



Sen. Andy Manar

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1 AMENDMENT TO SENATE BILL 1933

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

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

7 (5 ILCS 140/7.5)

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

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

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

1           (c) Applications, related documents, and medical  
2 records received by the Experimental Organ Transplantation  
3 Procedures Board and any and all documents or other records  
4 prepared by the Experimental Organ Transplantation  
5 Procedures Board or its staff relating to applications it  
6 has received.

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

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

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

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

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

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

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

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

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

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

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

1 to trial or sentencing.

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

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

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

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

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

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

1 "identified" and "deidentified" shall be given the same  
2 meaning as in the Health Insurance Portability and  
3 Accountability Act of 1996, Public Law 104-191, or any  
4 subsequent amendments thereto, and any regulations  
5 promulgated thereunder.

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

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

18 (w) Personally identifiable information which is  
19 exempted from disclosure under subsection (g) of Section  
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure  
22 under Section 5-1014.3 of the Counties Code or Section  
23 8-11-21 of the Illinois Municipal Code.

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

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

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

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

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

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

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

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

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

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

1 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.  
2 8-19-16; revised 9-1-16.)

3 Section 10. The Election Code is amended by changing  
4 Sections 1A-16.6 and 1A-16.8 and by adding Sections 1-16,  
5 1A-16.1, 1A-16.2, and 1A-16.9 as follows:

6 (10 ILCS 5/1-16 new)

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

16 (10 ILCS 5/1A-16.1 new)

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

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

1       (b) If an application for a driver's license, other than a  
2 temporary visitor's driver's license, or a State  
3 identification card issued by the Office of the Secretary of  
4 State meets the requirements of the federal REAL ID Act of  
5 2005, then that application shall serve as a dual-purpose  
6 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 for a driver's license, other than  
26 a temporary visitor's driver's license, or a State



1 identification card issued by the Office of the Secretary of  
2 State does not meet the requirements of the federal REAL ID Act  
3 of 2005, then that application shall serve as a dual-purpose  
4 application. The dual-purpose application shall:

5 (1) also serve as an application to register to vote in  
6 Illinois;

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

10 (3) require the applicant to attest, by a separate  
11 signature under penalty of perjury, to meeting the  
12 qualifications to register to vote in Illinois at his or  
13 her residence address as indicated on his or her  
14 dual-purpose application.

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

1 registering the person to vote at the residence address to be  
2 indicated on his or her driver's license or identification  
3 card, and (iv) that declining to register to vote is  
4 confidential and will not affect any services the person may be  
5 seeking from the Office of the Secretary of State.

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

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

1 his or her residence address.

2 (e) A completed, signed application for a driver's license  
3 or permit, other than a temporary visitor's driver's license,  
4 or a State identification card issued by the Office of the  
5 Secretary of State that meets the requirements of the federal  
6 REAL ID Act of 2005, shall constitute a signed application to  
7 register to vote in Illinois at the residence address indicated  
8 in the application unless the person affirmatively declined in  
9 the application to register to vote or to change his or her  
10 registered residence address or name. If records of the Office  
11 of the Secretary of State regarding the applicant indicate that  
12 he or she does not satisfy the qualifications to register to  
13 vote in Illinois at his or her residence address, the  
14 application shall be marked as incomplete and the Office of the  
15 Secretary of State shall transmit all such records to the State  
16 Board of Elections.

17 (f) For each completed and signed application that  
18 constitutes an application to register to vote in Illinois or  
19 provides for a change in the applicant's registered residence  
20 address or name, the Office of the Secretary of State shall  
21 electronically transmit to the State Board of Elections  
22 personal information needed to complete the person's  
23 registration to vote in Illinois at his or her residence  
24 address. The application to register to vote shall be processed  
25 in accordance with Section 1A-16.6.

26 (g) If the federal REAL ID Act of 2005 is repealed,

1 abrogated, superseded, or otherwise no longer in effect, then  
2 the State Board of Elections shall establish criteria for  
3 determining reliable personal information indicating  
4 citizenship status and shall adopt rules as necessary for the  
5 Secretary of State to continue processing dual-purpose  
6 applications under this Section.

7 (h) As used in this Section, "dual-purpose application"  
8 means an application for driver's license or permit, other than  
9 a temporary visitor's driver's license, or a State  
10 identification card offered by the Secretary of State that also  
11 serves as an application to register to vote in Illinois.

12 (10 ILCS 5/1A-16.2 new)

13 Sec. 1A-16.2. Automatic voter registration; designated  
14 automatic voter registration agencies.

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

21 (b) As provided in subsection (a), each designated  
22 automatic voter registration agency that collects or  
23 cross-references reliable personal information indicating  
24 citizenship status may provide that an application for a  
25 license, permit, program, or service offered by that agency

1 shall serve as a dual-purpose application. The dual-purpose  
2 application shall:

3 (1) also serve as an application to register to vote in  
4 Illinois;

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

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

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

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

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

3           (2) allow an applicant to change his or her registered  
4           residence address; and

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

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

1 services the person may be seeking from the agency, and (vi)  
2 any additional information needed in order to comply with  
3 Section 7 of the federal National Voter Registration Act of  
4 1993.

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

10 (e) The designated automatic voter registration agency  
11 shall not require an applicant for a dual-purpose application  
12 to provide duplicate identification or information in order to  
13 complete an application to register to vote or change his or  
14 her registered residence address or name. Before transmitting  
15 any personal information about an applicant to the State Board  
16 of Elections, the agency shall review its records of the  
17 identification documents the applicant provided or that the  
18 agency cross-references in order to complete the dual-purpose  
19 application, to confirm that the agency is not in possession of  
20 any information that indicates that the applicant does not  
21 satisfy the qualifications to register to vote in Illinois at  
22 his or her residence address. A completed and signed  
23 dual-purpose application, including a completed application  
24 under subsection (c) of this Section with a separate signature  
25 attesting that the applicant meets the qualifications to  
26 register to vote in Illinois at his or her residence address as

1 indicated on his or her application, shall constitute an  
2 application to register to vote in Illinois at the residence  
3 address indicated in the application unless the person  
4 affirmatively declined in the application to register to vote  
5 or to change his or her registered residence address or name.  
6 If the agency's records regarding the applicant indicate that  
7 he or she does not satisfy the qualifications to register to  
8 vote in Illinois at his or her residence address, the  
9 application shall be marked as incomplete and the agency shall  
10 transmit all such records to the State Board of Elections.

11 (f) For each completed and signed dual-purpose application  
12 that constitutes an application to register to vote in Illinois  
13 or provides for a change in the applicant's registered  
14 residence address or name, the designated automatic voter  
15 registration agency shall electronically transmit to the State  
16 Board of Elections personal information needed to complete the  
17 person's registration to vote in Illinois at his or her  
18 residence address. The application to register to vote shall be  
19 processed in accordance with Section 1A-16.6.

20 (g) As used in this Section:

21 "Designated automatic voter registration agency" or  
22 "agency" means the Department of Human Services, the  
23 Department of Healthcare and Family Services, the  
24 Department of Employment Security, the Department on  
25 Aging, or an agency of the State or federal government that  
26 has been determined by the State Board of Elections to have



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

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

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

13 (10 ILCS 5/1A-16.6)

14 Sec. 1A-16.6. Automatic ~~Government~~ ~~agency~~ voter  
15 registration.

16 (a) The State Board of Elections shall establish and  
17 maintain a portal for automatic government agency voter  
18 registration that permits an eligible person to electronically  
19 apply to register to vote or to update his or her existing  
20 voter registration as provided in Section 1A-16.1 or Section  
21 1A-16.2. The portal shall interface with the online voter  
22 registration system established in Section 1A-16.5 of this Code  
23 and shall be capable of receiving and processing voter  
24 registration application information, including electronic  
25 signatures, from the Office of the Secretary of State and each

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

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

26 ~~Whenever the registration interface is accessible to the~~

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

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

1 ~~information to the State Board of Elections.~~

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

12 (b) Voter registration data received from the Office of the  
13 Secretary of State or a designated automatic voter registration  
14 agency through the online registration application system  
15 shall be processed as provided in Section 1A-16.5 of this Code.  
16 ~~Whenever an applicant's data is transferred from a designated~~  
17 ~~government agency, the agency must transmit a signature image~~  
18 ~~if available. If no signature image was provided by the agency~~  
19 ~~or if no signature image is available in the Secretary of~~  
20 ~~State's database or the statewide voter registration database,~~  
21 ~~the applicant must be notified that their registration will~~  
22 ~~remain in a pending status and the applicant will be required~~  
23 ~~to provide identification and a signature to the election~~  
24 ~~authority on Election Day in the polling place or during early~~  
25 ~~voting.~~

26 (c) The State Board of Elections shall establish technical

1 specifications applicable to each automatic government  
2 registration program. The Office of the Secretary of State and  
3 each designated automatic voter registration agency shall  
4 maintain a data transfer mechanism capable of transmitting  
5 voter registration application information, including  
6 electronic signatures where available, to the online voter  
7 registration system established in Section 1A-16.5 of this  
8 Code. The State Board of Elections shall track registration  
9 data received through the online registration system that  
10 originated from a designated government agency for the purposes  
11 of maintaining statistics required by the federal National  
12 Voter Registration Act of 1993, as amended.

13 (d) The State Board of Elections shall, by rule, establish  
14 criteria and procedures for determining whether an agency of  
15 the State or federal government seeking to become a designated  
16 automatic voter registration agency has access to reliable  
17 personal information, as defined under this subsection (d) and  
18 subsection (f) of Section 1A-16.2 of this Code, and otherwise  
19 meets the requirements to enter into an interagency contract  
20 and to operate as a designated automatic voter registration  
21 agency. The State Board of Elections shall approve each  
22 interagency contract upon affirmative vote of a majority of its  
23 members. The State Board of Elections shall submit a report to  
24 the General Assembly and the Governor by December 1, 2015  
25 detailing the progress made to implement the government agency  
26 voter registration portal described in this Section.

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

5       (e) Whenever an applicant's data is transferred from the  
6 Office of the Secretary of State or a designated automatic  
7 voter registration agency, the agency must transmit a signature  
8 image if available. If no signature image was provided by the  
9 agency, or if no signature image is available in the Office of  
10 the Secretary of State's database or the statewide voter  
11 registration database, the applicant must be notified that his  
12 or her registration will remain in a pending status, and the  
13 applicant will be required to provide identification that  
14 complies with the federal Help America Vote Act of 2002 and a  
15 signature to the election authority on election day in the  
16 polling place or during early voting. ~~The Board shall adopt~~  
17 ~~rules, in consultation with the impacted agencies.~~

18       (f) Upon receipt of personal information collected and  
19 transferred by the Office of the Secretary of State or a  
20 designated automatic voter registration agency, the State  
21 Board of Elections shall check the information against the  
22 statewide voter registration database. The State Board of  
23 Elections shall create and electronically transmit to the  
24 appropriate election authority a voter registration  
25 application for any individual who is not registered to vote in  
26 Illinois and is not disqualified as provided in this Section or

1 whose information reliably indicates a more recent update to  
2 the name or address of a person already included in the  
3 statewide voter database. The election authority shall process  
4 the application accordingly. As used in this Section, a  
5 "designated government agency" means the Secretary of State's  
6 Driver Services and Vehicle Services Departments, the  
7 Department of Human Services, the Department of Healthcare and  
8 Family Services, the Department of Employment Security, and the  
9 Department on Aging.

10 (g) The appropriate election authority shall ensure that  
11 any applicant who is registered to vote or whose existing voter  
12 registration is updated under this Section is promptly sent  
13 written notice of the change. The notice required by this  
14 subsection (g) may be sent or combined with other notices  
15 required or permitted by law, including, but not limited to,  
16 any notices sent pursuant to Section 1A-16.5 of this Code. Any  
17 notice required by this subsection (g) shall contain, at a  
18 minimum: (i) the applicant's name and residential address as  
19 reflected on the voter registration list; (ii) a statement  
20 notifying the applicant to contact the appropriate election  
21 authority if his or her voter registration has been updated in  
22 error; (iii) the qualifications to register to vote in  
23 Illinois; (iv) a statement notifying the applicant that he or  
24 she may opt out of voter registration or request a change to  
25 his or her registration information at any time by contacting  
26 an election official; and (v) contact information for the

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

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

15 (i) If the Office of the Secretary of State or a designated  
16 automatic voter registration agency transfers information, or  
17 if the State Board of Elections creates and transmits a voter  
18 registration application, for a person who does not qualify as  
19 an eligible voter, then it shall not constitute a completed  
20 voter registration form, and the person shall not be considered  
21 to have registered to vote.

22 (j) If the registration is processed by any election  
23 authority, then it shall be presumed to have been effected and  
24 officially authorized by the State, and that person shall not  
25 be found on that basis to have made a false claim to  
26 citizenship or to have committed an act of moral turpitude, nor



1 shall that person be subject to penalty under any relevant  
2 laws, including, but not limited to, Sections 29-10 and 29-19  
3 of this Code. This subsection (j) does not apply to a person  
4 who knows that he or she is not entitled to register to vote  
5 and who willfully votes, registers to vote, or attests under  
6 penalty of perjury that he or she is eligible to register to  
7 vote or willfully attempts to vote or to register to vote.

8 (k) The State Board of Elections, the Office of the  
9 Secretary of State, and each designated automatic voter  
10 registration agency shall implement policies and procedures to  
11 protect the privacy and security of voter information as it is  
12 acquired, stored, and transmitted among agencies, including  
13 policies for the retention and preservation of voter  
14 information. Information designated as confidential under this  
15 Section may be recorded and shared among the State Board of  
16 Elections, election authorities, the Office of the Secretary of  
17 State, and designated automatic voter registration agencies,  
18 but shall be used only for voter registration purposes, shall  
19 not be disclosed to the public except in the aggregate as  
20 required by subsection (m) of this Section, and shall not be  
21 subject to the Freedom of Information Act. The following  
22 information shall be designated as confidential:

23 (1) any portion of an applicant's Social Security  
24 number;

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

1           (3) an applicant's decision to decline voter  
2           registration;

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

5           (5) the personal residence and contact information of  
6           any applicant for whom local, State, or federal law  
7           requires confidentiality, including, but not limited to, a  
8           victim of domestic violence pursuant to the Address  
9           Confidentiality for Victims of Domestic Violence Act or a  
10           victim of stalking pursuant to the Stalking No Contact  
11           Order Act.

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

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

22           (m) The State Board of Elections, each election authority  
23           that maintains a website, the Office of the Secretary of State,  
24           and each designated automatic voter registration agency that  
25           maintains a website shall provide information on their websites  
26           informing the public about the new registration procedures

1 described in this Section. The Office of the Secretary of State  
2 and each designated automatic voter registration agency shall  
3 display signage or provide literature for the public containing  
4 information about the new registration procedures described in  
5 this Section.

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

11 (o) The State Board of Elections shall submit an annual  
12 public report to the General Assembly and the Governor  
13 detailing the progress made to implement this Section. The  
14 report shall include all of the following: the number of  
15 records transferred under this Section by agency, the number of  
16 voters newly added to the statewide voter registration list  
17 because of records transferred under this Section by agency,  
18 the number of updated registrations under this Section by  
19 agency, the number of persons who opted out of voter  
20 registration, and the number of voters who submitted voter  
21 registration forms using the online procedure described in  
22 Section 1A-16.5 of this Code. Any report produced under this  
23 subsection shall exclude any information that identifies any  
24 individual personally.

25 (p) The State Board of Elections, in consultation with  
26 election authorities, the Office of the Secretary of State,

1 designated automatic voter registration agencies, and  
2 community organizations, shall adopt rules as necessary to  
3 implement the provisions of this Section.

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

5 (10 ILCS 5/1A-16.8)

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

9 (a) The State Board of Elections shall cross-reference the  
10 statewide voter registration database against the United  
11 States Postal Service's National Change of Address database  
12 twice each calendar year, April 15 and October 1 in  
13 odd-numbered years and April 15 and December 1 in even-numbered  
14 years, and shall share the findings with the election  
15 authorities.

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

1       This subsection (b) shall no longer apply once Sections  
2 1A-16.1 and 1A-16.2 of this Code are fully implemented as  
3 determined by the State Board of Elections. Upon a  
4 determination by the State Board of Elections of full  
5 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,  
6 the State Board of Elections shall file notice of full  
7 implementation and the inapplicability of this subsection (b)  
8 with the Index Department of the Office of the Secretary of  
9 State, the Governor, the General Assembly, and the Legislative  
10 Reference Bureau.

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.

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

3           (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

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

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

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

24           (c) Pursuant to Sections 1A-16.1, 1A-16.6, and Section

1 1A-25 of the Election Code, the Secretary of State shall make  
2 driver services facilities available for use as places of  
3 accepting applications for voter registration.

4 (d) (Blank).

5 (e) Each person applying at a driver services facility for  
6 a driver's license or permit, a corrected driver's license or  
7 permit, an Illinois identification card or a corrected Illinois  
8 identification card shall be notified, under the procedures set  
9 forth in Sections 1A-16.1 and 1A-16.6 of the Election Code,  
10 that unless he or she affirmatively declines, his or her  
11 personal information shall be transferred to the State Board of  
12 Elections for the purpose of creating an electronic voter  
13 registration application ~~that the person may apply to register~~  
14 ~~to vote at such station and may also apply to transfer his or~~  
15 ~~her voter registration at such station to a different address~~  
16 ~~in the State.~~ Such notification may be made in writing or  
17 verbally issued by an employee or the Secretary of State.

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

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



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

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

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

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