



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2076

Introduced 2/26/2021, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.5
10 ILCS 5/3-6

Amends the Election Code. Allows the State Board of Elections to receive voter registration information provided by applicants using electronic voter registration portals (rather than the Board's website). Provides that notwithstanding any other provision of law, a person who is otherwise qualified to vote may preregister to vote on or after that person's 16th birthday, with the registration held in abeyance by the appropriate election authority until that individual attains the required age to vote. Requires preregistration to be completed using the online voter registration system or an electronic voter registration portal. Provides that for the purposes of the Code, an individual who is 16 years of age or older (rather than who is 17 years of age and who will be 18 years of age on the date of the general or consolidated election) shall be deemed competent to execute and attest to any voter registration forms.

LRB102 15499 SMS 20862 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 1A-16.5 and 3-6 as follows:

6 (10 ILCS 5/1A-16.5)

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

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

18 (b) The online voter registration system shall employ
19 security measures to ensure the accuracy and integrity of
20 voter registration applications submitted electronically
21 pursuant to this Section.

22 (c) The Board may receive voter registration information
23 provided by applicants using electronic voter registration

1 portals ~~the State Board of Elections' website~~, may cross
2 reference that information with data or information contained
3 in the Secretary of State's database in order to match the
4 information submitted by applicants, and may receive from the
5 Secretary of State the applicant's digitized signature upon a
6 successful match of that applicant's information with that
7 contained in the Secretary of State's database.

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

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

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

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

22 (3) the date the Illinois driver's license or State
23 identification card was issued.

24 (f) For an applicant's registration or change in
25 registration to be accepted, the applicant shall mark the box
26 associated with the following statement included as part of

1 the online voter registration application:

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

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

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

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

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

23 (1) that the applicant has an authentic Illinois
24 driver's license or State identification card issued by
25 the Secretary of State and that the driver's license or
26 State identification number provided by the applicant

1 matches the driver's license or State identification card
2 number for that person on file with the Secretary of
3 State;

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

8 (3) that the date of birth provided by the applicant
9 matches the date of birth for that person on file with the
10 Secretary of State; and

11 (4) that the last 4 digits of the applicant's social
12 security number matches the last 4 digits for that person
13 on file with the Secretary of State.

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

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

25 (2) within 2 days of receiving the application,
26 forward to the county clerk or board of election

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

11 (i) Upon receipt of the online voter registration
12 application, the county clerk or board of election
13 commissioners having jurisdiction over the applicant's voter
14 registration shall promptly search its voter registration
15 database to determine whether the applicant is already
16 registered to vote at the address on the application and
17 whether the new registration would create a duplicate
18 registration. If the applicant is already registered to vote
19 at the address on the application, the clerk or board, as the
20 case may be, shall send the applicant by first class mail, and
21 electronic mail if the applicant has provided an electronic
22 mail address on the original voter registration form for that
23 address, a disposition notice as otherwise required by law
24 informing the applicant that he or she is already registered
25 to vote at such address. If the applicant is not already
26 registered to vote at the address on the application and the

1 applicant is otherwise eligible to register to vote, the clerk
2 or board, as the case may be, shall:

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

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

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

19 (k) Any new registration or change of address submitted
20 electronically as provided in this Section shall become
21 effective as of the date it is received by the county clerk or
22 board of election commissioners having jurisdiction over said
23 registration. Disposition notices prescribed in this Section
24 shall be sent within 5 business days of receipt of the online
25 application or change of address by the county clerk or board
26 of election commissioners.

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

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

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

24 (o) (Blank).

25 (p) Each State department that maintains an Internet
26 website must include a hypertext link to the homepage website

1 maintained and operated pursuant to this Section 1A-16.5. For
2 the purposes of this Section, "State department" means the
3 departments of State Government listed in Section 5-15 of the
4 Civil Administrative Code of Illinois (General Provisions and
5 Departments of State Government).

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

8 (10 ILCS 5/3-6)

9 Sec. 3-6. Voting and registration age.

10 (a) Notwithstanding any other provision of law, a person
11 who is otherwise qualified to vote may preregister to vote on
12 or after that person's 16th birthday, with the registration
13 held in abeyance by the appropriate election authority until
14 that individual attains the required age to vote.
15 Preregistration under this subsection (a) shall be completed
16 using the online voter registration system, as provided in
17 Section 16.7, or an electronic voter registration portal, as
18 provided in Section 1A-16.5.

19 (b) Notwithstanding any other provision of law, a person
20 who is 17 years old on the date of a caucus, general primary
21 election, or consolidated primary election and who is
22 otherwise qualified to vote is qualified to vote at that
23 caucus, general primary, or consolidated primary, including
24 voting a vote by mail, grace period, or early voting ballot
25 with respect to that general primary or consolidated primary,

1 if that person will be 18 years old on the date of the
2 immediately following general election or consolidated
3 election for which candidates are nominated at that primary.

4 (c) Notwithstanding any other provision of law, an
5 individual who is 17 years of age, will be 18 years of age on
6 the date of the immediately following general or consolidated
7 election, and is otherwise qualified to vote shall be deemed
8 eligible to circulate a nominating petition or a petition
9 proposing a public question.

10 (d) For the purposes of this Code, a person who is 16 years
11 of age or older shall be deemed competent to execute and attest
12 to any voter registration forms.

13 (e) References in this Code and elsewhere to the
14 requirement that a person must be 18 years old to vote shall be
15 interpreted in accordance with this Section.

16 ~~For the purposes of this Code, an individual who is 17~~
17 ~~years of age and who will be 18 years of age on the date of the~~
18 ~~general or consolidated election shall be deemed competent to~~
19 ~~execute and attest to any voter registration forms. An~~
20 ~~individual who is 17 years of age, will be 18 years of age on~~
21 ~~the date of the immediately following general or consolidated~~
22 ~~election, and is otherwise qualified to vote shall be deemed~~
23 ~~eligible to circulate a nominating petition or a petition~~
24 ~~proposing a public question.~~

25 (Source: P.A. 99-722, eff. 8-5-16; 100-201, eff. 8-18-17.)