

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-16.7 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, 1A-16.7, 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 or any notice required under  
9 Sections 1A-16.5 or 1A-16.7 of this Code.

10           (10 ILCS 5/1A-16.1 new)

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

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

18       (b) If an application, an application for renewal, a change  
19 of address form, or a recertification form for a driver's  
20 license, other than a temporary visitor's driver's license, or  
21 a State identification card issued by the Office of the  
22 Secretary of State meets the requirements of the federal REAL  
23 ID Act of 2005, then that application shall serve as a  
24 dual-purpose application. The dual-purpose application shall:

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

1 Illinois;

2 (2) allow an applicant to change his or her registered  
3 residence address or name as it appears on the voter  
4 registration rolls;

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

10 (4) unless the applicant declines to register to vote  
11 or change his or her registered residence address or name,  
12 require the applicant to attest, by signature under penalty  
13 of perjury as described in subsection (e) of this Section,  
14 to meeting the qualifications to register to vote in  
15 Illinois at his or her residence address as indicated on  
16 his or her driver's license or identification card  
17 dual-purpose application.

18 (b-5) If an application, an application for renewal, a  
19 change of address form, or a recertification form for a  
20 driver's license, other than a temporary visitor's driver's  
21 license, or a State identification card issued by the Office of  
22 the Secretary of State does not meet the requirements of the  
23 federal REAL ID Act of 2005, then that application shall serve  
24 as a dual-purpose application. The dual-purpose application  
25 shall:

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



1 Illinois;

2 (2) allow an applicant to change his or her registered  
3 residence address or name as it appears on the voter  
4 registration rolls; and

5 (3) if the applicant chooses to register to vote or to  
6 change his or her registered residence address or name,  
7 then require the applicant to attest, by a separate  
8 signature under penalty of perjury, to meeting the  
9 qualifications to register to vote in Illinois at his or  
10 her residence address as indicated on his or her  
11 dual-purpose application.

12 (b-10) The Office of the Secretary of State shall clearly  
13 and conspicuously inform each applicant in writing: (i) of the  
14 qualifications to register to vote in Illinois, (ii) of the  
15 penalties provided by law for submission of a false voter  
16 registration application, (iii) that, unless the applicant  
17 declines to register to vote or update his or her voter  
18 registration, his or her dual-purpose application shall also  
19 serve as both an application to register to vote and his or her  
20 attestation that he or she meets the eligibility requirements  
21 for voter registration, and that his or her application to  
22 register to vote or update his or her registration will be  
23 transmitted to the State Board of Elections for the purpose of  
24 registering the person to vote at the residence address to be  
25 indicated on his or her driver's license or identification  
26 card, and (iv) that declining to register to vote is

1 confidential and will not affect any services the person may be  
2 seeking from the Office of the Secretary of State.

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

11 (d) The Office of the Secretary of State shall not require  
12 an applicant for a driver's license or State identification  
13 card to provide duplicate identification or information in  
14 order to complete an application to register to vote or change  
15 his or her registered residence address or name. Before  
16 transmitting any personal information about an applicant to the  
17 State Board of Elections, the Office of the Secretary of State  
18 shall review its records of the identification documents the  
19 applicant provided in order to complete the application for a  
20 driver's license or State identification card, to confirm that  
21 nothing in those documents indicates that the applicant does  
22 not satisfy the qualifications to register to vote in Illinois  
23 at his or her residence address.

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

1 the Secretary of State, that meets the requirements of the  
2 federal REAL ID Act of 2005; or (ii) a completed application  
3 under subsection (b-5) of this Section with a separate  
4 signature attesting the applicant meets the qualifications to  
5 register to vote in Illinois at his or her residence address as  
6 indicated on his or her application shall constitute a signed  
7 application to register to vote in Illinois at the residence  
8 address indicated in the application unless the person  
9 affirmatively declined in the application to register to vote  
10 or to change his or her registered residence address or name.  
11 If the identification documents provided to complete the  
12 dual-purpose application indicate that he or she does not  
13 satisfy the qualifications to register to vote in Illinois at  
14 his or her residence address, the application shall be marked  
15 as incomplete.

16 (f) For each completed and signed application that  
17 constitutes an application to register to vote in Illinois or  
18 provides for a change in the applicant's registered residence  
19 address or name, the Office of the Secretary of State shall  
20 electronically transmit to the State Board of Elections  
21 personal information needed to complete the person's  
22 registration to vote in Illinois at his or her residence  
23 address. The application to register to vote shall be processed  
24 in accordance with Section 1A-16.7.

25 (g) If the federal REAL ID Act of 2005 is repealed,  
26 abrogated, superseded, or otherwise no longer in effect, then

1 the State Board of Elections shall establish criteria for  
2 determining reliable personal information indicating  
3 citizenship status and shall adopt rules as necessary for the  
4 Secretary of State to continue processing dual-purpose  
5 applications under this Section.

6 (h) As used in this Section, "dual-purpose application"  
7 means an application, an application for renewal, a change of  
8 address form, or a recertification form for driver's license or  
9 permit, other than a temporary visitor's driver's license, or a  
10 State identification card offered by the Secretary of State  
11 that also serves as an application to register to vote in  
12 Illinois. "Dual-purpose application" does not mean an  
13 application under subsection (c) of Section 6-109 of the  
14 Illinois Vehicle Code.

15 (10 ILCS 5/1A-16.2 new)

16 Sec. 1A-16.2. Automatic voter registration; designated  
17 automatic voter registration agencies.

18 (a) Each designated automatic voter registration agency  
19 shall, pursuant to an interagency contract and jointly-adopted  
20 rules with the State Board of Elections, agree to participate  
21 in an automatic voter registration program established by the  
22 State Board of Elections that satisfies the requirements of  
23 this Section and other applicable law. If the designated  
24 automatic voter registration agency provides applications,  
25 applications for renewal, change of address forms, or

1 recertification forms to individuals for services offered by  
2 another agency, then the State Board of Elections and the  
3 designated automatic voter agency shall consult with the other  
4 agency. The State Board of Elections shall consider the current  
5 technological capabilities of the designated voter  
6 registration agency when drafting interagency contracts and  
7 jointly-adopted rules. The State Board of Elections and the  
8 designated automatic voter registration agency shall amend  
9 these contracts and rules as the technological capabilities of  
10 the designated voter registration agencies improve.

11 (b) As provided in subsection (a) of this Section, each  
12 designated automatic voter registration agency that collects  
13 or cross-references reliable personal information indicating  
14 citizenship status may provide that an application for a  
15 license, permit, program, or service shall serve as a  
16 dual-purpose application. The dual-purpose application shall:

17 (1) also serve as an application to register to vote in  
18 Illinois;

19 (2) allow an applicant to change his or her registered  
20 residence address or name as it appears on the voter  
21 registration rolls;

22 (3) provide the applicant with an opportunity to  
23 affirmatively decline to register to vote or change his or  
24 her registered residence address or name by providing a  
25 check box on the application form without requiring the  
26 applicant to state the reason; and

1           (4) unless the applicant declines to register to vote  
2           or to change his or her registered residence address or  
3           name, require the applicant to attest, by signature under  
4           penalty of perjury, to meeting the qualifications to  
5           register to vote in Illinois at his or her residence  
6           address as indicated on his or her dual-purpose  
7           application.

8           (c) As provided in subsection (a) of this Section, each  
9           designated automatic voter registration agency that does not  
10           collect or cross-reference records containing reliable  
11           personal information indicating citizenship status may provide  
12           that an application, an application for renewal, a change of  
13           address form, or a recertification form for a license, permit,  
14           program, or service shall serve as a dual-purpose application.  
15           The dual-purpose application shall:

16           (1) also serve as an application to register to vote in  
17           Illinois;

18           (2) allow an applicant to change his or her registered  
19           residence address or name as it appears on the voter  
20           registration rolls; and

21           (3) if the applicant chooses to register to vote or to  
22           change his or her registered residence address or name,  
23           then require the applicant to attest, by a separate  
24           signature under penalty of perjury, to meeting the  
25           qualifications to register to vote in Illinois at his or  
26           her residence address as indicated on his or her

1       dual-purpose application.

2       (c-5) The designated automatic voter registration agency  
3 shall clearly and conspicuously inform each applicant in  
4 writing: (i) of the qualifications to register to vote in  
5 Illinois, (ii) of the penalties provided by law for submission  
6 of a false voter registration application, (iii) that, unless  
7 the applicant declines to register to vote or update his or her  
8 voter registration, his or her application shall also serve as  
9 both an application to register to vote and his or her  
10 attestation that he or she meets the eligibility requirements  
11 for voter registration, and that his or her application to  
12 register to vote or update his or her registration will be  
13 transmitted to the State Board of Elections for the purpose of  
14 registering the person to vote at the residence address to be  
15 indicated on the dual-purpose application, (iv) that  
16 information identifying the agency at which he or she applied  
17 to register to vote is confidential, (v) that declining to  
18 register to vote is confidential and will not affect any  
19 services the person may be seeking from the agency, and (vi)  
20 any additional information needed in order to comply with  
21 Section 7 of the federal National Voter Registration Act of  
22 1993.

23       (d) The designated automatic voter registration agency  
24 shall review information provided to the agency by the State  
25 Board of Elections to inform each applicant whether the  
26 applicant is currently registered to vote in Illinois and, if

1 registered, at what 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 or name. Before transmitting  
7 any personal information about an applicant to the State Board  
8 of Elections, the agency shall review its records of the  
9 identification documents the applicant provided or that the  
10 agency cross-references in order to complete the dual-purpose  
11 application, to confirm that nothing in those documents  
12 indicates that the applicant does not satisfy the  
13 qualifications to register to vote in Illinois at his or her  
14 residence address. A completed and signed dual-purpose  
15 application, including a completed application under  
16 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 the person  
22 affirmatively declined in the application to register to vote  
23 or to change his or her registered residence address or name.  
24 If the identification documents provided to complete the  
25 dual-purpose application, or that the agency cross-references,  
26 indicate that he or she does not satisfy the qualifications to



1 register to vote in Illinois at his or her residence address,  
2 the application shall be marked as incomplete.

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

12 (g) As used in this Section:

13 "Designated automatic voter registration agency" or  
14 "agency" means the divisions of Family and Community  
15 Services and Rehabilitation Services of the Department of  
16 Human Services, the Department of Employment Security, the  
17 Department of Financial and Professional Regulation, the  
18 Department of Natural Resources, or an agency of the State  
19 or federal government that has been determined by the State  
20 Board of Elections to have access to reliable personal  
21 information and has entered into an interagency contract  
22 with the State Board of Elections to participate in the  
23 automatic voter registration program under this Section.

24 "Dual-purpose application" means an application, an  
25 application for renewal, a change of address form, or a  
26 recertification form for a license, permit, program, or

1 service offered by a designated automatic voter  
2 registration agency that also serves as an application to  
3 register to vote in Illinois.

4 "Reliable personal information" means information  
5 about individuals obtained from government sources that  
6 may be used to verify whether an individual is eligible to  
7 register to vote.

8 (h) This Section shall be implemented no later than July 1,  
9 2019.

10 (10 ILCS 5/1A-16.6)

11 Sec. 1A-16.6. Government agency voter registration.

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

25 Voter registration data received from a designated

1 government agency through the online registration system shall  
2 be processed as provided for in Section 1A-16.5 of this Code.

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

18 Whenever a government employee is accessing the  
19 registration system while servicing the applicant, the  
20 government employee shall notify the applicant of the  
21 applicant's registration status with the State Board of  
22 Elections and, if registered, the applicant's current  
23 registration address. If the applicant elects to register to  
24 vote or to update his or her existing voter registration, the  
25 government employee shall collect the needed information and  
26 assist the applicant with his or her registration. The

1 applicant shall be informed that by choosing to register to  
2 vote or to update his or her existing voter registration, the  
3 applicant consents to the transfer of the applicant's personal  
4 information to the State Board of Elections.

5 In accordance with technical specifications provided by  
6 the State Board of Elections, each designated government agency  
7 shall maintain a data transfer mechanism capable of  
8 transmitting voter registration application information,  
9 including electronic signatures where available, to the online  
10 voter registration system established in Section 1A-16.5 of  
11 this Code. Each designated government agency shall establish  
12 and operate a voter registration system capable of transmitting  
13 voter registration application information to the portal as  
14 described in this Section by July 1, 2016.

15 (b) Whenever an applicant's data is transferred from a  
16 designated government agency, the agency must transmit a  
17 signature image if available. If no signature image was  
18 provided by the agency or if no signature image is available in  
19 the Secretary of State's database or the statewide voter  
20 registration database, the applicant must be notified that  
21 their registration will remain in a pending status and the  
22 applicant will be required to provide identification and a  
23 signature to the election authority on Election Day in the  
24 polling place or during early voting.

25 (c) The State Board of Elections shall track registration  
26 data received through the online registration system that

1 originated from a designated government agency for the purposes  
2 of maintaining statistics required by the federal National  
3 Voter Registration Act of 1993, as amended.

4 (d) The State Board of Elections shall submit a report to  
5 the General Assembly and the Governor by December 1, 2015  
6 detailing the progress made to implement the government agency  
7 voter registration portal described in this Section.

8 (e) The Board shall adopt rules, in consultation with the  
9 impacted agencies.

10 (f) As used in this Section, a "designated government  
11 agency" means the Secretary of State's Driver Services and  
12 Vehicle Services Departments, the Department of Human  
13 Services, the Department of Healthcare and Family Services, the  
14 Department of Employment Security, and the Department on Aging;  
15 however, if the designated government agency becomes a  
16 designated automatic voter registration agency under Section  
17 1A-16.1 or Section 1A-16.2 of this Code, that agency shall  
18 cease to be a designated government agency under this Section.

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

20 (10 ILCS 5/1A-16.7 new)

21 Sec. 1A-16.7. Automatic voter registration.

22 (a) The State Board of Elections shall establish and  
23 maintain a portal for automatic government agency voter  
24 registration that permits an eligible person to electronically  
25 apply to register to vote or to update his or her existing

1 voter registration as provided in Section 1A-16.1 or Section  
2 1A-16.2. The portal shall interface with the online voter  
3 registration system established in Section 1A-16.5 of this Code  
4 and shall be capable of receiving and processing voter  
5 registration application information, including electronic  
6 signatures, from the Office of the Secretary of State and each  
7 designated automatic voter registration agency, as defined in  
8 Section 1A-16.2. The State Board of Elections may  
9 cross-reference voter registration information from any  
10 designated automatic voter registration agency, as defined  
11 under Section 1A-16.2 of this Code, with information contained  
12 in the database of the Secretary of State as provided under  
13 subsection (c) of Section 1A-16.5 of this Code. The State Board  
14 of Elections shall modify the online voter registration system  
15 as necessary to implement this Section.

16 (b) Voter registration data received from the Office of the  
17 Secretary of State or a designated automatic voter registration  
18 agency through the online registration application system  
19 shall be processed as provided in Section 1A-16.5 of this Code.

20 (c) The State Board of Elections shall establish technical  
21 specifications applicable to each automatic government  
22 registration program, including data format and transmission  
23 specifications. The Office of the Secretary of State and each  
24 designated automatic voter registration agency shall maintain  
25 a data transfer mechanism capable of transmitting voter  
26 registration application information, including electronic

1 signatures where available, to the online voter registration  
2 system established in Section 1A-16.5 of this Code.

3 (d) The State Board of Elections shall, by rule, establish  
4 criteria and procedures for determining whether an agency of  
5 the State or federal government seeking to become a designated  
6 automatic voter registration agency has access to reliable  
7 personal information, as defined under this subsection (d) and  
8 subsection (f) of Section 1A-16.2 of this Code, and otherwise  
9 meets the requirements to enter into an interagency contract  
10 and to operate as a designated automatic voter registration  
11 agency. The State Board of Elections shall approve each  
12 interagency contract upon affirmative vote of a majority of its  
13 members.

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

18 (e) Whenever an applicant's data is transferred from the  
19 Office of the Secretary of State or a designated automatic  
20 voter registration agency, the agency must transmit a signature  
21 image if available. If no signature image was provided by the  
22 agency, or if no signature image is available in the Office of  
23 the Secretary of State's database or the statewide voter  
24 registration database, the applicant must be notified that his  
25 or her registration will remain in a pending status, and the  
26 applicant will be required to provide identification that

1 complies with the federal Help America Vote Act of 2002 and a  
2 signature to the election authority on election day in the  
3 polling place or during early voting.

4 (f) Upon receipt of personal information collected and  
5 transferred by the Office of the Secretary of State or a  
6 designated automatic voter registration agency, the State  
7 Board of Elections shall check the information against the  
8 statewide voter registration database. The State Board of  
9 Elections shall create and electronically transmit to the  
10 appropriate election authority a voter registration  
11 application for any individual who is not registered to vote in  
12 Illinois and is not disqualified as provided in this Section or  
13 whose information reliably indicates a more recent update to  
14 the name or address of a person already included in the  
15 statewide voter database. The election authority shall process  
16 the application accordingly.

17 (g) The appropriate election authority shall ensure that  
18 any applicant who is registered to vote or whose existing voter  
19 registration is updated under this Section is promptly sent  
20 written notice of the change. The notice required by this  
21 subsection (g) may be sent or combined with other notices  
22 required or permitted by law, including, but not limited to,  
23 any notices sent pursuant to Section 1A-16.5 of this Code. Any  
24 notice required by this subsection (g) shall contain, at a  
25 minimum: (i) the applicant's name and residential address as  
26 reflected on the voter registration list; (ii) a statement



1 notifying the applicant to contact the appropriate election  
2 authority if his or her voter registration has been updated in  
3 error; (iii) the qualifications to register to vote in  
4 Illinois; (iv) a statement notifying the applicant that he or  
5 she may opt out of voter registration or request a change to  
6 his or her registration information at any time by contacting  
7 an election official; and (v) contact information for the  
8 appropriate election authority, including a phone number,  
9 address, electronic mail address, and website address.

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

22 (i) If the Office of the Secretary of State or a designated  
23 automatic voter registration agency transfers information, or  
24 if the State Board of Elections creates and transmits a voter  
25 registration application, for a person who does not qualify as  
26 an eligible voter, then it shall not constitute a completed

1 voter registration form, and the person shall not be considered  
2 to have registered to vote.

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

15 (k) The State Board of Elections, the Office of the  
16 Secretary of State, and each designated automatic voter  
17 registration agency shall implement policies and procedures to  
18 protect the privacy and security of voter information as it is  
19 acquired, stored, and transmitted among agencies, including  
20 policies for the retention and preservation of voter  
21 information. Information designated as confidential under this  
22 Section may be recorded and shared among the State Board of  
23 Elections, election authorities, the Office of the Secretary of  
24 State, and designated automatic voter registration agencies,  
25 but shall be used only for voter registration purposes, shall  
26 not be disclosed to the public except in the aggregate as

1 required by subsection (m) of this Section, and shall not be  
2 subject to the Freedom of Information Act. The following  
3 information shall be designated as confidential:

4 (1) any portion of an applicant's Social Security  
5 number;

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

8 (3) an applicant's decision to decline voter  
9 registration;

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

12 (5) the personal residence and contact information of  
13 any applicant for whom notice has been given by an  
14 appropriate legal authority.

15 This subsection (k) shall not apply to information the  
16 State Board of Elections is required to share with the  
17 Electronic Registration Information Center.

18 (1) The voter registration procedures implemented under  
19 this Section shall comport with the federal National Voter  
20 Registration Act of 1993, as amended, and shall specifically  
21 require that the State Board of Elections track registration  
22 data received through the online registration system that  
23 originated from a designated automatic voter registration  
24 agency for the purposes of maintaining statistics.

25 Nothing in this Code shall require designated voter  
26 registration agencies to transmit information that is

1 confidential client information under State or federal law  
2 without the consent of the applicant.

3 (m) The State Board of Elections, each election authority  
4 that maintains a website, the Office of the Secretary of State,  
5 and each designated automatic voter registration agency that  
6 maintains a website shall provide information on their websites  
7 informing the public about the new registration procedures  
8 described in this Section. The Office of the Secretary of State  
9 and each designated automatic voter registration agency shall  
10 display signage or provide literature for the public containing  
11 information about the new registration procedures described in  
12 this Section.

13 (n) No later than 6 months after the effective date of this  
14 amendatory Act of the 100th General Assembly, the State Board  
15 of Elections shall hold at least one public hearing on  
16 implementing this amendatory Act of the 100th General Assembly  
17 at which the public may provide input.

18 (o) The State Board of Elections shall submit an annual  
19 public report to the General Assembly and the Governor  
20 detailing the progress made to implement this Section. The  
21 report shall include all of the following: the number of  
22 records transferred under this Section by agency, the number of  
23 voters newly added to the statewide voter registration list  
24 because of records transferred under this Section by agency,  
25 the number of updated registrations under this Section by  
26 agency, the number of persons who opted out of voter

1 registration, and the number of voters who submitted voter  
2 registration forms using the online procedure described in  
3 Section 1A-16.5 of this Code. The 2018 and 2019 annual reports  
4 may include less detail if election authorities are not  
5 equipped to provide complete information to the State Board of  
6 Elections. Any report produced under this subsection (o) shall  
7 exclude any information that identifies any individual  
8 personally.

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

14 (10 ILCS 5/1A-16.8)

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

18 (a) The State Board of Elections shall cross-reference the  
19 statewide voter registration database against the United  
20 States Postal Service's National Change of Address database  
21 twice each calendar year, April 15 and October 1 in  
22 odd-numbered years and April 15 and December 1 in even-numbered  
23 years or with the same frequency as in subsection (b) of this  
24 Section, and shall share the findings with the election  
25 authorities.

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

11       This subsection (b) shall no longer apply once Sections  
12       1A-16.1 and 1A-16.2 of this Code are fully implemented as  
13       determined by the State Board of Elections. Upon a  
14       determination by the State Board of Elections of full  
15       implementation of Sections 1A-16.1 and 1A-16.2 of this Code,  
16       the State Board of Elections shall file notice of full  
17       implementation and the inapplicability of this subsection (b)  
18       with the Index Department of the Office of the Secretary of  
19       State, the Governor, the General Assembly, and the Legislative  
20       Reference Bureau.

21       (b-5) The State Board of Elections shall not be required to  
22       share any data on any voter attained using the National Change  
23       of Address database under subsection (a) of this Section if  
24       that voter has a more recent government transaction indicated  
25       using the cross-reference under subsection (b) of this Section.  
26       If there is contradictory or unclear data between data obtained

1 under subsections (a) and (b) of this Section, then data  
2 obtained under subsection (b) of this Section shall take  
3 priority.

4 (c) An election authority shall automatically register any  
5 voter who has moved into its jurisdiction from another  
6 jurisdiction in Illinois or has moved within its jurisdiction  
7 provided that:

8 (1) the election authority whose jurisdiction includes  
9 the new registration address provides the voter an  
10 opportunity to reject the change in registration address  
11 through a mailing, sent by non-forwardable mail, to the new  
12 registration address, and

13 (2) when the election authority whose jurisdiction  
14 includes the previous registration address is a different  
15 election authority, then that election authority provides  
16 the same opportunity through a mailing, sent by forwardable  
17 mail, to the previous registration address.

18 This change in registration shall trigger the same  
19 inter-jurisdictional or intra-jurisdictional workflows as if  
20 the voter completed a new registration card, including the  
21 cancellation of the voter's previous registration. Should the  
22 registration of a voter be changed from one address to another  
23 within the State and should the voter appear at the polls and  
24 offer to vote from the prior registration address, attesting  
25 that the prior registration address is the true current  
26 address, the voter, if confirmed by the election authority as

1 having been registered at the prior registration address and  
2 canceled only by the process authorized by this Section, shall  
3 be issued a regular ballot, and the change of registration  
4 address shall be canceled. If the election authority is unable  
5 to immediately confirm the registration, the voter shall be  
6 permitted to register and vote a regular ballot, provided that  
7 he or she meets the documentary requirements for same-day  
8 registration. If the election authority is unable to confirm  
9 the registration and the voter does not meet the requirements  
10 for same-day registration, the voter shall be issued a  
11 provisional ballot.

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

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

15 (10 ILCS 5/1A-16.9 new)

16 Sec. 1A-16.9. Implementation. The changes made by this  
17 amendatory Act of the 100th General Assembly shall be  
18 implemented no later than July 1, 2018, except for the changes  
19 made to Section 1A-16.2 of this Code.

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

22 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

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



1           (a) The Secretary of State shall maintain offices in the  
2 State capital and in such other places in the State as he may  
3 deem necessary to properly carry out the powers and duties  
4 vested in him.

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

20           (c) Pursuant to Sections 1A-16.1, 1A-16.7, and Section  
21 1A-25 of the Election Code, the Secretary of State shall make  
22 driver services facilities available for use as places of  
23 accepting applications for voter registration.

24           (d) (Blank).

25           (e) Each person applying at a driver services facility for  
26 a driver's license or permit, a corrected driver's license or

1 permit, an Illinois identification card or a corrected Illinois  
2 identification card shall be notified, under the procedures set  
3 forth in Sections 1A-16.1 and 1A-16.7 of the Election Code,  
4 that unless he or she affirmatively declines, his or her  
5 personal information shall be transferred to the State Board of  
6 Elections for the purpose of creating an electronic voter  
7 registration application ~~that the person may apply to register~~  
8 ~~to vote at such station and may also apply to transfer his or~~  
9 ~~her voter registration at such station to a different address~~  
10 ~~in the State.~~ Such notification may be made in writing or  
11 verbally issued by an employee or the Secretary of State.

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

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

1 numbers of law enforcement and other governmental agencies that  
2 provide assistance to victims of financial identity theft.

3 (g) The changes made by this amendatory Act of the 100th  
4 General Assembly shall be implemented no later than July 1,  
5 2018.

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

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.