

ILLINOIS LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key penal provisions found within the Illinois Election Code, within 10 ILCS 5, and other relevant sections of the Illinois Statutes.

- Knowingly preventing any person from lawfully voting, by force, intimidation, threat, deception, or forgery, is a felony.
- Threatening a public official or their immediate family is a felony.
- Knowingly failing or refusing to comply with any lawful order of an election authority is a misdemeanor.

VOTING HOURS

Election Day
6 a.m. to 7 p.m.

ELECTION DATES

2023: No state or federal elections
2024: Primary Election – March 19
General Election – November 5

For upcoming election dates:

www.elections.il.gov/

REPORT SUSPICIOUS BEHAVIOR TO

Illinois Board of Elections
312-814-6440 or 217-782-4141

Local Election Authorities:

[www.elections.il.gov/ElectionOperations/
ElectionAuthorities.aspx](http://www.elections.il.gov/ElectionOperations/ElectionAuthorities.aspx)

Illinois Attorney General
1-866-536-3496



Election Authority Definition

10 ILCS 5/1-3 (8)

"Election authority" means a county clerk or a Board of Election Commissioners.

Authority of Judges of Election

10 ILCS 5/18-7

Said judges of election shall have authority and it shall be their duty to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election laws, or any interference with the progress of registration, revision, election or of the canvass of the ballots; and it shall be the duty of all officers of the law present to obey the order of such judges of election, or either of them, and an officer making an arrest, by direction of any judge, shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

Authority of Judges of Election

10 ILCS 5/18-8

As soon as the poll of an election shall have been finally closed, the judges of election, in their several precincts, shall immediately, and at the place of the poll, proceed to canvass the vote so cast. Such canvass shall not be adjourned or postponed until it shall have been fully completed, nor until the several statements herein required to be made by the judges shall have been made out and signed by them. The judges of election shall have the right to station one or more police officers or officers of the peace, at such entrance to the room where such canvass is begun, or about to take place, to exclude disorderly persons, and to keep the peace.

Failure to comply with order of election authority

10 ILCS 5/29-11

Any person who knowingly fails or refuses to comply with any lawful order of an election authority issued by the election authority in the performance of the duties of the election authority, shall be guilty of a Class A misdemeanor.

Threatening public officials; human service providers.

720 ILCS 5/12-9

(a) A person commits threatening a public official or human service provider when:

(1) that person knowingly delivers or conveys, directly or indirectly, to a public official or human service provider by any means a communication:

(i) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or

(ii) containing a threat that would place the public official or human service provider or a member of his or her immediate family in reasonable apprehension that damage will occur to property in the custody, care, or control of the public official or his or her immediate family; and

(2) the threat was conveyed because of the performance or nonperformance of some public duty or duty as a human service provider, because of hostility of the person making the threat toward the status or position of the public official or the human service provider, or because of any other factor related to the official's public existence. . . .

(b) For purposes of this Section:

(1) "Public official" means a person who is elected to office in accordance with a statute or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by statute, to discharge a public duty for the State or any of its political subdivisions or in the case of an elective office any person who has filed the required documents for nomination or election to such office. . . .

(2) "Immediate family" means a public official's spouse or child or children.

(c) Threatening a public official or human service provider is a Class 3 felony for a first offense and a Class 2 felony for a second or subsequent offense.

Prevention of voting or candidate support 10 ILCS 5/29-4

Any person who, by force, intimidation, threat, deception or forgery, knowingly prevents any other person from (a) registering to vote, or (b) lawfully voting, supporting or opposing the nomination or election of any person for public office or any public question voted upon at any election, shall be guilty of a Class 4 felony.

Polling Place 100 Feet Limit 10 ILCS 5/17-29

No judge of election, pollwatcher, or other person shall, at any primary or election, do any electioneering or soliciting of votes or engage in any political discussion within any polling place, within 100 feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place; no person shall interrupt, hinder or oppose any voter while approaching within those areas for the purpose of voting. Judges of election shall enforce the provisions of this Section.

Mutilation of election materials 10 ILCS 5/29-6

Any person who knowingly destroys, mutilates, defaces, falsifies, forges, conceals or removes any record, register of voters, affidavit, return or statement of votes, certificate, tally sheet, ballot, or any other document or computer program which (a) is used or to be preserved for use in connection with registration, or (b) is used or to be preserved for use in connection with any election pursuant to this Code, except as permitted by provisions of this Code, shall be guilty

of a Class 4 felony and shall also be ineligible for public employment for a period of 5 years immediately following the completion of his or her sentence.

Interfering with the validity or accuracy of the election

10 ILCS 5/24-20

No judge of an election or inspector, or any custodian or other public official authorized to take part in the holding of an election or in preparing for an election, shall, with intent to cause or permit any voting machine to fail to register correctly all votes cast thereon; or tamper with or disarrange such machine in any way or any part or appliance thereof, or cause or consent to said machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register all votes cast thereon; or, with the purpose of defrauding or deceiving any voter or of causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or of causing it to appear on said machine that the votes cast for one ticket, candidate or proposition, were cast for another ticket, candidate or proposition, remove, change or mutilate any ballot label on said machine or any part thereof; or do any other thing intended to interfere with the validity or accuracy of the election, and the results thereof, or fraudulently cause an incorrect return of the election.

Tampering with voting machines

10 ILCS 5/29-7

Any person who tampers with any machine or device used in connection with voting or the counting of votes, or who knowingly allows another to tamper with such a machine or device, so as (a) to interfere with the proper operation of such machine or device, (b) to alter the results recorded on such machine or device or intended to be recorded thereon, or (c) to place votes on a machine which are not legally cast, shall be guilty of a Class 4 felony.

Pollwatchers; law enforcement; judges of election authority

10 ILCS 5/17-23

Pollwatchers shall be permitted to observe all proceedings and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, and to station themselves in a position in the voting room as will enable them to observe the judges making the signature comparison between the voter application and the voter registration record card; provided, however, that such pollwatchers shall not be permitted to station themselves in such close proximity to the judges of election so as to interfere with the orderly conduct of the election and shall not, in any event, be permitted to handle election materials. Pollwatchers may challenge for cause the voting qualifications of a person offering to vote and may call to the attention of the judges of election any incorrect procedure or apparent violations of this Code.

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

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

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

Voting more than once

10 ILCS 5/29-5

Any person who, having voted once, knowingly during any election where the ballot or machine lists any of the same candidates and issues listed on the ballot or machine previously used for voting by that person,

(a) files an application to vote in the same or another polling place, or (b) accepts a ballot or enters a voting machine (except to legally give assistance pursuant to the provisions of this Code), shall be guilty of a Class 3 felony; however, if a person has delivered a ballot or ballots to an election authority as a vote by mail voter and due to a change of circumstances is able to and does vote in the precinct of his residence on election day, shall not be deemed to be in violation of this Code.

Conspiracy to prevent vote - Liability

10 ILCS 5/29-18

If 2 or more persons conspire to prevent by force, intimidation, threat, deception, forgery or bribery any person from registering to vote, or preventing any person lawfully entitled to vote from voting, or preventing any person from supporting or opposing, in a legal manner, the nomination or election of any person for public or political party office, or a proposition voted upon at any election, or to injure any person or such person's property on account of such vote, support or advocacy, and if one or more persons so conspiring do, attempt or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property or deprived of having or exercising any right, privilege or immunity secured by the Constitution or laws of the United States or the State of Illinois relating to the conduct of elections, voting, or the nomination or election of candidates for public or political party office, all persons engaged in such conspiracy shall be liable to the party injured or any person affected, in any action or proceeding for redress.



Committee for

**SAFE AND SECURE
ELECTIONS**

