



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**HB4469**

by Rep. Juliana Stratton

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Provides that each election authority shall collaborate with the county jail within the jurisdiction of the election authority to facilitate voting by mail for voters eligible to vote in the county who are confined or detained in the county jail. Provides that in a county with a population of 3,000,000 or more, the election authority in the county shall establish a temporary branch polling place in the county jail. Contains additional provisions concerning the temporary branch polling place in the county jail. Amends the Counties Code. Provides that each election authority shall collaborate with the county jail within the jurisdiction of the election authority to facilitate voter registration for voters eligible to vote in that county who are confined or detained in the county jail. Provides that a county jail shall provide a voter registration application to any person in custody at the jail who requests an application and is eligible to vote. Amends the Unified Code of Corrections. Provides that upon release of a person who is eligible to vote, the Department of Corrections shall provide the person with a specified form that informs him or her that his or her voting rights have been restored. Amends the Unified Code of Corrections and Counties Code. Provides that upon discharge from a county jail or release from the Department of Corrections, a person shall be provided with a voter registration form. Provides that the Department, each county jail, and each county probation office shall provide an individual in its custody with specified information on voting rights. Makes other changes. Effective January 1, 2020.

LRB100 17864 MJP 33047 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 Election Code is amended by adding Sections  
5 19-2.3 and by changing Section 19A-20 as follows:

6 (10 ILCS 5/19-2.3 new)

7 Sec. 19-2.3. Vote by mail; jails. Each election authority  
8 shall collaborate with the county jail within the jurisdiction  
9 of the election authority to facilitate voting by mail for  
10 voters eligible to vote in the county who are confined or  
11 detained in the county jail.

12 (10 ILCS 5/19A-20)

13 Sec. 19A-20. Temporary branch polling places.

14 (a) In addition to permanent polling places for early  
15 voting, the election authority may establish temporary branch  
16 polling places for early voting.

17 (b) The provisions of subsection (b) of Section 19A-15 do  
18 not apply to a temporary polling place. Voting at a temporary  
19 branch polling place may be conducted on any one or more days  
20 and during any hours within the period for early voting by  
21 personal appearance that are determined by the election  
22 authority.

1 (c) The schedules for conducting voting do not need to be  
2 uniform among the temporary branch polling places.

3 (d) The legal rights and remedies which inure to the owner  
4 or lessor of private property are not impaired or otherwise  
5 affected by the leasing of the property for use as a temporary  
6 branch polling place for early voting, except to the extent  
7 necessary to conduct early voting at that location.

8 (e) In a county with a population of 3,000,000 or more, the  
9 election authority in the county shall establish a temporary  
10 branch polling place under this Section in the county jail.  
11 Only a resident of a county who is in custody at the county  
12 jail and who has not been convicted of the offense for which  
13 the resident is in custody is eligible to vote at a temporary  
14 branch polling place established under this subsection. The  
15 temporary branch polling place established under this  
16 subsection shall allow a voter to vote in the same elections  
17 that the voter would be entitled to vote in where the voter  
18 resides. To the maximum extent feasible, voting booths or  
19 screens shall be provided to ensure the privacy of the voter.

20 All provisions of this Code applicable to pollwatchers  
21 shall apply to a temporary branch polling place under this  
22 subsection, subject to approval from the election authority and  
23 the county jail. A county that establishes a temporary branch  
24 polling place inside a county jail in accordance with this  
25 subsection shall adhere to all requirements of this subsection.  
26 All requirements of the federal Voting Rights Act of 1965 shall

1 apply to this subsection.

2 (Source: P.A. 94-645, eff. 8-22-05.)

3 Section 10. The Counties Code is amended by adding Sections  
4 3-15003.3 and 3-15003.4 as follows:

5 (55 ILCS 5/3-15003.3 new)

6 Sec. 3-15003.3. Voter registration; county jails. Upon  
7 discharge of a person who is eligible to vote from a county  
8 jail, the county jail shall provide the person with a voter  
9 registration application. Each election authority shall  
10 collaborate with the county jail within the jurisdiction of the  
11 election authority to facilitate voter registration for voters  
12 eligible to vote in that county who are confined or detained in  
13 the county jail. A county jail shall provide a voter  
14 registration application to any person in custody at the jail  
15 who requests an application and is eligible to vote.

16 (55 ILCS 5/3-15003.4 new)

17 Sec. 3-15003.4. Voting rights; county jails; probation  
18 offices.

19 (a) Each county jail and county probation office shall make  
20 available current resource materials, maintained by the  
21 Illinois State Board of Elections, containing detailed  
22 information regarding the voting rights of a person with a  
23 criminal conviction in the following formats:

- 1           (1) in print;  
2           (2) on the website of each county jail and each county  
3           probation office; and  
4           (3) in a visible location on the premises of each  
5           county jail and county probation office where notices are  
6           customarily posted.

7           (b) The current resource materials described under  
8           subsection (a) shall be provided:

- 9           (1) upon discharge of a person from a county jail; and  
10           (2) upon intake of a person by a county probation  
11           department.

12           Section 15. The Unified Code of Corrections is amended by  
13           adding Sections 3-2-2.3 and by changing Section 3-14-1 as  
14           follows:

15           (730 ILCS 5/3-2-2.3 new)

16           Sec. 3-2-2.3. Voting rights information.

17           (a) The Department shall make available to a person in its  
18           custody current resource materials, maintained by the Illinois  
19           State Board of Elections, containing detailed information  
20           regarding the voting rights of a person with a criminal  
21           conviction in the following formats:

- 22           (1) in print;  
23           (2) on the Department's website; and  
24           (3) in a visible location on the premises of each

1 Department facility where notices are customarily posted.

2 (b) The current resource materials described under  
3 subsection (a) shall be provided upon release of a person on  
4 parole, mandatory supervised release, final discharge, or  
5 pardon from the Department.

6 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

7 Sec. 3-14-1. Release from the institution.

8 (a) Upon release of a person on parole, mandatory release,  
9 final discharge or pardon the Department shall return all  
10 property held for him, provide him with suitable clothing and  
11 procure necessary transportation for him to his designated  
12 place of residence and employment. It may provide such person  
13 with a grant of money for travel and expenses which may be paid  
14 in installments. The amount of the money grant shall be  
15 determined by the Department.

16 (a-1) The Department shall, before a wrongfully imprisoned  
17 person, as defined in Section 3-1-2 of this Code, is discharged  
18 from the Department, provide him or her with any documents  
19 necessary after discharge.

20 (a-2) The Department of Corrections may establish and  
21 maintain, in any institution it administers, revolving funds to  
22 be known as "Travel and Allowances Revolving Funds". These  
23 revolving funds shall be used for advancing travel and expense  
24 allowances to committed, paroled, and discharged prisoners.  
25 The moneys paid into such revolving funds shall be from

1 appropriations to the Department for Committed, Paroled, and  
2 Discharged Prisoners.

3 (a-3) Upon release of a person who is eligible to vote on  
4 parole, mandatory release, final discharge, or pardon, the  
5 Department shall provide the person with a form that informs  
6 him or her that his or her voting rights have been restored and  
7 a voter registration application. The Department shall have  
8 available voter registration applications in the languages  
9 provided by the Illinois State Board of Elections. The form  
10 that informs the person that his or her rights have been  
11 restored shall include the following information:

12 (1) All voting rights are restored upon release from  
13 the Department's custody.

14 (2) A person who is eligible to vote must register in  
15 order to be able to vote.

16 A form certifying that the person received the voter  
17 registration application and that informs the person that his  
18 or her voting rights have been restored shall be signed by an  
19 official employed by the correctional facility. The signed form  
20 shall be maintained on record by the correctional facility and  
21 a copy shall be provided to the inmate upon release from  
22 incarceration. A Department employee who refuses to provide a  
23 person with the form that informs the person that his or her  
24 voting rights have been restored shall be subject to  
25 disciplinary action by the Department.

26 (b) (Blank).

1           (c) Except as otherwise provided in this Code, the  
2 Department shall establish procedures to provide written  
3 notification of any release of any person who has been  
4 convicted of a felony to the State's Attorney and sheriff of  
5 the county from which the offender was committed, and the  
6 State's Attorney and sheriff of the county into which the  
7 offender is to be paroled or released. Except as otherwise  
8 provided in this Code, the Department shall establish  
9 procedures to provide written notification to the proper law  
10 enforcement agency for any municipality of any release of any  
11 person who has been convicted of a felony if the arrest of the  
12 offender or the commission of the offense took place in the  
13 municipality, if the offender is to be paroled or released into  
14 the municipality, or if the offender resided in the  
15 municipality at the time of the commission of the offense. If a  
16 person convicted of a felony who is in the custody of the  
17 Department of Corrections or on parole or mandatory supervised  
18 release informs the Department that he or she has resided,  
19 resides, or will reside at an address that is a housing  
20 facility owned, managed, operated, or leased by a public  
21 housing agency, the Department must send written notification  
22 of that information to the public housing agency that owns,  
23 manages, operates, or leases the housing facility. The written  
24 notification shall, when possible, be given at least 14 days  
25 before release of the person from custody, or as soon  
26 thereafter as possible. The written notification shall be



1 provided electronically if the State's Attorney, sheriff,  
2 proper law enforcement agency, or public housing agency has  
3 provided the Department with an accurate and up to date email  
4 address.

5 (c-1) (Blank).

6 (c-2) The Department shall establish procedures to provide  
7 notice to the Department of State Police of the release or  
8 discharge of persons convicted of violations of the  
9 Methamphetamine Control and Community Protection Act or a  
10 violation of the Methamphetamine Precursor Control Act. The  
11 Department of State Police shall make this information  
12 available to local, State, or federal law enforcement agencies  
13 upon request.

14 (c-5) If a person on parole or mandatory supervised release  
15 becomes a resident of a facility licensed or regulated by the  
16 Department of Public Health, the Illinois Department of Public  
17 Aid, or the Illinois Department of Human Services, the  
18 Department of Corrections shall provide copies of the following  
19 information to the appropriate licensing or regulating  
20 Department and the licensed or regulated facility where the  
21 person becomes a resident:

22 (1) The mittimus and any pre-sentence investigation  
23 reports.

24 (2) The social evaluation prepared pursuant to Section  
25 3-8-2.

26 (3) Any pre-release evaluation conducted pursuant to

1 subsection (j) of Section 3-6-2.

2 (4) Reports of disciplinary infractions and  
3 dispositions.

4 (5) Any parole plan, including orders issued by the  
5 Prisoner Review Board, and any violation reports and  
6 dispositions.

7 (6) The name and contact information for the assigned  
8 parole agent and parole supervisor.

9 This information shall be provided within 3 days of the  
10 person becoming a resident of the facility.

11 (c-10) If a person on parole or mandatory supervised  
12 release becomes a resident of a facility licensed or regulated  
13 by the Department of Public Health, the Illinois Department of  
14 Public Aid, or the Illinois Department of Human Services, the  
15 Department of Corrections shall provide written notification  
16 of such residence to the following:

17 (1) The Prisoner Review Board.

18 (2) The chief of police and sheriff in the municipality  
19 and county in which the licensed facility is located.

20 The notification shall be provided within 3 days of the  
21 person becoming a resident of the facility.

22 (d) Upon the release of a committed person on parole,  
23 mandatory supervised release, final discharge or pardon, the  
24 Department shall provide such person with information  
25 concerning programs and services of the Illinois Department of  
26 Public Health to ascertain whether such person has been exposed

1 to the human immunodeficiency virus (HIV) or any identified  
2 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

3 (e) Upon the release of a committed person on parole,  
4 mandatory supervised release, final discharge, pardon, or who  
5 has been wrongfully imprisoned, the Department shall verify the  
6 released person's full name, date of birth, and social security  
7 number. If verification is made by the Department by obtaining  
8 a certified copy of the released person's birth certificate and  
9 the released person's social security card or other documents  
10 authorized by the Secretary, the Department shall provide the  
11 birth certificate and social security card or other documents  
12 authorized by the Secretary to the released person. If  
13 verification by the Department is done by means other than  
14 obtaining a certified copy of the released person's birth  
15 certificate and the released person's social security card or  
16 other documents authorized by the Secretary, the Department  
17 shall complete a verification form, prescribed by the Secretary  
18 of State, and shall provide that verification form to the  
19 released person.

20 (f) Forty-five days prior to the scheduled discharge of a  
21 person committed to the custody of the Department of  
22 Corrections, the Department shall give the person who is  
23 otherwise uninsured an opportunity to apply for health care  
24 coverage including medical assistance under Article V of the  
25 Illinois Public Aid Code in accordance with subsection (b) of  
26 Section 1-8.5 of the Illinois Public Aid Code, and the

1 Department of Corrections shall provide assistance with  
2 completion of the application for health care coverage  
3 including medical assistance. The Department may adopt rules to  
4 implement this Section.

5 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;  
6 99-907, eff. 7-1-17.)

7 Section 99. Effective date. This Act takes effect January  
8 1, 2020.

1 INDEX

2 Statutes amended in order of appearance

3 10 ILCS 5/19-2.3 new

4 10 ILCS 5/19A-20

5 55 ILCS 5/3-15003.3 new

6 55 ILCS 5/3-15003.4 new

7 730 ILCS 5/3-2-2.3 new

8 730 ILCS 5/3-14-1 from Ch. 38, par. 1003-14-1