



Rep. Mike Fortner

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LRB100 11359 MLM 26901 a

1 AMENDMENT TO SENATE BILL 1933

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1933 by replacing  
3 everything after the enacting clause with the following:

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

1 records received by the Experimental Organ Transplantation  
2 Procedures Board and any and all documents or other records  
3 prepared by the Experimental Organ Transplantation  
4 Procedures Board or its staff relating to applications it  
5 has received.

6 (d) Information and records held by the Department of  
7 Public Health and its authorized representatives relating  
8 to known or suspected cases of sexually transmissible  
9 disease or any information the disclosure of which is  
10 restricted under the Illinois Sexually Transmissible  
11 Disease Control Act.

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

14 (f) Firm performance evaluations under Section 55 of  
15 the Architectural, Engineering, and Land Surveying  
16 Qualifications Based Selection Act.

17 (g) Information the disclosure of which is restricted  
18 and exempted under Section 50 of the Illinois Prepaid  
19 Tuition Act.

20 (h) Information the disclosure of which is exempted  
21 under the State Officials and Employees Ethics Act, and  
22 records of any lawfully created State or local inspector  
23 general's office that would be exempt if created or  
24 obtained by an Executive Inspector General's office under  
25 that Act.

26 (i) Information contained in a local emergency energy

1 plan submitted to a municipality in accordance with a local  
2 emergency energy plan ordinance that is adopted under  
3 Section 11-21.5-5 of the Illinois Municipal Code.

4 (j) Information and data concerning the distribution  
5 of surcharge moneys collected and remitted by wireless  
6 carriers under the Wireless Emergency Telephone Safety  
7 Act.

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

12 (l) Records and information provided to a residential  
13 health care facility resident sexual assault and death  
14 review team or the Executive Council under the Abuse  
15 Prevention Review Team Act.

16 (m) Information provided to the predatory lending  
17 database created pursuant to Article 3 of the Residential  
18 Real Property Disclosure Act, except to the extent  
19 authorized under that Article.

20 (n) Defense budgets and petitions for certification of  
21 compensation and expenses for court appointed trial  
22 counsel as provided under Sections 10 and 15 of the Capital  
23 Crimes Litigation Act. This subsection (n) shall apply  
24 until the conclusion of the trial of the case, even if the  
25 prosecution chooses not to pursue the death penalty prior  
26 to trial or sentencing.

1           (o) Information that is prohibited from being  
2 disclosed under Section 4 of the Illinois Health and  
3 Hazardous Substances Registry Act.

4           (p) Security portions of system safety program plans,  
5 investigation reports, surveys, schedules, lists, data, or  
6 information compiled, collected, or prepared by or for the  
7 Regional Transportation Authority under Section 2.11 of  
8 the Regional Transportation Authority Act or the St. Clair  
9 County Transit District under the Bi-State Transit Safety  
10 Act.

11           (q) Information prohibited from being disclosed by the  
12 Personnel Records Review Act.

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

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

17           (t) All identified or deidentified health information  
18 in the form of health data or medical records contained in,  
19 stored in, submitted to, transferred by, or released from  
20 the Illinois Health Information Exchange, and identified  
21 or deidentified health information in the form of health  
22 data and medical records of the Illinois Health Information  
23 Exchange in the possession of the Illinois Health  
24 Information Exchange Authority due to its administration  
25 of the Illinois Health Information Exchange. The terms  
26 "identified" and "deidentified" shall be given the same

1 meaning as in the Health Insurance Portability and  
2 Accountability Act of 1996, Public Law 104-191, or any  
3 subsequent amendments thereto, and any regulations  
4 promulgated thereunder.

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

7 (v) Names and information of people who have applied  
8 for or received Firearm Owner's Identification Cards under  
9 the Firearm Owners Identification Card Act or applied for  
10 or received a concealed carry license under the Firearm  
11 Concealed Carry Act, unless otherwise authorized by the  
12 Firearm Concealed Carry Act; and databases under the  
13 Firearm Concealed Carry Act, records of the Concealed Carry  
14 Licensing Review Board under the Firearm Concealed Carry  
15 Act, and law enforcement agency objections under the  
16 Firearm Concealed Carry Act.

17 (w) Personally identifiable information which is  
18 exempted from disclosure under subsection (g) of Section  
19 19.1 of the Toll Highway Act.

20 (x) Information which is exempted from disclosure  
21 under Section 5-1014.3 of the Counties Code or Section  
22 8-11-21 of the Illinois Municipal Code.

23 (y) Confidential information under the Adult  
24 Protective Services Act and its predecessor enabling  
25 statute, the Elder Abuse and Neglect Act, including  
26 information about the identity and administrative finding

1 against any caregiver of a verified and substantiated  
2 decision of abuse, neglect, or financial exploitation of an  
3 eligible adult maintained in the Registry established  
4 under Section 7.5 of the Adult Protective Services Act.

5 (z) Records and information provided to a fatality  
6 review team or the Illinois Fatality Review Team Advisory  
7 Council under Section 15 of the Adult Protective Services  
8 Act.

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

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

13 (cc) Recordings made under the Law Enforcement  
14 Officer-Worn Body Camera Act, except to the extent  
15 authorized under that Act.

16 (dd) Information that is prohibited from being  
17 disclosed under Section 45 of the Condominium and Common  
18 Interest Community Ombudsperson Act.

19 (ee) ~~(dd)~~ Information that is exempted from disclosure  
20 under Section 30.1 of the Pharmacy Practice Act.

21 (ff) Records that are exempt from disclosure under  
22 Section 1A-16.7 of the Election Code.

23 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,  
24 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;  
25 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;  
26 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.

1 8-19-16; revised 9-1-16.)

2 Section 10. The Election Code is amended by changing  
3 Sections 1A-16.6 and 1A-16.8 and by adding Sections 1-16,  
4 1A-16.1, 1A-16.2, 1A-16.7, and 1A-16.9 as follows:

5 (10 ILCS 5/1-16 new)

6 Sec. 1-16. Election authorities; notices by electronic  
7 mail. If an election authority is required by law to send an  
8 election-related notice to an individual, that election  
9 authority may send that notice solely by electronic mail if the  
10 individual provides a current e-mail address to the election  
11 authority and authorizes the election authority to send notices  
12 by electronic mail. For the purposes of this Section, the term  
13 "notice" does not include a ballot or any notice required under  
14 Sections 16.5 or 16.6 of this Code.

15 (10 ILCS 5/1A-16.1 new)

16 Sec. 1A-16.1. Automatic voter registration; Secretary of  
17 State.

18 (a) The Office of the Secretary of State and the State  
19 Board of Elections, pursuant to an interagency contract and  
20 jointly-adopted rules, shall establish an automatic voter  
21 registration program that satisfies the requirements of this  
22 Section and other applicable law.

23 (b) If an application, an application for renewal, a change

1 of address form, or a recertification form for a driver's  
2 license, other than a temporary visitor's driver's license, or  
3 a State identification card issued by the Office of the  
4 Secretary of State meets the requirements of the federal REAL  
5 ID Act of 2005, then that application shall serve as a  
6 dual-purpose application. The dual-purpose application shall:

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

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

12 (3) provide the applicant with an opportunity to  
13 affirmatively decline to register to vote or to change his  
14 or her registered residence address or name by providing a  
15 check box on the application form without requiring the  
16 applicant to state the reason; and

17 (4) unless the applicant declines to register to vote  
18 or change his or her registered residence address or name,  
19 require the applicant to attest, by signature under penalty  
20 of perjury as described in subsection (e) of this Section,  
21 to meeting the qualifications to register to vote in  
22 Illinois at his or her residence address as indicated on  
23 his or her driver's license or identification card  
24 dual-purpose application.

25 (b-5) If an application, an application for renewal, a  
26 change of address form, or a recertification form for a



1 driver's license, other than a temporary visitor's driver's  
2 license, or a State identification card issued by the Office of  
3 the Secretary of State does not meet the requirements of the  
4 federal REAL ID Act of 2005, then that application shall serve  
5 as a dual-purpose application. The dual-purpose application  
6 shall:

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

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

12 (3) if the applicant chooses to register to vote or to  
13 change his or her registered residence address or name,  
14 then require the applicant to attest, by a separate  
15 signature under penalty of perjury, to meeting the  
16 qualifications to register to vote in Illinois at his or  
17 her residence address as indicated on his or her  
18 dual-purpose application.

19 (b-10) The Office of the Secretary of State shall clearly  
20 and conspicuously inform each applicant in writing: (i) of the  
21 qualifications to register to vote in Illinois, (ii) of the  
22 penalties provided by law for submission of a false voter  
23 registration application, (iii) that, unless the applicant  
24 declines to register to vote or update his or her voter  
25 registration, his or her dual-purpose application shall also  
26 serve as both an application to register to vote and his or her

1 attestation that he or she meets the eligibility requirements  
2 for voter registration, and that his or her application to  
3 register to vote or update his or her registration will be  
4 transmitted to the State Board of Elections for the purpose of  
5 registering the person to vote at the residence address to be  
6 indicated on his or her driver's license or identification  
7 card, and (iv) that declining to register to vote is  
8 confidential and will not affect any services the person may be  
9 seeking from the Office of the Secretary of State.

10 (c) The Office of the Secretary of State shall review  
11 information provided to the Office of the Secretary of State by  
12 the State Board of Elections to inform each applicant for a  
13 driver's license or permit, other than a temporary visitor's  
14 driver's license, or a State identification card issued by the  
15 Office of the Secretary of State whether the applicant is  
16 currently registered to vote in Illinois and, if registered, at  
17 what address.

18 (d) The Office of the Secretary of State shall not require  
19 an applicant for a driver's license or State identification  
20 card to provide duplicate identification or information in  
21 order to complete an application to register to vote or change  
22 his or her registered residence address or name. Before  
23 transmitting any personal information about an applicant to the  
24 State Board of Elections, the Office of the Secretary of State  
25 shall review its records of the identification documents the  
26 applicant provided in order to complete the application for a

1 driver's license or State identification card, to confirm that  
2 nothing in those documents indicates that the applicant does  
3 not satisfy the qualifications to register to vote in Illinois  
4 at his or her residence address.

5 (e) A completed, signed application for (i) a driver's  
6 license or permit, other than a temporary visitor's driver's  
7 license, or a State identification card issued by the Office of  
8 the Secretary of State, that meets the requirements of the  
9 federal REAL ID Act of 2005; or (ii) a completed application  
10 under subsection (b-5) of this Section with a separate  
11 signature attesting the applicant meets the qualifications to  
12 register to vote in Illinois at his or her residence address as  
13 indicated on his or her application shall constitute a signed  
14 application to register to vote in Illinois at the residence  
15 address indicated in the application unless the person  
16 affirmatively declined in the application to register to vote  
17 or to change his or her registered residence address or name.  
18 If the identification documents provided to complete the  
19 dual-purpose application indicate that he or she does not  
20 satisfy the qualifications to register to vote in Illinois at  
21 his or her residence address, the application shall be marked  
22 as incomplete.

23 (f) For each completed and signed application that  
24 constitutes an application to register to vote in Illinois or  
25 provides for a change in the applicant's registered residence  
26 address or name, the Office of the Secretary of State shall

1 electronically transmit to the State Board of Elections  
2 personal information needed to complete the person's  
3 registration to vote in Illinois at his or her residence  
4 address. The application to register to vote shall be processed  
5 in accordance with Section 1A-16.7.

6 (g) If the federal REAL ID Act of 2005 is repealed,  
7 abrogated, superseded, or otherwise no longer in effect, then  
8 the State Board of Elections shall establish criteria for  
9 determining reliable personal information indicating  
10 citizenship status and shall adopt rules as necessary for the  
11 Secretary of State to continue processing dual-purpose  
12 applications under this Section.

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

22 (10 ILCS 5/1A-16.2 new)

23 Sec. 1A-16.2. Automatic voter registration; designated  
24 automatic voter registration agencies.

25 (a) Each designated automatic voter registration agency

1 shall, pursuant to an interagency contract and jointly-adopted  
2 rules with the State Board of Elections, agree to participate  
3 in an automatic voter registration program established by the  
4 State Board of Elections that satisfies the requirements of  
5 this Section and other applicable law. If the designated  
6 automatic voter registration agency provides applications,  
7 applications for renewal, change of address forms, or  
8 recertification forms to individuals for services offered by  
9 another agency, then the State Board of Elections and the  
10 designated automatic voter agency shall consult with the other  
11 agency. The State Board of Elections shall consider the current  
12 technological capabilities of the designated voter  
13 registration agency when drafting interagency contracts and  
14 jointly-adopted rules. The State Board of Elections and the  
15 designated automatic voter registration agency shall amend  
16 these contracts and rules as the technological capabilities of  
17 the designated voter registration agencies improve.

18 (b) As provided in subsection (a) of this Section, each  
19 designated automatic voter registration agency that collects  
20 or cross-references reliable personal information indicating  
21 citizenship status may provide that an application for a  
22 license, permit, program, or service shall serve as a  
23 dual-purpose application. The dual-purpose application shall:

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

26 (2) allow an applicant to change his or her registered

1 residence address or name as it appears on the voter  
2 registration rolls;

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

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

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

23 (1) also serve as an application to register to vote in  
24 Illinois;

25 (2) allow an applicant to change his or her registered  
26 residence address or name as it appears on the voter

1       registration rolls; and

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

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

1 any additional information needed in order to comply with  
2 Section 7 of the federal National Voter Registration Act of  
3 1993.

4 (d) The designated automatic voter registration agency  
5 shall review information provided to the agency by the State  
6 Board of Elections to inform each applicant whether the  
7 applicant is currently registered to vote in Illinois and, if  
8 registered, at what address.

9 (e) The designated automatic voter registration agency  
10 shall not require an applicant for a dual-purpose application  
11 to provide duplicate identification or information in order to  
12 complete an application to register to vote or change his or  
13 her registered residence address or name. Before transmitting  
14 any personal information about an applicant to the State Board  
15 of Elections, the agency shall review its records of the  
16 identification documents the applicant provided or that the  
17 agency cross-references in order to complete the dual-purpose  
18 application, to confirm that nothing in those documents  
19 indicates that the applicant does not satisfy the  
20 qualifications to register to vote in Illinois at his or her  
21 residence address. A completed and signed dual-purpose  
22 application, including a completed application under  
23 subsection (c) of this Section with a separate signature  
24 attesting that the applicant meets the qualifications to  
25 register to vote in Illinois at his or her residence address as  
26 indicated on his or her application, shall constitute an



1 application to register to vote in Illinois at the residence  
2 address indicated in the application unless the person  
3 affirmatively declined in the application to register to vote  
4 or to change his or her registered residence address or name.  
5 If the identification documents provided to complete the  
6 dual-purpose application, or that the agency cross-references,  
7 indicate that he or she does not satisfy the qualifications to  
8 register to vote in Illinois at his or her residence address,  
9 the application shall be marked as incomplete.

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

19 (g) As used in this Section:

20 "Designated automatic voter registration agency" or  
21 "agency" means the divisions of Family and Community  
22 Services and Rehabilitation Services of the Department of  
23 Human Services, the Department of Employment Security, the  
24 Department of Financial and Professional Regulation, the  
25 Department of Natural Resources, or an agency of the State  
26 or federal government that has been determined by the State

1 Board of Elections to have access to reliable personal  
2 information and has entered into an interagency contract  
3 with the State Board of Elections to participate in the  
4 automatic voter registration program under this Section.

5 "Dual-purpose application" means an application, an  
6 application for renewal, a change of address form, or a  
7 recertification form for a license, permit, program, or  
8 service offered by a designated automatic voter  
9 registration agency that also serves as an application to  
10 register to vote in Illinois.

11 "Reliable personal information" means information  
12 about individuals obtained from government sources that  
13 may be used to verify whether an individual is eligible to  
14 register to vote.

15 (h) This Section shall be implemented no later than July,  
16 1, 2019.

17 (10 ILCS 5/1A-16.6)

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

19 (a) 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

1 government employee shall notify the applicant of the  
2 applicant's registration status with the State Board of  
3 Elections and, if registered, the applicant's current  
4 registration address. If the applicant elects to register to  
5 vote or to update his or her existing voter registration, the  
6 government employee shall collect the needed information and  
7 assist the applicant with his or her registration. The  
8 applicant shall be informed that by choosing to register to  
9 vote or to update his or her existing voter registration, the  
10 applicant consents to the transfer of the applicant's personal  
11 information to the State Board of Elections.

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

22 (b) Whenever an applicant's data is transferred from a  
23 designated government agency, the agency must transmit a  
24 signature image if available. If no signature image was  
25 provided by the agency or if no signature image is available in  
26 the Secretary of State's database or the statewide voter

1 registration database, the applicant must be notified that  
2 their registration will remain in a pending status and the  
3 applicant will be required to provide identification and a  
4 signature to the election authority on Election Day in the  
5 polling place or during early voting.

6 (c) The State Board of Elections shall track registration  
7 data received through the online registration system that  
8 originated from a designated government agency for the purposes  
9 of maintaining statistics required by the federal National  
10 Voter Registration Act of 1993, as amended.

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

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

17 (f) As used in this Section, a "designated government  
18 agency" means the Secretary of State's Driver Services and  
19 Vehicle Services Departments, the Department of Human  
20 Services, the Department of Healthcare and Family Services, the  
21 Department of Employment Security, and the Department on Aging;  
22 however, if the designated government agency becomes a  
23 designated automatic voter registration agency under Section  
24 1A-16.1 or Section 1A-16.2 of this Code, that agency shall  
25 cease to be a designated government agency under this Section.

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

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

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

3 (a) The State Board of Elections shall establish and  
4 maintain a portal for automatic government agency voter  
5 registration that permits an eligible person to electronically  
6 apply to register to vote or to update his or her existing  
7 voter registration as provided in Section 1A-16.1 or Section  
8 1A-16.2. The portal shall interface with the online voter  
9 registration system established in Section 1A-16.5 of this Code  
10 and shall be capable of receiving and processing voter  
11 registration application information, including electronic  
12 signatures, from the Office of the Secretary of State and each  
13 designated automatic voter registration agency, as defined in  
14 Section 1A-16.2. The State Board of Elections may  
15 cross-reference voter registration information from any  
16 designated automatic voter registration agency, as defined  
17 under Section 1A-16.2 of this Code, with information contained  
18 in the database of the Secretary of State as provided under  
19 subsection (c) of Section 1A-16.5 of this Code. The State Board  
20 of Elections shall modify the online voter registration system  
21 as necessary to implement this Section.

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

1       (c) The State Board of Elections shall establish technical  
2 specifications applicable to each automatic government  
3 registration program, including data format and transmission  
4 specifications. The Office of the Secretary of State and each  
5 designated automatic voter registration agency shall maintain  
6 a data transfer mechanism capable of transmitting voter  
7 registration application information, including electronic  
8 signatures where available, to the online voter registration  
9 system established in Section 1A-16.5 of this Code.

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

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

25       (e) Whenever an applicant's data is transferred from the  
26 Office of the Secretary of State or a designated automatic

1 voter registration agency, the agency must transmit a signature  
2 image if available. If no signature image was provided by the  
3 agency, or if no signature image is available in the Office of  
4 the Secretary of State's database or the statewide voter  
5 registration database, the applicant must be notified that his  
6 or her registration will remain in a pending status, and the  
7 applicant will be required to provide identification that  
8 complies with the federal Help America Vote Act of 2002 and a  
9 signature to the election authority on election day in the  
10 polling place or during early voting.

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

24 (g) The appropriate election authority shall ensure that  
25 any applicant who is registered to vote or whose existing voter  
26 registration is updated under this Section is promptly sent



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

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

1 election authority, including a phone number, address,  
2 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 notice has been given by an  
21 appropriate legal authority.

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

25 (1) The voter registration procedures implemented under  
26 this Section shall comport with the federal National Voter

1 Registration Act of 1993, as amended, and shall specifically  
2 require that the State Board of Elections track registration  
3 data received through the online registration system that  
4 originated from a designated automatic voter registration  
5 agency for the purposes of maintaining statistics.

6 Nothing in this Code shall require designated voter  
7 registration agencies to transmit information that is  
8 confidential client information under State or federal law  
9 without the consent of the applicant.

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. The 2018 and 2019 annual reports  
11 may include less detail if election authorities are not  
12 equipped to provide complete information to the State Board of  
13 Elections. Any report produced under this subsection (o) shall  
14 exclude any information that identifies any individual  
15 personally.

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

21 (10 ILCS 5/1A-16.8)

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

25 (a) The State Board of Elections shall cross-reference the

1 statewide voter registration database against the United  
2 States Postal Service's National Change of Address database  
3 twice each calendar year, April 15 and October 1 in  
4 odd-numbered years and April 15 and December 1 in even-numbered  
5 years or with the same frequency as in subsection (b) of this  
6 Section, and shall share the findings with the election  
7 authorities.

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

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

1 Reference Bureau.

2 (b-5) The State Board of Elections shall not be required to  
3 share any data on any voter attained using the National Change  
4 of Address database under subsection (a) of this Section if  
5 that voter has a more recent government transaction indicated  
6 using the cross-reference under subsection (b) of this Section.  
7 If there is contradictory or unclear data between data obtained  
8 under subsections (a) and (b) of this Section, then data  
9 obtained under subsection (b) of this Section shall take  
10 priority.

11 (c) An election authority shall automatically register any  
12 voter who has moved into its jurisdiction from another  
13 jurisdiction in Illinois or has moved within its jurisdiction  
14 provided that:

15 (1) the election authority whose jurisdiction includes  
16 the new registration address provides the voter an  
17 opportunity to reject the change in registration address  
18 through a mailing, sent by non-forwardable mail, to the new  
19 registration address, and

20 (2) when the election authority whose jurisdiction  
21 includes the previous registration address is a different  
22 election authority, then that election authority provides  
23 the same opportunity through a mailing, sent by forwardable  
24 mail, to the previous registration address.

25 This change in registration shall trigger the same  
26 inter-jurisdictional or intra-jurisdictional workflows as if

1 the voter completed a new registration card, including the  
2 cancellation of the voter's previous registration. Should the  
3 registration of a voter be changed from one address to another  
4 within the State and should the voter appear at the polls and  
5 offer to vote from the prior registration address, attesting  
6 that the prior registration address is the true current  
7 address, the voter, if confirmed by the election authority as  
8 having been registered at the prior registration address and  
9 canceled only by the process authorized by this Section, shall  
10 be issued a regular ballot, and the change of registration  
11 address shall be canceled. If the election authority is unable  
12 to immediately confirm the registration, the voter shall be  
13 permitted to register and vote a regular ballot, provided that  
14 he or she meets the documentary requirements for same-day  
15 registration. If the election authority is unable to confirm  
16 the registration and the voter does not meet the requirements  
17 for same-day registration, the voter shall be issued a  
18 provisional ballot.

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

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

22 (10 ILCS 5/1A-16.9 new)

23 Sec. 1A-16.9. Implementation. The changes made by this  
24 amendatory Act of the 100th General Assembly shall be  
25 implemented no later than July 1, 2018, except for the changes



1 made to Section 1A-16.2 of this Code.

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

4 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

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

6 (a) The Secretary of State shall maintain offices in the  
7 State capital and in such other places in the State as he may  
8 deem necessary to properly carry out the powers and duties  
9 vested in him.

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

1 (c) Pursuant to Sections 1A-16.1, 1A-16.7, and Section  
2 1A-25 of the Election Code, the Secretary of State shall make  
3 driver services facilities available for use as places of  
4 accepting applications for voter registration.

5 (d) (Blank).

6 (e) Each person applying at a driver services facility for  
7 a driver's license or permit, a corrected driver's license or  
8 permit, an Illinois identification card or a corrected Illinois  
9 identification card shall be notified, under the procedures set  
10 forth in Sections 1A-16.1 and 1A-16.7 of the Election Code,  
11 that unless he or she affirmatively declines, his or her  
12 personal information shall be transferred to the State Board of  
13 Elections for the purpose of creating an electronic voter  
14 registration application ~~that the person may apply to register~~  
15 ~~to vote at such station and may also apply to transfer his or~~  
16 ~~her voter registration at such station to a different address~~  
17 ~~in the State.~~ Such notification may be made in writing or  
18 verbally issued by an employee or the Secretary of State.

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

22 (f) Any person applying at a driver services facility for  
23 issuance or renewal of a driver's license or Illinois  
24 Identification Card shall be provided, without charge, with a  
25 brochure warning the person of the dangers of financial  
26 identity theft. The Department of Financial and Professional

1 Regulation shall prepare these brochures and provide them to  
2 the Secretary of State for distribution. The brochures shall  
3 (i) identify signs warning the reader that he or she might be  
4 an intended victim of the crime of financial identity theft,  
5 (ii) instruct the reader in how to proceed if the reader  
6 believes that he or she is the victim of the crime of identity  
7 theft, and (iii) provide the reader with names and telephone  
8 numbers of law enforcement and other governmental agencies that  
9 provide assistance to victims of financial identity theft.

10 (g) The changes made by this amendatory Act of the 100th  
11 General Assembly shall be implemented no later than July 1,  
12 2018.

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

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law."