

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 3. The Illinois Notary Public Act is amended by
5 changing Section 3-107 as follows:

6 (5 ILCS 312/3-107)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 3-107. Journal.

10 (a) A notary public or an electronic notary public shall
11 keep a journal of each notarial act or electronic notarial act
12 which includes, without limitation, the requirements set by
13 the Secretary of State in administrative rule, but shall not
14 include any electronic signatures of the person for whom an
15 electronic notarial act was performed or any witnesses.

16 (b) The Secretary of State shall adopt administrative
17 rules that set forth, at a minimum:

18 (1) the information to be recorded for each
19 notarization or electronic notarization;

20 (2) the period during which the notary public or
21 electronic notary public must maintain the journal; and

22 (3) the minimum security requirements for protecting
23 the information in the journal and access to the contents

1 of the journal.

2 (c) A notary or electronic notary may maintain his or her
3 journal in either paper form or electronic form and may
4 maintain more than one journal or electronic journal to record
5 notarial acts or electronic notarial acts.

6 (d) The fact that the employer or contractor of a notary or
7 electronic notary public keeps a record of notarial acts or
8 electronic notarial acts does not relieve the notary public of
9 the duties required by this Section. A notary public or
10 electronic notary public shall not surrender the journal to an
11 employer upon termination of employment and an employer shall
12 not retain the journal of an employee when the employment of
13 the notary public or electronic notary public ceases.

14 (e) If the journal of a notary public or electronic notary
15 public is lost, stolen, or compromised, the notary or
16 electronic notary shall notify the Secretary of State within
17 10 business days after the discovery of the loss, theft, or
18 breach of security.

19 (f) Notwithstanding any other provision of this Section or
20 any rules adopted under this Section, neither a notary public
21 nor an electronic notary public is required to keep a journal
22 of or to otherwise record in a journal a notarial act or an
23 electronic notarial act if that act is performed on any of the
24 following documents to be filed by or on behalf of a candidate
25 for public office:

26 (1) nominating petitions;

1 (2) petitions of candidacy;

2 (3) petitions for nomination;

3 (4) nominating papers; or

4 (5) nomination papers.

5 The exemption under this subsection (f) applies regardless
6 of whether the notarial act or electronic notarial act is
7 performed on the documents described in paragraphs (1) through
8 (5) of this subsection before, on, or after the effective date
9 of this amendatory Act of the 103rd General Assembly, and the
10 failure of a notary public or an electronic notary public to
11 keep a journal of or to otherwise record such an act does not
12 affect the validity of the notarial act on that document and is
13 not a violation of this Act. As used in this subsection (f),
14 "public office" has the meaning given in Section 9-1.10 of the
15 Election Code.

16 (Source: P.A. 102-160 (See Section 99 of P.A. 102-160 for
17 effective date of P.A. 102-160).)

18 Section 5. The Election Code is amended by adding Section
19 1-20.1 as follows:

20 (10 ILCS 5/1-20.1 new)

21 Sec. 1-20.1. Task Force to Review Eligibility to Hold
22 Public Office.

23 (a) The Task Force to Review Eligibility to Hold Public
24 Office is created. The purpose of the Task Force is to review

1 what criminal conduct precludes a person from holding public
2 office in this State and to make recommendations as to what
3 criminal conduct should preclude an individual from holding
4 public office.

5 (b) The Task Force shall be comprised of the following
6 members:

7 (1) The president of a statewide bar association or
8 his or her designee, the executive director of a statewide
9 association advocating for the advancement of civil
10 liberties or his or her designee, an executive director of
11 a legal aid organization or statewide association with a
12 practice group dedicated to or focused on returning
13 citizen expungements and sealing of criminal records, all
14 appointed by the Governor.

15 (2) 4 members of the public, one appointed by each of
16 the following: the Speaker of the House of
17 Representatives; the Minority Leader of the House of
18 Representatives; the President of the Senate; and the
19 Minority Leader of the Senate.

20 (3) 2 individuals who have been formerly incarcerated,
21 appointed by the Governor.

22 (4) The Attorney General or his or her designee.

23 (5) 2 individuals from the Illinois Sentencing Policy
24 Advisory Council appointed by the Executive Director.

25 (6) 2 State Representatives appointed by the Speaker
26 of the House of Representatives; 2 State Representatives

1 appointed by the Minority Leader of the House of
2 Representatives; 2 State Senators appointed by the
3 President of the Senate; 2 State Senators appointed by the
4 Minority Leader of the Senate.

5 The members of the Task Force shall serve without
6 compensation. All appointments under this subsection must be
7 made within 30 days after the effective date of this
8 amendatory Act of the 103rd General Assembly.

9 (c) The State Board of Elections shall provide
10 administrative and technical support to the Task Force and be
11 responsible for administering its operations and ensuring that
12 the requirements of the Task Force are met. The Executive
13 Director of the State Board of Elections shall appoint a
14 cochairperson for the Task Force and the President of the
15 Senate and the Speaker of the House of Representatives shall
16 jointly appoint a cochairperson for the Task Force.

17 (d) The Task Force shall meet at least 4 times with the
18 first meeting occurring within 60 days after the effective
19 date of this amendatory Act of the 103rd General Assembly. The
20 Executive Director of the State Board of Elections shall
21 designate the day, time, and place for each meeting of the Task
22 Force.

23 (e) The Task Force shall review what conduct currently
24 precludes an individual from holding public office in this
25 State; the policy rationale for precluding an individual from
26 holding public office based on certain criminal conduct;

1 available research and best practices for restoring returning
2 individuals to full citizenship; and the processes of
3 restoration of eligibility to hold public office in this
4 State. After this review, the Task Force shall make
5 recommendations as to what criminal conduct shall preclude an
6 individual from holding public office in this State.

7 (f) The Task Force shall produce a report detailing the
8 Task Force's findings and recommendations and needed
9 resources. The Task Force shall submit a report of its
10 findings and recommendations to the General Assembly and the
11 Governor by May 1, 2025.

12 (g) This Section is repealed on January 1, 2026.

13 Section 10. The Unified Code of Corrections is amended by
14 changing Section 5-5-5 as follows:

15 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

16 Sec. 5-5-5. Loss and restoration of rights.

17 (a) Conviction and disposition shall not entail the loss
18 by the defendant of any civil rights, except under this
19 Section and Sections 29-6 and 29-10 of The Election Code, as
20 now or hereafter amended.

21 (b) A person convicted of a felony shall be ineligible to
22 hold an office created by the Constitution of this State until
23 the completion of his sentence.

24 (b-5) Notwithstanding any other provision of law, a person

1 convicted of a felony, bribery, perjury, or other infamous
2 crime for an offense committed on or after the effective date
3 of this amendatory Act of the 103rd General Assembly and
4 committed while he or she was serving as a public official in
5 this State is ineligible to hold any local public office or any
6 office created by the Constitution of this State unless the
7 person's conviction is reversed, the person is again restored
8 to such rights by the terms of a pardon for the offense, the
9 person has received a restoration of rights by the Governor,
10 or the person's rights are otherwise restored by law.

11 (c) A person sentenced to imprisonment shall lose his
12 right to vote until released from imprisonment.

13 (d) On completion of sentence of imprisonment or upon
14 discharge from probation, conditional discharge or periodic
15 imprisonment, or at any time thereafter, all license rights
16 and privileges granted under the authority of this State which
17 have been revoked or suspended because of conviction of an
18 offense shall be restored unless the authority having
19 jurisdiction of such license rights finds after investigation
20 and hearing that restoration is not in the public interest.
21 This paragraph (d) shall not apply to the suspension or
22 revocation of a license to operate a motor vehicle under the
23 Illinois Vehicle Code.

24 (e) Upon a person's discharge from incarceration or
25 parole, or upon a person's discharge from probation or at any
26 time thereafter, the committing court may enter an order

1 certifying that the sentence has been satisfactorily completed
2 when the court believes it would assist in the rehabilitation
3 of the person and be consistent with the public welfare. Such
4 order may be entered upon the motion of the defendant or the
5 State or upon the court's own motion.

6 (f) Upon entry of the order, the court shall issue to the
7 person in whose favor the order has been entered a certificate
8 stating that his behavior after conviction has warranted the
9 issuance of the order.

10 (g) This Section shall not affect the right of a defendant
11 to collaterally attack his conviction or to rely on it in bar
12 of subsequent proceedings for the same offense.

13 (h) No application for any license specified in subsection
14 (i) of this Section granted under the authority of this State
15 shall be denied by reason of an eligible offender who has
16 obtained a certificate of relief from disabilities, as defined
17 in Article 5.5 of this Chapter, having been previously
18 convicted of one or more criminal offenses, or by reason of a
19 finding of lack of "good moral character" when the finding is
20 based upon the fact that the applicant has previously been
21 convicted of one or more criminal offenses, unless:

22 (1) there is a direct relationship between one or more
23 of the previous criminal offenses and the specific license
24 sought; or

25 (2) the issuance of the license would involve an
26 unreasonable risk to property or to the safety or welfare

1 of specific individuals or the general public.

2 In making such a determination, the licensing agency shall
3 consider the following factors:

4 (1) the public policy of this State, as expressed in
5 Article 5.5 of this Chapter, to encourage the licensure
6 and employment of persons previously convicted of one or
7 more criminal offenses;

8 (2) the specific duties and responsibilities
9 necessarily related to the license being sought;

10 (3) the bearing, if any, the criminal offenses or
11 offenses for which the person was previously convicted
12 will have on his or her fitness or ability to perform one
13 or more such duties and responsibilities;

14 (4) the time which has elapsed since the occurrence of
15 the criminal offense or offenses;

16 (5) the age of the person at the time of occurrence of
17 the criminal offense or offenses;

18 (6) the seriousness of the offense or offenses;

19 (7) any information produced by the person or produced
20 on his or her behalf in regard to his or her rehabilitation
21 and good conduct, including a certificate of relief from
22 disabilities issued to the applicant, which certificate
23 shall create a presumption of rehabilitation in regard to
24 the offense or offenses specified in the certificate; and

25 (8) the legitimate interest of the licensing agency in
26 protecting property, and the safety and welfare of

1 specific individuals or the general public.

2 (i) A certificate of relief from disabilities shall be
3 issued only for a license or certification issued under the
4 following Acts:

5 (1) the Animal Welfare Act; except that a certificate
6 of relief from disabilities may not be granted to provide
7 for the issuance or restoration of a license under the
8 Animal Welfare Act for any person convicted of violating
9 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
10 Care for Animals Act or Section 26-5 or 48-1 of the
11 Criminal Code of 1961 or the Criminal Code of 2012;

12 (2) the Illinois Athletic Trainers Practice Act;

13 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
14 and Nail Technology Act of 1985;

15 (4) the Boiler and Pressure Vessel Repairer Regulation
16 Act;

17 (5) the Boxing and Full-contact Martial Arts Act;

18 (6) the Illinois Certified Shorthand Reporters Act of
19 1984;

20 (7) the Illinois Farm Labor Contractor Certification
21 Act;

22 (8) the Registered Interior Designers Act;

23 (9) the Illinois Professional Land Surveyor Act of
24 1989;

25 (10) the Landscape Architecture Registration Act;

26 (11) the Marriage and Family Therapy Licensing Act;

- 1 (12) the Private Employment Agency Act;
- 2 (13) the Professional Counselor and Clinical
3 Professional Counselor Licensing and Practice Act;
- 4 (14) the Real Estate License Act of 2000;
- 5 (15) the Illinois Roofing Industry Licensing Act;
- 6 (16) the Professional Engineering Practice Act of
7 1989;
- 8 (17) the Water Well and Pump Installation Contractor's
9 License Act;
- 10 (18) the Electrologist Licensing Act;
- 11 (19) the Auction License Act;
- 12 (20) the Illinois Architecture Practice Act of 1989;
- 13 (21) the Dietitian Nutritionist Practice Act;
- 14 (22) the Environmental Health Practitioner Licensing
15 Act;
- 16 (23) the Funeral Directors and Embalmers Licensing
17 Code;
- 18 (24) (blank);
- 19 (25) the Professional Geologist Licensing Act;
- 20 (26) the Illinois Public Accounting Act; and
- 21 (27) the Structural Engineering Practice Act of 1989.
- 22 (Source: P.A. 102-284, eff. 8-6-21.)

23 Section 90. The General Assembly finds that the Office of
24 the Secretary of State filed the rules necessary to implement
25 Public Act 102-160 on June 5, 2023. This Act amends Public Act

1 102-160 in accordance with that finding.

2 Section 91. "An Act concerning government", approved July
3 23, 2021, Public Act 102-160, is amended by changing Section
4 99 as follows:

5 (P.A. 102-160, Sec. 99)

6 Sec. 99. Effective date. This Act takes effect on June 5,
7 2023 (the date of the filing of the later of: (1) January 1,
8 2022; or (2) the date on which the Office of the Secretary of
9 State files with the Index Department of the Office of the
10 Secretary of State a notice that the Office of the Secretary of
11 State has adopted the rules necessary to implement this Act),
12 and upon the filing of the notice, the Index Department shall
13 provide a copy of the notice to the Legislative Reference
14 Bureau; except that, the changes to Sections 1-106, 2-103, and
15 2-106 of the Illinois Notary Public Act take effect July 1,
16 2022.

17 (Source: P.A. 102-160.)

18 Section 95. No acceleration or delay. Except for the
19 changes to Section 99 of Public Act 102-160, where this Act
20 makes changes in a statute that is represented in this Act by
21 text that is not yet or no longer in effect (for example, a
22 Section represented by multiple versions), the use of that
23 text does not accelerate or delay the taking effect of (i) the

1 changes made by this Act or (ii) provisions derived from any
2 other Public Act.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.