



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5830

by Rep. Jeanne M Ives

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-10	from Ch. 46, par. 4-10
10 ILCS 5/5-9	from Ch. 46, par. 5-9
10 ILCS 5/6-37	from Ch. 46, par. 6-37

Amends the Election Code. In provisions concerning voter registration, provides that an identification card issued by a unit of local government is not an acceptable form of identification. Effective immediately.

LRB100 21138 HLH 37103 b

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 changing
5 Sections 4-10, 5-9, and 6-37 as follows:

6 (10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

7 Sec. 4-10. Except as herein provided, no person shall be
8 registered, unless he applies in person to a registration
9 officer, answers such relevant questions as may be asked of him
10 by the registration officer, and executes the affidavit of
11 registration. The registration officer shall require the
12 applicant to furnish two forms of identification, and except in
13 the case of a homeless individual, one of which must include
14 his or her residence address. These forms of identification
15 shall include, but not be limited to, any of the following:
16 driver's license, social security card, public aid
17 identification card, utility bill, employee or student
18 identification card, lease or contract for a residence, credit
19 card, or a civic, union or professional association membership
20 card. An identification card issued by a unit of local
21 government is not an acceptable form of identification under
22 this Section. The registration officer shall require a homeless
23 individual to furnish evidence of his or her use of the mailing

1 address stated. This use may be demonstrated by a piece of mail
2 addressed to that individual and received at that address or by
3 a statement from a person authorizing use of the mailing
4 address. The registration officer shall require each applicant
5 for registration to read or have read to him the affidavit of
6 registration before permitting him to execute the affidavit.

7 One of the registration officers or a deputy registration
8 officer, county clerk, or clerk in the office of the county
9 clerk, shall administer to all persons who shall personally
10 apply to register the following oath or affirmation:

11 "You do solemnly swear (or affirm) that you will fully and
12 truly answer all such questions as shall be put to you touching
13 your name, place of residence, place of birth, your
14 qualifications as an elector and your right as such to register
15 and vote under the laws of the State of Illinois."

16 The registration officer shall satisfy himself that each
17 applicant for registration is qualified to register before
18 registering him. If the registration officer has reason to
19 believe that the applicant is a resident of a Soldiers' and
20 Sailors' Home or any facility which is licensed or certified
21 pursuant to the Nursing Home Care Act, the Specialized Mental
22 Health Rehabilitation Act of 2013, the ID/DD Community Care
23 Act, or the MC/DD Act, the following question shall be put,
24 "When you entered the home which is your present address, was
25 it your bona fide intention to become a resident thereof?" Any
26 voter of a township, city, village or incorporated town in

1 which such applicant resides, shall be permitted to be present
2 at the place of any precinct registration and shall have the
3 right to challenge any applicant who applies to be registered.

4 In case the officer is not satisfied that the applicant is
5 qualified he shall forthwith notify such applicant in writing
6 to appear before the county clerk to complete his registration.
7 Upon the card of such applicant shall be written the word
8 "incomplete" and no such applicant shall be permitted to vote
9 unless such registration is satisfactorily completed as
10 hereinafter provided. No registration shall be taken and marked
11 as incomplete if information to complete it can be furnished on
12 the date of the original application.

13 Any person claiming to be an elector in any election
14 precinct and whose registration card is marked "Incomplete" may
15 make and sign an application in writing, under oath, to the
16 county clerk in substance in the following form:

17 "I do solemnly swear that I,, did on (insert date)
18 make application to the board of registry of the precinct
19 of the township of (or to the county clerk of county)
20 and that said board or clerk refused to complete my
21 registration as a qualified voter in said precinct. That I
22 reside in said precinct, that I intend to reside in said
23 precinct, and am a duly qualified voter of said precinct and am
24 entitled to be registered to vote in said precinct at the next
25 election.

26 (Signature of applicant)"

1 All such applications shall be presented to the county
2 clerk or to his duly authorized representative by the
3 applicant, in person between the hours of 9:00 a.m. and 5:00
4 p.m. on any day after the days on which the 1969 and 1970
5 precinct re-registrations are held but not on any day within 27
6 days preceding the ensuing general election and thereafter for
7 the registration provided in Section 4-7 all such applications
8 shall be presented to the county clerk or his duly authorized
9 representative by the applicant in person between the hours of
10 9:00 a.m. and 5:00 p.m. on any day prior to 27 days preceding
11 the ensuing general election. Such application shall be heard
12 by the county clerk or his duly authorized representative at
13 the time the application is presented. If the applicant for
14 registration has registered with the county clerk, such
15 application may be presented to and heard by the county clerk
16 or by his duly authorized representative upon the dates
17 specified above or at any time prior thereto designated by the
18 county clerk.

19 Any otherwise qualified person who is absent from his
20 county of residence either due to business of the United States
21 or because he is temporarily outside the territorial limits of
22 the United States may become registered by mailing an
23 application to the county clerk within the periods of
24 registration provided for in this Article, or by simultaneous
25 application for registration by mail and vote by mail ballot as

1 provided in Article 20 of this Code.

2 Upon receipt of such application the county clerk shall
3 immediately mail an affidavit of registration in duplicate,
4 which affidavit shall contain the following and such other
5 information as the State Board of Elections may think it proper
6 to require for the identification of the applicant:

7 Name. The name of the applicant, giving surname and first
8 or Christian name in full, and the middle name or the initial
9 for such middle name, if any.

10 Sex.

11 Residence. The name and number of the street, avenue or
12 other location of the dwelling, and such additional clear and
13 definite description as may be necessary to determine the exact
14 location of the dwelling of the applicant. Where the location
15 cannot be determined by street and number, then the Section,
16 congressional township and range number may be used, or such
17 other information as may be necessary, including post office
18 mailing address.

19 Electronic mail address, if the registrant has provided
20 this information.

21 Term of residence in the State of Illinois and the
22 precinct.

23 Nativity. The State or country in which the applicant was
24 born.

25 Citizenship. Whether the applicant is native born or
26 naturalized. If naturalized, the court, place and date of

1 naturalization.

2 Age. Date of birth, by month, day and year.

3 Out of State address of

4 AFFIDAVIT OF REGISTRATION

5 State of)

6)ss

7 County of)

8 I hereby swear (or affirm) that I am a citizen of the
9 United States; that on the day of the next election I shall
10 have resided in the State of Illinois and in the election
11 precinct 30 days; that I am fully qualified to vote, that I am
12 not registered to vote anywhere else in the United States, that
13 I intend to remain a resident of the State of Illinois and of
14 the election precinct, that I intend to return to the State of
15 Illinois, and that the above statements are true.

16
17 (His or her signature or mark)

18 Subscribed and sworn to before me, an officer qualified to
19 administer oaths, on (insert date).

20
21 Signature of officer administering oath.

22 Upon receipt of the executed duplicate affidavit of
23 Registration, the county clerk shall transfer the information
24 contained thereon to duplicate Registration Cards provided for
25 in Section 4-8 of this Article and shall attach thereto a copy
26 of each of the duplicate affidavit of registration and

1 thereafter such registration card and affidavit shall
2 constitute the registration of such person the same as if he
3 had applied for registration in person.

4 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 10-1-13;
5 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
6 7-29-15.)

7 (10 ILCS 5/5-9) (from Ch. 46, par. 5-9)

8 Sec. 5-9. Except as herein provided, no person shall be
9 registered unless he applies in person to registration officer,
10 answers such relevant questions as may be asked of him by the
11 registration officer, and executes the affidavit of
12 registration. The registration officer shall require the
13 applicant to furnish two forms of identification, and except in
14 the case of a homeless individual, one of which must include
15 his or her residence address. These forms of identification
16 shall include, but not be limited to, any of the following:
17 driver's license, social security card, public aid
18 identification card, utility bill, employee or student
19 identification card, lease or contract for a residence, credit
20 card, or a civic, union or professional association membership
21 card. An identification card issued by a unit of local
22 government is not an acceptable form of identification under
23 this Section. The registration officer shall require a homeless
24 individual to furnish evidence of his or her use of the mailing
25 address stated. This use may be demonstrated by a piece of mail

1 addressed to that individual and received at that address or by
2 a statement from a person authorizing use of the mailing
3 address. The registration officer shall require each applicant
4 for registration to read or have read to him the affidavit of
5 registration before permitting him to execute the affidavit.

6 One of the Deputy Registrars, the Judge of Registration, or
7 an Officer of Registration, County Clerk, or clerk in the
8 office of the County Clerk, shall administer to all persons who
9 shall personally apply to register the following oath or
10 affirmation:

11 "You do solemnly swear (or affirm) that you will fully and
12 truly answer all such questions as shall be put to you touching
13 your place of residence, name, place of birth, your
14 qualifications as an elector and your right as such to register
15 and vote under the laws of the State of Illinois."

16 The Registration Officer shall satisfy himself that each
17 applicant for registration is qualified to register before
18 registering him. If the registration officer has reason to
19 believe that the applicant is a resident of a Soldiers' and
20 Sailors' Home or any facility which is licensed or certified
21 pursuant to the Nursing Home Care Act, the Specialized Mental
22 Health Rehabilitation Act of 2013, the ID/DD Community Care
23 Act, or the MC/DD Act, the following question shall be put,
24 "When you entered the home which is your present address, was
25 it your bona fide intention to become a resident thereof?" Any
26 voter of a township, city, village or incorporated town in

1 which such applicant resides, shall be permitted to be present
2 at the place of precinct registration, and shall have the right
3 to challenge any applicant who applies to be registered.

4 In case the officer is not satisfied that the applicant is
5 qualified, he shall forthwith in writing notify such applicant
6 to appear before the County Clerk to furnish further proof of
7 his qualifications. Upon the card of such applicant shall be
8 written the word "Incomplete" and no such applicant shall be
9 permitted to vote unless such registration is satisfactorily
10 completed as hereinafter provided. No registration shall be
11 taken and marked as "incomplete" if information to complete it
12 can be furnished on the date of the original application.

13 Any person claiming to be an elector in any election
14 precinct in such township, city, village or incorporated town
15 and whose registration is marked "Incomplete" may make and sign
16 an application in writing, under oath, to the County Clerk in
17 substance in the following form:

18 "I do solemnly swear that I,, did on (insert
19 date) make application to the Board of Registry of the
20 precinct of ward of the City of or of the
21 District Town of (or to the
22 County Clerk of) and County; that
23 said Board or Clerk refused to complete my registration as a
24 qualified voter in said precinct, that I reside in said
25 precinct (or that I intend to reside in said precinct), am a
26 duly qualified voter and entitled to vote in said precinct at

1 the next election.

2

3 (Signature of Applicant)"

4 All such applications shall be presented to the County
5 Clerk by the applicant, in person between the hours of nine
6 o'clock a.m. and five o'clock p.m., on Monday and Tuesday of
7 the third week subsequent to the weeks in which the 1961 and
8 1962 precinct re-registrations are to be held, and thereafter
9 for the registration provided in Section 5-17 of this Article,
10 all such applications shall be presented to the County Clerk by
11 the applicant in person between the hours of nine o'clock a.m.
12 and nine o'clock p.m. on Monday and Tuesday of the third week
13 prior to the date on which such election is to be held.

14 Any otherwise qualified person who is absent from his
15 county of residence either due to business of the United States
16 or because he is temporarily outside the territorial limits of
17 the United States may become registered by mailing an
18 application to the county clerk within the periods of
19 registration provided for in this Article or by simultaneous
20 application for registration by mail and vote by mail ballot as
21 provided in Article 20 of this Code.

22 Upon receipt of such application the county clerk shall
23 immediately mail an affidavit of registration in duplicate,
24 which affidavit shall contain the following and such other
25 information as the State Board of Elections may think it proper
26 to require for the identification of the applicant:

1 Name. The name of the applicant, giving surname and first
2 or Christian name in full, and the middle name or the initial
3 for such middle name, if any.

4 Sex.

5 Residence. The name and number of the street, avenue or
6 other location of the dwelling, and such additional clear and
7 definite description as may be necessary to determine the exact
8 location of the dwelling of the applicant. Where the location
9 cannot be determined by street and number, then the Section,
10 congressional township and range number may be used, or such
11 other information as may be necessary, including post office
12 mailing address.

13 Electronic mail address, if the registrant has provided
14 this information.

15 Term of residence in the State of Illinois and the
16 precinct.

17 Nativity. The State or country in which the applicant was
18 born.

19 Citizenship. Whether the applicant is native born or
20 naturalized. If naturalized, the court, place and date of
21 naturalization.

22 Age. Date of birth, by month, day and year.

23 Out of State address of

24 AFFIDAVIT OF REGISTRATION

25 State of)

26)ss

1 County of)

2 I hereby swear (or affirm) that I am a citizen of the
3 United States; that on the day of the next election I shall
4 have resided in the State of Illinois for 6 months and in the
5 election precinct 30 days; that I am fully qualified to vote,
6 that I am not registered to vote anywhere else in the United
7 States, that I intend to remain a resident of the State of
8 Illinois and of the election precinct, that I intend to return
9 to the State of Illinois, and that the above statements are
10 true.

11
12 (His or her signature or mark)

13 Subscribed and sworn to before me, an officer qualified to
14 administer oaths, on (insert date).

15
16 Signature of officer administering oath.

17 Upon receipt of the executed duplicate affidavit of
18 Registration, the county clerk shall transfer the information
19 contained thereon to duplicate Registration Cards provided for
20 in Section 5-7 of this Article and shall attach thereto a copy
21 of each of the duplicate affidavit of registration and
22 thereafter such registration card and affidavit shall
23 constitute the registration of such person the same as if he
24 had applied for registration in person.

25 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 10-1-13;

1 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
2 7-29-15.)

3 (10 ILCS 5/6-37) (from Ch. 46, par. 6-37)

4 Sec. 6-37. Except as otherwise provided for in Section 6-29
5 of this Article, no person shall be registered unless he
6 applies in person to a registration officer, answers such
7 relevant questions as may be asked of him by the registration
8 officer, and executes the affidavit of registration. The
9 registration officer shall require the applicant to furnish two
10 forms of identification, and except in the case of a homeless
11 individual, one of which must include his or her residence
12 address. These forms of identification shall include, but not
13 be limited to, any of the following: driver's license, social
14 security card, public aid identification card, utility bill,
15 employee or student identification card, lease or contract for
16 a residence, credit card, or a civic, union or professional
17 association membership card. An identification card issued by a
18 unit of local government is not an acceptable form of
19 identification under this Section. The registration officer
20 shall require a homeless individual to furnish evidence of his
21 or her use of the mailing address stated. This use may be
22 demonstrated by a piece of mail addressed to that individual
23 and received at that address or by a statement from a person
24 authorizing use of the mailing address. The registration
25 officer shall require each applicant for registration to read

1 or have read to him the affidavit of registration before
2 permitting him to execute the affidavit.

3 The registration officer shall satisfy himself that each
4 applicant for registration is qualified to register before
5 registering him. Any voter of the ward, village or incorporated
6 town in which such applicant resides, shall be permitted to be
7 present at the place of registration, and shall have the right
8 to challenge any applicant who applies to be registered.

9 In case the officer is not satisfied that the applicant is
10 qualified he shall forthwith in writing notify such applicant
11 to appear before the board of election commissioners to furnish
12 further proof of his qualification. Upon the card of such
13 applicant shall be written the word "incomplete" and no such
14 applicant shall be permitted to vote unless such registration
15 is satisfactorily completed as hereinafter provided.

16 Any person claiming to be an elector in any election
17 precinct in such city, village or incorporated town and whose
18 registration is marked "incomplete" may make and sign an
19 application in writing, under oath, to the board of election
20 commissioners in substance in the following form:

21 "I do solemnly swear that I,.... did on make
22 application to the board of registry of the precinct of
23 ward of the city of(or to the board of election
24 commissioners of) and that said board refused to complete
25 my registration as a qualified voter in said precinct, that I
26 reside in said precinct, am a duly qualified voter and entitled

1 to vote in said precinct at the next election.

2 (Signature of Applicant) "

3 In all cities, villages or incorporated towns having a
4 population of less than 200,000 all such applications shall be
5 presented to the board of election commissioners by the
6 applicant, in person, between the hours of nine o'clock a.m.,
7 and five o'clock p.m. on Tuesday or Wednesday of the second
8 week prior to the week in which such election is to be held,
9 and in all municipalities having a population of more than
10 200,000 and having a board of election commissioners and in all
11 cities, villages and incorporated towns within the
12 jurisdiction of such board, all such applications shall be
13 presented to the board of election commissioners by the
14 applicant, in person between the hours of nine o'clock a.m. and
15 five o'clock p.m., on Monday and Tuesday of the third week
16 prior to the week in which such election is to be held.

17 (Source: P.A. 96-317, eff. 1-1-10.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.