



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5224

by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.1
10 ILCS 5/1A-16.2
10 ILCS 5/1A-16.5
10 ILCS 5/1A-16.6
10 ILCS 5/1A-16.7
10 ILCS 5/1A-16.8
10 ILCS 5/1A-16.9
10 ILCS 5/1A-45
10 ILCS 5/1A-60 new

Amends the Election Code. Provides that the operation and effect of the provisions of the Election Code authorizing automatic voter registration are suspended from the effective date of the amendatory Act through December 31, 2021. Provides that the State Board of Elections, in consultation with the Secretary of State, other designated government agencies, and a statewide association representing county clerks and recorders, shall review voter registration information acquired by the Board under the automatic voter registration provisions of the Code from July 2, 2018 through the effective date of the amendatory Act in order to determine whether any persons were improperly registered to vote and to remove any improperly registered voters from the rolls. Provides that the Board, in consultation with the Secretary of State, shall conduct a comprehensive examination of the automatic voter registration process to determine the cause or causes that allowed individuals to improperly register to vote and shall determine and implement the corrective measures needed to prevent improper registration so that automatic voter registration can resume on January 1, 2022. Provides that the Board shall report to the Governor and the General Assembly on the cause or causes of improper automatic voter registration and the corrective measures taken, together with its recommendations to prevent the recurrence of improper automatic voter registration on or before December 31, 2021. Provides the Board with rulemaking authority. Effective immediately.

LRB101 20611 SMS 70257 b

1 AN ACT concerning elections.

2 WHEREAS, The Office of the Secretary of State has
3 determined that from July 2, 2018 through December 13, 2019 its
4 system allowed for 574, individuals identified as non-citizens
5 to have their information sent to the State Board of Elections;
6 and

7 WHEREAS, Those individuals were added to the State's voter
8 rolls; it was later determined by the State Board of Elections
9 that at least 15 of those 547 individuals voted in the 2018
10 general election; at least one of those 15 was a non-citizen;
11 and

12 WHEREAS, This grave error calls into question the integrity
13 of the automatic voter registration system; and

14 WHEREAS, The General Assembly finds there is a need to
15 conduct a comprehensive examination of the automatic voter
16 registration system; therefore

17 **Be it enacted by the People of the State of Illinois,**
18 **represented in the General Assembly:**

19 Section 10. The Election Code is amended by changing
20 Sections 1A-16.1, 1A-16.2, 1A-16.5, 1A-16.6, 1A-16.7, 1A-16.8,

1 1A-16.9, and 1A-45 and by adding Section 1A-60 as follows:

2 (10 ILCS 5/1A-16.1)

3 Sec. 1A-16.1. Automatic voter registration; Secretary of
4 State.

5 (a) The Office of the Secretary of State and the State
6 Board of Elections, pursuant to an interagency contract and
7 jointly-adopted rules, shall establish an automatic voter
8 registration program that satisfies the requirements of this
9 Section and other applicable law.

10 (b) If an application, an application for renewal, a change
11 of address form, or a recertification form for a driver's
12 license, other than a temporary visitor's driver's license, or
13 a State identification card issued by the Office of the
14 Secretary of State meets the requirements of the federal REAL
15 ID Act of 2005, then that application shall serve as a
16 dual-purpose application. The dual-purpose application shall:

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

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

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

1 applicant to state the reason; and

2 (4) unless the applicant declines to register to vote
3 or change his or her registered residence address or name,
4 require the applicant to attest, by signature under penalty
5 of perjury as described in subsection (e) of this Section,
6 to meeting the qualifications to register to vote in
7 Illinois at his or her residence address as indicated on
8 his or her driver's license or identification card
9 dual-purpose application.

10 (b-5) If an application, an application for renewal, a
11 change of address form, or a recertification form for a
12 driver's license, other than a temporary visitor's driver's
13 license, or a State identification card issued by the Office of
14 the Secretary of State does not meet the requirements of the
15 federal REAL ID Act of 2005, then that application shall serve
16 as a dual-purpose application. The dual-purpose application
17 shall:

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

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

23 (3) if the applicant chooses to register to vote or to
24 change his or her registered residence address or name,
25 then require the applicant to attest, by a separate
26 signature under penalty of perjury, to meeting the

1 qualifications to register to vote in Illinois at his or
2 her residence address as indicated on his or her
3 dual-purpose application.

4 (b-10) The Office of the Secretary of State shall clearly
5 and conspicuously inform each applicant in writing: (i) of the
6 qualifications to register to vote in Illinois, (ii) of the
7 penalties provided by law for submission of a false voter
8 registration application, (iii) that, unless the applicant
9 declines to register to vote or update his or her voter
10 registration, his or her dual-purpose application shall also
11 serve as both an application to register to vote and his or her
12 attestation that he or she meets the eligibility requirements
13 for voter registration, and that his or her application to
14 register to vote or update his or her registration will be
15 transmitted to the State Board of Elections for the purpose of
16 registering the person to vote at the residence address to be
17 indicated on his or her driver's license or identification
18 card, and (iv) that declining to register to vote is
19 confidential and will not affect any services the person may be
20 seeking from the Office of the Secretary of State.

21 (c) The Office of the Secretary of State shall review
22 information provided to the Office of the Secretary of State by
23 the State Board of Elections to inform each applicant for a
24 driver's license or permit, other than a temporary visitor's
25 driver's license, or a State identification card issued by the
26 Office of the Secretary of State whether the applicant is

1 currently registered to vote in Illinois and, if registered, at
2 what address.

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

16 (e) A completed, signed application for (i) a driver's
17 license or permit, other than a temporary visitor's driver's
18 license, or a State identification card issued by the Office of
19 the Secretary of State, that meets the requirements of the
20 federal REAL ID Act of 2005; or (ii) a completed application
21 under subsection (b-5) of this Section with a separate
22 signature attesting the applicant meets the qualifications to
23 register to vote in Illinois at his or her residence address as
24 indicated on his or her application shall constitute a signed
25 application to register to vote in Illinois at the residence
26 address indicated in the application unless the person

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

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

17 (g) If the federal REAL ID Act of 2005 is repealed,
18 abrogated, superseded, or otherwise no longer in effect, then
19 the State Board of Elections shall establish criteria for
20 determining reliable personal information indicating
21 citizenship status and shall adopt rules as necessary for the
22 Secretary of State to continue processing dual-purpose
23 applications under this Section.

24 (h) As used in this Section, "dual-purpose application"
25 means an application, an application for renewal, a change of
26 address form, or a recertification form for driver's license or

1 permit, other than a temporary visitor's driver's license, or a
2 State identification card offered by the Secretary of State
3 that also serves as an application to register to vote in
4 Illinois. "Dual-purpose application" does not mean an
5 application under subsection (c) of Section 6-109 of the
6 Illinois Vehicle Code.

7 (i) Notwithstanding any provision of law to the contrary,
8 the operation and effect of this Section is suspended on the
9 effective date of this amendatory Act of the 101st General
10 Assembly through December 31, 2021.

11 (Source: P.A. 100-464, eff. 8-28-17.)

12 (10 ILCS 5/1A-16.2)

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

15 (a) Each designated automatic voter registration agency
16 shall, 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. If the designated
21 automatic voter registration agency provides applications,
22 applications for renewal, change of address forms, or
23 recertification forms to individuals for services offered by
24 another agency, then the State Board of Elections and the
25 designated automatic voter agency shall consult with the other

1 agency. The State Board of Elections shall consider the current
2 technological capabilities of the designated voter
3 registration agency when drafting interagency contracts and
4 jointly-adopted rules. The State Board of Elections and the
5 designated automatic voter registration agency shall amend
6 these contracts and rules as the technological capabilities of
7 the designated voter registration agencies improve.

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

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

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

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

24 (4) unless the applicant declines to register to vote
25 or to change his or her registered residence address or
26 name, require the applicant to attest, by signature under

1 penalty of perjury, to meeting the qualifications to
2 register to vote in Illinois at his or her residence
3 address as indicated on his or her dual-purpose
4 application.

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

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

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

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

25 (c-5) The designated automatic voter registration agency
26 shall clearly and conspicuously inform each applicant in

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

20 (d) The designated automatic voter registration agency
21 shall review information provided to the agency by the State
22 Board of Elections to inform each applicant whether the
23 applicant is currently registered to vote in Illinois and, if
24 registered, at what address.

25 (e) The designated automatic voter registration agency
26 shall not require an applicant for a dual-purpose application

1 to provide duplicate identification or information in order to
2 complete an application to register to vote or change his or
3 her registered residence address or name. Before transmitting
4 any personal information about an applicant to the State Board
5 of Elections, the agency shall review its records of the
6 identification documents the applicant provided or that the
7 agency cross-references in order to complete the dual-purpose
8 application, to confirm that nothing in those documents
9 indicates that the applicant does not satisfy the
10 qualifications to register to vote in Illinois at his or her
11 residence address. A completed and signed dual-purpose
12 application, including a completed application under
13 subsection (c) of this Section with a separate signature
14 attesting that the applicant meets the qualifications to
15 register to vote in Illinois at his or her residence address as
16 indicated on his or her application, shall constitute an
17 application to register to vote in Illinois at the residence
18 address indicated in the application unless the person
19 affirmatively declined in the application to register to vote
20 or to change his or her registered residence address or name.
21 If the identification documents provided to complete the
22 dual-purpose application, or that the agency cross-references,
23 indicate that he or she does not satisfy the qualifications to
24 register to vote in Illinois at his or her residence address,
25 the application shall be marked as incomplete.

26 (f) For each completed and signed dual-purpose application

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

9 (g) As used in this Section:

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

21 "Dual-purpose application" means an application, an
22 application for renewal, a change of address form, or a
23 recertification form for a license, permit, program, or
24 service offered by a designated automatic voter
25 registration agency that also serves as an application to
26 register to vote in Illinois.

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

5 (h) This Section shall be implemented no later than July 1,
6 2019.

7 (i) Notwithstanding any provision of law to the contrary,
8 the operation and effect of this Section is suspended on the
9 effective date of this amendatory Act of the 101st General
10 Assembly through December 31, 2021.

11 (Source: P.A. 100-464, eff. 8-28-17.)

12 (10 ILCS 5/1A-16.5)

13 Sec. 1A-16.5. Online voter registration.

14 (a) The State Board of Elections shall establish and
15 maintain a system for online voter registration that permits a
16 person to apply to register to vote or to update his or her
17 existing voter registration. In accordance with technical
18 specifications provided by the State Board of Elections, each
19 election authority shall maintain a voter registration system
20 capable of receiving and processing voter registration
21 application information, including electronic signatures, from
22 the online voter registration system established by the State
23 Board of Elections.

24 (b) The online voter registration system shall employ
25 security measures to ensure the accuracy and integrity of voter

1 registration applications submitted electronically pursuant to
2 this Section.

3 (c) The Board may receive voter registration information
4 provided by applicants using the State Board of Elections'
5 website, may cross reference that information with data or
6 information contained in the Secretary of State's database in
7 order to match the information submitted by applicants, and may
8 receive from the Secretary of State the applicant's digitized
9 signature upon a successful match of that applicant's
10 information with that contained in the Secretary of State's
11 database.

12 (d) Notwithstanding any other provision of law, a person
13 who is qualified to register to vote and who has an authentic
14 Illinois driver's license or State identification card issued
15 by the Secretary of State may submit an application to register
16 to vote electronically on a website maintained by the State
17 Board of Elections.

18 (e) An online voter registration application shall contain
19 all of the information that is required for a paper application
20 as provided in Section 1A-16 of this Code, except that the
21 applicant shall be required to provide:

22 (1) the applicant's full Illinois driver's license or
23 State identification card number;

24 (2) the last 4 digits of the applicant's social
25 security number; and

26 (3) the date the Illinois driver's license or State

1 identification card was issued.

2 (f) For an applicant's registration or change in
3 registration to be accepted, the applicant shall mark the box
4 associated with the following statement included as part of the
5 online voter registration application:

6 "By clicking on the box below, I swear or affirm all of the
7 following:

8 (1) I am the person whose name and identifying information
9 is provided on this form, and I desire to register to vote in
10 the State of Illinois.

11 (2) All the information I have provided on this form is
12 true and correct as of the date I am submitting this form.

13 (3) I authorize the Secretary of State to transmit to the
14 State Board of Elections my signature that is on file with the
15 Secretary of State and understand that such signature will be
16 used by my local election authority on this online voter
17 registration application for admission as an elector as if I
18 had signed this form personally."

19 (g) Immediately upon receiving a completed online voter
20 registration application, the online voter registration system
21 shall send, by electronic mail, a confirmation notice that the
22 application has been received. Within 48 hours of receiving
23 such an application, the online voter registration system shall
24 send by electronic mail, a notice informing the applicant of
25 whether the following information has been matched with the
26 Secretary of State database:

1 (1) that the applicant has an authentic Illinois
2 driver's license or State identification card issued by the
3 Secretary of State and that the driver's license or State
4 identification number provided by the applicant matches
5 the driver's license or State identification card number
6 for that person on file with the Secretary of State;

7 (2) that the date of issuance of the Illinois driver's
8 license or State identification card listed on the
9 application matches the date of issuance of that card for
10 that person on file with the Secretary of State;

11 (3) that the date of birth provided by the applicant
12 matches the date of birth for that person on file with the
13 Secretary of State; and

14 (4) that the last 4 digits of the applicant's social
15 security number matches the last 4 digits for that person
16 on file with the Secretary of State.

17 (h) If the information provided by the applicant matches
18 the information on the Secretary of State's databases for any
19 driver's license and State identification card holder and is
20 matched as provided in subsection (g) above, the online voter
21 registration system shall:

22 (1) retrieve from the Secretary of State's database
23 files an electronic copy of the applicant's signature from
24 his or her Illinois driver's license or State
25 identification card and such signature shall be deemed to
26 be the applicant's signature on his or her online voter

1 registration application;

2 (2) within 2 days of receiving the application, forward
3 to the county clerk or board of election commissioners
4 having jurisdiction over the applicant's voter
5 registration: (i) the application, along with the
6 applicant's relevant data that can be directly loaded into
7 the jurisdiction's voter registration system and (ii) a
8 copy of the applicant's electronic signature and a
9 certification from the State Board of Elections that the
10 applicant's driver's license or State identification card
11 number, driver's license or State identification card date
12 of issuance, and date of birth and social security
13 information have been successfully matched.

14 (i) Upon receipt of the online voter registration
15 application, the county clerk or board of election
16 commissioners having jurisdiction over the applicant's voter
17 registration shall promptly search its voter registration
18 database to determine whether the applicant is already
19 registered to vote at the address on the application and
20 whether the new registration would create a duplicate
21 registration. If the applicant is already registered to vote at
22 the address on the application, the clerk or board, as the case
23 may be, shall send the applicant by first class mail, and
24 electronic mail if the applicant has provided an electronic
25 mail address on the original voter registration form for that
26 address, a disposition notice as otherwise required by law

1 informing the applicant that he or she is already registered to
2 vote at such address. If the applicant is not already
3 registered to vote at the address on the application and the
4 applicant is otherwise eligible to register to vote, the clerk
5 or board, as the case may be, shall:

6 (1) enter the name and address of the applicant on the
7 list of registered voters in the jurisdiction; and

8 (2) send by mail, and electronic mail if the applicant
9 has provided an electronic mail address on the voter
10 registration form, a disposition notice to the applicant as
11 otherwise provided by law setting forth the applicant's
12 name and address as it appears on the application and
13 stating that the person is registered to vote.

14 (j) An electronic signature of the person submitting a
15 duplicate registration application or a change of address form
16 that is retrieved and imported from the Secretary of State's
17 driver's license or State identification card database as
18 provided herein may, in the discretion of the clerk or board,
19 be substituted for and replace any existing signature for that
20 individual in the voter registration database of the county
21 clerk or board of election commissioners.

22 (k) Any new registration or change of address submitted
23 electronically as provided in this Section shall become
24 effective as of the date it is received by the county clerk or
25 board of election commissioners having jurisdiction over said
26 registration. Disposition notices prescribed in this Section

1 shall be sent within 5 business days of receipt of the online
2 application or change of address by the county clerk or board
3 of election commissioners.

4 (l) All provisions of this Code governing voter
5 registration and applicable thereto and not inconsistent with
6 this Section shall apply to online voter registration under
7 this Section. All applications submitted on a website
8 maintained by the State Board of Elections shall be deemed
9 timely filed if they are submitted no later than 11:59 p.m. on
10 the 16th day prior to an election. After the registration
11 period for an upcoming election has ended and until the 2nd day
12 following such election, the web page containing the online
13 voter registration form on the State Board of Elections website
14 shall inform users of the procedure for grace period voting.

15 (m) The State Board of Elections shall maintain a list of
16 the name, street address, e-mail address, and likely precinct,
17 ward, township, and district numbers, as the case may be, of
18 people who apply to vote online through the voter registration
19 system and those names and that information shall be stored in
20 an electronic format on its website, arranged by county and
21 accessible to State and local political committees.

22 (n) The Illinois State Board of Elections shall develop or
23 cause to be developed an online voter registration system able
24 to be accessed by at least the top two most used mobile
25 electronic operating systems by January 1, 2016.

26 (o) (Blank).

1 (p) Each State department that maintains an Internet
2 website must include a hypertext link to the homepage website
3 maintained and operated pursuant to this Section 1A-16.5. For
4 the purposes of this Section, "State department" means the
5 departments of State Government listed in Section 5-15 of the
6 Civil Administrative Code of Illinois (General Provisions and
7 Departments of State Government).

8 (q) Notwithstanding any provision of law to the contrary,
9 the operation and effect of this Section is suspended on the
10 effective date of this amendatory Act of the 101st General
11 Assembly through December 31, 2021.

12 (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14;
13 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

14 (10 ILCS 5/1A-16.6)

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

16 (a) By April 1, 2016, the State Board of Elections shall
17 establish and maintain a portal for government agency
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 whenever he or she conducts business, either
21 online or in person, with a designated government agency. The
22 portal shall interface with the online voter registration
23 system established in Section 1A-16.5 of this Code and shall be
24 capable of receiving and processing voter registration
25 application information, including electronic signatures, from

1 a designated government agency. The State Board of Elections
2 shall modify the online voter registration system as necessary
3 to implement this Section.

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

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

22 Whenever a government employee is accessing the
23 registration system while servicing the applicant, the
24 government employee shall notify the applicant of the
25 applicant's registration status with the State Board of
26 Elections and, if registered, the applicant's current

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

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

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

1 signature to the election authority on Election Day in the
2 polling place or during early voting.

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

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

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

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

23 (g) Notwithstanding any provision of law to the contrary,
24 the operation and effect of this Section is suspended on the
25 effective date of this amendatory Act of the 101st General
26 Assembly through December 31, 2021.

1 (Source: P.A. 100-464, eff. 8-28-17.)

2 (10 ILCS 5/1A-16.7)

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

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

23 (b) Voter registration data received from the Office of the
24 Secretary of State or a designated automatic voter registration
25 agency through the online registration application system

1 shall be processed as provided in Section 1A-16.5 of this Code.

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

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

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

26 (e) Whenever an applicant's data is transferred from the

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

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

25 (g) The appropriate election authority shall ensure that
26 any applicant who is registered to vote or whose existing voter

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

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

1 incomplete and contact information for the appropriate
2 election authority, including a phone number, address,
3 electronic mail address, and website address.

4 (i) If the Office of the Secretary of State or a designated
5 automatic voter registration agency transfers information, or
6 if the State Board of Elections creates and transmits a voter
7 registration application, for a person who does not qualify as
8 an eligible voter, then it shall not constitute a completed
9 voter registration form, and the person shall not be considered
10 to have registered to vote.

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

23 (k) The State Board of Elections, the Office of the
24 Secretary of State, and each designated automatic voter
25 registration agency shall implement policies and procedures to
26 protect the privacy and security of voter information as it is

1 acquired, stored, and transmitted among agencies, including
2 policies for the retention and preservation of voter
3 information. Information designated as confidential under this
4 Section may be recorded and shared among the State Board of
5 Elections, election authorities, the Office of the Secretary of
6 State, and designated automatic voter registration agencies,
7 but shall be used only for voter registration purposes, shall
8 not be disclosed to the public except in the aggregate as
9 required by subsection (m) of this Section, and shall not be
10 subject to the Freedom of Information Act. The following
11 information shall be designated as confidential:

12 (1) any portion of an applicant's Social Security
13 number;

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

16 (3) an applicant's decision to decline voter
17 registration;

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

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

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

26 (1) The voter registration procedures implemented under

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

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

11 (m) The State Board of Elections, each election authority
12 that maintains a website, the Office of the Secretary of State,
13 and each designated automatic voter registration agency that
14 maintains a website shall provide information on their websites
15 informing the public about the new registration procedures
16 described in this Section. The Office of the Secretary of State
17 and each designated automatic voter registration agency shall
18 display signage or provide literature for the public containing
19 information about the new registration procedures described in
20 this Section.

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

26 (o) The State Board of Elections shall submit an annual

1 public report to the General Assembly and the Governor
2 detailing the progress made to implement this Section. The
3 report shall include all of the following: the number of
4 records transferred under this Section by agency, the number of
5 voters newly added to the statewide voter registration list
6 because of records transferred under this Section by agency,
7 the number of updated registrations under this Section by
8 agency, the number of persons who opted out of voter
9 registration, and the number of voters who submitted voter
10 registration forms using the online procedure described in
11 Section 1A-16.5 of this Code. The 2018 and 2019 annual reports
12 may include less detail if election authorities are not
13 equipped to provide complete information to the State Board of
14 Elections. Any report produced under this subsection (o) shall
15 exclude any information that identifies any individual
16 personally.

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

22 (q) Notwithstanding any provision of law to the contrary,
23 the operation and effect of this Section is suspended on the
24 effective date of this amendatory Act of the 101st General
25 Assembly through December 31, 2021.

26 (Source: P.A. 100-464, eff. 8-28-17.)

1 (10 ILCS 5/1A-16.8)

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

5 (a) The State Board of Elections shall cross-reference the
6 statewide voter registration database against the United
7 States Postal Service's National Change of Address database
8 twice each calendar year, April 15 and October 1 in
9 odd-numbered years and April 15 and December 1 in even-numbered
10 years or with the same frequency as in subsection (b) of this
11 Section, and shall share the findings with the election
12 authorities.

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

23 This subsection (b) shall no longer apply once Sections
24 1A-16.1 and 1A-16.2 of this Code are fully implemented as
25 determined by the State Board of Elections. Upon a

1 determination by the State Board of Elections of full
2 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,
3 the State Board of Elections shall file notice of full
4 implementation and the inapplicability of this subsection (b)
5 with the Index Department of the Office of the Secretary of
6 State, the Governor, the General Assembly, and the Legislative
7 Reference Bureau.

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

17 (c) An election authority shall automatically register any
18 voter who has moved into its jurisdiction from another
19 jurisdiction in Illinois or has moved within its jurisdiction
20 provided that:

21 (1) the election authority whose jurisdiction includes
22 the new registration address provides the voter an
23 opportunity to reject the change in registration address
24 through a mailing, sent by non-forwardable mail, to the new
25 registration address, and

26 (2) when the election authority whose jurisdiction

1 includes the previous registration address is a different
2 election authority, then that election authority provides
3 the same opportunity through a mailing, sent by forwardable
4 mail, to the previous registration address.

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

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

1 (e) Notwithstanding any provision of law to the contrary,
2 the operation and effect of this Section is suspended on the
3 effective date of this amendatory Act of the 101st General
4 Assembly through December 31, 2021.

5 (Source: P.A. 99-522, eff. 6-30-16; 100-464, eff. 8-28-17.)

6 (10 ILCS 5/1A-16.9)

7 Sec. 1A-16.9. Implementation. Except as otherwise provided
8 by this amendatory Act of the 101st General Assembly, the ~~The~~
9 changes made by Public Act 100-464 ~~this amendatory Act of the~~
10 ~~100th General Assembly~~ shall be implemented no later than July
11 1, 2018, except for the changes made to Section 1A-16.2 of this
12 Code.

13 (Source: P.A. 100-464, eff. 8-28-17.)

14 (10 ILCS 5/1A-45)

15 Sec. 1A-45. Electronic Registration Information Center.

16 (a) The State Board of Elections shall enter into an
17 agreement with the Electronic Registration Information Center
18 effective no later than January 1, 2016, for the purpose of
19 maintaining a statewide voter registration database. The State
20 Board of Elections shall comply with the requirements of the
21 Electronic Registration Information Center Membership
22 Agreement. The State Board of Elections shall require a term in
23 the Electronic Registration Information Center Membership
24 Agreement that requires the State to share identification

1 records contained in the Secretary of State's Driver Services
2 Department and Vehicle Services Department, the Department of
3 Human Services, the Department of Healthcare and Family
4 Services, the Department on ~~of~~ Aging, and the Department of
5 Employment Security databases (excluding those fields
6 unrelated to voter eligibility, such as income or health
7 information).

8 (b) The Secretary of State and the State Board of Elections
9 shall enter into an agreement to permit the Secretary of State
10 to provide the State Board of Elections with any information
11 required for compliance with the Electronic Registration
12 Information Center Membership Agreement. The Secretary of
13 State shall deliver this information as frequently as necessary
14 for the State Board of Elections to comply with the Electronic
15 Registration Information Center Membership Agreement.

16 (b-5) The State Board of Elections and the Department of
17 Human Services, the Department of Healthcare and Family
18 Services, the Department on Aging, and the Department of
19 Employment Security shall enter into an agreement to require
20 each department to provide the State Board of Elections with
21 any information necessary to transmit member data under the
22 Electronic Registration Information Center Membership
23 Agreement. The director or secretary, as applicable, of each
24 agency shall deliver this information on an annual basis to the
25 State Board of Elections pursuant to the agreement between the
26 entities.

1 (c) Any communication required to be delivered to a
2 registrant or potential registrant pursuant to the Electronic
3 Registration Information Center Membership Agreement shall
4 include at least the following message:

5 "Our records show people at this address may not be
6 registered to vote at this address, but you may be eligible
7 to register to vote or re-register to vote at this address.
8 If you are a U.S. Citizen, a resident of Illinois, and will
9 be 18 years old or older before the next general election
10 in November, you are qualified to vote.

11 We invite you to check your registration online at
12 (enter URL) or register to vote online at (enter URL), by
13 requesting a mail-in voter registration form by (enter
14 instructions for requesting a mail-in voter registration
15 form), or visiting the (name of election authority) office
16 at (address of election authority)."

17 The words "register to vote online at (enter URL)" shall be
18 bolded and of a distinct nature from the other words in the
19 message required by this subsection (c).

20 (d) Any communication required to be delivered to a
21 potential registrant that has been identified by the Electronic
22 Registration Information Center as eligible to vote but who is
23 not registered to vote in Illinois shall be prepared and
24 disseminated at the direction of the State Board of Elections.
25 All other communications with potential registrants or
26 re-registrants pursuant to the Electronic Registration

1 Information Center Membership Agreement shall be prepared and
2 disseminated at the direction of the appropriate election
3 authority.

4 (e) The Executive Director of the State Board of Elections
5 or his or her designee shall serve as the Member Representative
6 to the Electronic Registration Information Center.

7 (f) The State Board of Elections may adopt any rules
8 necessary to enforce this Section or comply with the Electronic
9 Registration Information Center Membership Agreement.

10 (g) Notwithstanding any provision of law to the contrary,
11 the operation and effect of this Section is suspended on the
12 effective date of this amendatory Act of the 101st General
13 Assembly through December 31, 2021.

14 (Source: P.A. 98-1171, eff. 6-1-15; revised 7-17-19.)

15 (10 ILCS 5/1A-60 new)

16 Sec. 1A-60. Review of automatic voter registration;
17 removal of improperly registered voters.

18 (a) The State Board of Elections, in consultation with the
19 Secretary of State, other designated government agencies, and a
20 statewide association representing county clerks and
21 recorders, shall review voter registration and voter
22 registration-related information acquired by the Board under
23 the provisions of Sections 1A-16.1, 1A-16.2, 1A-16.5, 1A-16.6,
24 1A-16.7, or 1A-16.8 from July 2, 2018 through the effective
25 date of this amendatory Act of the 101st General Assembly in

1 order to determine whether any persons were improperly
2 registered to vote. Any improperly registered persons so
3 identified shall be removed from the centralized statewide
4 voter registration list maintained under Section 1A-25, and the
5 Board shall direct the appropriate local election authorities
6 to remove those improperly registered persons from their rolls
7 of registered voters.

8 (b) The State Board of Elections, in consultation with the
9 Secretary of State, other designated government agencies, and a
10 statewide association representing county clerks and
11 recorders, shall conduct a comprehensive examination of the
12 automatic voter registration process to determine the cause or
13 causes that allowed individuals to improperly register to vote
14 under the Sections identified in subsection (a) from July 2,
15 2018 through the effective date of this amendatory Act of the
16 101st General Assembly, including, but not limited to,
17 programming errors.

18 (c) The State Board of Elections, in consultation with the
19 Secretary of State, other designated government agencies, and a
20 statewide association representing county clerks and
21 recorders, shall determine the corrective measures needed to
22 prevent the improper registrations identified under subsection
23 (b), together with future improper registrations and shall
24 implement those corrective measures in a timely manner so that
25 voter registration under the Sections identified in subsection
26 (a) may resume on January 1, 2022.

1 (d) The State Board of Elections shall report to the
2 Governor and the General Assembly on the cause or causes
3 identified under subsection (b) and the corrective measures
4 taken under subsection (c), together with its recommendations
5 for future improvements to prevent the recurrence of improper
6 voter registration under the Sections identified in subsection
7 (a) on or before December 31, 2021.

8 (e) The State Board of Elections shall adopt such rules as
9 it deems necessary to carry out the requirements of this
10 Section.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.