

## **VOTER ASSISTANCE ON ELECTION DAY**

### **10 ILCS 5/7-47.1, 5/7-48, 5/11-7, 5/17-13, 5/17-14, 5/24-9**



#### **WHAT IS VOTER "ASSISTANCE"?**

"Assistance" is the **actual casting of a vote** for a voter by a specified person in the **privacy** of the voting booth on Election Day. Those giving assistance must vote as directed by the voter.

#### **WHO MAY BE GIVEN ASSISTANCE?**

Only those voters who genuinely need assistance may be given assistance. Illinois law provides that the following persons may receive assistance:

- Persons with disabilities or visually impaired voters;
- Those voters who cannot read or write the English language.

Of course, all voters needing assistance must be registered to vote. Intoxicated voters do not qualify as being disabled and may not be given assistance.

#### **WHO CAN PROVIDE ASSISTANCE?**

Any voter who needs assistance in voting by reason of blindness, disability, or inability to read or write the English language may be given assistance by a person of the voter's choice. However, the person giving the assistance cannot be an officer or agent of the voter's employer or union.

If the voter who needs assistance does not specify a particular person to assist him in voting, then the voter can be assisted by two election judges, one from each political party.

#### **HOW IS THE ASSISTANCE GIVEN?**

Assistance is always given in the privacy of the voting booth. Anyone giving assistance **must** cast the vote as directed by the voter and **must** not give anyone information as to how the vote was cast. The person giving assistance must not attempt to influence the voter in any way. Anyone who knowingly threatens, forces, or pays a voter to vote a certain way is guilty of a Class 4 felony.

#### **IS AN AFFIDAVIT REQUIRED?**

Yes. Assistance can only be given upon the voter's request and only after the voter completes the appropriate affidavit. In every instance of assistance, both the voter receiving the assistance and the person(s) giving the assistance must sign the affidavit. Also, the voter's "Application for Ballot" must be marked by an Election Judge to show that the voter requested assistance.

#### **WHAT IF A VOTER NEEDS INSTRUCTION?**

"Instruction" is explaining to the voter how to use the voting equipment. "Assistance," however, is actually casting a vote for a voter as directed by the voter.

Any instruction that might be required should be given before the voter enters the booth. A specimen ballot, not the voter's official ballot, must be used during instruction. An affidavit is required for "assistance" but it is not required for "instruction."

### **WHAT ABOUT INACCESSIBLE POLLING PLACES?**

Any handicapped or elderly voter who cannot enter a polling place due to the structural features of the building, may request to vote outside (near the entrance) of his/her polling place. Such requests must be made with the election authority (County Clerk or Board of Election Commissioners) **by the close of business** on the day **before** the election. The election authority will then notify the appropriate election judges of the names of those persons making such a request.

If notification is received by the election judges the voter completes the entire voting process (weather permitting) outside the polling place as follows: Two judges of opposite party affiliation deliver an application to the voter. The completed application is brought back into the polling place to the verification judges. After the signature and address are checked and it is determined that the individual is qualified to vote, a ballot, a marking device and a portable voting booth or enclosure is provided to allow the voter to mark his ballot in complete secrecy. In no case can a ballot be delivered to a voter beyond **50 feet** of the entrance to the building in which the polling place is located. After the voter completes voting, the two election judges take the ballot (covered by the secrecy sleeve) back into the polling place for deposit into the ballot box.

Illinois State Board of Elections website: [www.elections.il.gov](http://www.elections.il.gov)  
Revised 6/10/15