver the same to the applicant in person, by mail, by facsimile transmission, or by electronic transmission as provided in this Article.

2016 Response:

e. any other stage in registration or voting process in which identification is required (please specify).

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

Early Voting
10 ILCS 5/19A-35
(b) In conducting early voting under this Article, the election judge or official is required to verify the signature of the early voter by comparison with the signature on the official registration card, and the judge or official must verify (i) the identity of the applicant, (ii) that the applicant is a registered voter, (iii) the precinct in which the applicant is registered, and (iv) the proper ballots of the political subdivision in which the applicant resides and is entitled to vote before providing an early ballot to the applicant. Except for during the 2014 general election, the applicant's identity must be verified by the applicant's presentation of an Illinois driver's license, a non-driver identification card issued by the Illinois Secretary of State, a photo identification card issued by a university or college, or another government-issued identification document containing the applicant's photograph. The election judge or official must verify the applicant's registration from the most recent poll list provided by the election authority, and if the applicant is not listed on that poll list, by telephoning the office of the election authority.

2016 Response:

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:	2016 Response:
See Appendix B	

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to establish and maintain administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

☒ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

We went from Emergency Rules (November 24, 2004 emergency expired April 23, 2005; new Part adopted effective August 25, 2005) to Permanent Rules.
IL Administrative Code; Title 26: Elections, Chapter I; Part 150. Administrative Complaint Procedures for Violations of Title III of HAVA

2016 Response:

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

☐ **No Change since 2014** ☐ **Changed since 2014**

2014 Response:

2016 Response:

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing Federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 04/30/2017). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2014 Election Administration and Voting Survey, 1335 East West Highway, Suite 4300, Silver Spring MD, 20910.

NOTES – please place longer responses below

Statutory Overview

Illinois Answers

A1c. 10 ILCS 5/16-5.01 Blank Ballot

…Special Write-in Vote by Mail Voter's Blank Ballot

(To vote for a person, write the title of the office and his or her name on the lines provided. Place to the left of and opposite the title of office a square and place a cross (X) in the square.)

Title of Office Name of Candidate

( )
( )
( )
( )
( )
( )

The election authority shall send with the Special Write-in Vote by Mail Voter's Blank Ballot a list of all referenda for which the voter is qualified to vote and all candidates for whom nomination papers have been filed and for whom the voter is qualified to vote. The voter shall be entitled to write in the name of any candidate seeking election and any referenda for which he or she is entitled to vote.

On the back or outside of the ballot, so as to appear when folded, shall be printed the words "Official Ballot", the date of the election and a facsimile of the signature of the election authority who has caused the ballot to be printed.

The provisions of Article 20, insofar as they may be applicable to the Special Write-in Vote by Mail Voter's Blank Ballot, shall be applicable herein.

(c) Notwithstanding any provision of this Code or other law to the contrary, the governing body of a municipality may adopt, upon submission of a written statement by the municipality's election authority attesting to the administrative ability of the election authority to administer an election using a ranked ballot to the municipality's governing body, an ordinance requiring, and that municipality's election authority shall prepare, a ranked vote by mail ballot for municipal and township office candidates to be voted on in the consolidated election. This ranked ballot shall be for use only by a qualified voter who either is a member of the United States military or will be outside of the United States on the consolidated primary election day and the consolidated election day. The ranked ballot shall contain a list of the titles of all municipal and township offices potentially contested at both the consolidated primary election and the consolidated election and the candidates for each office and shall permit the elector to vote in the consolidated election by indicating his or her order of preference for each candidate for each office. To indicate his or her order of preference for each candidate for each office, the voter shall put the number one next to the name of the candidate who is the voter's first choice, the number 2 for his or her second choice, and so forth so that, in consecutive numerical order, a number indicating the voter's preference is written by the voter next to each candidate's name on the ranked ballot. The voter shall not be

required to indicate his or her preference for more than one candidate on the ranked ballot. The voter may not cast a write-in vote using the ranked ballot for the consolidated election. The election authority shall, if using the ranked vote by mail ballot authorized by this subsection, also prepare instructions for use of the ranked ballot. The ranked ballot for the consolidated election shall be mailed to the voter at the same time that the ballot for the consolidated primary election is mailed to the voter and the election authority shall accept the completed ranked ballot for the consolidated election when the authority accepts the completed ballot for the consolidated primary election.

The voter shall also be sent a vote by mail ballot for the consolidated election for those races that are not related to the results of the consolidated primary election as soon as the consolidated election ballot is certified.

The State Board of Elections shall adopt rules for election authorities for the implementation of this subsection, including but not limited to the application for and counting of ranked ballots.

A1e. 10 ILCS 5/18A-5 Provisional Voting; general provisions

Sec. 18A-5. Provisional voting; general provisions.

(a) A person who claims to be a registered voter is entitled to cast a provisional ballot under the following circumstances:

(1) The person's name does not appear on the official list of eligible voters for the precinct in which the person seeks to vote and the person has refused an opportunity to register at the polling location or another grace period registration site. The official list is the centralized statewide voter registration list established and maintained in accordance with Section 1A-25;

(2) The person's voting status has been challenged by an election judge, a pollwatcher, or any legal voter and that challenge has been sustained by a majority of the election judges;

(3) A federal or State court order extends the time for closing the polls beyond the time period established by State law and the person votes during the extended time period;

(4) The voter registered to vote by mail and is required by law to present identification when voting either in person or by early voting ballot, but fails to do so;

(5) The voter's name appears on the list of voters who voted during the early voting period, but the voter claims not to have voted during the early voting period; or

(6) The voter received a vote by mail ballot but did not return the vote by mail ballot to the election authority; or

(7) The voter attempted to register to vote on election day, but failed to provide the necessary documentation.

(b) The procedure for obtaining and casting a provisional ballot at the polling place shall be as follows:

(1) After first verifying through an examination of

the precinct register that the person's address is within the precinct boundaries, an election judge at the polling place shall notify a person who is entitled to cast a provisional ballot pursuant to subsection (a) that he or she may cast a provisional ballot in that election. An election judge must accept any information provided by a person who casts a provisional ballot that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election. However, if the person's residence address is outside the precinct boundaries, the election judge shall inform the person of that fact, give the person the appropriate telephone number of the election authority in order to locate the polling place assigned to serve that address, and instruct the person to go to the proper polling place to vote.

(2) The person shall execute a written form provided by the election judge that shall state or contain all of the following that is available:

(i) an affidavit stating the following:

State of Illinois, County of ....., Township ....., Precinct ....., Ward ....., I, ..., do solemnly swear (or affirm) that: I am a citizen of the United States; I am 18 years of age or older; I have resided in this State and in this precinct for 30 days preceding this election; I have not voted in this election; I am a duly registered voter in every respect; and I am eligible to vote in this election. Signature ..... Printed Name of Voter ..... Printed Residence Address of Voter ..... City ..... State .... Zip Code ..... Telephone Number ..... Date of Birth ..... and Illinois Driver's License Number ..... or Last 4 digits of Social Security Number ..... or State Identification Card Number issued to you by the Illinois Secretary of State.....

(ii) A box for the election judge to check one of the 6 reasons why the person was given a provisional ballot under subsection (a) of Section 18A-5.

(iii) An area for the election judge to affix his or her signature and to set forth any facts that support or oppose the allegation that the person is not qualified to vote in the precinct in which the person is seeking to vote.

The written affidavit form described in this subsection (b)(2) must be printed on a multi-part form prescribed by the county clerk or board of election commissioners, as the case may be.

(3) After the person executes the portion of the written affidavit described in subsection (b)(2)(i) of this Section, the election judge shall complete the portion of the written affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).

(4) The election judge shall give a copy of the completed written affidavit to the person. The election

judge shall place the original written affidavit in a self-adhesive clear plastic packing list envelope that must be attached to a separate envelope marked as a "provisional ballot envelope". The election judge shall also place any information provided by the person who casts a provisional ballot in the clear plastic packing list envelope. Each county clerk or board of election commissioners, as the case may be, must design, obtain or procure self-adhesive clear plastic packing list envelopes and provisional ballot envelopes that are suitable for implementing this subsection (b)(4) of this Section.

(5) The election judge shall provide the person with a provisional ballot, written instructions for casting a provisional ballot, and the provisional ballot envelope with the clear plastic packing list envelope affixed to it, which contains the person's original written affidavit and, if any, information provided by the provisional voter to support his or her claim that he or she is a duly registered voter. An election judge must also give the person written information that states that any person who casts a provisional ballot shall be able to ascertain, pursuant to guidelines established by the State Board of Elections, whether the provisional vote was counted in the official canvass of votes for that election and, if the provisional vote was not counted, the reason that the vote was not counted.

(6) After the person has completed marking his or her provisional ballot, he or she shall place the marked ballot inside of the provisional ballot envelope, close and seal the envelope, and return the envelope to an election judge, who shall then deposit the sealed provisional ballot envelope into a securable container separately identified and utilized for containing sealed provisional ballot envelopes. Ballots that are provisional because they are cast after 7:00 p.m. by court order shall be kept separate from other provisional ballots. Upon the closing of the polls, the securable container shall be sealed with filament tape provided for that purpose, which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and each of the election judges shall sign the seal.

(c) Instead of the affidavit form described in subsection (b), the county clerk or board of election commissioners, as the case may be, may design and use a multi-part affidavit form that is imprinted upon or attached to the provisional ballot envelope described in subsection (b). If a county clerk or board of election commissioners elects to design and use its own multi-part affidavit form, then the county clerk or board of election commissioners shall establish a mechanism for accepting any information the provisional voter has supplied to the election judge to support his or her claim that he or she is a duly registered voter. In all other respects, a county clerk or board of election commissioners shall establish procedures consistent with subsection (b).

(d) The county clerk or board of election commissioners, as the case may be, shall use the completed affidavit form described in subsection (b) to update the person's voter

registration information in the State voter registration database and voter registration database of the county clerk or board of election commissioners, as the case may be. If a person is later determined not to be a registered voter based on Section 18A-15 of this Code, then the affidavit shall be processed by the county clerk or board of election commissioners, as the case may be, as a voter registration application.

A2 Significant Changes to Election Law

PUBLIC ACT 98-1170 (HOUSE BILL 4576; EFFECTIVE DATE January 12, 2015)

Amends the Election Code. Provides that if there are more than 28 months remaining in the term of office for Secretary of State, State Comptroller, Treasurer or Attorney General, the appointed office holder shall serve until the next general election, at which time the office shall be filled by special election for the remainder of the term. Provides for nominations for special elections to fill the unexpired term of a vacant office. Effective immediately.

PUBLIC ACT 98-1171 (SENATE BILL 172; EFFECTIVE DATE June 1, 2015)

Amends the Election Code. Makes changes to the process of absentee voting (now "voting by mail"), the approval of election judges, the dissemination of election information online, provisions concerning voter registration, and provisions concerning registration grace periods. Provides that the State Board of Elections shall enter into an agreement with the Electronic Registration Information Center effective January 1, 2016, for the purpose of maintaining a statewide voter registration database. Provides that the State Board of Elections shall comply with the requirements of the Electronic Registration Information Center Membership Agreement. Makes corresponding changes. Provides that the Secretary of State may release personally identifying information or highly restricted personal information only to the State Board of Elections for the purpose of providing the signatures required by a local election authority to register a voter through an online voter registration system or as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system. Makes other changes. Amends the Revised Cities and Villages Act of 1941. Provides that, for the election following the redistricting of wards, and each election thereafter until the next redistricting of wards, petitions for nominations of candidates shall be signed by the number of legal voters of the ward as will aggregate not less than 4% of the total number of votes cast for mayor at the last preceding municipal election divided by the number of wards. Amends the Illinois Identification Card Act, the Revised Cities and Villages Act of 1941, the Illinois Public Aid Code, the Senior Citizens and Disabled Persons Property Tax Relief Act, and the Unemployment Insurance Act

making corresponding changes to meet the requirements of the Electronic Registration Information Center Membership Agreement.

PUBLIC ACT 99-0221 (SENATE BILL 1265; EFFECTIVE DATE July 31, 2015)

In a provision concerning vacancies in the office of Representative in Congress, provides that the Governor shall issue a Writ of Election if the vacancy occurs more than 240 days (instead of 180 days) before the next general election. Provides that the special election shall be held within 180 days (instead of 115 days) after the issuance of the Writ of Election. Provides that petitions for nomination shall be filed not more than 85 and not less than 82 days prior to the date of the special primary election, except that petitions of independent candidates and candidates of new political parties shall be filed not more than 93 and not less than 90 days prior to the date of the special election. Effective immediately.

House Joint Resolution Constitutional Amendment 36 (Adopted both Houses)

Directs program expenses to which the costs of administering laws related to vehicles and transportation shall be limited, and removes the Secretary of State, the Department of State Police, and the Department of Transportation, or their successor agencies, from the relevant provisions. Provides that if the General Assembly appropriates funds for a mode of transportation not described, the General Assembly must provide for a dedicated source of funding.

House Joint Resolution 154 (Adopted both Houses)

With respect to the amendment to the Revenue Article of the Illinois Constitution proposed by House Joint Resolution Constitutional Amendment 36 (which provides that no moneys derived from taxes, fees, excises, or license taxes, relating to registration, titles, operation, or use of vehicles or public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, or airports, or motor fuels, including bond proceeds, shall be expended for other than costs of administering laws related to vehicles and transportation, costs for construction, reconstruction, maintenance, repair, and betterment of public highways, roads, streets, bridges, mass transit, intercity passenger rail, ports, airports, or other forms of transportation, and other statutory highway purposes, including the State or local share to match federal aid highway funds), sets forth a brief explanation of the proposed amendment, a brief argument in favor of the amendment, a brief argument against the amendment, and the form in which the amendment will appear on the ballot.

PUBLIC ACT 99-0437 (SENATE BILL 248; EFFECTIVE DATE July 1, 2016)

Amends the Election Code. Provides that a political committee that makes independent expenditures of $1,000 or more shall file a report electronically with the Board within 5 business days after making the independent expenditure, except that the report shall be filed within 2 business days after making the independent expenditure during the 60-day period before an election.

PUBLIC ACT 99-0466 (HOUSE BILL 4078; EFFECTIVE DATE August 26, 2015)

Amends the Illinois Governmental Ethics Act. Provides that late term executive appointees shall serve no longer than 60 days into the term of office of the succeeding Governor. Provides that late term executive appointees may be retained by appointment, contract, or employment after the 60th day only if the public body takes official action at an open meeting of that public body after the succeeding Governor has taken office. Defines "late term executive appointee" to mean a person who is appointed, contracted with, or employed as a director, executive director, or other similar executive management position by any public body 90 or fewer days before the end of the then-serving Governor's term, when the then-serving Governor does not succeed himself or herself as Governor. Defines "public body". Amends the State Mandates Act to require implementation without reimbursement.

PUBLIC ACT 99-0522 (SENATE BILL 1529; EFFECTIVE DATE June 30, 2016)

Amends the Election Code. Allows the use of digitized signatures under the Code except for nominating or candidate petitions or referendum petitions. Creates the ERIC Operations Trust Fund as a nonappropriated trust fund held outside of the State treasury for the use by the State Board Elections for costs and expenses related to the participation in the Electronic Registration Information Center. Allows county clerks or election authorities to keep master files in a computer-based voter registration file or paper format, provided a secondary digital back-up is kept off site and kept current. Makes changes to calculating the number of primary electors. Allows election authorities to utilize an intelligent mail barcode tracking system. Makes various changes concerning the timing of issuance and counting of ballots under provisions of the Code concerning voting by mail and voting by absent electors in military or naval service. Allows pollwatchers to be present during the casting of the vote by absent electors in military or naval service. Extends authorization for fractional cumulative vote tabulation from December 31, 2015 to December 31, 2019.

Provides that any person who, having voted once, knowingly during any election (rather than on the election day) commits certain actions shall be guilty of a Class 3 felony. Repeals provisions concerning certain procedures for handling votes by absent electors in military or naval service. Provides electors for President and Vice-President of the United States may be chosen by State convention or by a political party's State central committee. Provides that a party may (rather than shall) hold a State convention. Provides that a party must certify its choices within 2 days after the meeting of the State central committee in which the electors were chosen. Makes conforming changes. Makes technical changes. Makes other changes. Amends the Township Code. Requires a township clerk to certify candidates to the proper election authorities not less than 68 days (rather than 61) before the township election. Amends the School Code. Removes provisions concerning certain paperwork which must be included for candidates to school boards. Effective immediately.

PUBLIC ACT 99-0546 (HOUSE BILL 4391; EFFECTIVE DATE July 15, 2016)

Amends the Township Code. Provides that a person is not eligible to hold any office if that person, at the time required for taking the oath of office, has been convicted in any court located in the United States of any infamous crime, bribery, perjury, or other felony.

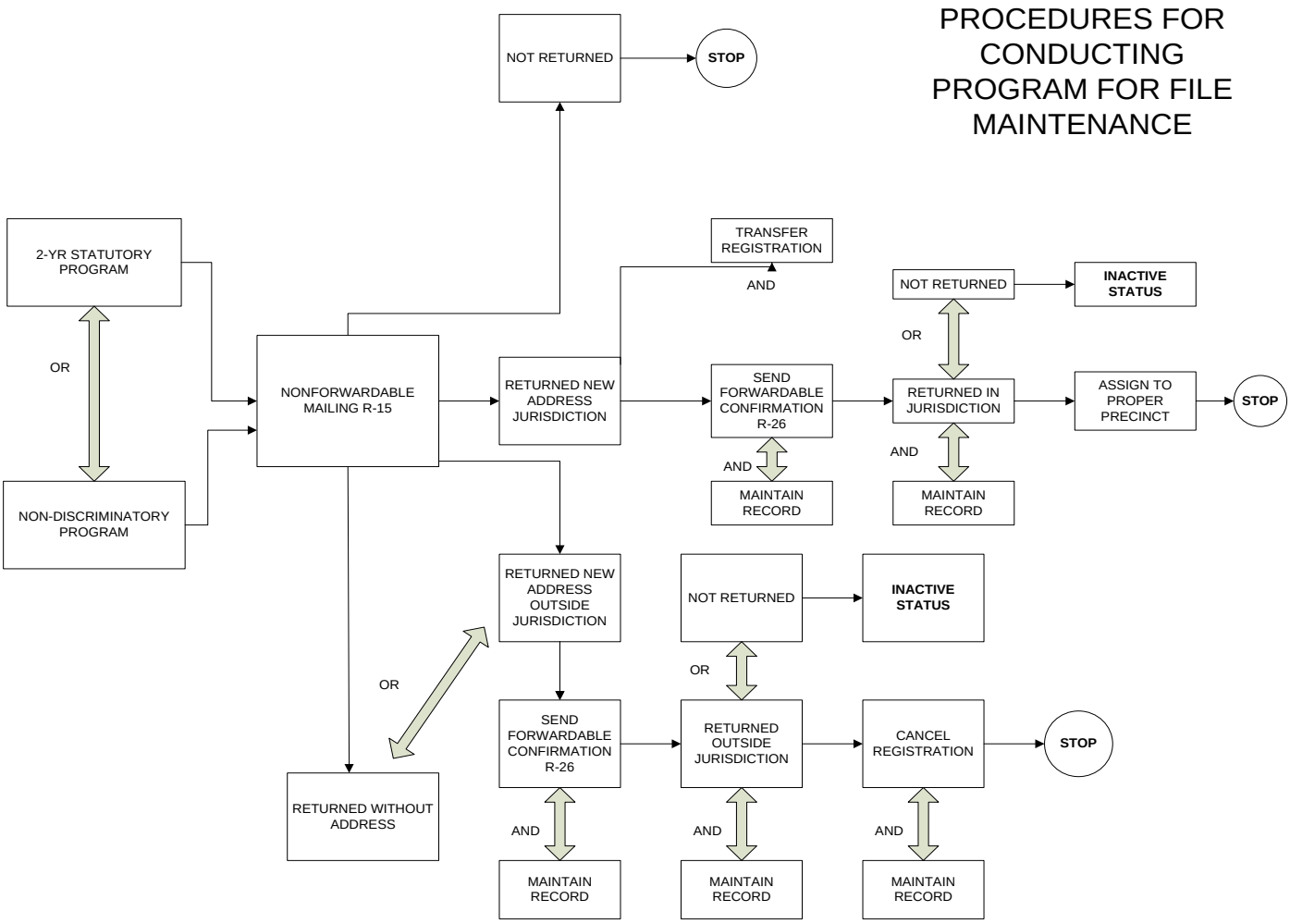
PUBLIC ACT 99-0722 (HOUSE BILL 6167; EFFECTIVE DATE August 5, 2016)

Amends the Election Code. Provides that a person who is 17 years old on the date of a caucus or consolidated primary election and who is other qualified to vote is qualified to vote at that consolidated primary if that person will be 18 years old on the date of the immediately following consolidated election for which candidates are nominated at that primary. Provides that an individual who is 17 years of age, will be 18 years of age on the date of the immediately following general or consolidated election, and is otherwise qualified to vote shall be deemed competent to circulate a nominating petition or a petition proposing a public question. Makes conforming changes. Effective immediately.

PUBLIC ACT 99-0796 (SENATE BILL 2861; EFFECTIVE DATE January 1, 2017)

Prohibits Guard members who are dismissed or dishonorably discharged from holding any elective or appointive office, position, or State or county employment for a period of 5 years unless such disability is removed by the Governor. Creates the Illinois Code of Military Justice (Code).

B2 & B3 Process to Move Voters



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B7. 10 ILCS 5/1A-16.5 Online Voter Registration

Sec. 1A-16.5. Online voter registration.

(a) The State Board of Elections shall establish and maintain a system for online voter registration that permits a person to apply to register to vote or to update his or her existing voter registration. In accordance with technical specifications provided by the State Board of Elections, each election authority shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the online voter registration system established by the State Board of Elections.

(b) The online voter registration system shall employ security measures to ensure the accuracy and integrity of voter registration applications submitted electronically pursuant to this Section.

(c) The Board may receive voter registration information provided by applicants using the State Board of Elections' website, may cross reference that information with data or information contained in the Secretary of State's database in order to match the information submitted by applicants, and may receive from the Secretary of State the applicant's digitized signature upon a successful match of that applicant's information with that contained in the Secretary of State's database.

(d) Notwithstanding any other provision of law, a person who is qualified to register to vote and who has an authentic Illinois driver's license or State identification card issued by the Secretary of State may submit an application to register to vote electronically on a website maintained by the State Board of Elections.

(e) An online voter registration application shall contain all of the information that is required for a paper application as provided in Section 1A-16 of this Code, except that the applicant shall be required to provide:

(1) the applicant's full Illinois driver's license or State identification card number;

(2) the last 4 digits of the applicant's social security number; and

(3) the date the Illinois driver's license or State identification card was issued.

(f) For an applicant's registration or change in registration to be accepted, the applicant shall mark the box associated with the following statement included as part of the online voter registration application:

"By clicking on the box below, I swear or affirm all of the following:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Illinois.

(2) All the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize the Secretary of State to transmit to the State Board of Elections my signature that is on file with the Secretary of State and understand that such signature will be

used by my local election authority on this online voter registration application for admission as an elector as if I had signed this form personally.".

(g) Immediately upon receiving a completed online voter registration application, the online voter registration system shall send, by electronic mail, a confirmation notice that the application has been received. Within 48 hours of receiving such an application, the online voter registration system shall send by electronic mail, a notice informing the applicant of whether the following information has been matched with the Secretary of State database:

(1) that the applicant has an authentic Illinois driver's license or State identification card issued by the Secretary of State and that the driver's license or State identification number provided by the applicant matches the driver's license or State identification card number for that person on file with the Secretary of State;

(2) that the date of issuance of the Illinois driver's license or State identification card listed on the application matches the date of issuance of that card for that person on file with the Secretary of State;

(3) that the date of birth provided by the applicant matches the date of birth for that person on file with the Secretary of State; and

(4) that the last 4 digits of the applicant's social security number matches the last 4 digits for that person on file with the Secretary of State.

(h) If the information provided by the applicant matches the information on the Secretary of State's databases for any driver's license and State identification card holder and is matched as provided in subsection (g) above, the online voter registration system shall:

(1) retrieve from the Secretary of State's database files an electronic copy of the applicant's signature from his or her Illinois driver's license or State identification card and such signature shall be deemed to be the applicant's signature on his or her online voter registration application;

(2) within 2 days of receiving the application, forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (i) the application, along with the applicant's relevant data that can be directly loaded into the jurisdiction's voter registration system and (ii) a copy of the applicant's electronic signature and a certification from the State Board of Elections that the applicant's driver's license or State identification card number, driver's license or State identification card date of issuance, and date of birth and social security information have been successfully matched.

(i) Upon receipt of the online voter registration application, the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration shall promptly search its voter registration database to determine whether the applicant is already registered to vote at the address on the application and

whether the new registration would create a duplicate registration. If the applicant is already registered to vote at the address on the application, the clerk or board, as the case may be, shall send the applicant by first class mail, and electronic mail if the applicant has provided an electronic mail address on the original voter registration form for that address, a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at such address. If the applicant is not already registered to vote at the address on the application and the applicant is otherwise eligible to register to vote, the clerk or board, as the case may be, shall:

(1) enter the name and address of the applicant on the list of registered voters in the jurisdiction; and

(2) send by mail, and electronic mail if the applicant has provided an electronic mail address on the voter registration form, a disposition notice to the applicant as otherwise provided by law setting forth the applicant's name and address as it appears on the application and stating that the person is registered to vote.

(j) An electronic signature of the person submitting a duplicate registration application or a change of address form that is retrieved and imported from the Secretary of State's driver's license or State identification card database as provided herein may, in the discretion of the clerk or board, be substituted for and replace any existing signature for that individual in the voter registration database of the county clerk or board of election commissioners.

(k) Any new registration or change of address submitted electronically as provided in this Section shall become effective as of the date it is received by the county clerk or board of election commissioners having jurisdiction over said registration. Disposition notices prescribed in this Section shall be sent within 5 business days of receipt of the online application or change of address by the county clerk or board of election commissioners.

(l) All provisions of this Code governing voter registration and applicable thereto and not inconsistent with this Section shall apply to online voter registration under this Section. All applications submitted on a website maintained by the State Board of Elections shall be deemed timely filed if they are submitted no later than 11:59 p.m. on the 16th day prior to an election. After the registration period for an upcoming election has ended and until the 2nd day following such election, the web page containing the online voter registration form on the State Board of Elections website shall inform users of the procedure for grace period voting.

(m) The State Board of Elections shall maintain a list of the name, street address, e-mail address, and likely precinct, ward, township, and district numbers, as the case may be, of people who apply to vote online through the voter registration system and those names and that information shall be stored in an electronic format on its website, arranged by county and accessible to State and local political committees.

(n) The Illinois State Board of Elections shall develop or

cause to be developed an online voter registration system able to be accessed by at least the top two most used mobile electronic operating systems by January 1, 2016.

(o) (Blank).

(p) Each State department that maintains an Internet website must include a hypertext link to the homepage website maintained and operated pursuant to this Section 1A-16.5. For the purposes of this Section, "State department" means the departments of State Government listed in Section 5-15 of the Civil Administrative Code of Illinois (General Provisions and Departments of State Government).

C6. 10 ILCS 5/18A-15 Validating and Counting Provisional Ballots

Sec. 18A-15. Validating and counting provisional ballots.

(a) The county clerk or board of election commissioners shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. The county clerk or board of election commissioners shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The State Board of Elections shall complete within 31 calendar days of the election or sooner if all the returns are received, its final canvass of the vote for all public offices.

(b) If a county clerk or board of election commissioners determines that all of the following apply, then a provisional ballot is valid and shall be counted as a vote:

(1) the provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter. The provisional voter's affidavit shall serve as a change of address request by that voter for registration purposes for the next ensuing election if it bears an address different from that in the records of the election authority. Votes for federal and statewide offices on a provisional ballot cast in the incorrect precinct that meet the other requirements of this subsection shall be valid and counted in accordance with this Article. As used in this item, "federal office" is defined as provided in Section 20-1 and "statewide office" means the Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. Votes for General Assembly, countywide, citywide, or township office on a provisional ballot cast in the incorrect precinct but in the correct legislative district, representative district, county, municipality, or township, as the case may be, shall be valid and counted in accordance with this Article. As used in this item, "citywide office" means an office elected by the electors of an entire municipality. As used in this item, "township office" means an office elected by the electors of an entire township;

(2) the affidavit executed by the provisional voter pursuant to subsection (b)(2) of Section 18A-5 contains, at a minimum, the provisional voter's first and last name,

house number and street name, and signature or mark;

(3) except as permitted by item (5) of subsection (b) of this Section, the provisional voter is a registered voter based on information available to the county clerk or board of election commissioners provided by or obtained from any of the following:

i. the provisional voter;

ii. an election judge;

iii. the statewide voter registration database maintained by the State Board of Elections;

iv. the records of the county clerk or board of election commissioners' database; or

v. the records of the Secretary of State; and

(4) for a provisional ballot cast under item (6) of subsection (a) of Section 18A-5, the voter did not vote by vote by mail ballot in the election at which the provisional ballot was cast; or

(5) for a provisional ballot cast under item (7) of subsection (a) of Section 18A-5, the voter provides the election authority with the necessary documentation within 7 days of election day.

(c) With respect to subsection (b)(3) of this Section, the county clerk or board of election commissioners shall investigate and record whether or not the specified information is available from each of the 5 identified sources. If the information is available from one or more of the identified sources, then the county clerk or board of election commissioners shall seek to obtain the information from each of those sources until satisfied, with information from at least one of those sources, that the provisional voter is registered and entitled to vote. The county clerk or board of election commissioners shall use any information it obtains as the basis for determining the voter registration status of the provisional voter. If a conflict exists among the information available to the county clerk or board of election commissioners as to the registration status of the provisional voter, then the county clerk or board of election commissioners shall make a determination based on the totality of the circumstances. In a case where the above information equally supports or opposes the registration status of the voter, the county clerk or board of election commissioners shall decide in favor of the provisional voter as being duly registered to vote. If the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is registered to vote, but the county clerk's or board of election commissioners' voter registration database indicates that the provisional voter is not registered to vote, then the information found in the statewide voter registration database shall control the matter and the provisional voter shall be deemed to be registered to vote. If the records of the county clerk or board of election commissioners indicates that the provisional voter is registered to vote, but the statewide voter registration database maintained by the State Board of Elections indicates that the provisional voter is not registered to vote, then the information found in the records of the county clerk or board of election commissioners shall control the matter and the

provisional voter shall be deemed to be registered to vote. If the provisional voter's signature on his or her provisional ballot request varies from the signature on an otherwise valid registration application solely because of the substitution of initials for the first or middle name, the election authority may not reject the provisional ballot.

(d) In validating the registration status of a person casting a provisional ballot, the county clerk or board of election commissioners shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter under subsection (b)(2) of Section 18A-5. In addition, the county clerk or board of election commissioners shall not require all provisional voters or any particular class or group of provisional voters to appear personally before the county clerk or board of election commissioners or as a matter of policy require provisional voters to submit additional information to verify or otherwise support the information already submitted by the provisional voter. Within 2 calendar days after the election, the election authority shall transmit by electronic means pursuant to a process established by the State Board of Elections the name, street address, e-mail address, and precinct, ward, township, and district numbers, as the case may be, of each person casting a provisional ballot to the State Board of Elections, which shall maintain those names and that information in an electronic format on its website, arranged by county and accessible to State and local political committees. The provisional voter may, within 7 calendar days after the election, submit additional information to the county clerk or board of election commissioners. This information must be received by the county clerk or board of election commissioners within the 7-calendar-day period.

(e) If the county clerk or board of election commissioners determines that subsection (b)(1), (b)(2), or (b)(3) does not apply, then the provisional ballot is not valid and may not be counted. The provisional ballot envelope containing the ballot cast by the provisional voter may not be opened. The county clerk or board of election commissioners shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid.".

(f) If the county clerk or board of election commissioners determines that a provisional ballot is valid under this Section, then the provisional ballot envelope shall be opened. The outside of each provisional ballot envelope shall also be marked to identify the precinct and the date of the election.

(g) Provisional ballots determined to be valid shall be counted at the election authority's central ballot counting location and shall not be counted in precincts. The provisional ballots determined to be valid shall be added to the vote totals for the precincts from which they were cast in the order in which the ballots were opened. The validation and counting of provisional ballots shall be subject to the provisions of this Code that apply to pollwatchers. If the provisional ballots are a ballot of a punch card voting system, then the provisional ballot shall be counted in a manner consistent with Article 24A. If the provisional ballots are a ballot of optical scan or other type of approved

electronic voting system, then the provisional ballots shall be counted in a manner consistent with Article 24B.

(h) As soon as the ballots have been counted, the election judges or election officials shall, in the presence of the county clerk or board of election commissioners, place each of the following items in a separate envelope or bag: (1) all provisional ballots, voted or spoiled; (2) all provisional ballot envelopes of provisional ballots voted or spoiled; and (3) all executed affidavits of the provisional ballots voted or spoiled. All provisional ballot envelopes for provisional voters who have been determined not to be registered to vote shall remain sealed. The county clerk or board of election commissioners shall treat the provisional ballot envelope containing the written affidavit as a voter registration application for that person for the next election and process that application. The election judges or election officials shall then securely seal each envelope or bag, initial the envelope or bag, and plainly mark on the outside of the envelope or bag in ink the precinct in which the provisional ballots were cast. The election judges or election officials shall then place each sealed envelope or bag into a box, secure and seal it in the same manner as described in item (6) of subsection (b) of Section 18A-5. Each election judge or election official shall take and subscribe an oath before the county clerk or board of election commissioners that the election judge or election official securely kept the ballots and papers in the box, did not permit any person to open the box or otherwise touch or tamper with the ballots and papers in the box, and has no knowledge of any other person opening the box. For purposes of this Section, the term "election official" means the county clerk, a member of the board of election commissioners, as the case may be, and their respective employees.

C7. 10 ILCS 5/24B-15 5% Re-Tab

Sec. 24B-15. Official Return of Precinct; Check of Totals; Retabulation. The precinct return printed by the automatic Precinct Tabulation Optical Scan Technology tabulating equipment shall include the number of ballots cast and votes cast for each candidate and proposition and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of applications for ballots in each precinct, the write-in votes, the total number of ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct retabulated to correct the return. The procedures for retabulation shall apply prior to and after the proclamation is completed; however, after the proclamation of results, the election authority must obtain a court order to unseal voted ballots except for election contests and discovery recounts. In those election jurisdictions that use in-precinct counting equipment, the certificate of results, which has been prepared by the judges of election after the ballots have been tabulated, shall be the document used for the canvass of votes for such

precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of totals which has been affixed to the certificate of results, the ballots for that precinct shall be retabulated to correct the return. As an additional part of this check prior to the proclamation, in those jurisdictions where in-precinct counting equipment is used, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction, as well as 5% of the voting devices used in early voting. The precincts and the voting devices to be retabulated shall be selected after election day on a random basis by the State Board of Elections, so that every precinct in the election jurisdiction and every voting device used in early voting has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts and voting devices which are to be retabulated. The State central committee chairman of each established political party shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure. The retabulation shall consist of counting the ballots which were originally counted and shall not involve any determination of which ballots were, in fact, properly counted. The ballots from the precincts selected for the retabulation shall remain at all times under the custody and control of the election authority and shall be transported and retabulated by the designated staff of the election authority.

As part of the retabulation, the election authority shall test the computer program in the selected precincts and on the selected early voting devices. The test shall be conducted by processing a preaudited group of ballots marked to record a predetermined number of valid votes for each candidate and on each public question, and shall include for each office one or more ballots which have votes in excess of the number allowed by law to test the ability of the equipment and the marking device to reject such votes. If any error is detected, the cause shall be determined and corrected, and an errorless count shall be made prior to the official canvass and proclamation of election results.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the retabulation and may be represented at the retabulation.

The results of this retabulation shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Code. Upon completion of the retabulation, the election authority shall print a comparison of the results of the retabulation with the original precinct return printed by the automatic tabulating equipment. The comparison shall be done for each precinct and for each early voting device selected for testing and for each office voted upon within that precinct or on that voting device, and the comparisons shall be open to the public. Upon completion of the retabulation, the returns shall be open to the public.

D3. 10 ILCS 5/17-23 Pollwatchers

Sec. 17-23. Pollwatchers in a general election shall be authorized in the following manner:

(1) Each established political party shall be entitled to

appoint two pollwatchers per precinct. Such pollwatchers must be affiliated with the political party for which they are pollwatching. For all elections, the pollwatchers must be registered to vote in Illinois.

(2) Each candidate shall be entitled to appoint two pollwatchers per precinct. For all elections, the pollwatchers must be registered to vote in Illinois.

(3) Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or prosecution of election frauds, and which shall have registered its name and address and the name and addresses of its principal officers with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. For all elections, the pollwatcher must be registered to vote in Illinois.

(3.5) Each State nonpartisan civic organization within the county or political subdivision shall be entitled to appoint one pollwatcher per precinct, provided that no more than 2 pollwatchers appointed by State nonpartisan civic organizations shall be present in a precinct polling place at the same time. Each organization shall have registered the names and addresses of its principal officers with the proper election authority at least 40 days before the election. The pollwatchers must be registered to vote in Illinois. For the purpose of this paragraph, a "State nonpartisan civic organization" means any corporation, unincorporated association, or organization that:

(i) as part of its written articles of incorporation, bylaws, or charter or by separate written declaration, has among its stated purposes the provision of voter information and education, the protection of individual voters' rights, and the promotion of free and equal elections;

(ii) is organized or primarily conducts its activities within the State of Illinois; and

(iii) continuously maintains an office or business location within the State of Illinois, together with a current listed telephone number (a post office box number without a current listed telephone number is not sufficient).

(4) In any general election held to elect candidates for the offices of a municipality of less than 3,000,000 population that is situated in 2 or more counties, a pollwatcher who is a resident of Illinois shall be eligible to serve as a pollwatcher in any poll located within such municipality, provided that such pollwatcher otherwise complies with the respective requirements of subsections (1) through (3) of this Section and is a registered voter in Illinois.

(5) Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. The pollwatcher must be registered to vote in Illinois.

All pollwatchers shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature(s) of the election authority or the State Board of Elections and shall be available for distribution by the election authority and State Board of Elections at least 2 weeks prior to the election. Such credentials shall be authorized by the real or facsimile signature of the State or local party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group, as the case may be. Neither the election authority nor the State Board of Elections may require any such party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group to submit the names or other information concerning pollwatchers before making credentials available to such persons or organizations.

Pollwatcher credentials shall be in substantially the following form:

POLLWATCHER CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, the undersigned hereby appoints ..... (name of pollwatcher) who resides at ..... (address) in the county of ....., ... (township or municipality) of ..... (name), State of Illinois and who is duly registered to vote from this address, to act as a pollwatcher in the ..... precinct of the ..... ward (if applicable) of the ..... (township or municipality) of ..... at the ..... election to be held on (insert date).

..... (Signature of Appointing Authority)

..... TITLE (party official, candidate, civic organization president, proponent or opponent group chairman)

Under penalties provided by law pursuant to Section 29-10 of the Election Code, the undersigned pollwatcher certifies that he or she resides at ..... (address) in the county of ....., ... (township or municipality) of ..... (name), State of Illinois, and is duly registered to vote in Illinois.

....

(Precinct and/or Ward in Which Pollwatcher Resides) (Signature of Pollwatcher)

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, he may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election. Pollwatchers may be substituted

during the course of the day, but established political parties, candidates and qualified civic organizations can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers. After the polls have closed pollwatchers shall be allowed to remain until the canvass of votes is completed; but may leave and reenter only in cases of necessity, provided that such action is not so continuous as to disrupt the canvass of votes.

Candidates seeking office in a district or municipality encompassing 2 or more counties shall be admitted to any and all polling places throughout such district or municipality without regard to the counties in which such candidates are registered to vote. Actions of such candidates shall be governed in each polling place by the same privileges and limitations that apply to pollwatchers as provided in this Section. Any such candidate who engages in an activity in a polling place which could reasonably be construed by a majority of the judges of election as campaign activity shall be removed forthwith from such polling place.

Candidates seeking office in a district or municipality encompassing 2 or more counties who desire to be admitted to polling places on election day in such district or municipality shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature of the State Board of Elections or the election authority of the election jurisdiction where the polling place in which the candidate seeks admittance is located, and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be signed by the candidate.

Candidate credentials shall be in substantially the following form:

CANDIDATE CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, I ..... (name of candidate) hereby certify that I am a candidate for ..... (name of office) and seek admittance to ..... precinct of the ..... ward (if applicable) of the ..... (township or municipality) of ..... at the ..... election to be held on (insert date).

.....	.....
(Signature of Candidate)	OFFICE FOR WHICH CANDIDATE SEEKS NOMINATION OR ELECTION

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the

voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election and shall not, in any event, be permitted to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.

If a majority of the judges of election determine that the polling place has become too overcrowded with pollwatchers so as to interfere with the orderly conduct of the election, the judges shall, by lot, limit such pollwatchers to a reasonable number, except that each established or new political party shall be permitted to have at least one pollwatcher present.

Representatives of an election authority, with regard to an election under its jurisdiction, the State Board of Elections, and law enforcement agencies, including but not limited to a United States Attorney, a State's attorney, the Attorney General, and a State, county, or local police department, in the performance of their official election duties, shall be permitted at all times to enter and remain in the polling place. Upon entering the polling place, such representatives shall display their official credentials or other identification to the judges of election.

Uniformed police officers assigned to polling place duty shall follow all lawful instructions of the judges of election.

The provisions of this Section shall also apply to supervised casting of vote by mail ballots as provided in Section 19-12.2 of this Act.