

State of Illinois

2020 GUIDE FOR ELECTION AUTHORITIES

General Primary: March 17, 2020

General Election: November 3, 2020

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Illinois State Board of Elections



Table of Contents

Introduction	2
Pre-Election Day Procedures	3
Voter Registration	3
Automatic Voter Registration	10
Grace Period Registration and Voting	11
Voting by Mail	13
Early Voting by Personal Appearance	16
Write-In Procedures	19
Public University Voting	20
Voting Procedures for Licensed Facilities	21
Polling Places – Use of Public Buildings	23
Election Day Procedures	25
Election Judges	25
Pollwatchers	27
Campaign Free Zones	29
Provisional Voting	31
Central Tabulation	35
Post-Election Day Procedures	38
Suggested Procedures for Processing and Tabulating Ballots Received After Election Day	38
Suggested Procedures for Validating and Tabulating Provisional Ballots	39
Canvassing Procedures	43
Publication Requirements Charts	46
Website Postings and Additional Requirements	51
Accessible Polling Places	56
Military and Overseas Voters	57
How to Create a Move Account	57
Military and Overseas Voters Frequently Asked Questions	57
National Change of Address (NCOA)	65
Electronic Registration Information Center (ERIC)	66
Resources	67

Introduction

This guide for Election Authorities for the March 17, 2020, General Primary and the November 3, 2020, General Election contains election administration procedures required by the Help America Vote Act of 2002 (“HAVA”), and includes recent updates to Illinois state election law. It is designed to assist election officials in implementing federal and state procedures and to provide statewide guidance for the General Primary and General Elections.

This Guide focuses on Election Day Procedures, including pre and post-election procedures, accessibility issues, Military/Overseas Voting, the MOVE Act, NCOA and ERIC. It is not intended to be an exhaustive recitation of federal and state law, but rather its purpose is to provide a helpful tool for election authorities to use and reference. This manual may be amended to include new legislation and court decisions. Please visit the Illinois State Board of Elections’ IVRS website under Support/Documents for any updates.

In addition, it should be noted that the material in this handbook represents the best understanding and interpretation of election law by the SBE. It should not, however, be considered a definitive legal opinion by the agency, and it should be understood that the agency cannot and does not provide advisory opinions. In the case of any unresolved questions requiring legal interpretation, election authorities should consult with their own state’s attorneys.

Other Publications

The State Board of Elections also produces additional guides that can be helpful when preparing to run for office. The Election and Campaign Finance Calendar lists more specific dates and deadlines to follow, the Local Election Officials Handbook details specific information assisting LEOs and the Candidate’s Guide has specific information pertaining to each office up for election in 2020.

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Pre-Election Day Procedures

VOTER REGISTRATION

Voter registration in Illinois is governed by all of the following: (1) the Illinois Election Code; (2) the National Voter Registration Act as implemented by Administrative Rule; and (3) the Help America Vote Act.

Age Requirements

A person who is 17 years old on the date of a primary election, and is otherwise qualified to vote, is qualified to vote at that primary election, if that person will be 18 years old on the date of the immediately following General Election. They are also deemed competent to execute and attest to any voter registration forms.

A person who is 17 years of age, and will be 18 years of age on the date of the immediately following General Election and is otherwise qualified to vote, is eligible to circulate a nominating petition or a petition proposing a public question.

Name Changes

Any registered voter who changes their name, by marriage or otherwise, is required to register anew and authorize the cancellation of their previous registration. If the voter still resides in the same precinct the elector may, if otherwise qualified, vote upon making an affidavit at the polling place attesting that the voter is the same person who is registered to vote under their former name. The affidavit shall be treated by the election authority as authorization to cancel the registration under the former name and the election authority shall register the person under his or her current name. Forms for this purpose shall be provided by the county clerk and shall, in all cases, be similar to the form furnished by the county clerk for county and state elections. (10 ILCS 4-16, 5-23, 6-54)

Voter Registration Forms

The State Board of Elections (“SBE”) is required to provide an internet registration form in both English ([SBE Form R-19](#)) and Spanish ([SBE Form R-19A](#)) that can be mailed or delivered by the applicant either to the applicant’s election authority or the SBE. Election authorities may also design and print their own registration forms as long as the requirements of 10 ILCS 5/1A-16, /4-8, /5-7 and /6-35 are met. All registration forms, whether created by an election authority, internet-based, or the duplicate or triplicate forms provided for in the Election Code, must include a space for the voter to include either an Illinois Driver’s License ID number or the last four digits of the applicant’s Social Security Number, and an option for the voter to enter an e-mail address. The forms must also have a space for a person without a Driver’s License or a Social Security Number to provide a Secretary of State ID number. If the voter has none of the prescribed ID numbers, they must so indicate and the state must assign this voter a unique identifier.

The SBE, election authorities and designated agencies must provide any member of the public “with any reasonable number of forms that they may request”. In addition, election authorities must provide any additional forms requested by a deputy registrar, regardless of how many unaccounted forms they may have in their possession. (10 ILCS 5/1A-16(e), 4-6.2, 5-16.2, 6-50.2)

Registering by Mail

Under the provisions of HAVA and the Illinois Election Code, a person who registers in Illinois using an Illinois Mail Registration form must answer the following questions:

- 1) "Are you a citizen of the United States?", and
- 2) "Will you be 18 years of age on or before the next Election Day OR are you currently 17 and will be 18 by the day of the next General Election?"

If the applicant answers "NO" to either question, the form indicates that the applicant should not complete the form. If the applicant does not answer either question, the election authority must notify the applicant that the form is incomplete and provide them an opportunity to complete the form. [10 ILCS 5/1A-16(d)(6), HAVA, Title III, Section 303(b) (4)(A) and (B)]

ID Requirements

People who register to vote by mail for the first time in a jurisdiction must provide identification when submitting the mail-in registration form. Acceptable forms of identification are: (10 ILCS 5/4-105, 5-105, 6-105):

- The person's driver's license number, State identification card number, or if the person does not have either of those, verification by the last 4 digits of the person's social security number; and
- A copy of current and valid identification, such as, a copy of a current utility bill, bank statement, paycheck, government check, other federal, State, or local government document that shows the person's name and address, or a photo identification issued by a college or university accompanied by either a copy of the applicant's contract or lease for a residence or any postmarked mail delivered to the applicant at their current residence address.

If the registrant does not provide ID when applying for registration by mail, they shall be notified by the election authority that their registration has not been fully completed and that they remain ineligible to vote by mail or in person until such proof is presented. The voter is required to provide ID the first time they vote. If a voter who is required to provide ID when voting for the first time cannot provide ID on Election Day, the voter may cast a provisional ballot. The voter must then provide ID to the election authority within **7 calendar days** after the election or the provisional ballot will not be counted. [10 ILCS 5/1A-16(a), 18A-5(a)(d)]

There are two exceptions to the above provision. First, if the election authority can match the Driver's License number or the last 4 digits of the individual's Social Security Number with an existing State identification record bearing the same number, name and date of birth, the voter will not be required to provide identification when registering or voting (including voting by mail or early voting). Second, those citizens who are entitled to vote under the Uniformed and Overseas Citizens Absentee Voting Act [52 U.S.C. 20302] (i.e. members of the military service and spouses or dependents who accompany them on active service and citizens temporarily residing overseas) do not have to provide copies of identification when registering to vote by mail.

First Time Voting

A person must vote for the first time in person and not a vote by mail ballot if the person registered to vote by mail, unless the person first provides the appropriate election authority with sufficient proof of identity and the election authority verifies the person's proof of identity, as detailed in the section of this manual titled "ID Requirements." Persons who apply to register to vote by mail but provide inadequate proof of identity to the election authority shall be notified by the election

authority that the registration has not been fully completed and that the person remains ineligible to vote by mail or in person until such proof is presented. [10 ILCS 5/4-105, 5-105, 6-105]

Note: This does not apply to individuals who have successfully registered to vote with the online voter registration program. Their information was verified before their registration was completed.

Processing Registration Forms

Election authorities are required to accept registration forms that are printed on regular stock or photocopier paper. Forms which must be accepted are:

- 1) Mail registrations postmarked on or before the close of regular registration;
- 2) Mail registrations not postmarked but delivered no later than 5 days after the close of regular registration;
- 3) Registrations submitted in person on or before the close of regular registration;
- 4) Grace period registration voters during the period after regular registration through Election Day; or
- 5) Submitted in person on or before the close of regular registration by a person who submits forms on behalf of others.

Forms that are delivered to the SBE must be date-stamped and forwarded to the appropriate election authority within 2 business days of receipt. [10 ILCS 1A-16(b)]

All applications submitted on a website maintained by the SBE shall be deemed timely filed if they are submitted no later than 11:50 p.m. on the 16th day prior to an election. The SBE will cross-reference information received via its website against data contained in the Secretary of State's database and then forward this information to the correct election jurisdiction.

Signature Requirements

The making and signing of any form may be by a signature written in ink or in digitized form. This includes: an application to register, a certificate authorizing cancellation of a registration, a certificate authorizing a transfer of registration, an application to vote, a provisional ballot, or affidavit. This does not include a nominating or candidate petition or referendum petition. (10 ILCS 5/1-13)

Mail Registration Application

When an individual or organization downloads, distributes, collects, and then delivers forms to the office of the election authority or the SBE, such forms should be treated as mail registration applications. Individuals must provide identification and must vote in person the first time they vote, unless the voter provides their driver's license number, State ID number, or last 4 digits of their social security number on the application. If no identification or identification number has been provided, Election authorities should categorize those registrations that they receive by mail from the SBE as "mail registration applications" for the purpose of determining which voters must provide ID and vote in person the first time. See ID Requirements section above for further information.

Online Voter Registration

(10 ILCS 5/1A-16.5, 4-33, 5-43, 6-79)

The SBE has established and maintains a system for online voter registration that permits a person to apply to register to vote or to update their existing voter registration.

In accordance with technical specifications provided by the SBE, each election authority shall maintain a voter registration system capable of receiving and processing voter registration application information, including electronic signatures, from the SBE's online voter registration system, and shall employ security measures to ensure the accuracy and integrity of voter registration applications submitted electronically.

The SBE may receive voter registration information provided by applicants using the SBE's website, 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 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.

Certain State agencies that maintain a website must provide a link to online voter applications as outlined in 1A-16.5 of the Illinois Election Code. 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 SBE.

Paperless Online Voter Application (POVA) Requirements

(10 ILCS 5/1A-16.5, 4-33, 5-43, 6-79)

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) Their full Illinois driver's license or State identification card number;
- 2) The last 4 digits of their social security number; and
- 3) The date the Illinois driver's license or State identification card was issued.

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."

Immediately upon receiving a completed online voter registration application, the online voter registration system shall send, by email, 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 email, a notice informing the applicant of whether the following information has been matched with the Secretary of State database:

- 1) 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) 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) 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) The last 4 digits of the applicant's social security number match the last four digits for that person on file with the Secretary of State.

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 the above section, 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 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 SBE 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.

Processing the POVA

(10 ILCS 5/1A-16.5)

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 shall send the applicant by first class mail, and email if the applicant has provided an email address on the original voter registration form, a disposition notice as otherwise required by law informing the applicant that they are 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 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 email, if the applicant has provided an email 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 state that the person is registered to vote.

Any new registration or change of address submitted electronically 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.

All applications submitted on a website maintained by the SBE shall be deemed timely filed if they are submitted by 11:59 p.m. on the 16th day prior to an election. After the regular 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 SBE's website will inform users of the procedure for grace period registration and voting.

Duplicate Paperless Online Voter Applications

(10 ILCS 5/1A-16.5)

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 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.

The SBE shall maintain a list of the name, street address, email 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. 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. Each state department that maintains an Internet website must include a hypertext link to the homepage website maintained and operated pursuant to 10 ILCS 5/1A-16.5.

E-mail Notification to Voters

The voter registration form includes a space giving individuals the option to include their email address. If an individual includes their email address on the form, election authorities may send Registration Cards, Notice of Erasure from Registration Records, Notice of Duplicate Registration, Notice of Registration Cancellation, Notice of Transfer of Registration, and Confirmation of address to the person via email as well as via postal mail.

If an election authority is required by law to send an election related notice to an individual, that election authority may send that notice solely by email if the individual provides a current email address to the election authority and authorizes the election authority to send notices by email. All voter information received by the election authorities shall be transmitted to and then stored in an electronic format on the SBE website, arranged by county and accessible to State and local political committees.

(10 ILCS 5/1-16 (a)(15), 4-8, 4-10, 4-12, 4-15, 5-7, 5-9, 5-15, 5-21, 6-29, 6-35, 6-40, 6-57)

Grace Period Registration

Grace period registration authorizes each election authority to establish procedures for the registration of voters and for change of addresses during the period from the close of regular registration for an election through Election Day. Grace period registration also provides change of address and registration for eligible residents at certain elder care facilities. Although the traditional voter regular registration period closes 28 days prior to the election, grace period registration extends that deadline from the 27th day prior to an election through Election Day itself. Grace period registration is only available "in-person" at sites designated by the election authority (and in some

jurisdictions, at polling places on Election Day). This extension is only available through the election authority, not through the deputy registrars. (10 ILCS 5/4-50, 5-50, 6-100)

Government Agency Voter Registration

(10 ILCS 5/1A-16.6)

Illinois residents are afforded the opportunity to register to vote through conducting business with select State agencies. The SBE has established and maintains a portal for government agency registration that permits individuals to electronically apply to register to vote or update their voter registration when they conduct business, either online or in person, with designated state agencies. The SBE's portal interfaces with the online voter registration system and is capable of receiving and process voter registration application information, including electronic signatures, from the designated agencies. (10 ILCS 5/1A-16.6)

The designated agencies are: Secretary of State's Driver Services and Vehicle Services Departments, the Department of Human Services, the Department of Healthcare and Family Services, the Department of Employment Security, and the Department on Aging. However, those agencies which have become Automatic Voter Registration ("AVR") agencies under the Section 5/1A-16.7 of the Election Code and its implementation are no longer designated agencies for this purpose. (10 ILCS 5/1A-16.6)

Pursuant to Section 5/1A-16.5, within 2 days of receiving this type of application, the SBE shall forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (1) the application along with the relevant data that can be directly loaded into the jurisdiction's voter registration system, and (2) a copy of the applicant's electronic signature and a certification from the SBE that the applicant's driver's license or State identification card number, driver's license or State identification's date of issuance, and date of birth and social security information that have been successfully matched. (10 ILCS 5/1A-16.5)

Upon receiving the online voter registration application from the SBE, 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 provided 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 shall send the applicant by first class and email, if provided, the original voter registration form for that address, and a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at the provided address. If the applicant is not already registered to vote at the address provided and the applicant is otherwise eligible to register to vote, the clerk or board shall (1) enter the name and address of the applicant on the lists of registered voters in the jurisdiction and (2) send by mail and email, if provided, 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. (10 ILCS 5/1A-16.5)

Any new registration or change of address submitted electronically 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 shall be sent within 5 days of receipt of the online application or change of address by the county clerk or board of election commissioners. (10 ILCS 5/1A-16.5)

Automatic Transfer of Registration

A voter's registration will also be updated through regular cross-reference of statewide voter registration database by the SBE against the U.S. Postal Service's National Change of Address base. This cross-reference occurs twice each calendar year. In odd-numbered years, it occurs on April 15th and October 1st. In even-numbered years, it occurs on April 15th and December 1st. (10 ILCS 5/1A-16.8)

The SBE shall share its findings with election authorities. The election authorities must then automatically register any voter who has moved into their jurisdiction from another jurisdiction in Illinois, 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 includes the previous registration address is a different election authority, then that election authority provides the same opportunity to reject the change in registration address through a mailing sent by forwardable mail to the previous registration address.

This change in registration shall trigger the same inter-jurisdictional or intra-jurisdictional workflows as if the voter completed a new registration card, including the cancellation of the voter's previous registration. Should the registration of a voter be changed from one address to another within the State, and should the voter appear at the polls and offer to vote from the prior registration address attesting that the prior registration address is the true current address, the voter, if confirmed by the election authority as having been registered at the prior registration address and canceled only by the process authorized by this Section, shall be issued a regular ballot and the change of registration address shall be canceled. If the election authority is unable to immediately confirm the registration, the voter shall be issued a provisional ballot.

AUTOMATIC VOTER REGISTRATION **(10 ILCS 5/1A-16.1, 16.2, 16.7, 16.8)**

The SBE has established and maintains a portal for automatic government agency voter registration. This permits an eligible person to electronically apply to register to vote or to update their existing voter registration through conducting business with designated automatic voter registration agencies. These designated agencies are: the Secretary of State, the Department of Human Services' divisions of Family and Community Services and Rehabilitation Services, the Department of Employment Security, the Department of Financial and Professional Regulation, and the Department of Natural Resources. The Election Code also affords other State or Federal Agencies with access to reliable personal information to engage in automatic voter registration, though as of the date of this publication, no other agencies have entered into contracts for such with the SBE.

The portal for automatic government agency voter registration interfaces with the online voter registration system already established and is capable of receiving and processing voter registration application information, including electronic signatures, from the Office of the Secretary of State and each designated automatic voter registration agency.

The Office of the Secretary of State and each designated automatic voter registration agency shall maintain a data transfer mechanism capable of transmitting voter registration application information,

including electronic signatures where available, to the online voter registration system. Pursuant to Section 5/1A-16.5, within 2 days of receiving this type of registration, the SBE shall forward to the county clerk or board of election commissioners having jurisdiction over the applicant's voter registration: (1) the application along with the relevant data that can be directly loaded into the jurisdiction's voter registration system, and (2) a copy of the applicant's electronic signature and a certification from the SBE that the applicant's driver's license or State identification card number, driver's license or State identification's date of issuance, and date of birth and social security information that have been successfully matched. (10 ILCS 5/1A-16.5)

Upon receiving the online voter registration application from the SBE, 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 provided 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 shall send the applicant by first class and email, if provided, the original voter registration form for that address, and a disposition notice as otherwise required by law informing the applicant that he or she is already registered to vote at the provided address. If the applicant is not already registered to vote at the address provided and the applicant is otherwise eligible to register to vote, the clerk or board shall (1) enter the name and address of the applicant on the lists of registered voters in the jurisdiction and (2) send by mail and email, if provided, 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. (10 ILCS 5/1A-16.5)

Any new registration or change of address submitted electronically 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 shall be sent within 5 days of receipt of the online application or change of address by the county clerk or board of election commissioners. (10 ILCS 5/1A-16.5)

GRACE PERIOD REGISTRATION AND VOTING **(10 ILCS 5/4-50, 5-50, 6-100)**

Grace period registration and voting starts after the last day for regular registration and goes through the day of the election. For the 2020 General Primary election, this period is February 19, 2020, through March 17, 2020. For the 2020 General Election, this period is October 7, 2020, through November 3, 2020.

During this grace period an unregistered, qualified elector may register to vote and a registered voter may submit a change of address form. Grace period registration and voting can take place in person in the office of the election authority, at a permanent polling place established under Section 19A-10, at any other early voting site beginning 15 days prior to the election, at a polling place on Election Day, or at a voter registration location specifically designed for this purpose by the election authority. Grace period registration and changes of address shall also be conducted for eligible residents in connection with voting at nursing homes and similar facilities under Section 19-12.2 of the Election Code.

If a voter who registers or changes address during this grace period wishes to vote at the general or primary election occurring during the grace period, they must do so by grace period voting. The election authority shall offer in-person grace period voting at the election authority's office, any permanent polling place established under Section 19A-10, any other early voting site beginning 15

days prior to the election, and at a polling place on Election Day where grace period registration is required by the Illinois Election Code. The election authority may offer in-person grace period voting at additional hours and locations specifically designed for the purpose of grace period voting.

The election authority may allow grace period voting by mail only if the election authority has no ballots prepared at the election authority's office. Grace period voting shall be in a manner substantially similar to voting under Article 19A of the Election Code.

A person who casts a grace period ballot shall not be permitted to revoke that ballot and vote another ballot with respect to that primary or General Election. Ballots cast by persons who register or change address during the grace period at a location other than their designated polling place on Election Day must be transmitted to and counted at the election authority's central ballot counting location, and shall not be transmitted to and counted at precinct polling places. The grace period ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

In counties with a population of less than 100,000 that do not have electronic pollbooks, the election authority may opt out of grace period registration and voting in the polling place if the election authority establishes grace period registration and voting at other sites on Election Day at the following sites: (i) the election authority's main office, and (ii) a polling place in each municipality where 20% or more of the county's residents reside if the election authority's main office is not located in that municipality. The election authority may establish other grace period registration and voting sites on Election Day, provided that the election authority has met the notice requirements of Section 19A-25 for permanent and temporary early voting sites.

Reporting Requirements

The election authority shall maintain a list of all voters who have applied for and/or voted a vote by mail, early, or grace period ballot. This list shall be posted within one business day of receipt 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 the list may be viewed without the necessity of requesting permission. Within one day of posting this list, the election authority shall transmit by electronic means pursuant to a process established by the SBE the voter's name, street address, email address, precinct, ward, township, and district numbers, as the case may be, to the SBE, 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.

(10 ILCS 5/4-50, 5-50, 6-100, 19-4, 19-7, 19A-35)

The SBE has defined a standard, electronic format for submission of pre-election ballot requests via the secure Illinois Voter Registration Services (IVRS) website. The information is transmitted automatically from each election authority's Voter Registration system into IVRS if their vendor has made all the necessary changes.

Note: Please contact Voting and Registration Services Director Kyle Thomas at 217-782-1590 for questions regarding the IVRS website or the Pre-Election Ballot Request program.

VOTING BY MAIL **(10 ILCS 5/19)**

A vote by mail ballot may be applied for either in person, by mail, or electronically on the website of the appropriate election authority (if available), 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. **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. (10 ILCS 5/19-2, 19-4)

The election authority shall provide printed slips giving full instructions regarding the manner of marking and returning the ballot in order that it may be counted. Also enclosed with each vote by mail ballot or application shall be written instructions on how voting assistance shall be provided pursuant to Section 17-14 and a document, written and approved by the SBE, informing the vote by mail voter of the required postage for returning the application and ballot, and enumerating the circumstances under which a person is authorized to vote by vote by mail ballot. The vote by mail voter shall make and subscribe to the certifications provided for in the application and on the return envelope for the ballot. After the voter endorses their certification upon the back of the envelope, the envelope shall be mailed in person by such voter, postage prepaid, to the election authority issuing the ballot., If more convenient, the ballot may be delivered in person by either the voter or by any person authorized by the voter to take the ballot and ballot envelope of a voter for return to the election authority. If the voter authorized a person to deliver the ballot to the election authority, the voter and the person authorized to deliver the ballot shall complete the authorization printed on the exterior envelope supplied by an election authority for the return of the vote by mail ballot. The exterior of the envelope supplied by an election authority for the return of the vote by mail ballot shall include a completed authorization. (10 ILCS 5/19-4, 19-5, 19-6)

Note: Individual election authorities may accept electronic applications for vote by mail ballots through their websites, if a website is available. An electronic signature may be used and accepted on the application for a vote by mail ballot. (10 ILCS 5/19-2, 5/19-3, 5/19-4)

Ballots Returned to the Election authority

Each vote by mail ballot returned to an election authority, by means authorized by Article 19 of the Election Code, and received by that election authority before the closing of the polls on Election Day shall be endorsed by the receiving election authority with the day and hour of receipt and may be processed by the election authority beginning on the day it is received in the central ballot counting location, but the results of the processing may not be counted until after the polls close on the day of the election. [10 ILCS 5/19-8(b)]

If the voter authorized a person to deliver the ballot to the election authority, the voter and the person authorized to deliver the ballot shall complete the authorization printed on the exterior envelope supplied by an election authority for the return of the vote by mail ballot. The exterior of the envelope shall include an authorization in substantially the form prescribed in 10 ILCS 5/19-6 of the Illinois Election Code.

Vote by Mail Ballots Returned by Mail

Each vote by mail ballot that is mailed to an election authority and postmarked no later than Election Day, but that is received by the election authority after the polls close on Election Day and before the close of the period for counting provisional ballots (the 14 day period following the election), shall be

endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location during the period for counting provisional ballots. [10ILCS 5/19-8(c)]

Each vote by mail voter's ballot that is mailed to an election authority absent a postmark or a barcode usable with an intelligent mail barcode tracking system, but that is received by the election authority after the polls close on Election Day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of the receipt, opened to inspect that date inserted on the certification and, if the certification date is a date prior to or including Election Day and the ballot is otherwise found to be valid under the requirements of this section, counted at the central ballot counting location of the election authority during the period for counting provisional ballots. Absent a date on the certification, that ballot shall not be counted.

Special Write-In Vote by Mail Ballots

Special write-in vote by mail blank ballots returned to an election authority, by means authorized by Article 19 of the Election Code, and received by the election authority at any time before the closing of the polls on Election Day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location during the same period provided for counting vote by mail ballots. Special write-in- vote by mail blank ballots that are mailed to an election authority and postmarked no later than Election Day, but that are received by the election authority after the polls close on Election Day and before the closing of the period for counting provisional ballots, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same periods provided for counting provisional and vote by mail ballots. [10 ILCS 5/19-8(d)]

Who Can Return Vote by Mail Ballots?

Vote by mail ballots can be returned by any person authorized by the voter. If the voter authorized a person to deliver the ballot to the election authority, the voter and the person authorized to deliver the ballot shall complete the authorization printed on the exterior envelope supplied by an election authority for the return of the vote by mail ballot. (10 ILCS 5/19-6)

Invalid or Uncounted Ballots

Except as otherwise provided in Section 19, invalid or uncounted vote by mail ballots and special write-in vote by mail blank ballots received by the election authority after the closing of the polls on an Election Day shall be endorsed by the election authority receiving them with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election (22 months), and shall then, without being opened, be destroyed in like manner as the used ballots of that election. (10 ILCS 5/19-8(e); 52 USC 20701)

Counting Vote by Mail Ballots

The procedures set forth in Articles 17 and 18 of the Illinois Election Code shall apply to the counting of vote by mail ballots. In addition, within 2 days after a vote by mail ballot is received, the election judge or official shall compare the voter's signature on the certification envelope of that vote by mail ballot with the signature of the voter on file in the office of the election authority. If the election judge or official determines that the 2 signatures match and that the vote by mail voter is otherwise qualified to cast a vote by mail ballot, the election authority shall cast and count the ballot on Election Day or the day the ballot is determined to be valid, whichever is later, adding the results to the precinct in which the voter is registered.

If the election judge or official determines that the signatures do not match, or that the vote by mail voter is not qualified to cast a vote by mail ballot, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot. A vote by mail ballot may also be rejected by the election judge or official for reasons such as:

- The ballot envelope is open or has been opened and resealed;
- The voter has already cast a vote by mail, early, or grace period ballot;
- The voter voted in person on Election Day;
- The voter is not a duly registered voter in the precinct; or
- Any other basis set forth in the Illinois Election Code.

Rejected Vote by Mail Ballots

If a vote by mail ballot is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection, but in all cases before the close of the period for counting provisional ballots, notify the vote by mail voter that their ballot was rejected. The notice shall inform the voter of the reason(s) the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting their contention that the ballot should be counted.

The election authority shall appoint a panel of 3 election judges to review the contested ballot, application and certification envelope, as well as any evidence submitted by the vote by mail voter. No more than 2 election judges on the reviewing panel shall be of the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested vote by mail ballot. The judges' determination shall not be reviewable either administratively or judicially.

A vote by mail ballot as described above that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

Note: All vote by mail ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened. [10ILCS 5/19-8(h)]

Each political party, candidate and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges or election officials therein assigned.

Report on Vote by Mail Ballots

On or before the 21st day after an election, each election authority shall transmit to the SBE the following information with respect to that election:

- 1) The number, by precinct, of vote by mail ballots requested, provided, and counted;
- 2) The number of rejected vote by mail ballots;
- 3) The number of voters seeking review of rejected vote by mail ballots pursuant to 10 ILCS 5/19-8(g-5); and
- 4) The number of vote by mail ballots counted following review pursuant to 10 ILCS 5/19-8(g-5).

On or before the 28th day after an election, the SBE shall compile the information received under this Section with respect to that election and make that information available to the public. (10 ILCS 5/19-20)

The election authority shall also maintain a list of voters who have applied for and/or voted a vote by mail, early, or grace period ballot. This list shall be posted within one business day 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 the list may be viewed without the necessity of requesting permission. Within one day of posting this list, the election authority shall transmit by electronic means pursuant to a process established by the SBE the voter's name, street address, email address, precinct, ward, township, and district numbers, as the case may be, to the SBE, 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.

(10 ILCS 5/4-50, 5-50, 6-100, 19-4, 19-7, 19A-35)

The SBE has defined a standard, electronic format for submission of pre-election ballot requests via the secure Illinois Voter Registration Services (IVRS) website. The information is transmitted automatically from each election authority's Voter Registration system into IVRS if their vendor has made all the necessary changes.

Note: Please contact Voting and Registration Services Director Kyle Thomas at 217-782-1590 for questions regarding the IVRS website or the Pre-Election Ballot Request program.

EARLY VOTING BY PERSONAL APPEARANCE **(10 ILCS 19A)**

Period for Early Voting Hours

An early voting ballot may be applied for only by personal appearance and must be voted on the premises of the election authority, except as otherwise provided, and returned to the election authority. The period for early voting by personal appearance begins the 40th day preceding an election and extends through the end of the day before the election. [10 ILCS 5/19A-15(a)]

Conducting Early Voting

Early voting at an early voting polling place must be conducted by either election judges or election authority appointees. The election authority may appoint an employee or, if appropriate, designate a municipal clerk, township clerk, or road district clerk to serve as the election official in charge of a polling place for early voting. If the election authority uses an employee or designates a municipal, township, or road district clerk then the election authority may also appoint as many additional election officials as it deems necessary for the proper conduct of the election.

In conducting early voting, 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) that the applicant is a registered voter, (ii) the precinct in which the applicant is registered, and, (iii) 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.

The election judge or official must verify the applicant's registration from the most recent poll list provided by the election authority. If the applicant is not listed on that poll list, then by telephoning the office of the election authority. [10 ILCS 5/19A-35(b)]

During the early voting period, if a request is made to vote early by a registered voter in person, the election authority shall issue a ballot for early voting to the voter. The ballot must be voted on the premises of the election authority and returned to the election authority immediately upon completion of voting the early ballot.

A person requesting an early voting ballot to whom a vote by mail ballot was issued, may vote early if the person submits that vote by mail ballot to the judges of election or official conducting early voting 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 judges or official: (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 judges or official 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.

[10 ILCS 5/19A-35(b-5)]

Permanent Polling Places for Early Voting

An election authority may establish permanent polling places for early voting by personal appearance at locations throughout the election authority's jurisdiction including, but not limited to, a municipal clerk's office, a township clerk's office, a road district clerk's office, or a county or local public agency office. Any person entitled to vote early by personal appearance may do so at any polling place established for early voting. [10 ILCS 5/19A-10(a)]

In **counties with a population over 250,000**: each election authority shall establish at least one permanent polling place for early voting by personal appearance at a location within each of the 3 largest municipalities within its jurisdiction during each General Primary and General Election. If any of the 3 largest municipalities has a population over 80,000, the election authority shall establish at least 2 permanent polling places within the municipality. All population figures shall be determined by the federal census. [10 ILCS 5/19A-10(c)]

Municipal Board of Election Commissioners with a population over 100,000: established under Article 6 of this code, the board of election commissioners shall establish at least 2 permanent polling places for early voting by personal appearance during the General Primary and General Election. All population figures shall be determined by the federal census. [10 ILCS 5/19A-10(d)]

In **counties with a population over 100,000 but under 250,000**: each election authority shall establish at least one permanent polling place for early voting by personal appearance during each General Primary and General Election. The location for early voting may be the election authority's main office or another location designated by the election authority. The election authority may designate additional sites for early voting by personal appearance. All population figures shall be determined by the federal census. [10 ILCS 5/19A-10(e)]

No permanent polling place required by this Section shall be located within 1.5 miles from another permanent polling place required by this Section, unless such permanent polling place is within a municipality with a population of 500,000 or more. [10 ILCS 5/19A-10(f)]

Permanent Polling Place Hours

(10 ILCS 5/19A-15)

Permanent polling places for early voting must be open beginning the 15th day before an election during the hours of 8:30 a.m. – 4:30 p.m. or 9:00 a.m. – 5:00 p.m. on weekdays. For the General

Primary, this date is March 2, 2020, and for the General Election, this date is October 19, 2020.

From the 8th day preceding the election through the day before the election, permanent polling places must be open:

Weekdays: 8:30 a.m. – 7:00 p.m. or 9:00 a.m. – 7:00 p.m.
Saturdays: 9:00 a.m. – 12:00 p.m.
Sundays: 10:00 a.m. – 4:00 p.m.

From the 8th day preceding the election through the day before the election, permanent polling places established outside of the mandatory population guidelines of 10 ILCS 5/19A-10(c), (d) and (e) must be open on holidays from 9:00 a.m. - 12:00 p.m. For the General Primary, this date is March 9, 2020, and for the General Election, this date is October 26, 2020.

During the entire early voting period, permanent polling places designated by an election authority under the mandatory population guidelines of 10 ILCS 5/19A-10(c), (d) and (e) must remain open for a total of at least 8 hours on any holiday and must also be open on the final weekend before election for at least 14 hours. These open hours must include the hours noted in the paragraph above.

An election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency or other force majeure. The election authority shall notify the SBE of any closure and shall make reasonable efforts to provide notice to the public of an alternative location.

Temporary Branch Polling Places

(10 ILCS 5/19A-20)

In addition to permanent polling places for early voting, the election authority may establish temporary branch polling places for early voting. Voting at a temporary branch polling place may be conducted on one or more days and during any hours within the period for early voting by personal appearance that are determined by the election authority. The schedules for conducting voting do not need to be uniform among the temporary branch polling places.

Schedule for Early Voting

The election authority shall publish a schedule for early voting during the week before the period for early voting, and at least once each week during the period for early voting, in a newspaper of general circulation in the election authority's jurisdiction. The schedule must state:

- The location of each permanent and temporary polling place for early voting;
- Precincts served by each location; and
- Dates and hours that early voting will be conducted at each location.

The election authority shall post a copy of the schedule at any office or other location that is to be used as a polling place for early voting. The schedule must be posted continuously for a period beginning not later than the 10th day before the first day of the period for early voting by personal appearance and ending on the last day of that period. The election authority must make copies of the schedule available to the public without charge during the period of posting. If the election authority maintains a website, it shall make the schedule available on its website.

No additional permanent polling places for early voting may be established after the schedule is published, but additional temporary locations may be established after the schedule is published,

provided that the location is open to all eligible voters. At least 10 days before the period for early voting begins, each election authority shall provide the SBE with a list of all early voting sites and the hours each site will be open. (10 ILCS 5/19A-25)

Polling Places Available for Child Sex Offenders

If an election authority designates one or more permanent or temporary early voting polling places, the election authority must designate at least one permanent or temporary early voting polling place that a qualified elector who is a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012 may enter without violating Section 11-9.3 of that Code. (10 ILCS 5/19A-10.5)

Pollwatchers

Pollwatchers may be appointed to observe early voting at each permanent and temporary polling place where early voting is conducted. Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the early voting, provided the secrecy of the ballot is not compromised and that they do not handle any election materials or equipment.

For early voting each candidate, political party, or organization of citizens may appoint only one pollwatcher for each location where early voting is conducted. Pollwatchers must be registered voters in Illinois and possess valid pollwatcher credentials issued by the election authority or the SBE. (10 ILCS 5/19A-60)

Reporting Requirements

The election authority shall maintain a list of all voters who have applied for and/or voted a vote by mail, early or grace period ballot. This list shall be posted within one business day of receipt 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 the list may be viewed without the necessity of requesting permission. Within one day of posting this list, the election authority shall transmit by electronic means pursuant to a process established by the SBE the voter's name, street address, email address, precinct, ward, township, and district numbers, as the case may be, to the SBE, 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.

(10 ILCS 5/4-50, 5-50, 6-100, 19-4, 19-7, 19A-35)

The SBE has defined a standard, electronic format for submission of pre-election ballot requests via the secure Illinois Voter Registration Services (IVRS) website. The information is transmitted automatically from each election authority's Voter Registration system into IVRS if their vendor has made all the necessary changes.

Note: Please contact Voting and Registration Services Director Kyle Thomas at 217-782-1590 for questions regarding the IVRS website or the Pre-Election Ballot Request program.

WRITE-IN PROCEDURES **(10 ILCS 5/7-59, 17-16.1, 18-9.1)**

A write-in candidate must file a notarized Declaration of Intent to Be a Write-In Candidate no later than 61 days prior to the election. For the General Primary election, that date is January 16, 2020, and for the General Election, that date is September 3, 2020.

The only exception to filing a notarized Declaration of Intent to Be a Write-In Candidate is whenever an objection to a candidate's nominating papers is sustained after the 61st day before the election. In

that case, the candidate may file a notarized Declaration of Intent to Be a Write-In Candidate for that office with the proper election authority or authorities in those jurisdictions in which the individual is seeking to be a write-in candidate no later than 7 days prior to the election. Declaration of Intent forms are not to be filed with the SBE, regardless of the office.

The Declaration of Intent to Be a Write-In Candidate form can be obtained from the election authority's office or the SBE.

To qualify as a candidate for an established political party in a General Election, a write-in candidate at the immediately preceding primary election for that party must receive the number of votes that is **equal to or greater** than the number of signatures required on a petition for that office, if the number of candidates whose names appear on the primary ballot is less than the number of persons the party is entitled to nominate or elect to that office at the primary election.

The number of votes required for write-in candidates to be nominated or elected to an office at a primary election as outlined above does not apply if:

- The number of votes the candidate receives exceeds the number of votes received by at least one of the candidates whose name was printed on the ballot for nomination or election to the same office; or
- The number of candidates whose names appear on the ballot equals or exceeds the number of persons the party is entitled to nominate or elect to that office.

A winning write-in candidate who received the required number of votes at a primary election must file:

- 1) A statement of candidacy;
- 2) A receipt for the filing of the statement of economic interest (exception: federal and party offices); and
- 3) A loyalty oath (optional).(10 ILCS 5/2-1)

These forms must be filed with the certifying officer or board within 10 days of the canvass. (For example: winning write-in candidate for State Representative would file with the SBE.)

Note: The minimum write-in vote requirements only apply to primaries. Once a candidate gets to the General Election (or Consolidated Election) all one needs to do to win office is get the most votes.

A candidate who is defeated for nomination at the General Primary election is prohibited from filing a declaration of intent to be a write-in candidate at the subsequent General Election.

PUBLIC UNIVERSITY VOTING **(10 ILCS 5/1-12)**

Each applicable election authority, in addition to the early voting conducted at locations otherwise required by law, shall conduct early voting and grace period registration and voting at the student union on the campus of a public university within the election authority's jurisdiction. The voting must be conducted from the 6th day through the 4th day before an election. Voting must be open from 10:00 a.m. to 5:00 p.m. and as otherwise required by Article 19A of the Illinois Election Code. If an election authority has voting equipment that can accommodate a ballot in every form required in their 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. If the election

authority does not have such voting equipment, then the election authority may limit early voting and grace period registration and voting under this section to voters in precincts where the public university is located and precincts bordering the university. Each public university shall make the space available at the student union for voting, and cooperate and coordinate with the appropriate election authority on the implementation of this section.

Note: This requirement is only for voting held during the General Primary and General Election years. No public university voting is required to be conducted during the consolidated election year.

Defining Terms

"Public university" means the University of Illinois, Illinois State University, Chicago State University, Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University, and Northeastern Illinois University.

"student union" means the Student Center at 750 S. Halsted on the University of Illinois-Chicago campus; the Public Affairs Center at the University of Illinois at Springfield or a new building completed after the effective date of this Act housing student government at the University of Illinois at Springfield; the Illini Union at the University of Illinois at Urbana-Champaign; the SIUC Student Center at the Southern Illinois University at Carbondale campus; the Morris University Center at the Southern Illinois University at Edwardsville campus; the University Union at the Western Illinois University at the Macomb campus; the Holmes Student Center at the Northern Illinois University campus; the University Union at the Eastern Illinois University campus; NEIU Student Union at the Northeastern Illinois University campus; the Bone Student Center at the Illinois State University campus; the Cordell Reed Student Union at the Chicago State University campus; and the Hall of Governors in Building D at the Governors State University campus.

VOTING PROCEDURES AT LICENSED FACILITIES **(10 ILCS 5/19-4, 19-5, 19-12.2)**

I. CERTIFICATION OF LICENSED FACILITIES

- A. Not less than 120 days before each regular election, the Department of Public Health shall certify to the SBE a list of facilities licensed or certified pursuant to the Illinois Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, the ID/DD Community Care Act or the MC/DD Act. The lists shall indicate the approved bed capacity and the name of the chief administrative officer of each facility. (10 ILCS 5/19-12.2)
- B. Within 20 days thereafter (not less than 100 days before the regular election), the SBE certifies the same to each appropriate election authority.
(10 ILCS 5/19-12.2)

II. ESTABLISHMENT OF THE TIME PERIOD FOR VOTING

- A. Not less than 30 days before the election, the election authority shall arrange with the chief administrative officer of each facility in the jurisdiction a convenient time period on either the Friday, Saturday, Sunday, or Monday immediately preceding the election for such voting on the premises of the facility. Also, not less than 30 days before the election the election authority must post in their office a notice of the agreed day and time period for voting at each facility. (10 ILCS 5/19-12.2)

- B. Not later than noon on the Thursday before the election, the election authority shall post the names and addresses of those facilities from which no applications were received and in which no supervised voting will be conducted. (10 ILCS 5/19-12.2)

III. APPLICATION FOR BALLOT IS REQUIRED

- A. Any qualified voter who is a resident of a federally operated veterans' home, hospital, or facility located in Illinois or a facility licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, or the MC/DD Act may secure a disabled voter's or nursing home resident's identification card, which will enable them to vote under this Article. For the purposes of this Section, "federally operated veterans' home, hospital, or facility" means the long-term care facilities at the Jesse Brown VA Medical Center, Illiana Health Care System, Edward Hines, Jr. VA Hospital, Marion VA Medical Center, and Captain James A. Lovell Federal Health Care Center. An application for ballot is required. (10 ILCS 5/19-12.1)
- B. Application should be made no later than 5 days before the election. Grace period registration, address changes, and voting shall also be made available to residents of the facilities on the day of voting at each facility. Note that each team of election judges needs to be prepared to register and vote those residents requesting to vote under grace period. Extra ballots should always be sent. (10 ILCS 5/4-50,5-50,6-100,19-12.2)
- C. Only Residents who are registered to vote at such facilities are the voters who may participate in voting at these facilities. All applicants registered in other precincts who are residents of the nursing home will receive their ballot by mail, either at the nursing home or at any other address of their choosing. The voted ballot of such voter must be returned by mail to the election authority, or if more convenient, it may be delivered in person by either the voter, any person authorized by the voter, or by a company licensed as a motor carrier of property by the Illinois Commerce Commission under the Illinois Commercial Transportation Law which is engaged in the business of making deliveries. The voter and the person authorized to deliver the ballot shall complete the authorization printed on the exterior envelope supplied by an election authority for the return of the ballot. The person making the delivery shall present the authorization to the election authority. (10 ILCS 5/19-4, 5/19-6)

IV. VOTER ASSISTANCE

- A. A physically incapacitated voter is permitted to mark their ballot in secret with the assistance of another individual. The individual rendering the assistance is required to provide their name and address on the ballot envelope certification statement. (10 ILCS 5/19-5)

V. NOTIFICATION TO APPLICANTS

- A. The election authority shall by mail notify the applicant in such facility that the ballot will be delivered by a judge of election on the day designated by the election authority and the administrator of such facility for voting at the facility. . (10 ILCS 5/19-4)

VI. SELECTION OF JUDGES OF ELECTION

- A. Each election authority must select two judges of election of opposite party affiliation for each facility to conduct the voting in the following order of priority:
 - 1. Judges from the precinct where the facility is located;
 - 2. Judges from any other precinct in the jurisdiction of the election authority within the same ward or township as the facility;
 - 3. Judges from any other precinct within the jurisdiction of the election authority. (10 ILCS 5/19-12.2)
- B. The election authority must prepare and transmit the ballots to the judges of election no later than 9:00 a.m. on the designated day for the in-facility voting. (10 ILCS 5/19-4)

VII. VOTING BY PHYSICALLY INCAPACITATED ELECTORS

- A. Voting by physically incapacitated electors who have made proper application to the election authority shall be conducted on the premises of federally operated veterans' homes, hospitals, or facilities located in Illinois or facilities licensed or certified pursuant to the Nursing Home Care Act, the Specialized Mental Health Rehabilitation Act of 2013, or the ID/DD Community Care Act, or the MC/DD Act for the sole benefit of residents of such facilities. Such voting shall be conducted during any continuous period sufficient to allow all applicants to cast their ballots between the hours of 9 a.m. and 7 p.m. either on the Friday, Saturday, Sunday, or Monday immediately preceding the regular election. (10 ILCS 5/19-12.2)

VIII. RETURN OF VOTED BALLOTS

- A. Election judges who conduct voting at these facilities on the Friday, Saturday, Sunday, or Monday preceding the election shall immediately thereafter return the sealed envelopes containing the ballots to the office of the election authority. (10 ILCS 5/19-12.2)

IX. INABILITY OF APPLICANT TO VOTE AT THE PRESCRIBED TIME

- A. The judges of election must also report to the election authority the name of any applicant in the facility that, due to unforeseen circumstances or conditions or because of a religious holiday, was unable to vote. In this event the election authority may appoint a qualified person from their staff to deliver the ballot to such applicant on the day of election.
- B. This staff person shall follow the same procedures prescribed for judges conducting voting in such facilities, but shall return the ballot to the central ballot counting location before the polls close. (10 ILCS 5/19-12.2)

POLLING PLACES – USE OF PUBLIC BUILDINGS

Early Voting Sites

Upon request by an election authority a unit of local government (as defined in Section 1 of Article VII of the Illinois Constitution, which does not include school districts) shall make the unit's public buildings within the election authority's jurisdiction available as permanent or temporary early voting polling places without charge. Availability of a building shall include reasonably necessary time before and after the period early voting is conducted at that building.

A unit of local government making its public building available as a permanent or temporary early

voting polling place shall ensure that any portion of the building made available is accessible to voters with disabilities and elderly voters. (10 ILCS 5/19A-21)

Election Day Sites

In appointing polling places under this Article, the county board or board of election commissioners shall use schools and other public buildings as polling places.

Upon request of the county board or board of election commissioners, the proper agency of government (including school districts and units of local government) shall make a public building under its control available for use as a polling place on an Election Day and for a reasonably necessary time before and after Election Day, without charge. If the county board or board of election commissioners choose a school to be a polling place, then the school district must make the school available for use as a polling place. For the day of the election, a school district is encouraged to (i) close the school, or (ii) hold a teachers institute on that day with students not in attendance.

A government agency which makes a public building under its control available for use as a polling place shall (i) ensure the portion of the building to be used as the polling place is accessible to voters with disabilities and elderly voters, and (ii) allow the election authority to administer the election as authorized under this Code.

If a qualified elector's precinct polling place is a school and the elector will be unable to enter that polling place without violating Section 11-9.3 of the Criminal Code of 2012 because the elector is a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012, that elector may vote by a vote by mail ballot in accordance with Article 19 of this Code or may vote early in accordance with Article 19A of this Code. (10 ILCS 5/11-4.1)

Polling Place Stickers

If an election authority provides each polling place with stickers or emblems to be given to voters indicating that the person has voted, no person who has voted shall be denied such sticker or emblem. (10 ILCS 5/17-8)

Election Day Procedures

POLLS OPEN FROM 6:00 AM TO 7:00 PM

ELECTION JUDGES (10 ILCS 5/13, 5/14, 5/17, 5/18)

In the polling place, the election judges are responsible for the proper conduct of the election. They serve as officers of the Circuit Court and swear or affirm to uphold the Constitutions of the United States and the State of Illinois.

Qualifications

- Be a citizen of the United States.
- Be of good repute and character and not subject to the registration requirement of the Sex Offender Registration Act.
- Be able to speak, read, and write the English language.
- Be skilled in the four fundamental rules of mathematics.
- Be of good understanding and capable to administer their duties.
- Not be a candidate for any office in the election and not be elected committeeman.
- Reside in and be entitled to vote in the precinct where selected to serve as judge.
 - **Note:** In each precinct one judge of each party may be appointed from outside the precinct, but from within the county.

Duties

- To open and close the polls.
- To be responsible for all election materials.
- To ensure that only qualified voters are permitted to vote and that each qualified voter is permitted to vote once.
- To ensure that all votes are cast in secret.
- To give instructions in the method of voting when requested by a voter.
- To give assistance to illiterate and voters with disabilities.
- To maintain order in the polling place throughout the day.
- To tally the vote after the polls are closed and to certify the election results in that precinct.

Appointment of Election Judges

In national, state, county, township, and municipal elections judges are selected by the county board or the board of elections commissioners from lists furnished by the chairmen of the county central committees of the two leading political parties, or the township committeepersons. Generally, each polling place has three judges appointed from the leading party and two judges appointed from the other party.

In precincts under the jurisdiction of the **county clerk**, the party which cast the highest average number of vote's at the most recent three gubernatorial elections in the precinct shall be represented by three judges. The party which cast the second-highest number of votes at the three most recent gubernatorial elections in the precinct shall be represented by two judges.

Note: The county board may appoint 3 judges of election to serve in lieu of the 5 judges of election otherwise required (1) to serve in any emergency referendum, in any odd-year regular election, or in any special primary or special election called for the purpose of filling a vacancy in the office of

representative in the United State Congress or to nominate candidates for such purpose, or (2) if the county board passes an ordinance to reduce the number of judges of election from 5 to 3 for primary elections.

Under the jurisdiction of the **board of elections commissioners**, the two leading political parties alternate having majority representation. One party is represented by three judges of election in each of the odd-numbered precincts and by two judges of election in each of the even-numbered precincts. The other party is represented by three judges in each of the even-numbered precincts and by two judges in each of the odd-numbered precincts.

After selections for election judges are made, a report is filed in the circuit court, and application is made for the judges' confirmation and appointment by the circuit court.

Requirements and Obligations

- Election judges must complete a training course consisting of at least four hours of instruction and an exam to test reading skills, ability to work with poll lists, ability to add, and knowledge of election laws governing the operation of polling places.
- All election judges have equal authority in the polling place, there is no "head" judge. All judges act as a board in making decisions and upholding the law. The majority rules when doing so. A judge may act alone, however, in order to enforce election laws.
- Election judges must serve at each election during their two-year appointment as a judge. (10 ILCS 5/13-1, 13-2, 14-3.1) If an emergency should arise that would prevent a judge from serving, they should contact the election authority as soon as possible.
- All judges must arrive at the polling place at the time designated by their election authority, but in no case later than 5:30 a.m., and remain at the polls the entire time the polls are open. If a judge must leave the polling place, they must do so only for a brief period, and only if absolutely necessary. If an absence does occur, they must sign a time sheet indicating the length of time they are absent. After the polls close all judges must remain in the polling place until their duties are completed.
- Only the election judges are allowed to handle the election materials, supplies, and ballots sheets. (10 ILCS 17-23)
- Throughout the day each election judge must rotate positions throughout the different stations. At least two judges of opposite political parties must be at the signature verification records at all times.

Replacement Judges

If a judge fails to appear at the polls, one of the judges should contact the election authority for a replacement. If the election authority cannot provide a replacement, the judges present may appoint a replacement judge. The replacement judge cannot be appointed until **after 6:15 a.m.** and must be a registered voter who has the same political affiliation as the judge being replaced. A precinct, township or ward committeeman,, or a candidate cannot serve as an election judge. One of the regular judges shall administer the oath to the replacement judge.

If, at any time the regularly appointed judge arrives, that judge will assume the duties of the replacement judge and the replacement judge will cease to serve. Both the replacement judge and the regularly assigned judge sign the payroll sheet indicating the hours each served. (10 ICLS 5/13-7, 14-6)

POLLWATCHERS **(10 ILCS 5/7-34, 17-23, 18-6, 19-10, 20-10)**

Candidates, political parties, qualified organizations of citizens, state nonpartisan civic organizations, and organized groups of proponents for and opponents to a proposition on the ballot may appoint pollwatchers. Pollwatchers may be present to observe the conduct of the election before the polls open, during voting hours, and after the polls close. A reasonable number of pollwatchers are also allowed in the central counting location. Pollwatchers may view the vote by mail, early voting, and grace period registration and voting tabulation processes as well as the counting or remaking of provisional ballots at the discretion of the election authority; however, at least one representative of each established political party and authorized agents of the SBE shall be permitted to observe this process at all times. All pollwatchers shall be permitted to view all reasonably requested records relating to the conduct of the election, provided they do not touch or handle any of the election materials and the secrecy of the ballot is not impinged.

Qualifications

- Registered voter in Illinois.
- Must have valid pollwatcher credentials issued to them by the election authority or the Illinois SBE.
- Must have separate pollwatcher credentials for each precinct they enter.
- If they are a candidate pollwatcher, they must have candidate credentials issued to them by the election authority or Illinois SBE.

Pollwatcher Credentials

Each pollwatcher must surrender their credentials to the judges when they enter the polling place. If an individual refuse to surrender their credentials, or if the credentials are not valid, the individual must leave. All credentials remain in the possession of the judges and are returned to the election authority after the polls close.

In order to be valid, pollwatcher credentials must contain the following information:

- 1) The real or facsimile signature of the election authority or the Chair and Vice Chair of the Illinois SBE;
- 2) The real or facsimile signature of the candidate, state, or local party chair, the presiding officer of a civic organization or the chair of a group of proponents for or opponents to a proposition (whichever applies);
- 3) The signature and address of the pollwatcher; and
- 4) A statement that the pollwatcher is registered to vote from the address shown.

Note: Neither the election authority nor the Illinois SBE may require any such party official, the candidate, the presiding officer of the civic organization, or the chair of the proponent or opponent group to submit the names or other information concerning pollwatchers before making credentials available to such persons or organizations.

Number of Pollwatchers Allowed in the Polling Place

Pollwatchers may come and go throughout the day as long as they do not interfere with the election process. In addition, pollwatchers may be substituted during the course of the day as long as the number of pollwatchers in the polling place does not exceed the number allowed by law.

If the polling place becomes overcrowded with pollwatchers and their presence interferes with the conduct of the election, a majority of the judges may decide to limit the number of pollwatchers by drawing lots; however, at least one pollwatcher for candidates, political parties, qualified organization of citizens, State nonpartisan civic organizations and organized groups of proponents for and opponents to a proposition must be allowed to remain in the polling place.

<u>NUMBER OF POLLWATCHERS ALLOWED IN EACH PRECINCT/POLLING PLACE AT ANY GIVEN TIME</u>			
APPOINTING AUTHORITY	PRIMARY ELECTION DAY	GENERAL ELECTION DAY	EARLY VOTING SITES
CANDIDATE	TWO	TWO	ONE
ESTABLISHED OR NEW POLITICAL PARTY	ONE	TWO	ONE
*QUALIFIED ORGANIZATION OF CITIZENS	ONE	ONE	ONE
PROponents AND OPPONENTS OF A BALLOT PROPOSITION	ONE	ONE	ONE
**STATE NONPARTISAN CIVIC ORGANIZATIONS	ONE	ONE	ONE

* Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or prosecution of election fraud.

** 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 polling place at the same time.

Note: Each organization (including proponent/opponent of referenda groups) shall have registered its name and address and the names and addresses of its principal officers with the proper election authority at least 40 days before the election.

Pollwatcher Rights

- Pollwatchers are allowed in the precinct/polling place before the polls open, during voting hours and after the polls close.
- Pollwatchers may leave and re-enter the polling place during voting hours unless such activity becomes disruptive.
- Before the polls open, the pollwatchers may observe all the procedures the election judges utilize to set up the election, such as comparing ballot sheets with specimen ballots.
- During voting hours, the pollwatchers should be near enough to the judges so they can visually examine the procedures taking place, such as the election judges comparing the signature and address verification of the voter.

- The pollwatchers should never be allowed to sit at the election judge’s station or handle any election materials, nor should the pollwatcher be so close to the judges or voter that the conduct of the election is being interfered with.
- After the polls close, pollwatchers can observe all the procedures election judges utilize to close the polls, such as counting write-in votes. Pollwatchers should only leave and re-enter the polling place after it has closed in cases of necessity.
- Pollwatchers may challenge a person’s right to vote and may call the judges’ attention to any incorrect procedure or violations in the Election Code.
- A pollwatcher should be permitted to view all reasonably requested records relating to the conduct of the election provided the secrecy of the ballot is not impinged.

Note: Pollwatchers are not allowed to touch or handle any of the election materials the election judges are using. No persons except those employed and authorized for the purpose shall touch any ballot, ballot box, return, or equipment. [10 ILCS 5/24A-13, 24B-13, 24C-14]

Other Officials in the Polling Place

Representatives of the SBE, the election authority, the office of the State’s Attorney, and the Attorney General’s Office as well as federal, state, or local law enforcement officials who are acting in their official capacities are also entitled to be in the polling place. After displaying official credentials or proper identification, these individuals may observe the conduct of the election. They may station themselves where they can see the information contained on the signature verification records and ballot applications, and where they may also observe the voting booths and ballot box/tabulator. These individuals may also remain in the polling place after the polls close to observe closing procedures.

CAMPAIGN FREE ZONES
(10 ILCS 5/7-41, 17-29, 19A-70)

A campaign free zone is the area in which no advertising pertaining to any candidate or proposition to be voted upon shall be displayed. No one is permitted to wear a campaign button, display political literature, or engage in any political discussion within the restricted area. The campaign free zone is made up of the polling room and the distance within 100 horizontal feet of any such room. The campaign free zone includes all early voting sites and grace period registration and voting sites.

Marking the Campaign Free Zone

Election officers shall place 2 or more cones, small United States national flags or some other marker a distance of 100 horizontal feet from each entrance to the polling place room.

If the polling room is located within a private business, school, or church building and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building.

Note: A church or a private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters.

If the polling room is located in a building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room.

If the polling room is located in a building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 horizontal feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located.

The area within the markers shall be known as a campaign free zone, and within these boundaries, electioneering is prohibited. The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on Election Day. Persons shall have the right to congregate and engage in electioneering on any polling place property, beyond the campaign free zone, while the polls are open. Electioneering includes, but is not limited to, the placement of temporary signs.

Exit Polling

Election exit polling (a poll of voters taken immediately after they have exited the polling room asking whom or what the voter actually voted for) is allowable in the Campaign Free Zone as long as no electioneering is being conducted.

Website Posting Requirements

If an election authority maintains a website, no later than 5 days before Election Day each election authority shall post on its website the name and address of every polling place which has opted to designate its entire property as a campaign free zone. This information shall be immediately provided to any person upon request, and a requester shall not be required to submit a request under the Freedom of Information Act. (10 ILCS 5/17-29)

Recommended Answers to Questions Regarding Campaign Free Zones

1. If the 100 feet ends in the middle of the parking lot of the building used as a polling place, can campaign workers hand out literature in the parking lot?

Yes. The area beyond the markers or cones is open for electioneering, including the placement of temporary signs.

2. Do the “campaign free zone” provisions apply to the office of the election authority or the municipal, township, or road district clerk when early and grace period voting is being administered?

Yes. The campaign free zone guidelines are the same for all voting locations. Placement of signs on public property, outside the campaign free zone, is also allowed during Early and Grace Period Voting. [10 ILCS 5/19A-70]

3. If the office of the election authority has 3 entrances, how is the campaign free zone measured?

The safest counseling point is to designate one entrance for Early and Grace Period Voting and measure the 100 feet from that door.

4. The polling place is in the hallway to the gym. The door to the gym is an outside door. Measuring 100 feet from this door ends in the adjoining neighbor’s yard. Where is the sign placed?

If the 100 feet ends beyond the polling place property, there is no requirement to place cones or markers on the neighbor’s property.

5. A municipality has an ordinance that prohibits any type of solicitation. Doesn’t that mean that electioneering is prohibited in this municipality on Election Day?

No. 10 ILCS 5/17-29(c) specifies that its provisions relating to electioneering supersedes any “ordinance or local law” while the polling place is open.

6. One-hundred (100) feet from the door to the room where early and grace period voting will be conducted in the courthouse is in the middle of the traffic lane entrance for the building’s parking. Is the clerk required to place the cone in a traffic lane?

To address safety concerns, the practical counseling point would be to place the cone at the nearest point beyond the 100 feet outside of the traffic lane.

7. One of the churches used for a polling place does not allow any signs or solicitation on church property. Because this is a privately owned building, don’t they have that right?

Yes. Under 10 ILCS 5/17-29(a) a church or private school has the option to not allow electioneering or soliciting of votes on any of the property of that church or private school that is a polling place.

8. Are the campaign free zone guidelines the same for early voting sites, as they are for all polling places on Election Day?

Yes. The area beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the early voting sites are open. [10 ILCS 5/19A-70]

PROVISIONAL VOTING
(10 ILCS 5/18A; 52 U.S.C 21082, 20083)

Who May Vote a Provisional Ballot?

[10 ILCS 5/18A-5(a)]

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

- 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 declined an opportunity to register at the polling location or another grace period registration site;
- The person’s voting status has been challenged by an election judge, a poll watcher, or any legal voter and that challenge has been sustained by a majority of the election judges;
- 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;
- 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;
- 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;
- The voter received a vote by mail ballot but did not return the vote by mail ballot to the election authority; or
- The voter attempted to register to vote on Election Day, but failed to provide the necessary documentation.

Procedures for Casting a Provisional Ballot

[10 ILCS 5/18A-5(b)]

An individual who is eligible **must** be informed of their right to vote provisionally. If the voter chooses to vote provisionally, election judges and election authorities must follow the below procedures:

- An election judge must verify that the person’s address is within the given precinct’s boundaries. 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.
- The person shall be provided an “Application to Vote”, a “Provisional Voter Affidavit”, a “Provisional Ballot Envelope”, the correct ballot, and written instructions. If it is uncertain as to what ballot style to give the voter, the election judge should contact the election authority who will make the determination.
 - The election judge will check a box on the affidavit stating which one of the seven reasons caused the voter to be given a provisional ballot. The election judge will then sign the affidavit and state 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 original affidavit must be kept with the “Provisional Voter Envelope” with a copy of the completed affidavit to be given to the voter.
 - The election judge must accept and place in this clear packing area of the envelope any information (provided by a person who casts a provisional ballot) regarding their claim that they are a duly registered voter and qualified to vote in the election.
 - The voter will vote the ballot, place it in the “Provisional Ballot Envelope,” seal the envelope and return it to the election judges. All “Provisional Ballot Envelopes” will be deposited into a separate securable container identified and utilized for sealed provisional ballots only. All provisional ballots cast after 7:00 p.m. by court order shall be kept separate from other provisional ballots.
 - The written instructions provided to the voter shall state how, after the election, the voter may determine if their ballot was counted, or if the provisional ballot was not counted, the reason that it was not counted.
 - Upon the closing of the polls, this unopened, sealed, securable container containing the provisional ballots shall be returned to the election authority along with the other election supplies.

Note: Provisional Ballots are NOT tabulated at the polling place on Election Day. They are returned to the central counting location at the end of the night in a separate securable container.

Procedures for Transporting Provisional Ballots

(10 ILCS 5/18A-10)

Upon the closing of the polls, two election judges of opposite political parties shall return to the central counting location the unopened, sealed, securable container containing the provisional ballots. The election authority shall keep the securable container secure until such time as the provisional ballots are counted in accordance with Section 18A-15.

Upon receipt of materials returned from the polling places, the election authority shall update the state voter registration list and the voter registration database of the election authority by using the affidavit forms of provisional voters.

Determining the Validity of Provisional Ballots

(10 ILCS 5/18A-15)

The election authority shall complete the validation and counting of provisional ballots within 14 calendar days of the day of the election. They shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The SBE shall complete its final canvass of all the vote for public office within 31 calendar days of the election, or sooner if all the returns are received.

If an election authority determines that **all of the following apply**, then a provisional ballot is valid and shall be counted as a vote:

- 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 section shall be valid and counted in accordance with this Article.
 - "Federal office" is defined as in Section 20-1 of the Election Code.
 - "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 shall be valid and counted in accordance with this Article.
 - "Citywide office" means an office elected by the electors of an entire municipality.
 - "Township office" means an office elected by the electors of an entire township;
- The affidavit executed by the provisional voter contains, at a minimum, the provisional voter's first and last name, house number, street name, and signature or mark [10 ILCS 5/18A-5(b)(2)];
- Except as otherwise permitted, the provisional voter is a registered voter based on information available to the election authority provided by or obtained from any of the following:
 - The provisional voter;
 - An election judge;
 - The statewide voter registration database maintained by the SBE;
 - The records of the election authority's database; or
 - The records of the Secretary of State.;
- For a provisional ballot cast under 10 ILCS 5/18A-5(a)(6) the voter did not vote by vote by mail ballot in the election at which the provisional ballot was cast; and
- For a provisional ballot cast under 10 ILCS 5/18A-5(a)(7) the voter provides the election authority with the necessary documentation within 7 days of Election Day.

Validating the Registration Status of a Provisional Voter

The election authority shall investigate and record whether or not the specified information is available from each of the 5 identified sources above. If the information is available from one or more of the identified sources, then the election authority 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 election authority 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 election authority as to the registration status of the provisional voter, then the election authority shall make a determination based on the totality of the circumstances. In a case where the information equally supports or opposes the registration status of the voter, the election authority shall decide in favor of the provisional voter as being duly registered to vote.

If the statewide voter registration database maintained by the SBE indicates that the provisional voter is registered to vote, but the election authority's 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 election authority indicate that the provisional voter is registered to vote, but the statewide voter registration database maintained by the SBE indicates that the provisional voter is not registered to vote, then the information found in the records of the election authority 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.

In validating the registration status of a person casting a provisional ballot, the election authority shall not require a provisional voter to complete any form other than the affidavit executed by the provisional voter. [10 ILCS 5/18A-5(b)(2)] In addition, the election authority shall not require all provisional voters or any particular class or group of provisional voters to appear personally before it 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.

Submitting Information to the State Board of Elections

Within 2 calendar days after the election, the election authority shall transmit by electronic means, pursuant to a process established by the SBE, the name, street address, email address, precinct, ward, township and district numbers of each person casting a provisional ballot to the SBE. The SBE 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 election authority.

Counting Provisional Ballots

If the election authority determines that subsection (b)(1), (b)(2), or (b)(3) of 10 ILCS 5/18A-15 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 election authority shall write on the provisional ballot envelope the following: "Provisional ballot determined invalid."

If the election authority determines that a provisional ballot is valid, 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.

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.

As soon as the ballots have been counted, the election judges or election officials 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 election authority 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 10 ILCS 5/18A-5(b)(6).

Each election judge or election official shall take and subscribe to an oath before the election authority 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 these purposes, the term "election official" means the county clerk or a member of the board of election commissioners and their respective employees.

Provisional Voting Verification System

(10 ILCS 5/18A-20)

In conjunction with each election authority, the SBE shall establish a uniform free access information system by which a person casting a provisional ballot may ascertain whether the provisional vote was counted in the official canvass of votes for that election and, if the vote was not counted, the reason that the vote was not counted. Nothing in this Section shall prohibit an election authority from establishing a free access information system described in this Section so long as that system is consistent with the Help America Vote Act.

CENTRAL TABULATION

All vote by mail, early, grace period, and provisional ballots are to be delivered to and counted at an election authority's central ballot counting location and not in the precincts. Ballots determined to be valid and centrally tabulated shall be added to the vote totals for the precincts for which they were cast. (10 ILCS 5/19-9, 19A-50, 4-50, 5-50, 18A-10)

Ballots Received Through Election Day

Each voter's ballot returned to an election authority and received by that election authority before the closing of the polls on Election Day shall be endorsed by the receiving election authority with the day and hour of receipt and may be processed by the election authority, beginning on the day it is received, in the central ballot counting location. The results of the processing may not be counted until the day of the election after 7:00 p.m. [10 ILCS 5/19-8(b)]

Ballots Received After 7:00pm on Election Day

Each vote by mail ballot that is mailed to an election authority and postmarked no later than Election Day, but that is received by the election authority after the polls close on Election Day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location during the period for counting provisional ballots. [10 ILCS 5/19-8(c)]

Suggested Procedures for Remaking Ballots

(10 ILCS 5/18A-218.20, 24A-14, 24B-10.1)

Two judges, one from each leading established political party, *remake each ballot sheet in the following manner:

- 1) Use an official ballot sheet of the same ballot style.
- 2) Mark the ballot sheet with a specialized pen.
- 3) One judge reads the candidates/referenda choices to be marked on the ballot sheet while the other judge marks the ballot sheet according to the voter's choices.
- 4) Check the remade ballot sheet by exchanging duties, i.e., the judge who marked the ballot sheet reads the names of the candidates/referenda choices marked, while the other judge verifies the

correct markings were made. This is to ensure that the ballot is marked exactly as the ballot was marked.

- 5) Consecutively number each pair of remade ballot sheets. The first ballot is marked "Ballot No. 1" and the corresponding remade ballot sheet is marked "Remade Ballot No. 1" The next pair is marked "Ballot No. 2," and the corresponding remade ballot sheet is marked "Remade Ballot No. 2." Continue the process until all ballot sheets have been remade.
- 6) Make sure to initial both the original ballot sheet and the remade ballot sheet.
- 7) Place the original ballot sheet(s) in the envelope for remade/duplicate ballots and place the remade ballot sheet(s) into the carrier envelope with the voter's application. This will then be given to the judges processing the ballots for that precinct.

*Modeled after the "Remaking Ballot Sheets" procedure from the SBE's Optical Scan Manual of Instructions publication.

Suggested Procedures for Central Processing & Tabulating Ballots

Two judges, one from each leading established political party, should be used at each tabulation station. Each station should be provided with a list of the registered voters who requested a ballot and a scanned copy of their signatures. The scanned signatures should be used to compare the signatures on each submitted application and the signature on each ballot certification envelope. Each station should also be provided a supply kit that includes all necessary forms and a complete list of valid write-in candidates for each precinct.

Ballots should be processed one at a time by each team of election judges as follows:

1. One judge shall open the carrier envelope and remove the application and the certification envelope containing the voted ballot.
2. The judges shall compare the voter's signature and address on the ballot application and certification envelope to the signature and address on the verification record. All signatures (handwriting) and addresses must be the same. If a signature is missing, return the application and the certification envelope to the carrier envelope and write on the outside of it that the signature is missing. Both election judges should add their initials next to that notation on the carrier envelope.
3. If the signatures and address **do match**, initial and number the applications consecutively, and place them on the spindle. Set the certification envelope aside for later processing. If the signatures **do not match**, return the application and certification envelope to the carrier envelope. Write on the outside of the carrier envelope that the signatures do not match. Both election judges should add their initials next to their decisions on the carrier envelope. In addition to the voter's signature not matching, a vote by mail ballot may be rejected by the judges if:
 - a. the ballot envelope is open or has been opened and resealed;
 - b. the voter has already cast a vote by mail, early or grace period ballot; or
 - c. the voter is not properly registered to vote.
4. After all carrier envelopes have been opened, and all signatures and addresses verified, count the number of certification envelopes to be opened to verify the count equals the number of spindled applications.
5. Open the certification envelopes and remove the ballots, making sure the secrecy of each ballot is maintained. Each ballot should then be initialed by an election judge and will be ready to be fed into the tabulator.

Note: If a ballot is rejected for any reason, return the carrier envelope to the election authority and make sure that the reason that it is rejected is written on the outside of the envelope, along with the election judge's initials. If a ballot is not going to be counted, the certification envelope should never be opened. The election authority will then notify the voter that their ballot was rejected. If a vote by mail ballot is rejected for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the vote by mail voter that their ballot was rejected. The notice shall inform the voter of the reason(s) the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting their contention that the ballot should be counted.

Tabulating Procedures

Two judges, one from each leading established political party, should open the ballot box to verify that it is empty. The "zero" tape should then be run, compared, and signed by both judges. Both the tape and the display should verify that the tabulator has no votes cast. (If the vote by mail, early, and grace period ballots are being fed into a tabulator that already has in-person ballots cast in it, just continue using the existing numbering system as each new ballot is being cast and each new application is being spindled.)

1. Each ballot should be fed through the tabulator. If a ballot is over-voted, the override/accept button should be used.
2. After all ballots have been processed, and after 7:00pm on Election Day, the election judges should close out the tabulator. A minimum of two copies of the final result tapes should be printed and signed by both judges. One copy will remain with the memory card, one copy will remain with the voted ballots (or TSX canister if applicable), and one additional copy should be made available to pollwatchers if requested.
3. The ballots should then be removed from the ballot box and checked for write-in votes. Any write-ins found on the ballots should be compared to the list of valid write-ins provided by the election authority. All valid write-ins shall be listed on the "Write-in Tally Sheet". If there are no valid write-in votes, "none" should be written across the tally sheets. Both judges must sign the tally sheets, regardless of whether there were valid write-ins.
4. The "Statement of Ballots" form must be completed and signed. This form is a summary of all ballots processed.
5. The following items are to be packed up:
 - a. voted ballot sheets sealed in a container with totals tape;
 - b. remade/duplicated ballot envelope;
 - c. write-in tally sheets & envelope;
 - d. Statement of Ballots;
 - e. memory card and result tape (s); and
 - f. any other items requested by the election authority.
6. Retain all envelopes and supplies. Never throw anything away.

Post-Election Day Procedures

SUGGESTED PROCEDURES FOR PROCESSING & TABULATING ALL BALLOTS RECEIVED AFTER ELECTION DAY

Processing Procedures

Two judges, one from each leading established political party, should be used at each tabulation station. Each station should be provided with a list of the registered voters who requested a ballot and a scanned copy of their signatures. The scanned signatures should be used to compare the signatures on each submitted application and on each ballot certification envelope. Each station should also be provided a supply kit that includes all necessary forms and a complete list of valid write-in candidates for each precinct.

Ballots should be processed one at a time by each team of election judges as follows:

1. One judge should open the carrier envelope and remove the application and the certification envelope containing the voted ballot.
2. The judges should compare the voter's signature and address on the ballot application and certification envelope to the signature and address on the verification record. All signatures (handwriting) and addresses must be the same. **If a signature is missing**, return the application and the certification envelope to the carrier envelope and write on the outside of it that the signature is missing. Both election judges should add their initials next to their decisions on the carrier envelope.
3. If the signatures and address **do match**, initial and number the applications consecutively and place them on the spindle. Set the certification envelope aside for later processing. If the signatures **do not match**, return the application and certification envelope to the carrier envelope. Write on the outside of the carrier envelope that the signatures do not match. Both election judges should add their initials next to their decision on the carrier envelope. In addition to the voter's signature not matching, a vote by mail ballot may be rejected by the judges if:
 - a. The ballot envelope is open or has been opened and resealed;
 - b. The voter has already cast a vote by mail, early or grace period ballot;
 - c. The voter is not properly registered to vote.
4. After all carrier envelopes have been opened, and all signatures and addresses verified, count the number of certification envelopes to be opened to verify the count equals the number of spindled applications.
5. Open the certification envelopes and remove the ballots, making sure the secrecy of each ballot is maintained. Each ballot should then be initialed by an election judge and will be ready to be fed into the tabulator.

Rejected Ballots

If a ballot is rejected for any reason, return the carrier envelope to the election authority and make sure that the reason that it is rejected is written on the outside of the envelope, along with the election judge's initials. If a ballot is not going to be counted, the certification envelope should never be opened. The election authority will then notify the voter that their ballot was rejected.

If a vote by mail ballot is rejected for any reason the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the

vote by mail voter that their ballot was rejected. The notice shall inform the voter of the reason(s) the ballot was rejected and shall state that the voter may appear before the election authority on or before the 14th day after the election to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting their contention that the ballot should be counted.

Tabulating Procedures

Two judges, one from each leading established political party, should open the ballot box to verify that it is empty. The “zero” tape should be ran, compared, and signed by both judges. Both the tape and the display should verify that the tabulator has no votes cast.

Ballots should be fed through the tabulator as follows:

1. Each ballot should be fed through the tabulator. If a ballot is over-voted, the override/accept button should be used.
2. After all ballots have been processed, the election judges should close out the tabulator. A minimum of two copies of the final result tapes should be printed and signed by both judges. One copy will remain with the memory card, one copy will remain with the voted ballots and one additional copy can be made available to pollwatchers if requested.
3. The ballots should then be removed from the ballot box and checked for write-in votes. Any write-in votes found on the ballots should be compared to the list of valid write-in candidates provided by the election authority. All valid write-in votes shall be listed on the “Write-in Tally Sheet.” If there are no valid write-in votes, “none” should be written across the tally sheets. Both judges must sign the tally sheets, regardless of whether there were valid write-in votes or not.
4. The “Statement of Ballots” form must be completed and signed. This form is a summary of all ballots processed.
5. The following items are to be packed up:
 - a. The voted ballot sheets sealed in a container with the totals tape.
 - b. The remade/duplicated ballot envelope.
 - c. The write-in tally sheets & envelope.
 - d. The Statement of Ballots.
 - e. The memory card and result tape(s).
 - f. Any other items requested by the election authority.
6. All items are to be retained. Never throw anything away.

SUGGESTED PROCEDURES FOR VALIDATING AND TABULATING PROVISIONAL BALLOTS

52 U.S.C. 15482; 10 ILCS 5/18A-10, 18A-218.15, 18A-218.20, 18A-218.30, 18A-218.40)

Timeframe for Processing Provisional Ballots

The election authority shall complete the validation and counting of provisional ballots within 14 calendar days after the election. The election authority shall have 7 calendar days from the completion of the validation and counting of provisional ballots to conduct its final canvass. The SBE shall complete its final canvass of the vote for all public offices within 31 calendar days of the election, or sooner if all the returns are received.

Determining the Validity of Provisional Ballots

The following criteria must be met before fully or partially tabulating a provisional ballot:

- 1) There must be a determination that the provisional voter cast the provisional ballot in the correct precinct based on the address provided by the provisional voter or whether the voter cast the provisional ballot in an incorrect precinct as addressed under 10 ILCS 5/18A-218.20 & 218.30;
- 2) The Provisional Voter Affidavit has been completed and contains, at a minimum, the voter's first and last name, house number and street name, and signature or mark;
- 3) Except as otherwise permitted, the provisional voter is a registered voter based on information from any of the following sources: (The election authority must investigate whether each of the 5 following forms of information is available. A record must be kept on which information was available.)
 - i. The voter (a voter may submit information up to 7 days following the election);
 - ii. An election judge;
 - iii. The SBE's statewide voter database;
 - iv. The records of the election authority; or
 - v. Secretary of State records.
- 4) There must be a determination that the provisional voter did not already vote a vote by mail, or through early or grace period voting in the election at which the provisional ballot was cast.
- 5) For a provisional ballot cast under 10 ILCS 5/18A-5(a)(7) the voter must provide the election authority with the necessary documentation within 7 days of Election Day.

If conflicting information exists, the election authority shall make the final determination as to whether the provisional ballot should be counted. If information equally supports or opposes an individual's registration status, the election authority shall decide in favor of the voter. For example, in the instance that the election authority's database indicates the voter is registered, but the State Board's database doesn't include the voter, the indication of registration will prevail and the provisional ballot should be tabulated. In the opposite event (the election authority's records show no registration but the State Board's does) the conflict should be resolved in favor of the voter's registration and the ballot counted.

Besides an Application for Ballot and the Provisional Voter's Affidavit, a provisional voter cannot be required to complete any other forms nor can a provisional voter be required to appear before the election authority.

Note: If a provisional voter's affidavit reflects an address change, the affidavit shall also serve as a change of address request.

Invalid Provisional Ballots

If the election authority determines that a provisional ballot is not to be counted, the envelope may not be opened and shall be marked "provisional ballot determined invalid". The Provisional Voter's Affidavit shall be processed as an application for registration.

Valid Provisional Ballots

If the election authority determines that the provisional ballot is valid, the ballot is then tabulated. The election authority shall add provisional ballot totals to the vote totals for the precincts from which they were counted in the order in which the ballots were opened.

Note: Results of provisional ballot determinations will be entered through the IVRS website and made available on the SBE’s website, allowing the voter to discover whether their ballot was counted and, if it was not counted, the reason why. Some election jurisdictions have chosen to utilize their own free access system for voters who cast a provisional ballot.

Storage of Provisional Ballot Materials

After the final determination and counting of provisional ballots for each precinct, the following materials shall be placed in an envelope which shall be sealed, initialed, and marked with the name of the precinct:

- 1) All provisional ballots;
- 2) All executed affidavits; and
- 3) All provisional ballot envelopes.

Each precinct’s sealed envelope containing all provisional materials shall be deposited into a box, secured, and sealed. The materials shall be retained for the period of time required by the Election Code and/or the federal retention period. For odd-year elections, materials must be kept for 2 months if no contest is pending. If any contest of election is pending at that time and the election authority has notice thereof, these materials shall not be destroyed until after such contest is finally determined. For even-year elections, the retention period is 22 months. The “test ballots” should also be retained because they prove the accuracy of the election authority’s program and can be a valuable resource. (10 ILCS 5/17-20; 42 USC 1974-1974e)

Provisional Ballot Validating and Tabulating Scenarios

(10 ILCS 5/18A-218.10, 5/18A-218.15, 5/18A-218.20, 5/18A-218.30, 5/18A-218.40)

1. Is notice required of the dates for validating and tabulating provisional ballots? And if so, should notice be posted at the entrance to the election authority’s office?

Notice is not mandated; however, there is nothing wrong with giving such notice. If you are wanting to post notice, the best place would be at the entrance to the election authority’s office.

2. Are pollwatchers allowed to view the procedures for counting provisional ballots?

Yes, pollwatchers are allowed to view the procedures for counting provisional ballots. At least one qualified pollwatcher for each candidate, political party, and civic organization should be permitted to observe the ballot remaking process. Credentials can be obtained by the election authority or the SBE and are the same credentials a pollwatcher would request for Election Day. [10 ILCS 5/18A-15(g)]

3. A person’s name did not appear on the official list of eligible voters for a precinct. The election judges could not reach the election authority by phone, so allowed the person to fill out a provisional affidavit and vote a provisional ballot. It was later determined by the election authority that the person was registered to vote in a different precinct in their own (correct) jurisdiction. Should the ballot be counted?

Yes, a portion of the ballot may be counted. (10 ILCS 5/18A-218.20) However, the election judges should always direct the voter to the proper polling place for that individual or give the voter the telephone number of the election authority in order to locate the correct polling place they are assigned.

In processing a voted ballot under this scenario, first, the election authority should transmit to the SBE the provisional voter’s identifying information and voting jurisdiction within 2 calendar days,

Second, the election authority shall select a team of election judges to process the provisional ballot by first comparing the voted provisional ballot with a sample ballot of the voter's correct ballot from their correct precinct, (3) the election judges should then remake the voted ballot onto a ballot of the same ballot style in which the voter would have been entitled to vote had they voted in the correct precinct, including counting votes cast for US President, US Senate and Statewide offices, also if this comparison shows that the provisional voter voted in their correct congressional district, legislative district, representative district, county, municipality or township offices, votes for those offices should also be counted. [10 ILCS 5/18A-15(b)(1)]

Note: Statute lists specific offices that should be remade on the correct ballot. Offices not listed are judicial, park, library, school, fire districts, and referenda. Any votes cast for offices or referenda not listed should not be remade onto the correct ballot.

4. A voter casts a provisional ballot in an incorrect precinct located in the same county, but in a precinct of a different election authority. Will any portion of this ballot be counted, and if so, by which election authority?

Yes, a portion of the ballot may be counted by the correct election authority. (10 ILCS 5/18A-218.30)

In processing a voted ballot under this scenario first, (1) the election authority having possession of the provisional ballot shall notify the election authority having jurisdiction over the provisional voter that the voter cast a provisional ballot in the wrong precinct and provide whatever information is needed for the correct election authority to transmit to the SBE the provisional voter's identifying information and voting jurisdiction within 2 calendar days after the election.

Second, the election authority having possession of the provisional ballot shall transmit it, along with the provisional voter's affidavit and any other documentation provided to the election judges (or election authority) to the office of the correct election authority within 8 business days after the election at which it was cast and the ballot shall be sealed and transmitted in a secure envelope.

Third, the correct election authority shall select a team of election judges to process the provisional ballot by first comparing the voted provisional ballot with a sample ballot of the voter's correct ballot from the correct precinct. The election judges should then remake the voted ballot onto a ballot of the same ballot style as that which the voter would have been entitled to vote had they voted in the correct precinct. The remade ballot should include counting votes cast for US President, US Senate and Statewide offices, and, also, if this comparison shows that the provisional voter voted in their correct congressional district, legislative district, representative district, county, municipality, or township offices, votes for those offices should also be counted.

Note: There must be timely communication between the correct and incorrect election authorities due to the fact that the correct election authority has just 2 calendar days after the election to transmit by electronic means to the SBE a list of everyone who cast a provisional ballot.

5. A voter cast a provisional ballot in an incorrect precinct located in a different county, but in the same municipality and/or Legislative District from the one in which the voter is registered. Will any portion of this ballot be counted, and if so, by which election authority?

Yes, a portion of the ballot may be counted by the correct election authority. (10 ILCS 5/18A-218.30)

In processing a voted ballot under this scenario, first, the election authority having possession of the provisional ballot shall notify the election authority having jurisdiction over the provisional voter that the voter cast a provisional ballot in the wrong precinct and provide whatever information is needed

for the correct election authority to transmit to the SBE the provisional voter's identifying information and voting jurisdiction within 2 calendar days after the election.

Second, the election authority having possession of the provisional ballot shall transmit it, along with the provisional voter's affidavit and any other documentation provided to the election judges (or election authority) to the office of the correct election authority within 8 business days after the election at which it was cast. The ballot shall be sealed and transmitted in a secure envelope.

Third, the correct election authority shall select a team of election judges to process the provisional ballot by first comparing the voted provisional ballot with a sample ballot of the voter's correct ballot from his/her correct precinct. The election judges should then remake the voted ballot onto a ballot of the same ballot style as that which the voter would have been entitled to vote had they voted in the correct precinct. Votes cast for US President, US Senate and Statewide offices should also be counted. If the comparison shows that the provisional voter voted in their correct congressional district, then votes for legislative district, representative district, county, municipality, or township offices should also be counted.

6. If a voter casts a provisional ballot in a precinct outside of the county in which they are registered and outside of the municipality or legislative district in which they are registered, will any portion of the ballot be counted? Also, what happens to that ballot?

No portion of the ballot is eligible to be counted. If the address is different from the address at which the voter is registered, the ballot shall be rejected; however, the affidavit shall serve as a request to register the provisional voter at that new address. The ballot must be transmitted via the U.S. Postal Service to the election authority having jurisdiction over the voter's correct precinct within 14 days after the election and shall be kept for the same length of time as required for other voted ballots. (10 ILCS 5/18A-218.30)

7. Since unofficial precinct results are posted should the provisional results be posted?

There is no statutory requirement for such posting.

8. Are there any reporting requirements necessary for provisional ballots?

Yes. Within 2 calendar days after the election, the election authority must transmit to the SBE by electronic means pursuant to a process established by the SBE, the name, street address, email address, and precinct, ward, township, and district numbers of each person casting a provisional ballot. The SBE 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. [10 ILCS 5/18A-15(d), 5/18A-218.20]

CANVASSING PROCEDURES

The election authority must complete the canvass of election results no later than the 21st calendar day following the election. For the General Primary election, this date is April 7, 2020, and for the General Election, this date is November 24, 2020. The deadline to canvass is 7 days after the close of the 14-day period for counting provisional ballots.

The election authority must provide unit-by-unit vote totals to the SBE in an electronic format to be prescribed by the SBE. This electronic canvass (eCanvass) shall be submitted and certified by the 21st day after each election. In addition to the eCanvass submission, the election authority is required to submit a copy of their paper canvass generated from their tabulation software. The paper canvass is requested to be sent as a PDF document via email, but can be sent via overnight mail if necessary and after confirmation from the SBE. (10 ILCS 5/22-5, 22-6, 22-8, 22-15, 22-17)

The General Primary Election deadline for the submission of the verification file to eCanvass is March 3, 2020, and the General Election deadline is October 20, 2020.

The General Primary Election deadline for the submission of the data file to eCanvass is April 7, 2020, and the General Election deadline is November 24, 2020. See the Illinois eCanvass Instructions publication for further information on eCanvass instructions and deadlines.

The SBE must complete the final canvass no later than 31 days following the election, unless such 31 day deadline conflicts with the date set by statute as the beginning of the terms of judicial officers. If such a conflict exists, the canvass must be completed prior to the first Monday in December. (10 ILCS 5/22-7)

Within 52 days of each election, the SBE is required to publish the precinct-by-precinct vote totals on its website and make them available in a downloadable format. In order to accomplish this, the automatic tabulating equipment shall be programmed using the unique race and candidate ID numbers assigned by the SBE. These unique race and candidate ID numbers will be provided to each election authority via email **with the candidate certification** prepared by the SBE. (10 ILCS 5/22-6, 24A-6.2, 24B-6.2, 24C-6.2)

Re-Tabulation

For more information as it relates to the re-tabulation process, see the [Testing Security Best Practices Guide](#).

Prior to the canvass all election authorities shall conduct a re-tabulation of the ballots cast from Election Day in 5% of their precincts as well as 5% of the early voting devices used in early voting. These precincts and early voting devices will be selected on a random basis by the SBE and notice of the selected precincts and serial numbers of the selected early voting devices will be sent to the election authorities via the IVRS system. Prior to each election, the election authorities should update their Election Day equipment and early voting devices in the IVRS program. The samplings are applied to the information supplied by each election authority. The results of this re-tabulation should be mailed to the SBE. (10 ILCS 5/24A-15, 24B-15, 24C-12)

Before conducting the re-tabulations, the election authority shall notify in writing the time and place of the re-tabulations to the SBE, the State's Attorney of the county in which the election authority is located, and other appropriate law enforcement agencies as well as the county chairman of each established party and qualified civic organizations. Any or all of the preceding groups may be represented at the re-tabulations.

For the re-tabulation of in-precinct optical scan tabulators, the election authority needs to test the program prior to the re-count. The test must consist of each candidate and each public question receiving a vote, and at least one ballot that has excess votes for each office in the election. After a successful test, the election authority should proceed to re-counting the ballots through the tabulator.

For direct recording electronic devices, the election authority shall count the votes marked on the permanent paper record of each ballot cast in the tested precinct printed by the voting system at the time that each ballot was cast and compare the results of this count with the results shown on the certificate of results for that machine/precinct. The election authority shall test count these votes by hand.

Note: These re-tabulations must be completed prior to the canvass, and the election authorities must submit copies of the tapes and printouts to the SBE. The returns from the re-tabulations are considered public records. (10 ILCS 5/24B-15, 24C-15)

If you have any questions on re-tabulations, contact the Department of Voting and Registration Systems.

Publication Requirements Charts

PUBLICATION REQUIREMENTS – NOTICE OF ELECTION

Election	Consolidated Primary	Consolidated Election	General Primary	General Election
When does it have to be published?	Not more than 30 days nor less than 10 days before election.	Not more than 30 days nor less than 10 days before election.	At least 20 days before the election in counties under 500,000. At least 15 days before the election in counties over 500,000.	At least 30 days before election.
What has to be included in the publication?	Notice of time, place, hours, offices and parties. Include polling place address if not published separately.	Notice of date, place, county, offices and hours (form provided). May include location of precincts and polling place.	Notice of time, place, polling places, hours, offices and parties.	Notice of date, place, polling place addresses, offices and hours.
How many times does the publication have to be run?	Once	Once	Once	Once
Publish Where?	One or more newspapers published in each political subdivision having primary; if none, published once in local community paper having general circulation in subdivision and also once in paper published or portion of subdivision is situated.	One or more newspapers published in each political subdivision having primary; if none, published once in local community paper having general circulation in subdivision and also once in paper published in the county where the subdivision or portion of subdivision is situated	Two or more newspapers published in the county.	Two or more newspapers published in the county.
Statutory Reference	10 ILCS 5/7-15; 12-4	10 ILCS 5/12-4	10 ILCS 5/7-15	10 ILCS 5/12-1

PUBLICATION REQUIREMENTS – POLLING PLACES

Election	Consolidated Primary	Consolidated Election	General Primary	General Election
When does it have to be published?	Not less than 10 days prior to the election / may be included with notice of election.	Not less than 10 days prior to the election / may be included in notice of election.	At least 20 days before the election in counties under 500,000. At least 15 days before the election in counties over 500,000.	Include in notice of election.
What has to be included in the publication?	List of precincts and addresses of polling places.	List of precincts and addresses of polling places.	List of precincts and addresses of polling places.	List of precincts and addresses of polling places.
How many times does the publication have to be run?	Once	Once	Once	Once
Publish Where?	One or more newspapers published in each political subdivision having primary; if none, published once in local community paper having general circulation in subdivision and also once in paper published in the county where the subdivision or portion of subdivision is situated	One or more newspapers published in each political subdivision having primary; if none, published once in local community paper having general circulation in subdivision and also once in paper published in the county where the subdivision or portion of subdivision is situated	Two or more newspapers published in the county.	Two or more newspapers published in the county.
Statutory Reference	10 ILCS 5/7-15	10 ILCS 5/12-4	10 ILCS 5/7-15	10 ILCS 5/12-1

PUBLICATION REQUIREMENTS – FOR ALL ELECTIONS

	Notice to the Elderly and Disabled	Referendum	Election Judges	Early Voting
When does it have to be published?	At least 60 days prior to the election.	Not more than 60 nor less than 10 days before a regular election. At least 20 days prior to an emergency referendum.	After the judges' names are submitted to the court for confirmation, publication is made by County Board or Board of Election Commissioners (in practice, the county clerk typically handles this for the county board).	The week before the period of early voting and at least once a week during the period for early voting
What has to be included in the publication?	Availability of registration and voting aids, assistance, vote by mail procedures and procedures for early voting by personal appearance.	<ul style="list-style-type: none"> • Election Date • Name of political or government subdivision • Wording of question as it is to appear on the ballot • Any additional information required by the statute authorizing the public question • Hours of polling place (Form provided) • Only in the case of emergency referenda, notice shall set forth the precincts and polling places at which the referendum will be conducted 	Publication shall state that a list of the election judges is available for public inspection in the election authority's office.	Location of each permanent and temporary polling place for early voting and the precincts served by each location; and the dates and hours that early voting will be conducted at each location
How many times does the publication have to be run?	Once	Once (notice should be published separately from the notice for specimen ballots)	Once	Once the week prior to early voting and; At least once a week during the period for early voting
Publish Where?	"Public notice" calculated to reach elderly and disabled voters	Local, community newspaper having general circulation in political or governmental subdivision	In one or more newspapers in the county; if no newspaper is published in the county, the notice shall be posted in 5 of the most public areas in the county, OR A Board of Election Commissioners shall publish in one or more newspapers published in such city; if no newspaper is published in the city, the notice shall be posted in 3 of the most public places in the city.	In a newspaper of general circulation in the election authority's jurisdiction. The election authority shall also post a copy of the schedule at any office or other location that is to be used as a polling place for early voting. The schedule must be posted continuously for a period beginning not later than the 10 th day before the first day of the period for early voting by personal appearance and ending on the last day of that period. If the election authority maintains a website, it shall make the schedule available on its website.
Statutory Reference	10 ILCS 5/7-15; 12-1	10 ILCS 5/12-5	10 ILCS 5/13-3; 14-5	10 ILCS 5/19A-25

PUBLICATION REQUIREMENTS – BALLOT COLOR

Election	Consolidated Primary	General Primary
When does it have to be published?	At the same time as the notice of election.	At least 15 days before the election.
What has to be included in the publication?	Announcement of the color of primary ballots for the respective parties.	Announcement of the color of primary ballots for the respective parties.
How many times does the publication have to be run?	Once	Once
Publish Where?	One or more newspapers published in each political subdivision having primary; if none, published once in local community paper having general circulation in subdivision and also once in paper published in the county where the subdivision or portion of subdivision is situated	In at least two papers of general circulation published in county for at least one week.
Statutory Reference	10 ILCS 5/7-15; 7-18	10 ILCS 5/7-18

PUBLICATION REQUIREMENTS – SPECIMEN BALLOTS

Election	Consolidated Primary	Consolidated Election	General Primary	General Election
When does it have to be published?	Local Election Official must publish notice at least 5 days prior to the election.	Prior to Election Day in counties of not more than 500,000.	At least 5 days prior to the election.	At least 5 days prior to the election.
What has to be included in the publication?	A true copy of the specimen ballot.	A list of all nominations to be voted for, as near as may be, in the form in which they shall appear on the ballot.	A true copy of the specimen ballot.	A true copy of the specimen ballot.
How many times does the publication have to be run?	Once	Once	Once	Once
Publish Where?	Two or more papers published in municipality or town, as the case may be; if none, then published in county and having general circulation throughout the community.	In at least two newspapers if existing in county.	Two or more newspapers published in the county.	Two or more newspapers published in the county.
Statutory Reference	10 ILCS 5/7-21	10 ILCS 5/16-10	10 ILCS 5/7-21; 24A-18; 24B-18; 24C-18	10 ILCS 5/7-21; 16-10; 24A-18; 24B-18; 24C-18

Website Postings and Additional Requirements

APPLICATION FOR A VOTE BY MAIL BALLOT

Any elector 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, make application to the election authority for an official ballot for the voter's precinct to be voted at such elections. 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.

Please provide the SBE with a web link to your application, a pdf copy of your application or instruction to use the standard SBE form. If you have any questions, please contact the Division of Election Operations.

EARLY VOTING SITES

If the election authority maintains a website, it shall make its early voting schedule available on its website. The location, dates, and hours shall be reported to the SBE and posted on the election authority's website. At least 10 days before the period for early voting begins, each election authority shall provide the SBE with all early voting sites and the hours each site will be open. The SBE is required to post all early voting sites separated by election authority and hours of operation on its website at least 5 business days before the period for early voting begins. (10 ILCS 5/1A-8(15), 19A-25)

This information must be entered into IVRS, located under the "Manage Elections tab," select "Early/Grace Election Management," and select "Early/Grace Locations". If you have any questions, please contact the Division of Voting and Registration Systems.

PRECINCT MAPS

Each election authority must transmit to the Springfield office of the SBE, and publish on any website maintained by the election authority, maps as a PDF showing the current boundaries of all the precincts within its jurisdiction.

Whenever election precincts in an election jurisdiction have been re-divided or readjusted, the county board or board of election commissioners must prepare maps as a PDF showing such election precinct boundaries no later than 90 days before the next scheduled election. The maps shall show the boundaries of all political subdivisions and districts. The county board or board of election commissioners shall immediately forward copies thereof to the chair of each county central committee in the county, to each township, ward, or precinct committeeperson, and each local election official whose political subdivision is wholly or partly in the county and, upon request, shall furnish copies thereof to each candidate for political or public office in the county. Election authorities shall also transmit copies to the principal office of the State Board of Elections and publish copies on any website maintained by the election authority. (10 ILCS 5/11-6)

If any of your precinct boundaries have changed, please contact Angela Ryan at 217-782-1577.

ELECTION EQUIPMENT

All election equipment used for Election Day and early voting sites must be entered into IVRS. Enter information located in the “Manage Elections” tab.

If you have any questions, please contact the Division of Voting and Registration Systems.

PRECINCTS OPEN FOR CURRENT ELECTION

Be sure to enter or validate the precincts to be used for each election into IVRS. Enter information located in the “Manage Elections” tab.

If you have any questions, please contact the Division of Voting and Registration Systems.

REFERENDUM

The exact language of referenda or a copy of the specimen ballot must be submitted to the SBE. The official name of all units of government, noting the “home” county and identification of all advisory questions must be included.

If you have any questions, please contact the Division of Voting and Registration Systems.

CAMPAIGN FREE ZONES

Each election authority which maintains a website is required to post on its website the name and address of every polling place which has opted to designate its entire property as a campaign free zone. This must be posted no later than 5 days before Election Day. This information shall be immediately provided to any person upon request and a requester cannot be required to submit a request under the Freedom of Information Act to access such information. (10 ILCS 5/17-29)

BALLOT COUNTING DISSEMINATION

Election authorities that maintain websites must provide 24-hour notice on their websites of the date, time, and location of the analysis, processing, and counting of all ballot forms. Each election authority must notify any political party or pollwatcher of the same information 24 hours before the count begins if such political party or pollwatcher has requested to be notified. Notification may be by email at the address provided by the requester. (10 ILCS 5/1-9.1)

POSTING OF GRACE PERIOD VOTING

Within one day after a voter casts a grace period ballot, or within one day after the ballot is received by the election authority if the election authority allows grace period voting by mail, the election authority shall transmit by electronic means pursuant to a process established by SBE the voter’s name, address, email address and precinct, ward, township and district numbers to the SBE 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. (10 ILCS 5/4-50, 5-50, 6-100)

This information must be entered into IVRS, located under the “Manage Elections tab,” select “Early/Grace Election Management,” and select “Early/Grace Election Transfer.” If you have any questions, please contact the Division of Voting and Registration Systems.

NOTIFICATION OF PUBLIC TEST

A 48-hour notice of the time and place of the public test must be emailed to the SBE. (10 ILCS 5/24A-9, 24B-9, 24C-9)

If you have any questions, please contact the Division of Voting and Registration Systems.

SEALED BALLOT PROGRAM

Each election authority shall file a sealed copy of each tested program to be used within its jurisdiction at an election with the SBE before the election. The SBE shall secure the program or programs of each election jurisdiction so filed in its office until the next election of the same type (General Primary, General Election, consolidated primary, or consolidated election) for which the program(s) were filed. At the expiration of that time, if no election contest or appeal is pending in an election jurisdiction, the SBE shall destroy the sealed program(s). All programming used for Election Day must be submitted on a CD to the SBE. (10 ILCS 5/24A-9, 24B-9, 24C-9)

If you have any questions, please contact the Division of Voting and Registration Systems.

2:00 AM REPORT

After each election, a survey will be sent out to each election authority asking if all precincts had completed their counting by 2:00 am.

If you have any questions, please contact the Division of Voting and Registration Systems.

COMPUTER OPERATOR'S LOG/VOTING SYSTEM EVALUATION FORM

As the computer operator is uploading the precinct ballot data, a running log and report of computer errors must be maintained. It must include a list of all problems experienced with the equipment. This report may be mailed or emailed the day after the election. (10 ILCS 5/24A-13)

If you have any questions, please contact the Division of Voting and Registration Systems.

UNCOUNTED BALLOT INFORMATION

No later than 48 hours after the closing of polling locations on Election Day, each election authority maintaining a website shall post the number of ballots that remain uncounted. The posting shall separate the number of ballots yet to be counted into the following categories: (a) ballots cast on Election Day, (b) early voting ballots, (c) provisional ballots, (d) vote by mail ballots received by the election authority but not counted, and (e) vote by mail ballots sent by the election authority but not yet returned to the election authority.

This information shall be updated on the website of the election authority each day until the period for counting provisional and vote by mail ballots has ended. All election authorities, regardless of whether they maintain a website, shall share the same information, separated in the same manner, with the SBE no later than 48 hours after the closing of polling locations on Election Day and each business day thereafter until the period for counting provisional and vote by mail ballots has ended. (10 ILCS 5/1-9.2) The number of ballots yet to be counted must be entered into the IVRS system daily between the 2nd and 14th day following each election. This information should be loaded under the "Work Items/uncounted ballots list/choose election" tab.

If you have any questions, please contact the Division of Voting and Registration Systems.

POSTING OF PROVISIONAL VOTER DATA

Within 2 calendar days after the election, the election authority shall transmit by electronic means pursuant to a process established by the SBE the name, street address, email address, and precinct, ward, township, and district numbers of each person casting a provisional ballot to the SBE. The SBE 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. [10 ILCS 5/18A-15(d)]

This information must be entered into IVRS, located under the “Provisional Voter Data” tab in Work Items. If you have any questions, please contact the Division of Voting and Registration Systems.

ELECTION JUDGES REIMBURSEMENTS

The Election Code provides for election authorities to be reimbursed a portion of the election judge’s daily pay. The SBE will send out a reimbursement form by email or fax directly to each election authority after each election. The form needs to be completed, signed, and returned to the SBE.

If you have any questions, please contact the Division of Administrative Services.

PROVISIONAL VOTING VERIFICATION

In conjunction with each election authority, the SBE shall establish a uniform free access information system by which a person casting a provisional ballot may ascertain whether the provisional vote was counted in the official canvass of votes for that election and, if the vote was not counted, the reason that the vote was not counted. An election authority may establish a free access information system described in this Section so long as that system is consistent with the Help America Vote Act. (10 ILCS 5/18A-20)

If the election authority does NOT have a website for provisional voters to check the status of their provisional ballot (counted/uncounted), the information must be entered into IVRS for the voter to have access to the status of their ballot via the SBE website.

This information must be entered into IVRS, located under the “Provisional Ballot” tab. If you have any questions, please contact the Division of Voting and Registration Systems.

LINK REPORT

On the 21st day after an election, each election authority shall transmit to the SBE the following information with respect to that election:

- the number of vote by mail ballots requested, provided, counted and rejected;
- the number of UOCAVA ballots requested, provided, counted and rejected;
- the number of voters seeking review of rejected ballots; and
- the number of ballots then counted following such review.

On the 28th day after an election, the SBE shall compile and make this information available to the public. This is a one-page report that is emailed directly to each election authority and must be returned as soon as it is completed.

If you have any questions, please contact Angela Ryan at 217-782-1577.

POST-ELECTION SURVEY

On behalf of The Election Assistance Commission, the SBE administers the biennial Election Administration and Voting Survey (EAVS) to collect statewide data on the administration of federal elections. The EAVS reports include data on the ability of citizens to successfully cast a ballot and contains the most comprehensive, nationwide, data about election administration in the United States. The survey distributed to the election authorities in Illinois is a combination of three reports: the National Voter Registration Act (NVRA) report, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) report, and the Election Day Survey. An abbreviated survey is conducted after each General Primary and a comprehensive survey after each General Election.

If you have any questions, please contact Angela Ryan at 217-782-1577.

PARTY OFFICERS AND PRECINCT COMMITTEEPERSONS

The chair of each county central committee must forward to the SBE the names and addresses of its officers and precinct committeepersons. [10 ILCS 5/7-9(a)]

If you have any questions, please contact the Division of Election Operations.

Accessible Polling Places

Illinois election authorities must continue to ensure that all polling places are fully accessible to voters with disabilities. They must try to accommodate all individuals with a full range of disabilities (including blindness, hearing impairments, gross and fine motor impairments, and emotional and intellectual impairments) when such individuals are exercising their right to vote.

Illinois' polling places should be accessible in the following areas: the path of travel, entrances, exits, voting areas of each polling facility, and voting equipment. The election authority must provide the same opportunity for access and participation (including privacy and independence) to individuals with disabilities that the non-disabled currently have. This requirement can be accomplished in the polling place by providing such items as pens and paper for the deaf, a magnifier for the visually impaired, voting booths to accommodate voters who use wheelchairs, chairs for people with balance problems, screens around the booths, any item that makes marking and gripping easier.

Sensitivity training regarding the disabled community should also be included when training election judges. Illinois election authorities must give voters with disabilities information about the relative accessibility of polling places. This dissemination of information can be accomplished by publishing literature, providing fliers to assisted living centers and/or listing the information on websites.

In compliance with the federal and state law, the SBE must survey and report accessible and inaccessible polling places by December of each even-numbered year. (52 U.S.C. 20102; 10 ILCS 5/11-4.2; 26 Ill Admin. Code Part 209)

It is required that an attempt be made by the election authority to find accessible sites for every polling place within the State of Illinois. The SBE has developed and disseminated a survey to help jurisdictions determine whether a polling place is accessible.

If you have any questions, please contact adacompliance@elections.il.gov.

MILITARY AND OVERSEAS VOTERS

The UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) voter has the option to choose the method of delivery for their ballot. This means the voter can opt to have their ballot mailed, emailed, or faxed to them. The voter can also receive it through their Illinois MOVE site account.

The UOCAVA voter must sign their registration/ballot application and either mail, fax, or scan the signed application and email it back to the election authority before the request that appears in IVRS (Illinois Voter Registration System) can be processed. No matter what method of delivery the UOCAVA voter chooses, all procedures for verifying the application remain in place.

UOCAVA ballots must be ready to be mailed earlier than regular vote by mail ballots. (10 ILCS 5/16-5.01) The election authority shall, at least 45 days prior to the date of any election at which federal officers are elected and 45 days prior to any other regular election, have a sufficient number of ballots printed so that such ballots will be available for mailing 45 days prior to the date of the election to persons who have filed application for a ballot under the provisions of Article 20.

If at any election at which federal offices are elected or nominated the election authority is unable to have ballots ready in the time required, the election authority shall mail to each such person, in lieu of the ballot, a Special Write-in Vote by Mail Voter's Blank Ballot. The Special Write-in Vote by Mail Voter's Blank Ballot shall be used at all elections at which federal officers are elected or nominated and shall be prepared by the election authority.

If a copy of the ballot was sent by fax, email, or through the voter's MOVE account, they must mail the ballot back to the election authority in order for the ballot to be counted. Also, remember to include a Certificate of Ballot, the postage paid envelope, and an instructions template when using any form of electronic delivery method which can be found on IVRS under "Manage Elections".

For complete instructions on IVRS, please refer to the IVRS Manual located under the Support tab on the IVRS website.

HOW TO CREATE A MOVE ACCOUNT

The MOVE site enables a military or overseas voter to set up a MOVE account to register to vote and request vote by mail ballots for upcoming elections. This site was designed to help ease the burden of members of the Uniformed Services (and their eligible dependents) and overseas voters in requesting a voter registration and a vote by mail ballot application. This site provides them with the ability to keep in contact with their local election official and to track the status of their application and ballot. They just have to go to <https://move.elections.il.gov/> to create an account.

MILITARY AND OVERSEAS VOTERS FREQUENTLY ASKED QUESTIONS

1. **Who are UOCAVA voters?** United States citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) include each of the following:
 - A. **Uniformed Military Voters:** A military voter is one who is a member of the United States Uniformed Services, which is defined as Army, Navy, Air Force, Marine Corps, and Coast Guard. Military Voters also include the following:

- Family members (spouses or dependents of voting age) who, by reason of active duty of the military voter, are absent from the place of residence where the spouse or dependent is otherwise qualified to vote;
- Members of the U.S. Armed Forces, Merchant Marine, Commissioned Corps of the Public Health Service, and the National Oceanic and Atmosphere Administration; and
- U.S. Government employees serving outside the U.S. (10 ILCS 5/20-1)

Note: Voters in this section are entitled to have a full ballot if their FPCA (Federal Postcard Application), or similar form, arrives at least 30 days before the election. If their FPCA, or similar form, arrives less than 30 days, but not later than 10 days before a Federal election, the voter will receive a ballot for Federal offices only.

B. Overseas Voters: Overseas voters are grouped into two categories:

(1) "Citizens of the United States temporarily residing outside the territorial limits of the United States," defined as civilian citizens of the United States and their spouses and dependents of voting age when residing with or accompanying them, who maintain a precinct residence in a county within Illinois and who intend to return to that residence. (10 ILCS 5/20-1)

Note: Registered voters in this section are entitled to a full ballot if their FPCA (or similar form) arrives at least 10 days before an election. **Unregistered voters** in this section are entitled to a full ballot if their FPCA (or similar form) arrives at least 30 days before the election. If their FPCA (or similar form) arrives less than 30 days but not later than 10 days before a Federal election, the voter will receive a ballot for Federal offices only.

(2) "Non-Resident Civilian Citizens," defined as civilian citizens of the United States residing outside the territorial limits of the United States who had maintained a precinct residence in a county in this State immediately prior to their departure from the United States, but no longer maintain such a residence and whose intent to return to Illinois may be uncertain, but who are not registered to vote in any other State. (10 ILCS 5/20-1) **Note:** Voters in this category are entitled to receive a ballot for Federal offices only.

Illinois law requires that uniformed and overseas voters must have had a previous address in Illinois and not be registered to vote in any other state. Illinois law also allows uniformed and overseas voters to register to vote and to apply for a vote by mail ballot at the same time. Spouses and dependents of uniformed voters who have never resided in Illinois are also qualified to vote in Illinois elections. Spouses and dependents of "Non-Resident Civilian Citizens" who have never resided in Illinois are not qualified to vote in Illinois Elections. (10 ILCS 5/20-2, 20-2.1, 20-2.2, 20-2.3, 20-3)

2. **Are dependents of uniformed and overseas voters covered under UOCAVA?**

Yes, dependents of absent uniformed services voters are eligible to vote under the provisions of UOCAVA. Such dependents are defined as spouses and/or children of military personnel who, by reason of active duty or service of the member, are absent from their previous residence where they are otherwise qualified to vote.

Illinois law allows spouses and dependents of all UOCAVA voters except non-resident civilian citizens to simultaneously register to vote and apply for a vote by mail ballot in Illinois. (10 ILCS 5/20-2, 20-2.1, 20-2.3)

Children born to members of the U.S. Service who have reached the age of 18 but have never resided in Illinois are eligible to register and vote in Illinois. (10 ILCS 5/20-2.3)

3. May other individuals apply for a vote by mail ballot for military/overseas voters at the local election authority's office?

Yes, Illinois law allows for a mother, father, sister, brother, husband, or wife of said voter to apply for a ballot for that person in lieu of the official postcard application (SBE Form A-1). (10 ILCS 5/20-3)

4. What is the Federal Postcard Application (FPCA)?

The Federal Postcard Application (FPCA) form serves as both an application to register to vote and an application for a vote by mail ballot. This form is only used by uniformed and overseas voters, their spouses, and their dependents.

The FPCA may be downloaded from the Federal Voting Assistance website at www.fvap.gov. Pursuant to the Federal Military and Overseas Voter Empowerment MOVE Act, this card may be faxed, emailed or placed in the postal mail to the election authority.

All FPCA's are valid for one calendar year. Therefore, if an election authority receives an FPCA on January 1, 2020, it will be valid until December 31, 2020.

UOCAVA specifically states that there is a prohibition on the refusal of an application on the grounds of early submission. This means that the election authority may not refuse to accept or process any otherwise valid voter registration application (i.e. an FPCA) on the grounds that the voter submitted the application before the first date on which the election authority otherwise accepts or processes such applications submitted by vote by mail voters who are not members of the uniformed services for that year. When you receive an FPCA, please process it as soon as possible.

5. Does the FPCA need to be notarized or otherwise be witnessed?

No.

6. Do uniformed and overseas voters need to provide valid photo identification or other documentation when applying to vote?

No. When registering by mail, UOCAVA citizens are exempt under Section 303(b)(3)(C) of the Help America Vote Act from the requirement to provide a copy of a valid photo identification or other documentation that shows the name and address of the voter. Please note that registration is not required for members of the U.S. Service. (10 ILCS 5/20-2)

7. Deadlines

Members of the U.S. Service, otherwise qualified to vote, who expect in the course of their duties to be absent from the county in which they reside on Election Day may apply for a vote by mail ballot not less than 10 days before the election. (10 ILCS 5/20-2) For the

General Primary election, this date is March 7, 2020, and for the General Election, this date is October 24, 2020.

Citizens of the United States temporarily residing outside the territorial limits of the United States who are not registered, but otherwise qualified to vote and who expect to be absent from their county of residence during the periods of voter registration and on Election Day, may simultaneously apply for vote by mail registration and a vote by mail ballot not less than 30 days before the election. If the election authority receives such application after 30 days, but not less than 10 days before a Federal election, the voter shall be sent a ballot containing Federal offices only. (10 ILCS 5/20-2.1)

If a person is an overseas non-resident civilian citizen, otherwise qualified to vote in Illinois, they may make an application to the election authority having jurisdiction over the precinct of former residence for a vote by mail ballot containing Federal offices only. The application must be received not less than 10 days before a Federal Election. [(0 ILCS 5/20-2.2)

8. When an unopened ballot or other mailings sent to an UOCAVA voter have been returned undeliverable, what is the next step?

After a failed mailing, mark the UOCAVA voter's file accordingly and do not send additional mailings unless another FPCA is sent from the voter.

9. If the uniformed or overseas voter submits an FPCA and is already registered in the county, what is the correct procedure?

The FPCA is considered to be a vote by mail ballot request and would entitle the applicant to a vote by mail ballot for every election in one calendar year. (10 ILCS 5/20-2, 20-2.1, 20-2.2)

10. Can election officials mail vote by mail materials to uniformed service members and overseas voters without having to pay for postage?

Yes. Vote by mail balloting materials may be sent through the mail without prepayment of postage to enable eligible persons in the following categories to apply for registration and vote by mail ballots when absent from their place of voting residence:

- Members of the Armed Forces in active service and their spouses and dependents;
- Members of the U.S. Merchant Marine and their spouses and dependents;
- U.S. citizens temporarily residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them.

Balloting materials must be prepared in accordance to USPS [DMM 703.8.0](#).

The FVAP has envelope templates available on their website (www.fvap.gov). These templates are also available on the SBE IVRS website. (<https://move.elections.il.gov>)

11. How may UOCAVA voters return their marked ballots to the election authority?

Illinois law permits voters to return their military or overseas ballot (i) by mail, (ii) in person, by a specified relative (parent, child, or sibling) of the voter, or (iii) by a licensed motor carrier engaged in the delivery of property. (10 ILCS 5/20-5)

12. What should be done if an active duty uniformed services member (or one discharged no more than 60 days prior to the election) shows up to vote at the polling place?

What if such member has already requested and/or voted a vote by mail ballot?

A military member on active duty (or who was on active duty at any time within 60 days of the election) is allowed to vote in person at the designated polling place of their permanent residence. Voter registration is not required. If a vote by mail ballot has been requested, the military voter must surrender that ballot or a portion thereof. Additionally, if the military voter claims to have requested, but did not receive a vote by mail ballot, or claims to have received, voted and returned the ballot, but was told by the election authority that their office did not receive it, the voter may sign an affidavit to that effect and proceed to vote.

13. If the voter is no longer serving in the military, is the election authority required to send the voter an FPCA?

The person is still eligible to vote a vote by mail ballot under UOCAVA if they reside outside the United States as long as that person is still a U.S. citizen and has not established residency in another state. The FPCA must still be sent for any remaining election within that calendar year.

14. What should I do if I receive an FPCA with an address that is within Illinois?

The Election Code provides that a military member who expects in the course of his duties to be absent from the county in which they reside on the day of the election may make application for a vote by mail ballot," therefore, such member should be sent the requisite ballot. (10 ILCS 5/20-2, 20-2.1, 20-2.2)

15. What should I do if I receive an FPCA without a signature?

First, try and contact the voter to request a signed application. Use all contact information for the voter that is available, such as e-mail, telephone and fax. It is important to request as much contact information from the voter as possible in case this situation occurs.

Second, if the date of the election is approaching and you have been unable to contact the voter, you may transmit both a blank ballot and a blank FPCA to the voter. Instructions for completion of the application should be included so that the voter receives notice that if the signed application is not received back with the ballot, it will not be counted.

16. If the military voter requests to keep sending ballots after the one year period, should I continue to send the balloting materials?

Yes. Continue to send a vote by mail ballot request form/ballot as long as the voter wishes to receive them.

17. Should postcards other than the FPCA be accepted?

Yes, the SBE and the FVAP encourage all election authorities to accept all similar FPCA ballot requests. (Links to other military/overseas foundations and their ballot request forms may be found at www.fvap.gov).

Election authorities shall process voter registration applications and vote by mail ballot requests from UOCAVA voters upon receipt. If the election authority rejects the application or ballot request, the election authority should use the most expedient means available to notify the voter of the reasons for rejection.

18. Should the application or ballot also be sent to the voter's address in Illinois?

No.

19. What do I do if the ballots are not ready to be mailed by the required deadline due to unforeseen circumstances?

Election authorities are required to have ballots available for mailing to persons who have filed an application for a ballot under the provisions in Article 16 of the Illinois Election Code at least **45 days** prior to any Election in which federal offices are elected. If for any reason these ballots are not ready to be sent, the election authority shall instead mail a Special Write-in Vote by Mail Voter's Blank Ballot. Along with the ballot, the election authority shall send 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 is then allowed to write-in the name of any candidate seeking election and any referenda for which they are entitled to vote. (10 ILCS 5/16-5.01)

The Federal Write-in ballot may also be used by absent uniformed services voters and overseas voters who make timely application for and do not receive their respective State vote by mail ballot. These ballots may be downloaded at www.FVAP.gov. If the voter chooses to utilize this online version, a candidate list will still need to be provided by the respective election authority.

20. Can we only accept the Special Write-In Ballots when they come from an address outside the United States?

No. The write-in ballots are for use by absent uniformed service voters who make timely applications for but do not receive their respective State vote by mail ballots. The uniform service member may be located within or outside the territorial limits of the United States.

21. Can vote by mail ballots be sent electronically to UOCAVA voters?

The MOVE Act requires states "to transmit blank vote by mail ballots by mail or electronically in accordance with the preferred method of transmission designated by the absent services voter or overseas voter." Electronic transmission allows for faxing and emailing ballots.

If the UOCAVA voter has requested that the ballot be faxed or e-mailed and the fax number or e-mail address is not valid, we encourage you to make every effort to contact the voter, by whatever means you have available, as quickly as possible.

22. Will a voted ballot returned by electronic means alone be counted?

No. FVAP maintains that the MOVE Act still requires a hard-copy of the ballot and a "wet signature" be returned in order for the UOCAVA ballot to count. The wet signature must appear on the certification envelope that is signed by the voter.

23. Is Internet voting allowed in Illinois?

No.

24. If the voter uses the state mail-in voter registration form instead of the FPCA, should the voter still be flagged to receive ballots for all elections within the calendar year?

Yes.

25. For a primary election, how do we handle FPCA forms that do not have the box for party affiliation completed?

It is imperative that the voter declare their party affiliation if they wish to vote in the primary election. Some election authorities have sent a letter during the January prior to the primary election to those voters who have not marked the appropriate box on the FPCA. While this may add additional cost and work, every effort must be made to ensure that UOCAVA citizens receive a chance to vote in the primary. If an email address is provided, please email the voter and ask for party affiliation. If every effort is made to contact the voter and the voter still does not declare their party affiliation, please send them a non-partisan ballot that includes referenda only.

Please note that voters are not required to provide a party affiliation if they only wish to vote on referenda that appear on the ballot.

26. Should the number of uniformed service ballots be tracked separately from the number of overseas citizen's ballots?

Yes. You are required to report them separately on your post-Election Day surveys.

27. What type of information must be reported to the Federal Government concerning vote by mail ballots associated with the MOVE Act?

Two reports will be generated by the federal government. The first report is based on a survey that is conducted not later than 90 days after the election and is administered by the Election Assistance Commission. This survey will ask for the number of vote by mail ballots transmitted to uniformed services voters and overseas voters for the election and the combined number of such ballots that were returned by said voters and cast in the election.

The second report is created by and is delivered to the President and Congress. The report will include "statistical analysis of uniformed services and overseas citizens' participation" and a description of State-Federal cooperation.

28. If I cannot read or understand the information provided by the voter on the FPCA or there are other issues with the form, what should I do?

If you are having trouble of any kind and need to get in touch with the uniformed services member or overseas voter, please contact Angela Ryan at the SBE at 217-782-1577.

29. What is an "intelligent mail barcode tracking system?"

"Intelligent mail barcode tracking system" means a printed, trackable barcode attached to the return business reply envelope for mail-in ballots under Article 19 or Article 20 that allows an election authority to determine the date the envelope was mailed in absence of a postmark. [10 ILCS 5/1-3(25)]

30. How is a MOVE account created?

The MOVE site enables a military or overseas voter to set up an account to register to vote and request vote by mail ballots for upcoming elections. This site was designed to help ease the burden of members of the Uniformed Services, their eligible dependents, and overseas voters in requesting a voter

registration and a vote by mail ballot application. Interested and eligible voters just have to go to <https://move.elections.il.gov/> to create an account.

National Change of Address (NCOA)

Under 10 ILCS 5/1A-16.8, jurisdictions must transfer a voter's registration based upon information from National Change of Address ("NCOA") matches. Election Authorities shall automatically register any voter who has moved into its jurisdiction from another jurisdiction in Illinois or has moved within its jurisdiction. The information from the NCOA will be distributed to the jurisdictions through IVRS; however other tracking and record keeping will need to be in place to fully implement these requirements.

Each jurisdiction (if more than one) involved must send a notice to the individual to provide the individual the opportunity to have the update of their registration cancelled.

Election authorities will need to keep accurate records of those registrations transferred through NCOA. The statute allows an individual who has their registration transferred through NCOA to vote at their previous polling location if the voter proclaims their prior address is the true current address.

The full set of instructions is available under the "Support" tab on the IVRS website, contained within the IVRS Manual.

Electronic Registration Information Center (ERIC)

The SBE is required 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 on Aging, and the Department of Employment Security databases (excluding those fields unrelated to voter eligibility, such as income or health information) with the Electronic Registration Information Center "(ERIC)". (10 ILCS 5/1A-45)

Any communication required to be delivered to a registrant or potential registrant pursuant to the ERIC Membership Agreement shall include at least the following message:

"Our records show people at this address may not be registered to vote at this address, but you may be eligible to register to vote or re-register to vote at this address. If you are a U.S. Citizen, a resident of Illinois and will be 18 years old or older before the next General Election in November, you are qualified to vote. We invite you to check your registration online at (enter URL) or ***register to vote online at (enter URL)**, by requesting a mail-in voter registration form by (enter instructions for requesting a mail-in voter registration form), or visiting the (name of election authority) office at (address of elections authority)."

*The words "register to vote online at (enter URL)" shall be bolded and of a distinct nature from the other words in the message.

Any communication required to be delivered to a potential registrant that has been identified by the Electronic Registration Information Center as eligible to vote but who is not registered to vote in Illinois shall be prepared and disseminated at the direction of the SBE. All other communications with potential registrants or re-registrants pursuant to the Electronic Registration Information Center Membership Agreement shall be prepared and disseminated at the direction of the appropriate election authority.

Resources

The links listed below contain information on the election process:

The Election Center

<http://www.electioncenter.org>

The Election Assistance Commission

<http://www.eac.gov/>

Illinois State Board of Elections

<http://www.elections.il.gov/>

U.S. Department of Defense Federal Voting Assistance Program

<http://www.fvap.gov/>

Department of Homeland Security – *links related to election and cyber security*

<https://www.dhs.gov/cisa/election-security>

<https://www.dhs.gov/publication/election-security-resource-library>

<https://www.eac.gov/election-officials/election-security-preparedness/>

[Testing Security Best Practices Guide](#)

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