



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB3695

by Rep. Robyn Gabel

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5  
10 ILCS 5/1-16 new  
10 ILCS 5/1A-16.1 new  
10 ILCS 5/1A-16.2 new  
10 ILCS 5/1A-16.6  
10 ILCS 5/1A-16.8  
10 ILCS 5/1A-16.9 new  
625 ILCS 5/2-105

from Ch. 95 1/2, par. 2-105

Amends the Election Code. Provides that the State Board of Elections and the Office of the Secretary of State shall establish an automatic voter registration program pursuant to an interagency contract and jointly-adopted rules. Provides that an application for a driver's license, other than a temporary visitor's driver's license or a State identification card, shall also serve as an application to register to vote; allow an update to registration; and perform other specified functions. Requires specified agencies to provide certain information regarding registration. Establishes designated automatic voter registration agencies; and requires the establishment of dual-purpose applications to register to vote. Sets forth provisions and requirements for the State Board of Elections regarding the program. Amends the Freedom of Information Act to exempt certain information. Amends the Illinois Vehicle Code to make conforming changes. Effective immediately.

LRB100 10914 MLM 21150 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for  
8 by the statutes referenced below, the following shall be exempt  
9 from inspection and copying:

10 (a) All information determined to be confidential  
11 under Section 4002 of the Technology Advancement and  
12 Development Act.

13 (b) Library circulation and order records identifying  
14 library users with specific materials under the Library  
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical  
17 records received by the Experimental Organ Transplantation  
18 Procedures Board and any and all documents or other records  
19 prepared by the Experimental Organ Transplantation  
20 Procedures Board or its staff relating to applications it  
21 has received.

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmissible  
2 disease or any information the disclosure of which is  
3 restricted under the Illinois Sexually Transmissible  
4 Disease Control Act.

5 (e) Information the disclosure of which is exempted  
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of  
8 the Architectural, Engineering, and Land Surveying  
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted  
11 and exempted under Section 50 of the Illinois Prepaid  
12 Tuition Act.

13 (h) Information the disclosure of which is exempted  
14 under the State Officials and Employees Ethics Act, and  
15 records of any lawfully created State or local inspector  
16 general's office that would be exempt if created or  
17 obtained by an Executive Inspector General's office under  
18 that Act.

19 (i) Information contained in a local emergency energy  
20 plan submitted to a municipality in accordance with a local  
21 emergency energy plan ordinance that is adopted under  
22 Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution  
24 of surcharge moneys collected and remitted by wireless  
25 carriers under the Wireless Emergency Telephone Safety  
26 Act.

1           (k) Law enforcement officer identification information  
2           or driver identification information compiled by a law  
3           enforcement agency or the Department of Transportation  
4           under Section 11-212 of the Illinois Vehicle Code.

5           (l) Records and information provided to a residential  
6           health care facility resident sexual assault and death  
7           review team or the Executive Council under the Abuse  
8           Prevention Review Team Act.

9           (m) Information provided to the predatory lending  
10          database created pursuant to Article 3 of the Residential  
11          Real Property Disclosure Act, except to the extent  
12          authorized under that Article.

13          (n) Defense budgets and petitions for certification of  
14          compensation and expenses for court appointed trial  
15          counsel as provided under Sections 10 and 15 of the Capital  
16          Crimes Litigation Act. This subsection (n) shall apply  
17          until the conclusion of the trial of the case, even if the  
18          prosecution chooses not to pursue the death penalty prior  
19          to trial or sentencing.

20          (o) Information that is prohibited from being  
21          disclosed under Section 4 of the Illinois Health and  
22          Hazardous Substances Registry Act.

23          (p) Security portions of system safety program plans,  
24          investigation reports, surveys, schedules, lists, data, or  
25          information compiled, collected, or prepared by or for the  
26          Regional Transportation Authority under Section 2.11 of

1 the Regional Transportation Authority Act or the St. Clair  
2 County Transit District under the Bi-State Transit Safety  
3 Act.

4 (q) Information prohibited from being disclosed by the  
5 Personnel Records Review Act.

6 (r) Information prohibited from being disclosed by the  
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted  
9 under Section 5-108 of the Public Utilities Act.

10 (t) All identified or deidentified health information  
11 in the form of health data or medical records contained in,  
12 stored in, submitted to, transferred by, or released from  
13 the Illinois Health Information Exchange, and identified  
14 or deidentified health information in the form of health  
15 data and medical records of the Illinois Health Information  
16 Exchange in the possession of the Illinois Health  
17 Information Exchange Authority due to its administration  
18 of the Illinois Health Information Exchange. The terms  
19 "identified" and "deidentified" shall be given the same  
20 meaning as in the Health Insurance Portability and  
21 Accountability Act of 1996, Public Law 104-191, or any  
22 subsequent amendments thereto, and any regulations  
23 promulgated thereunder.

24 (u) Records and information provided to an independent  
25 team of experts under Brian's Law.

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under  
2 the Firearm Owners Identification Card Act or applied for  
3 or received a concealed carry license under the Firearm  
4 Concealed Carry Act, unless otherwise authorized by the  
5 Firearm Concealed Carry Act; and databases under the  
6 Firearm Concealed Carry Act, records of the Concealed Carry  
7 Licensing Review Board under the Firearm Concealed Carry  
8 Act, and law enforcement agency objections under the  
9 Firearm Concealed Carry Act.

10 (w) Personally identifiable information which is  
11 exempted from disclosure under subsection (g) of Section  
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure  
14 under Section 5-1014.3 of the Counties Code or Section  
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult  
17 Protective Services Act and its predecessor enabling  
18 statute, the Elder Abuse and Neglect Act, including  
19 information about the identity and administrative finding  
20 against any caregiver of a verified and substantiated  
21 decision of abuse, neglect, or financial exploitation of an  
22 eligible adult maintained in the Registry established  
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality  
25 review team or the Illinois Fatality Review Team Advisory  
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure  
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from  
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement  
7 Officer-Worn Body Camera Act, except to the extent  
8 authorized under that Act.

9 (dd) Information that is prohibited from being  
10 disclosed under Section 45 of the Condominium and Common  
11 Interest Community Ombudsperson Act.

12 (ee) ~~(ed)~~ Information that is exempted from disclosure  
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Records that are exempt from disclosure under  
15 Section 1A-16.6 of the Election Code.

16 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,  
17 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;  
18 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;  
19 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.  
20 8-19-16; revised 9-1-16.)

21 Section 10. The Election Code is amended by changing  
22 Sections 1A-16.6 and 1A-16.8 and by adding Sections 1-16,  
23 1A-16.1, 1A-16.2, and 1A-16.9 as follows:

24 (10 ILCS 5/1-16 new)

1       Sec. 1-16. Election authorities; notices by electronic  
2 mail. If an election authority is required by law to send an  
3 election-related notice to an individual, that election  
4 authority may send that notice solely by electronic mail if the  
5 individual provides a current e-mail address to the election  
6 authority and authorizes the election authority to send notices  
7 by electronic mail. For the purposes of this Section, the term  
8 "notice" does not include a ballot.

9           (10 ILCS 5/1A-16.1 new)

10       Sec. 1A-16.1. Automatic voter registration; Secretary of  
11 State.

12       (a) The Office of the Secretary of State and the State  
13 Board of Elections, pursuant to an interagency contract and  
14 jointly-adopted rules, shall establish an automatic voter  
15 registration program that satisfies the requirements of this  
16 Section and other applicable law.

17       (b) An application for a driver's license, other than a  
18 temporary visitor's driver's license, or a State  
19 identification card issued by the Office of the Secretary of  
20 State shall:

21           (1) also serve as an application to register to vote in  
22 Illinois;

23           (2) allow an applicant to change his or her registered  
24 residence address;

25           (3) clearly and conspicuously inform the applicant in



1 writing (i) of the qualifications to register to vote in  
2 Illinois, (ii) of the penalties provided by law for  
3 submission of a false voter registration application,  
4 (iii) that, unless the applicant declines to register to  
5 vote or update his or her voter registration, his or her  
6 application shall also serve as both an application to  
7 register to vote and his or her attestation that he or she  
8 meets the eligibility requirements for voter registration,  
9 and that his or her application to register to vote or  
10 update his or her registration will be transmitted to the  
11 State Board of Elections for the purpose of registering the  
12 person to vote at the residence address to be indicated on  
13 his or her driver's license or identification card, and  
14 (iv) that declining to register to vote is confidential and  
15 will not affect any services the person may be seeking from  
16 the Office of the Secretary of State;

17 (4) provide the applicant with an opportunity to  
18 affirmatively decline to register to vote or to change his  
19 or her registered residence address by providing a check  
20 box on the application form without requiring the applicant  
21 to state the reason; and

22 (5) unless the applicant declines to register to vote  
23 or change his or her registered residence address, require  
24 the applicant to attest, by signature under penalty of  
25 perjury as described in subsection (e) of this Section, to  
26 meeting the qualifications to register to vote in Illinois

1       at his or her residence address as indicated on his or her  
2       driver's license or identification card application.

3       (c) The Office of the Secretary of State shall inform each  
4       applicant for a driver's license or permit, other than a  
5       temporary visitor's driver's license, or a State  
6       identification card issued by the Office of the Secretary of  
7       State whether the applicant is currently registered to vote in  
8       Illinois and, if registered, at what address.

9       (d) The Office of the Secretary of State shall not require  
10       an applicant for a driver's license or State identification  
11       card to provide duplicate identification or information in  
12       order to complete an application to register to vote or change  
13       his or her registered residence address. Before transmitting  
14       any personal information about an applicant to the State Board  
15       of Elections, the Office of the Secretary of State shall review  
16       its records regarding the applicant, including identification  
17       documents that may have been provided in order to complete the  
18       application for a driver's license or State identification  
19       card, to confirm that the Office of the Secretary of State is  
20       not in possession of any information that indicates that the  
21       applicant does not satisfy the qualifications to register to  
22       vote in Illinois at his or her residence address.

23       (e) A completed, signed application for a driver's license  
24       or permit, other than a temporary visitor's driver's license or  
25       a State identification card issued by the Office of the  
26       Secretary of State, shall constitute a signed application to

1 register to vote in Illinois at the residence address indicated  
2 in the application unless (i) the person affirmatively declined  
3 in the application to register to vote or to change his or her  
4 registered residence address or (ii) the records of the Office  
5 of the Secretary of State regarding the applicant indicate that  
6 he or she does not satisfy the qualifications to register to  
7 vote in Illinois at his or her residence address.

8 (f) For each completed and signed application that  
9 constitutes an application to register to vote in Illinois or  
10 provides for a change in the applicant's registered residence  
11 address, the Office of the Secretary of State shall  
12 electronically transmit to the State Board of Elections  
13 personal information needed to complete the person's  
14 registration to vote in Illinois at his or her residence  
15 address. The application to register to vote shall be processed  
16 in accordance with Section 1A-16.7.

17 (10 ILCS 5/1A-16.2 new)

18 Sec. 1A-16.2. Automatic voter registration; designated  
19 automatic voter registration agencies.

20 (a) Each designated automatic voter registration agency  
21 may, pursuant to an interagency contract and jointly-adopted  
22 rules with the State Board of Elections, agree to participate  
23 in an automatic voter registration program established by the  
24 State Board of Elections that satisfies the requirements of  
25 this Section and other applicable law.

1       (b) As provided in subsection (a), each designated  
2 automatic voter registration agency that collects or  
3 cross-references reliable personal information indicating  
4 citizenship status may provide that an application for a  
5 license, permit, program, or service offered by that agency  
6 shall serve as a dual-purpose application. The dual-purpose  
7 application shall:

8           (1) also serve as an application to register to vote in  
9 Illinois;

10          (2) allow an applicant to change his or her registered  
11 residence address;

12          (3) clearly and conspicuously inform the applicant in  
13 writing (i) of the qualifications to register to vote in  
14 Illinois, (ii) of the penalties provided by law for  
15 submission of a false voter registration application,  
16 (iii) that, unless the applicant declines to register to  
17 vote or update his or her voter registration, his or her  
18 application shall also serve as both an application to  
19 register to vote and his or her attestation that he or she  
20 meets the eligibility requirements for voter registration,  
21 and that his or her application to register to vote or  
22 update his or her registration will be transmitted to the  
23 State Board of Elections for the purpose of registering the  
24 person to vote at the residence address to be indicated on  
25 the dual-purpose application, (iv) that information  
26 identifying the agency at which he or she applied to

1 register to vote is confidential, (vi) that declining to  
2 register to vote is confidential and will not affect any  
3 services the person may be seeking from the agency, and  
4 (vii) any additional information needed in order to comply  
5 with Section 7 of the federal National Voter Registration  
6 Act of 1993;

7 (4) provide the applicant with an opportunity to  
8 affirmatively decline to register to vote or change his or  
9 her registered residence address by providing a check box  
10 on the application form without requiring the applicant to  
11 state the reason; and

12 (5) unless the applicant declines to register to vote  
13 or to change his or her registered residence address,  
14 require the applicant to attest, by signature under penalty  
15 of perjury, to meeting the qualifications to register to  
16 vote in Illinois at his or her residence address as  
17 indicated on his or her dual-purpose application.

18 (c) As provided in subsection (a) of this Section, each  
19 designated automatic voter registration agency that does not  
20 collect or cross-reference records containing reliable  
21 personal information indicating citizenship status may provide  
22 that an application for a license, permit, program, or service  
23 offered by that agency shall serve as a dual-purpose  
24 application. The dual-purpose application shall:

25 (1) also serve as an application to register to vote in  
26 Illinois;

1           (2) allow an applicant to change his or her registered  
2           residence address;

3           (3) require the applicant to attest, by a separate  
4           signature under penalty of perjury, to meeting the  
5           qualifications to register to vote in Illinois at his or  
6           her residence address as indicated on his or her  
7           dual-purpose application;

8           (4) clearly and conspicuously inform the applicant in  
9           writing (i) of the qualifications to register to vote in  
10           Illinois, (ii) of the penalties provided by law for  
11           submission of a false voter registration application,  
12           (iii) that the dual-purpose application is also an  
13           application to register to vote in Illinois, (iv) that, if  
14           he or she decides to register to vote or to change his or  
15           her registered residence address, the applicant's personal  
16           information will be transmitted to the State Board of  
17           Elections for the purpose of registering the person to vote  
18           at the residence address to be indicated on the  
19           dual-purpose application, (v) that information identifying  
20           the agency at which he or she applied to register to vote  
21           is confidential, and (vi) that their decision on whether to  
22           register to vote is confidential and will not affect any  
23           services the person may be seeking from the agency.

24           (d) The designated automatic voter registration agency  
25           shall inform each applicant whether the applicant is currently  
26           registered to vote in Illinois and, if registered, at what

1 address.

2 (e) The designated automatic voter registration agency  
3 shall not require an applicant for a dual-purpose application  
4 to provide duplicate identification or information in order to  
5 complete an application to register to vote or change his or  
6 her registered residence address. Before transmitting any  
7 personal information about an applicant to the State Board of  
8 Elections, the agency shall review its records regarding the  
9 applicant, including identification documents that may have  
10 been provided in order to complete the dual-purpose  
11 application, to confirm that the agency is not in possession of  
12 any information that indicates that the applicant does not  
13 satisfy the qualifications to register to vote in Illinois at  
14 his or her residence address. A completed and signed  
15 dual-purpose application, including a completed application  
16 under subsection (c) of this Section with a separate signature  
17 attesting that the applicant meets the qualifications to  
18 register to vote in Illinois at his or her residence address as  
19 indicated on his or her application, shall constitute an  
20 application to register to vote in Illinois at the residence  
21 address indicated in the application unless (i) the person  
22 affirmatively declined in the application to register to vote  
23 or to change his or her registered residence address or (ii)  
24 the agency's records regarding the applicant indicate that he  
25 or she does not satisfy the qualifications to register to vote  
26 in Illinois at his or her residence address.

1       (f) For each completed and signed dual-purpose application  
2 that constitutes an application to register to vote in Illinois  
3 or provides for a change in the applicant's registered  
4 residence address, the designated automatic voter registration  
5 agency shall electronically transmit to the State Board of  
6 Elections personal information needed to complete the person's  
7 registration to vote in Illinois at his or her residence  
8 address. The application to register to vote shall be processed  
9 in accordance with Section 1A-16.7.

10       (g) As used in this Section:

11           "Designated automatic voter registration agency" or  
12 "agency" means the Department of Human Services, the  
13 Department of Healthcare and Family Services, the  
14 Department of Employment Security, the Department on  
15 Aging, or an agency of the State or federal government that  
16 has been determined by the State Board of Elections to have  
17 access to reliable personal information and has entered  
18 into an interagency contract with the State Board of  
19 Elections to participate in the automatic voter  
20 registration program under this Section.

21           "Dual-purpose application" means an application for a  
22 license, permit, program, or service offered by a  
23 designated automatic voter registration agency that also  
24 serves as an application to register to vote in Illinois.

25           "Reliable personal information" means information  
26 about individuals obtained from government sources that



1       may be used to verify whether an individual is eligible to  
2       register to vote.

3           (10 ILCS 5/1A-16.6)

4       Sec. 1A-16.6. Automatic ~~Government~~ ~~agency~~ voter  
5 registration.

6       (a) The State Board of Elections shall establish and  
7 maintain a portal for automatic government agency voter  
8 registration that permits an eligible person to electronically  
9 apply to register to vote or to update his or her existing  
10 voter registration as provided in Section 1A-16.1 or Section  
11 1A-16.2. The portal shall interface with the online voter  
12 registration system established in Section 1A-16.5 of this Code  
13 and shall be capable of receiving and processing voter  
14 registration application information, including electronic  
15 signatures, from the Office of the Secretary of State and each  
16 designated automatic voter registration agency, as defined in  
17 Section 1A-16.2. The State Board of Elections shall modify the  
18 online voter registration system as necessary to implement this  
19 Section. By April 1, 2016, the State Board of Elections shall  
20 establish and maintain a portal for government agency  
21 registration that permits an eligible person to electronically  
22 apply to register to vote or to update his or her existing  
23 voter registration whenever he or she conducts business, either  
24 online or in person, with a designated government agency. The  
25 portal shall interface with the online voter registration

1 ~~system established in Section 1A-16.5 of this Code and shall be~~  
2 ~~capable of receiving and processing voter registration~~  
3 ~~application information, including electronic signatures, from~~  
4 ~~a designated government agency. The State Board of Elections~~  
5 ~~shall modify the online voter registration system as necessary~~  
6 ~~to implement this Section.~~

7 ~~Voter registration data received from a designated~~  
8 ~~government agency through the online registration system shall~~  
9 ~~be processed as provided for in Section 1A-16.5 of this Code.~~

10 ~~Whenever the registration interface is accessible to the~~  
11 ~~general public, including, but not limited to, online~~  
12 ~~transactions, the interface shall allow the applicant to~~  
13 ~~complete the process as provided for in Section 1A-16.5 of this~~  
14 ~~Code. The online interface shall be capable of providing the~~  
15 ~~applicant with the applicant's voter registration status with~~  
16 ~~the State Board of Elections and, if registered, the~~  
17 ~~applicant's current registration address. The applicant shall~~  
18 ~~not be required to re enter any registration data, such as~~  
19 ~~name, address, and birth date, if the designated government~~  
20 ~~agency already has that information on file. The applicant~~  
21 ~~shall be informed that by choosing to register to vote or to~~  
22 ~~update his or her existing voter registration, the applicant~~  
23 ~~consents to the transfer of the applicant's personal~~  
24 ~~information to the State Board of Elections.~~

25 ~~Whenever a government employee is accessing the~~  
26 ~~registration system while servicing the applicant, the~~

~~government employee shall notify the applicant of the applicant's registration status with the State Board of Elections and, if registered, the applicant's current registration address. If the applicant elects to register to vote or to update his or her existing voter registration, the government employee shall collect the needed information and assist the applicant with his or her registration. The applicant shall be informed that by choosing to register to vote or to update his or her existing voter registration, the applicant consents to the transfer of the applicant's personal information to the State Board of Elections.~~

~~In accordance with technical specifications provided by the State Board of Elections, each designated government 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 established in Section 1A-16.5 of this Code. Each designated government agency shall establish and operate a voter registration system capable of transmitting voter registration application information to the portal as described in this Section by July 1, 2016.~~

(b) Voter registration data received from the Office of the Secretary of State or a designated automatic voter registration agency through the online registration application system shall be processed as provided in Section 1A-16.5 of this Code.  
~~Whenever an applicant's data is transferred from a designated~~

1 ~~government agency, the agency must transmit a signature image~~  
2 ~~if available. If no signature image was provided by the agency~~  
3 ~~or if no signature image is available in the Secretary of~~  
4 ~~State's database or the statewide voter registration database,~~  
5 ~~the applicant must be notified that their registration will~~  
6 ~~remain in a pending status and the applicant will be required~~  
7 ~~to provide identification and a signature to the election~~  
8 ~~authority on Election Day in the polling place or during early~~  
9 ~~voting.~~

10       (c) The State Board of Elections shall establish technical  
11 specifications applicable to each automatic government  
12 registration program. The Office of the Secretary of State and  
13 each designated automatic voter registration agency shall  
14 maintain a data transfer mechanism capable of transmitting  
15 voter registration application information, including  
16 electronic signatures where available, to the online voter  
17 registration system established in Section 1A-16.5 of this  
18 Code. ~~The State Board of Elections shall track registration~~  
19 ~~data received through the online registration system that~~  
20 ~~originated from a designated government agency for the purposes~~  
21 ~~of maintaining statistics required by the federal National~~  
22 ~~Voter Registration Act of 1993, as amended.~~

23       (d) The State Board of Elections shall, by rule, establish  
24 criteria and procedures for determining whether an agency of  
25 the State or federal government seeking to become a designated  
26 automatic voter registration agency has access to reliable

1 personal information, as defined under this subsection (d) and  
2 subsection (f) of Section 1A-16.2 of this Code, and otherwise  
3 meets the requirements to enter into an interagency contract  
4 and to operate as a designated automatic voter registration  
5 agency. The State Board of Elections shall approve each  
6 interagency contract upon affirmative vote of a majority of its  
7 members. ~~The State Board of Elections shall submit a report to~~  
8 ~~the General Assembly and the Governor by December 1, 2015~~  
9 ~~detailing the progress made to implement the government agency~~  
10 ~~voter registration portal described in this Section.~~

11 As used in this subsection (d), "reliable personal  
12 information" means information about individuals obtained from  
13 government sources that may be used to verify whether an  
14 individual is eligible to register to vote.

15 (e) Whenever an applicant's data is transferred from the  
16 Office of the Secretary of State or a designated automatic  
17 voter registration agency, the agency must transmit a signature  
18 image if available. If no signature image was provided by the  
19 agency, or if no signature image is available in the Office of  
20 the Secretary of State's database or the statewide voter  
21 registration database, the applicant must be notified that his  
22 or her registration will remain in a pending status, and the  
23 applicant will be required to provide identification that  
24 complies with the federal Help America Vote Act of 2002 and a  
25 signature to the election authority on election day in the  
26 polling place or during early voting. ~~The Board shall adopt~~

1 ~~rules, in consultation with the impacted agencies.~~

2 (f) Upon receipt of personal information collected and  
3 transferred by the Office of the Secretary of State or a  
4 designated automatic voter registration agency, the State  
5 Board of Elections shall check the information against the  
6 statewide voter registration database. The State Board of  
7 Elections shall create and electronically transmit to the  
8 appropriate election authority a voter registration  
9 application for any individual who is not registered to vote in  
10 Illinois and is not disqualified as provided in this Section or  
11 whose information reliably indicates a more recent update to  
12 the name or address of a person already included in the  
13 statewide voter database. The election authority shall process  
14 the application accordingly. ~~As used in this Section, a~~  
15 ~~"designated government agency" means the Secretary of State's~~  
16 ~~Driver Services and Vehicle Services Departments, the~~  
17 ~~Department of Human Services, the Department of Healthcare and~~  
18 ~~Family Services, the Department of Employment Security, and the~~  
19 ~~Department on Aging.~~

20 (g) The appropriate election authority shall ensure that  
21 any applicant who is registered to vote or whose existing voter  
22 registration is updated under this Section is promptly sent  
23 written notice of the change. The notice may be sent by  
24 electronic mail if the applicant has provided an electronic  
25 mail address on the voter registration form. The notice  
26 required by this subsection (g) may be sent or combined with

1 other notices required or permitted by law, including, but not  
2 limited to, any notices sent pursuant to Section 1A-16.5 of  
3 this Code. Any notice required by this subsection (g) shall  
4 contain, at a minimum: (i) the applicant's name, date of birth,  
5 and residential address as reflected on the voter registration  
6 list; (ii) a statement notifying the applicant to contact the  
7 appropriate election authority if his or her voter registration  
8 has been updated in error; (iii) the qualifications to register  
9 to vote in Illinois; (iv) a statement notifying the applicant  
10 that he or she may opt out of voter registration or request a  
11 change to his or her registration information at any time by  
12 contacting an election official; and (v) contact information  
13 for the appropriate election authority, including a phone  
14 number, address, electronic mail address, and website address.

15 (h) The appropriate election authority shall ensure that  
16 any applicant whose voter registration application is not  
17 accepted or deemed incomplete is promptly sent written notice  
18 of the application's status. The notice may be sent by  
19 electronic mail if the applicant has provided an electronic  
20 mail address on the voter registration form. The notice  
21 required by this subsection may be sent or combined with other  
22 notices required or permitted by law, including, but not  
23 limited to, any notices sent pursuant to Section 1A-16.5 of  
24 this Code. Any notice required by this subsection (h) shall  
25 contain, at a minimum, the reason the application was not  
26 accepted or deemed incomplete and contact information for the

1 appropriate election authority, including a phone number,  
2 address, electronic mail address, and website address.

3 (i) If the Office of the Secretary of State or a designated  
4 automatic voter registration agency transfers information, or  
5 if the State Board of Elections creates and transmits a voter  
6 registration application, for a person who does not qualify as  
7 an eligible voter, then it shall not constitute a completed  
8 voter registration form, and the person shall not be considered  
9 to have registered to vote.

10 (j) If the registration is processed by any election  
11 authority, then it shall be presumed to have been effected and  
12 officially authorized by the State, and that person shall not  
13 be found on that basis to have made a false claim to  
14 citizenship or to have committed an act of moral turpitude, nor  
15 shall that person be subject to penalty under any relevant  
16 laws, including, but not limited to, Sections 29-10 and 29-19  
17 of this Code. This subsection (j) does not apply to a person  
18 who knows that he or she is not entitled to register to vote  
19 and who willfully votes, registers to vote, or attests under  
20 penalty of perjury that he or she is eligible to register to  
21 vote or willfully attempts to vote or to register to vote.

22 (k) The State Board of Elections, the Office of the  
23 Secretary of State, and each designated automatic voter  
24 registration agency shall implement policies and procedures to  
25 protect the privacy and security of voter information as it is  
26 acquired, stored, and transmitted among agencies, including



1 policies for the retention and preservation of voter  
2 information. Information designated as confidential under this  
3 Section may be recorded and shared among the State Board of  
4 Elections, election authorities, the Office of the Secretary of  
5 State, and designated automatic voter registration agencies,  
6 but shall be used only for voter registration purposes, shall  
7 not be disclosed to the public except in the aggregate as  
8 required by subsection (m) of this Section, and shall not be  
9 subject to the Freedom of Information Act. The following  
10 information shall be designated as confidential:

11 (1) any portion of an applicant's Social Security  
12 number;

13 (2) any portion of an applicant's driver's license  
14 number or State identification number;

15 (3) an applicant's decision to decline voter  
16 registration;

17 (4) the identity of the person providing information  
18 relating to a specific applicant; and

19 (5) the personal residence and contact information of  
20 any applicant for whom local, State, or federal law  
21 requires confidentiality, including, but not limited to, a  
22 victim of domestic violence pursuant to the Address  
23 Confidentiality for Victims of Domestic Violence Act or a  
24 victim of stalking pursuant to the Stalking No Contact  
25 Order Act.

26 This subsection (k) shall not apply to information the

1 State Board of Elections is required to share with the  
2 Electronic Registration Information Center.

3 (l) The voter registration procedures implemented under  
4 this Section shall comport with the federal National Voter  
5 Registration Act of 1993, as amended, and shall specifically  
6 require that the State Board of Elections track registration  
7 data received through the online registration system that  
8 originated from a designated automatic voter registration  
9 agency for the purposes of maintaining statistics.

10 (m) The State Board of Elections, each election authority  
11 that maintains a website, the Office of the Secretary of State,  
12 and each designated automatic voter registration agency that  
13 maintains a website shall provide information on their websites  
14 informing the public about the new registration procedures  
15 described in this Section. The Office of the Secretary of State  
16 and each designated automatic voter registration agency shall  
17 display signage or provide literature for the public containing  
18 information about the new registration procedures described in  
19 this Section.

20 (n) No later than 6 months after the effective date of this  
21 amendatory Act of the 100th General Assembly, the State Board  
22 of Elections shall hold at least one public hearing on  
23 implementing this amendatory Act of the 100th General Assembly  
24 at which the public may provide input.

25 (o) The State Board of Elections shall submit an annual  
26 public report to the General Assembly and the Governor

1 detailing the progress made to implement this Section. The  
2 report shall include all of the following: the number of  
3 records transferred under this Section by agency, the number of  
4 voters newly added to the statewide voter registration list  
5 because of records transferred under this Section by agency,  
6 the number of updated registrations under this Section by  
7 agency, the number of persons who opted out of voter  
8 registration, and the number of voters who submitted voter  
9 registration forms using the online procedure described in  
10 Section 1A-16.5 of this Code. Any report produced under this  
11 subsection shall exclude any information that identifies any  
12 individual personally.

13 (p) The State Board of Elections, in consultation with  
14 election authorities, the Office of the Secretary of State,  
15 designated automatic voter registration agencies, and  
16 community organizations, shall adopt rules as necessary to  
17 implement the provisions of this Section.

18 (Source: P.A. 98-1171, eff. 6-1-15.)

19 (10 ILCS 5/1A-16.8)

20 Sec. 1A-16.8. Automatic transfer of registration based  
21 upon information from the National Change of Address database  
22 and designated automatic voter registration agencies.

23 (a) The State Board of Elections shall cross-reference the  
24 statewide voter registration database against the United  
25 States Postal Service's National Change of Address database

1 twice each calendar year, April 15 and October 1 in  
2 odd-numbered years and April 15 and December 1 in even-numbered  
3 years, and shall share the findings with the election  
4 authorities.

5 (b) In addition, beginning no later than September 1, 2017,  
6 the State Board of Elections shall utilize data provided as  
7 part of its membership in the Electronic Registration  
8 Information Center in order to cross-reference the statewide  
9 voter registration database against databases of relevant  
10 personal information kept by designated automatic voter  
11 registration agencies, including, but not limited to, driver's  
12 license information kept by the Secretary of State, at least 6  
13 times each calendar year and shall share the findings with  
14 election authorities.

15 This subsection (b) shall no longer apply once Sections  
16 1A-16.1 and 1A-16.2 of this Code are fully implemented as  
17 determined by the State Board of Elections. Upon a  
18 determination by the State Board of Elections of full  
19 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,  
20 the State Board of Elections shall file notice of full  
21 implementation and the inapplicability of this subsection (b)  
22 with the Index Department of the Office of the Secretary of  
23 State, the Governor, the General Assembly, and the Legislative  
24 Reference Bureau.

25 (c) An election authority shall automatically register any  
26 voter who has moved into its jurisdiction from another

1 jurisdiction in Illinois or has moved within its jurisdiction  
2 provided that:

3 (1) the election authority whose jurisdiction includes  
4 the new registration address provides the voter an  
5 opportunity to reject the change in registration address  
6 through a mailing, sent by non-forwardable mail, to the new  
7 registration address, and

8 (2) when the election authority whose jurisdiction  
9 includes the previous registration address is a different  
10 election authority, then that election authority provides  
11 the same opportunity through a mailing, sent by forwardable  
12 mail, to the previous registration address.

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

1 permitted to register and vote a regular ballot, provided that  
2 he or she meets the documentary requirements for same-day  
3 registration. If the election authority is unable to confirm  
4 the registration and the voter does not meet the requirements  
5 for same-day registration, the voter shall be issued a  
6 provisional ballot.

7 (d) No voter shall be disqualified from voting due to an  
8 error relating to an update of registration under this Section.

9 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

10 (10 ILCS 5/1A-16.9 new)

11 Sec. 1A-16.9. Implementation. The changes made by this  
12 amendatory Act of the 100th General Assembly shall be  
13 implemented no later than July 1, 2018.

14 Section 15. The Illinois Vehicle Code is amended by  
15 changing Section 2-105 as follows:

16 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

17 Sec. 2-105. Offices of Secretary of State.

18 (a) The Secretary of State shall maintain offices in the  
19 State capital and in such other places in the State as he may  
20 deem necessary to properly carry out the powers and duties  
21 vested in him.

22 (b) The Secretary of State may construct and equip one or  
23 more buildings in the State of Illinois outside of the County

1 of Sangamon as he deems necessary to properly carry out the  
2 powers and duties vested in him. The Secretary of State may, on  
3 behalf of the State of Illinois, acquire public or private  
4 property needed therefor by lease, purchase or eminent domain.  
5 The care, custody and control of such sites and buildings  
6 constructed thereon shall be vested in the Secretary of State.  
7 Expenditures for the construction and equipping of any of such  
8 buildings upon premises owned by another public entity shall  
9 not be subject to the provisions of any State law requiring  
10 that the State be vested with absolute fee title to the  
11 premises. The exercise of the authority vested in the Secretary  
12 of State by this Section is subject to the appropriation of the  
13 necessary funds.

14 (c) Pursuant to Sections 1A-16.1, 1A-16.6, and Section  
15 1A-25 of the Election Code, the Secretary of State shall make  
16 driver services facilities available for use as places of  
17 accepting applications for voter registration.

18 (d) (Blank).

19 (e) Each person applying at a driver services facility for  
20 a driver's license or permit, a corrected driver's license or  
21 permit, an Illinois identification card or a corrected Illinois  
22 identification card shall be notified, under the procedures set  
23 forth in Sections 1A-16.1 and 1A-16.6 of the Election Code,  
24 that unless he or she affirmatively declines, his or her  
25 personal information shall be transferred to the State Board of  
26 Elections for the purpose of creating an electronic voter

1 ~~registration application that the person may apply to register~~  
2 ~~to vote at such station and may also apply to transfer his or~~  
3 ~~her voter registration at such station to a different address~~  
4 ~~in the State.~~ Such notification may be made in writing or  
5 verbally issued by an employee or the Secretary of State.

6 The Secretary of State shall promulgate such rules as may  
7 be necessary for the efficient execution of his duties and the  
8 duties of his employees under this Section.

9 (f) Any person applying at a driver services facility for  
10 issuance or renewal of a driver's license or Illinois  
11 Identification Card shall be provided, without charge, with a  
12 brochure warning the person of the dangers of financial  
13 identity theft. The Department of Financial and Professional  
14 Regulation shall prepare these brochures and provide them to  
15 the Secretary of State for distribution. The brochures shall  
16 (i) identify signs warning the reader that he or she might be  
17 an intended victim of the crime of financial identity theft,  
18 (ii) instruct the reader in how to proceed if the reader  
19 believes that he or she is the victim of the crime of identity  
20 theft, and (iii) provide the reader with names and telephone  
21 numbers of law enforcement and other governmental agencies that  
22 provide assistance to victims of financial identity theft.

23 (g) The changes made by this amendatory Act of the 100th  
24 General Assembly shall be implemented no later than July 1,  
25 2018.

26 (Source: P.A. 97-81, eff. 7-5-11.)



1           Section 99. Effective date. This Act takes effect upon  
2           becoming law.