



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3207

Introduced 2/11/2020, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2	from Ch. 46, par. 19-2
10 ILCS 5/19-2.5 new	
10 ILCS 5/19-3	from Ch. 46, par. 19-3

Amends the Election Code. Allows an elector to be added to a list of permanent vote by mail status voters who receive an official vote by mail ballot for all subsequent elections. Provides that voters whose application for permanent vote by mail status is accepted by the election authority shall remain on the permanent vote by mail list until the voter requests to be removed from permanent vote by mail status, the voter provides notice to the election authority of a change in registration, or the election authority receives confirmation that the voter has subsequently registered to vote in another county. Provides the notice to be sent by election authorities to all qualified voters before a general election for the option to be placed on the list of permanent vote by mail status voters. Provides the application form for permanent vote by mail status. Allows an election authority to combine the applications for single election vote by mail and permanent vote by mail status on one form. Makes conforming changes.

LRB101 18003 SMS 67441 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 19-2 and 19-3 and by adding Section 19-2.5 as follows:

6 (10 ILCS 5/19-2) (from Ch. 46, par. 19-2)

7 Sec. 19-2. Any elector as defined in Section 19-1 may by
8 mail or electronically on the website of the appropriate
9 election authority, not more than 90 nor less than 5 days prior
10 to the date of such election, or by personal delivery not more
11 than 90 nor less than one day prior to the date of such
12 election, make application to the county clerk or to the Board
13 of Election Commissioners for an official ballot for the
14 voter's precinct to be voted at such election, or be added to a
15 list of permanent vote by mail status voters who receive an
16 official vote by mail ballot for subsequent elections. Voters
17 who make an application for permanent vote by mail ballot
18 status shall follow the procedures specified in Section 19-3.
19 Voters whose application for permanent vote by mail status is
20 accepted by the election authority shall remain on the
21 permanent vote by mail list until the voter requests to be
22 removed from permanent vote by mail status, the voter provides
23 notice to the election authority of a change in registration,

1 or the election authority receives confirmation that the voter
2 has subsequently registered to vote in another county. The URL
3 address at which voters may electronically request a vote by
4 mail ballot shall be fixed no later than 90 calendar days
5 before an election and shall not be changed until after the
6 election. Such a ballot shall be delivered to the elector only
7 upon separate application by the elector for each election.

8 (Source: P.A. 97-81, eff. 7-5-11; 98-115, eff. 7-29-13; 98-691,
9 eff. 7-1-14; 98-1171, eff. 6-1-15.)

10 (10 ILCS 5/19-2.5 new)

11 Sec. 19-2.5. Notice for vote by mail ballot. An election
12 authority shall notify all qualified voters, not more than 90
13 days nor less than 45 days before a general election, of the
14 option for permanent vote by mail status using the following
15 notice and including the application for permanent vote by mail
16 status in subsection (b) of Section 19-3:

17 "You may apply to permanently be placed on vote by mail
18 status using the attached application."

19 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

20 Sec. 19-3. Application for a vote by mail ballot.

21 (a) The application for a vote by mail ballot for a single
22 election shall be substantially in the following form:

23 APPLICATION FOR VOTE BY MAIL BALLOT

24 To be voted at the election in the County of and

1 State of Illinois, in the precinct of the (1) *township of
2 (2) *City of or (3) *.... ward in the City of

3 I state that I am a resident of the precinct of the
4 (1) *township of (2) *City of or (3) *.... ward in
5 the city of residing at in such city or town in the
6 county of and State of Illinois; that I have lived at such
7 address for month(s) last past; that I am lawfully
8 entitled to vote in such precinct at the election to be
9 held therein on; and that I wish to vote by vote by mail
10 ballot.

11 I hereby make application for an official ballot or ballots
12 to be voted by me at such election, and I agree that I shall
13 return such ballot or ballots to the official issuing the same
14 prior to the closing of the polls on the date of the election
15 or, if returned by mail, postmarked no later than election day,
16 for counting no later than during the period for counting
17 provisional ballots, the last day of which is the 14th day
18 following election day.

19 I understand that this application is made for an official
20 vote by mail ballot or ballots to be voted by me at the
21 election specified in this application and that I must submit a
22 separate application for an official vote by mail ballot or
23 ballots to be voted by me at any subsequent election.

24 Under penalties as provided by law pursuant to Section
25 29-10 of the Election Code, the undersigned certifies that the
26 statements set forth in this application are true and correct.

1 provisional ballots, the last day of which is the 14th day
2 following election day.

3 Under penalties as provided by law pursuant to Section
4 29-10 of the Election Code, the undersigned certifies that the
5 statements set forth in this application are true and correct.

6

7 Post office address to which ballot is mailed:

8

9 (c) However, if application is made for a primary election
10 ballot, such application shall require the applicant to
11 designate the name of the political party with which the
12 applicant is affiliated. The election authority shall allow any
13 voter on permanent vote by mail status to change his or her
14 party affiliation for a primary election ballot by a method and
15 deadline published and selected by the election authority.

16 (d) If application is made electronically, the applicant
17 shall mark the box associated with the above described
18 statement included as part of the online application certifying
19 that the statements set forth in ~~the~~ this application under
20 subsection (a) or (b) are true and correct, and a signature is
21 not required.

22 (e) Any person may produce, reproduce, distribute, or
23 return to an election authority ~~an~~ the application under this
24 Section ~~for vote by mail ballot.~~ If applications are sent to a
25 post office box controlled by any individual or organization
26 that is not an election authority, those applications shall (i)

1 include a valid and current phone number for the individual or
2 organization controlling the post office box and (ii) be turned
3 over to the appropriate election authority within 7 days of
4 receipt or, if received within 2 weeks of the election in which
5 an applicant intends to vote, within 2 days of receipt. Failure
6 to turn over the applications in compliance with this paragraph
7 shall constitute a violation of this Code and shall be
8 punishable as a petty offense with a fine of \$100 per
9 application. Removing, tampering with, or otherwise knowingly
10 making the postmark on the application unreadable by the
11 election authority shall establish a rebuttable presumption of
12 a violation of this paragraph. Upon receipt, the appropriate
13 election authority shall accept and promptly process any
14 application under this Section ~~for vote by mail ballot~~
15 submitted in a form substantially similar to that required by
16 this Section, including any substantially similar production
17 or reproduction generated by the applicant.

18 (f) An election authority may combine the applications in
19 subsections (a) and (b) onto one form, but the distinction
20 between the applications must be clear and the form must
21 provide check boxes for an applicant to indicate whether he or
22 she is applying for a single election vote by mail ballot or
23 for permanent vote by mail status.

24 (Source: P.A. 99-522, eff. 6-30-16; 100-623, eff. 7-20-18.)