



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB2854

Introduced 2/19/2021, by Rep. Amy Grant

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-25 new	
10 ILCS 5/4-14.1	from Ch. 46, par. 4-14.1
10 ILCS 5/5-9.1	from Ch. 46, par. 5-9.1

Amends the Election Code. Provides that no voter registration may be canceled without following the procedures as required by the National Voter Registration Act of 1993. Provides that the voter registration application or the voter registration card of an inactive voter who has not voted in 2 consecutive general federal elections shall be canceled. Requires a voter's registration be canceled when an election authority receives certain notices regarding the voter's incarceration status, voter disqualification, or death. Provides that the county clerk of the county where a decedent last resided shall (rather than may) issue certifications of death records from an electronic reporting system for death registrations as provided in the Vital Records Act and shall (rather than may) use that system to cancel the registration of any person who died during the preceding month.

LRB102 12086 SMS 17423 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 4-14.1 and 5-9.1 and by adding Section 1-25 as  
6 follows:

7 (10 ILCS 5/1-25 new)

8 Sec. 1-25. Canceling voter registrations.

9 (a) This Section implements Section 8 of the National  
10 Voter Registration Act of 1993 (42 U.S.C. Sections 1973gg-5  
11 and gg-6) and the order of the Circuit Court of Cook County  
12 entered May 1, 1996 in Or, et al., v. Edgar, et al. 95 CO 246  
13 and 95 CO 248 (Consolidated).

14 (b) No voter registration may be canceled without  
15 following the procedures and providing the notice of  
16 suspension or cancellation required by Section 8(a) through  
17 (d) of the National Voter Registration Act of 1993. The voter  
18 registration application or the voter registration card of an  
19 inactive voter who has not voted in 2 consecutive general  
20 federal elections shall be canceled at the completion of  
21 procedures set forth in Section 8(d) of the National Voter  
22 Registration Act of 1993, provided that while such procedures  
23 are pending, the voter has taken no action specified in the

1 National Voter Registration Act of 1993 to restore his or her  
2 name to active voter status.

3 (c) An election authority shall cancel the voter  
4 registration application or voter registration card of a voter  
5 upon receipt of a request in writing from the voter to do so. A  
6 written acknowledgment by the voter that he or she has changed  
7 residence to a place beyond the jurisdiction of the election  
8 authority or an attempt to register in another jurisdiction  
9 shall be deemed a request to cancel the voter registration.

10 (d) A voter's registration shall be canceled upon the  
11 election authority's receipt of:

12 (1) a notice from the State Board of Elections that  
13 the voter has been incarcerated in a United States  
14 correctional facility by reason of conviction;

15 (2) a certified notice from a state department of  
16 corrections or a sheriff of a county in the United States  
17 that the voter has been incarcerated in a state or county  
18 correctional facility, as the case may be, if:

19 (A) the certified notice states on its face that  
20 the incarceration is a result of a criminal conviction  
21 and the crime of which the voter has been convicted; or

22 (B) the certified notice is accompanied by a  
23 certified judgment of conviction or equivalent  
24 document issued by the court in which the conviction  
25 was obtained;

26 (3) a certified copy of a judgment of conviction from

1 a court of record that the voter has been convicted of a  
2 crime in which it was found that the voter lacked the  
3 requisite qualifications to be a voter in Illinois either  
4 at the time of conviction or at the time application was  
5 made to become a voter, whether or not the voter was  
6 incarcerated as a result of such conviction;

7 (4) a certified copy of a final judgment order of a  
8 court of record or a certified copy of the final  
9 determination of an administrative tribunal having  
10 jurisdiction in which it was found that the voter lacked  
11 the requisite qualifications to be a voter in Illinois  
12 either at the time of entry of the judgment or  
13 determination, or at the time application was made to  
14 become a voter; or

15 (5) a certified copy of the voter's death certificate  
16 or equivalent document issued by a department of vital  
17 records, wherever situated.

18 (10 ILCS 5/4-14.1) (from Ch. 46, par. 4-14.1)

19 Sec. 4-14.1. Cancellation of deceased voter's registration.  
20 Upon establishment of an electronic reporting system for death  
21 registrations as provided in the Vital Records Act, the county  
22 clerk of the county where a decedent last resided, as  
23 indicated on the decedent's death certificate, shall ~~may~~ issue  
24 certifications of death records from that system and shall ~~may~~  
25 use that system to cancel the registration of any person who

1 has died during the preceding month. Regardless of whether or  
2 not such a system has been established, it is the duty of the  
3 county clerk to examine, monthly, the records deposited in his  
4 or her office pursuant to the Vital Records Act that relate to  
5 deaths in the county, and to cancel the registration of any  
6 person who has died during the preceding month.

7 (Source: P.A. 96-1484, eff. 1-1-11.)

8 (10 ILCS 5/5-9.1) (from Ch. 46, par. 5-9.1)

9 Sec. 5-9.1. Cancellation of deceased voter's registration.  
10 Upon establishment of an electronic reporting system for death  
11 registrations as provided in the Vital Records Act, the county  
12 clerk of the county where a decedent last resided, as  
13 indicated on the decedent's death certificate, shall ~~may~~ issue  
14 certifications of death records from that system and shall ~~may~~  
15 use that system to cancel the registration of any person who  
16 has died during the preceding month and cause the name of each  
17 such deceased person to be erased from the register of the  
18 precinct in which the deceased person was registered.  
19 Regardless of whether or not such a system has been  
20 established, it is the duty of the county clerk to examine  
21 monthly the records deposited in his or her office pursuant to  
22 the Vital Records Act that relate to deaths in the county, to  
23 cancel the registration of any person who has died during the  
24 preceding month and cause the name of each such deceased  
25 person to be erased from the register of the precinct in which

1 the deceased person was registered.

2 (Source: P.A. 96-1484, eff. 1-1-11.)