



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3117

Introduced 2/17/2023, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.1
10 ILCS 5/1A-16.2
10 ILCS 5/1A-16.7
10 ILCS 5/1A-16.8
625 ILCS 5/2-105

from Ch. 95 1/2, par. 2-105

Amends the Election Code. For specified applications, change of address forms, or recertifications of a driver's license or State identification card, provides that the application, form, or recertification shall serve as a dual-purpose application when the applicant presents specified identification (rather than meets the requirements of the federal REAL ID Act of 2005). Modifies requirements of the dual-purpose application. Modifies the content of the written notice required to be given by the Office of the Secretary of State to each applicant and requires the Office of the Secretary of State to determine whether each applicant is currently registered to vote in Illinois and the applicant's registration address. Provides that, if an applicant provides the Secretary of State with an identification document which demonstrates that the applicant is not a United States citizen, the application shall not serve as a dual-purpose application. Makes conforming and other changes. Provides that changes made by the amendatory Act that require implementation shall be implemented no later than January 1, 2025. Effective immediately.

LRB103 24818 AWJ 51149 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-16.1, 1A-16.2, 1A-16.7, and 1A-16.8 as follows:

6 (10 ILCS 5/1A-16.1)

7 Sec. 1A-16.1. Automatic voter registration; Secretary of
8 State.

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

14 (b) If, as part of an application, an application for
15 renewal, a change of address form, ~~or~~ a recertification form
16 for a driver's license, other than a temporary visitor's
17 driver's license, or a State identification card issued by the
18 Office of the Secretary of State, an applicant presents an
19 identification document which demonstrates that the applicant
20 is a United States citizen and is of age to register to vote or
21 if the information provided to the Office of the Secretary of
22 State pursuant to subsection (c) indicates that the applicant
23 is currently registered to vote in Illinois, ~~meets the~~

1 ~~requirements of the federal REAL ID Act of 2005,~~ then that
2 application shall serve as a dual-purpose application unless
3 the applicant declines in accordance with subsection (g) of
4 Section 1A-16.7 or the information provided indicates no
5 change in the existing voter registration. The dual-purpose
6 application shall:

7 (1) also serve as an application to register to vote
8 in Illinois;

9 (2) ~~allow an applicant to change~~ the applicant's his
10 ~~or her~~ registered residence address or name as it appears
11 on the voter registration rolls; and

12 (3) in a single affirmation including the affirmation
13 required for a driver's license or State identification
14 card, allow the applicant to affirm, under penalty of
15 perjury, to the truth and correctness of information
16 submitted in the dual-purpose application that is
17 necessary to assess the applicant's eligibility to
18 register to vote or to change the applicant's registered
19 residence address or name as it appears on the voter
20 registration rolls. ~~provide the applicant with an~~
21 ~~opportunity to affirmatively decline to register to vote~~
22 ~~or to change his or her registered residence address or~~
23 ~~name by providing a check box on the application form~~
24 ~~without requiring the applicant to state the reason; and~~
25 (4) ~~unless the applicant declines to register to vote~~
26 ~~or change his or her registered residence address or name,~~

1 ~~require the applicant to attest, by signature under~~
2 ~~penalty of perjury as described in subsection (c) of this~~
3 ~~Section, to meeting the qualifications to register to vote~~
4 ~~in Illinois at his or her residence address as indicated~~
5 ~~on his or her driver's license or identification card~~
6 ~~dual purpose application.~~

7 (b-5) If, as part of an application, an application for
8 renewal, a change of address form, or a recertification form
9 for a driver's license, other than a temporary visitor's
10 driver's license, or a State identification card issued by the
11 Office of the Secretary of State, an applicant presents an
12 identification document which neither demonstrates that the
13 applicant is a United States citizen nor demonstrates that the
14 applicant is not a United States citizen and the information
15 provided to the Office of the Secretary of State pursuant to
16 subsection (c) does not indicate that the applicant is
17 currently registered to vote in Illinois, does not meet the
18 requirements of the federal REAL ID Act of 2005, then that
19 application shall serve as a dual-purpose application. The
20 dual-purpose application shall:

21 (1) also serve as an application to register to vote
22 in Illinois;

23 (2) (blank); and allow an applicant to change his or
24 her registered residence address or name as it appears on
25 the voter registration rolls; and

26 (3) if the applicant chooses to register to vote ~~or to~~

1 ~~change his or her registered residence address or name,~~
2 then require the applicant to attest, by a separate
3 signature under penalty of perjury, to meeting the
4 qualifications to register to vote in Illinois at the
5 applicant's ~~his or her~~ residence address as indicated on
6 the ~~his or her~~ dual-purpose application.

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

1 (c) The Office of the Secretary of State shall review
2 information provided to the Office of the Secretary of State
3 by the State Board of Elections to determine whether each
4 ~~inform each applicant for a driver's license or permit, other~~
5 ~~than a temporary visitor's driver's license, or a State~~
6 ~~identification card issued by the Office of the Secretary of~~
7 ~~State whether the~~ applicant under subsections (b) and (b-5) is
8 currently registered to vote in Illinois and, if registered,
9 at what address.

10 (d) The Office of the Secretary of State shall not require
11 an applicant for a driver's license or State identification
12 card to provide duplicate identification or information in
13 order to complete an application to register to vote or change
14 his or her registered residence address or name. Before
15 transmitting any personal information about an applicant to
16 the State Board of Elections, the Office of the Secretary of
17 State shall review its records of the identification documents
18 the applicant provided in order to complete the application
19 for a driver's license or State identification card, to
20 confirm that nothing in those documents indicates that the
21 applicant does not satisfy the qualifications to register to
22 vote in Illinois at his or her residence address. If an
23 applicant provides the Office of the Secretary of State with
24 an identification document which demonstrates that the
25 applicant is not a United States citizen, the application
26 shall not serve as a dual-purpose application under this

1 Section. If the individual provides the Office of the
2 Secretary of State with an address designated by the Attorney
3 General as a substitute mailing address under Section 15 of
4 the Address Confidentiality for Victims of Domestic Violence,
5 Sexual Assault, Human Trafficking, or Stalking Act, that
6 information shall not be forwarded to the State Board of
7 Elections to electronically transmit a voter registration
8 application for the individual.

9 (e) A completed, signed application for (i) a driver's
10 license or permit, other than a temporary visitor's driver's
11 license, or a State identification card issued by the Office
12 of the Secretary of State that includes the presentation of an
13 identification document which demonstrates that the applicant
14 is a United States citizen and is of age to register to vote or
15 for which the information provided to the Office of the
16 Secretary of State pursuant to subsection (c) indicates that
17 the applicant is currently registered to vote in Illinois,
18 ~~that meets the requirements of the federal REAL ID Act of 2005;~~
19 or (ii) a completed application under subsection (b-5) of this
20 Section with a separate signature attesting the applicant
21 meets the qualifications to register to vote in Illinois at
22 his or her residence address as indicated on his or her
23 application shall constitute a signed application to register
24 to vote in Illinois at the residence address indicated in the
25 application ~~unless the person affirmatively declined in the~~
26 ~~application to register to vote or to change his or her~~

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

6 (f) For each completed and signed application that
7 constitutes an application to register to vote in Illinois or
8 provides for a change in the applicant's registered residence
9 address or name, the Office of the Secretary of State shall
10 electronically transmit to the State Board of Elections
11 personal information needed to complete the person's
12 registration to vote in Illinois at his or her residence
13 address, including the applicant's choice of a language other
14 than English if the Office of the Secretary of State collects
15 this information during the permitting, licensing, or
16 identification card transaction. The application to register
17 to vote shall be processed in accordance with Section 1A-16.7.

18 (g) Documents that demonstrate that the applicant is a
19 United States citizen may include, but are not limited to,
20 valid, unexpired documents described in the federal REAL ID
21 Act of 2005 and in 6 CFR 37.11(c)(1)(i) through (ii) and
22 (c)(1)(vii) through (viii).

23 If the federal REAL ID Act of 2005, 6 CFR 37.11(c)(1)(i)
24 through (ii), or 6 CFR 37.11(c)(1)(vii) through (viii) are ~~is~~
25 repealed, abrogated, superseded, or otherwise no longer in
26 effect, then the State Board of Elections shall establish

1 criteria for determining reliable personal information
2 indicating citizenship status and shall adopt rules as
3 necessary for the Secretary of State to continue processing
4 dual-purpose applications under this Section.

5 (h) As used in this Section, "dual-purpose application"
6 means an application, an application for renewal, a change of
7 address form, or a recertification form for driver's license
8 or permit, other than a temporary visitor's driver's license,
9 or a State identification card offered by the Secretary of
10 State that also serves as an application to register to vote in
11 Illinois. "Dual-purpose application" does not mean an
12 application under subsection (c) of Section 6-109 of the
13 Illinois Vehicle Code.

14 (i) The changes made to this Section by this amendatory
15 Act of the 103rd General Assembly that require implementation
16 shall be implemented no later than January 1, 2025.

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

18 (10 ILCS 5/1A-16.2)

19 Sec. 1A-16.2. Automatic voter registration; designated
20 automatic voter registration agencies.

21 (a) Each designated automatic voter registration agency
22 shall, pursuant to an interagency contract and jointly adopted
23 ~~jointly adopted~~ rules with the State Board of Elections, agree
24 to participate in an automatic voter registration program
25 established by the State Board of Elections that satisfies the

1 requirements of this Section and other applicable law. If the
2 designated automatic voter registration agency provides
3 applications, applications for renewal, change of address
4 forms, filing, or recertification forms to individuals for
5 services offered by another agency, then the State Board of
6 Elections and the designated automatic voter agency shall
7 consult with the other agency. The State Board of Elections
8 shall consider the current technological capabilities of the
9 designated voter registration agency when drafting interagency
10 contracts and jointly adopted ~~jointly adopted~~ rules. The State
11 Board of Elections and the designated automatic voter
12 registration agency shall amend these contracts and rules as
13 the technological capabilities of the designated voter
14 registration agencies improve.

15 (b) As provided in subsection (a) of this Section, each
16 designated automatic voter registration agency that collects
17 or cross-references reliable personal information indicating
18 citizenship status may provide that an application for a
19 license, permit, program, or service shall serve as a
20 dual-purpose application. The dual-purpose application shall:

21 (1) also serve as an application to register to vote
22 in Illinois; and

23 (2) ~~allow an applicant to~~ change the applicant's his
24 ~~or her~~ registered residence address or name as it appears
25 on the voter registration rolls; and

26 (3) in a single affirmation including the affirmation

1 required for the designated automatic voter registration
2 agency's application, allow the applicant to affirm, under
3 penalty of perjury, to the truth and correctness of
4 information submitted in the dual-purpose application that
5 is necessary to assess the applicant's eligibility to
6 register to vote or to change the applicant's registered
7 residence address or name as it appears on the voter
8 registration rolls. ~~provide the applicant with an~~
9 ~~opportunity to affirmatively decline to register to vote~~
10 ~~or change his or her registered residence address or name~~
11 ~~by providing a check box on the application form without~~
12 ~~requiring the applicant to state the reason; and~~

13 ~~(4) unless the applicant declines to register to vote~~
14 ~~or to change his or her registered residence address or~~
15 ~~name, require the applicant to attest, by signature under~~
16 ~~penalty of perjury, to meeting the qualifications to~~
17 ~~register to vote in Illinois at his or her residence~~
18 ~~address as indicated on his or her dual purpose~~
19 ~~application.~~

20 (c) As provided in subsection (a) of this Section, each
21 designated automatic voter registration agency that does not
22 collect or cross-reference records containing reliable
23 personal information indicating citizenship status may provide
24 that an application, an application for renewal, a change of
25 address form, or a recertification form for a license, permit,
26 program, or service shall serve as a dual-purpose application.

1 The dual-purpose application shall:

2 (1) also serve as an application to register to vote
3 in Illinois;

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

7 (3) if the applicant chooses to register to vote or to
8 change his or her registered residence address or name,
9 then require the applicant to attest, by a separate
10 signature under penalty of perjury, to meeting the
11 qualifications to register to vote in Illinois at his or
12 her residence address as indicated on his or her
13 dual-purpose application.

14 (c-5) The designated automatic voter registration agency
15 shall clearly and conspicuously inform each applicant in
16 writing: (i) of the qualifications to register to vote in
17 Illinois, (ii) of the penalties provided by law for submission
18 of a false voter registration application, (iii) ~~that, unless~~
19 ~~the applicant declines to register to vote or update his or her~~
20 ~~voter registration, his or her application shall also serve as~~
21 ~~both an application to register to vote and his or her~~
22 ~~attestation that he or she meets the eligibility requirements~~
23 ~~for voter registration, and that his or her application to~~
24 ~~register to vote or update his or her registration will be~~
25 ~~transmitted to the State Board of Elections for the purpose of~~
26 ~~registering the person to vote at the residence address to be~~

1 ~~indicated on the dual-purpose application, (iv)~~ that
2 information identifying the agency at which he or she applied
3 to register to vote is confidential, (iv) ~~(v)~~ that declining
4 to register to vote is confidential and will not affect any
5 services the person may be seeking from the agency, and (v)
6 ~~(vi)~~ any additional information needed in order to comply with
7 Section 7 of the federal National Voter Registration Act of
8 1993. The designated automatic voter registration agency may
9 provide additional instructions specific to applicants under
10 either subsection (b) or subsection (c).

11 (d) The designated automatic voter registration agency
12 shall review information provided to the agency by the State
13 Board of Elections to inform each applicant covered by
14 subsection (c) whether the applicant is currently registered
15 to vote in Illinois and, if registered, at what address.

16 (e) The designated automatic voter registration agency
17 shall not require an applicant for a dual-purpose application
18 to provide duplicate identification or information in order to
19 complete an application to register to vote or change his or
20 her registered residence address or name. Before transmitting
21 any personal information about an applicant to the State Board
22 of Elections, the agency shall review its records of the
23 identification documents the applicant provided or that the
24 agency cross-references in order to complete the dual-purpose
25 application, to confirm that nothing in those documents
26 indicates that the applicant does not satisfy the

1 qualifications to register to vote in Illinois at his or her
2 residence address. A completed and signed dual-purpose
3 application, including a completed application under
4 subsection (c) of this Section with a separate signature
5 attesting that the applicant meets the qualifications to
6 register to vote in Illinois at his or her residence address as
7 indicated on his or her application, shall constitute an
8 application to register to vote in Illinois at the residence
9 address indicated in the application ~~unless the person~~
10 ~~affirmatively declined in the application to register to vote~~
11 ~~or to change his or her registered residence address or name.~~
12 If the identification documents provided to complete the
13 dual-purpose application, or that the agency cross-references,
14 indicate that he or she does not satisfy the qualifications to
15 register to vote in Illinois at his or her residence address,
16 the application shall be marked as incomplete. If the
17 individual provides a designated automatic voter registration
18 agency with an address designated by the Attorney General as a
19 substitute mailing address under Section 15 of the Address
20 Confidentiality for Victims of Domestic Violence, Sexual
21 Assault, Human Trafficking, or Stalking Act, that information
22 shall not be forwarded to the State Board of Elections to
23 electronically transmit a voter registration application for
24 said individual.

25 (f) For each completed and signed dual-purpose application
26 that constitutes an application to register to vote in

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

8 (g) As used in this Section:

9 "Designated automatic voter registration agency" or
10 "agency" means the divisions of Family and Community
11 Services and Rehabilitation Services of the Department of
12 Human Services, the Department of Employment Security, the
13 Department of Financial and Professional Regulation, the
14 Department of Natural Resources, or an agency of the
15 local, tribal, State, or federal government that has been
16 determined by the State Board of Elections to have access
17 to reliable personal information and has entered into an
18 interagency contract with the State Board of Elections to
19 participate in the automatic voter registration program
20 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) (Blank). ~~This Section shall be implemented no later~~
6 ~~than July 1, 2019.~~

7 (i) The Department of Healthcare and Family Services shall
8 implement, as permitted by applicable federal law, an
9 automatic voter registration system under this Section for
10 applicants for Illinois Medicaid no later than July 1, 2025.

11 (j) If an agency under this Section collects or
12 cross-references reliable personal information indicating
13 citizenship status for more than one person listed on an
14 application for a license, permit, program, or service, each
15 person for whom the agency collects or cross-references
16 reliable personal information indicating citizenship status
17 may be considered an applicant under this Section and the
18 application may serve as a dual-purpose application for each
19 such person.

20 (k) The changes made to this Section by this amendatory
21 Act of the 103rd General Assembly that require implementation
22 shall be implemented no later than January 1, 2025.

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

24 (10 ILCS 5/1A-16.7)

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

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

20 (b) Voter registration data received from the Office of
21 the Secretary of State or a designated automatic voter
22 registration agency through the online registration
23 application system shall be processed as provided in Section
24 1A-16.5 of this Code.

25 (c) The State Board of Elections shall establish technical
26 specifications applicable to each automatic government

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

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

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

23 (e) Whenever an applicant's data is transferred from the
24 Office of the Secretary of State or a designated automatic
25 voter registration agency, the agency must transmit a
26 signature image if available. If no signature image was

1 provided by the agency and ~~or if~~ no signature image is
2 available in the Office of the Secretary of State's database,
3 ~~or~~ the statewide voter registration database, or other
4 database available to the State Board of Elections, the
5 applicant must be notified that his or her registration will
6 remain in a pending status until the applicant: ~~and the~~
7 ~~applicant will be required to~~

8 (i) provides ~~provide~~ identification that
9 complies with the federal Help America Vote Act of
10 2002 and a signature to the election authority on
11 election day in the polling place or during early
12 voting; ~~or~~

13 (ii) provides identification that complies
14 with the federal Help America Vote Act of 2002 and
15 a signature with a mail ballot, or provides a
16 signature according to the procedures in
17 subsection (g-5) of Section 19-8; or

18 (iii) provides a signature in response to the
19 notice described in subsection (g) or by other
20 paper or electronic means determined by the State
21 Board of Elections.

22 (f) Upon receipt of personal information collected and
23 transferred by the Office of the Secretary of State or a
24 designated automatic voter registration agency, the State
25 Board of Elections shall check the information against the
26 statewide voter registration database. The State Board of

1 Elections shall create and electronically transmit to the
2 appropriate election authority a voter registration
3 application for any individual who is not registered to vote
4 in Illinois and is not disqualified as provided in this
5 Section or whose information reliably indicates a more recent
6 update to the name or address of a person already included in
7 the statewide voter database. The election authority shall
8 process the application accordingly. If the individual
9 provides the Office of the Secretary of State or a designated
10 automatic voter registration agency with an address designated
11 by the Attorney General as a substitute mailing address under
12 Section 15 of the Address Confidentiality for Victims of
13 Domestic Violence, Sexual Assault, Human Trafficking, or
14 Stalking Act, or if the State Board of Elections otherwise
15 determines that the individual is a program participant under
16 Section 10 of the Address Confidentiality for Victims of
17 Domestic Violence, Sexual Assault, Human Trafficking, or
18 Stalking Act, the State Board of Elections shall not create or
19 electronically transmit to an election authority a voter
20 registration application for such individual. The State Board
21 of Elections may provide alternative voter registration
22 procedures for such individuals.

23 (g) The appropriate election authority shall ensure that
24 any applicant under subsection (f) ~~who is registered to vote~~
25 ~~or whose existing voter registration is updated under this~~
26 ~~Section~~ is promptly sent written notice of the change. The

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

17 For an applicant under subsection (b) of Section 1A-16.1
18 or subsection (b) of Section 1A-16.2 who is not currently
19 registered to vote in Illinois, the notice shall contain: (i)
20 a notice that the individual will be registered to vote unless
21 the individual declines to be registered and that if the
22 individual wishes to decline to be registered, the individual
23 may return a postage prepaid notice of declination; (ii) the
24 notices required by Section 5(c)(2) of the National Voter
25 Registration Act of 1993; and (iii) an opportunity to provide
26 a signature pursuant to subsection (e) and to select a

1 language for election materials if applicable to the
2 jurisdiction, by prepaid postage.

3 For an applicant under subsection (b) of Section 1A-16.1
4 or subsection (b) of Section 1A-16.2 who is currently
5 registered to vote in Illinois and whose application contains
6 a change in the applicant's registered residence address or
7 name, the notice shall contain: (i) a notice that the
8 individual's voter registration will be updated unless the
9 individual declines the update and that if the individual
10 wishes to decline or correct the update, the individual may
11 return a postage prepaid notice declining or correcting the
12 update; (ii) the notices required by Section 5(c)(2) of the
13 National Voter Registration Act of 1993; and (iii) an
14 opportunity to provide a signature pursuant to subsection (e),
15 and to select a language for election materials if applicable
16 to the jurisdiction, by prepaid postage.

17 (g-5) If an applicant under subsection (b) of Section
18 1A-16.1 or subsection (b) of Section 1A-16.2 returns the
19 notice described in subsection (g) declining to be registered,
20 the applicant's voter registration record shall be canceled in
21 the statewide voter registration database and if such
22 declination form is received back to the election authority
23 within 21 days after mailing the notice, the applicant shall
24 be deemed not to have attempted to register to vote. If a
25 person sent the notice required under subsection (g) does not
26 return the postage prepaid notice declining to be registered

1 or to have the person's registration updated within 21 days
2 after the mailing of such a notice, then the person shall be
3 registered to vote under the name and address contained in the
4 dual-purpose application.

5 (h) The appropriate election authority shall ensure that
6 any applicant whose voter registration application is not
7 accepted or deemed incomplete is promptly sent written notice
8 of the application's status. The notice required by this
9 subsection may be sent or combined with other notices required
10 or permitted by law, including, but not limited to, any
11 notices sent pursuant to Section 1A-16.5 of this Code. Any
12 notice required by this subsection (h) shall contain, at a
13 minimum, the reason the application was not accepted or deemed
14 incomplete and contact information for the appropriate
15 election authority, including a phone number, address,
16 electronic mail address, and website address.

17 (i) If the Office of the Secretary of State or a designated
18 automatic voter registration agency transfers information, or
19 if the State Board of Elections creates and transmits a voter
20 registration application, for a person who does not qualify as
21 an eligible voter, then it shall not constitute a completed
22 voter registration form, and the person shall not be
23 considered to have registered to vote.

24 (j) If the registration is processed by any election
25 authority, then it shall be presumed to have been effected and
26 officially authorized by the State, and that person shall not

1 be found on that basis to have made a false claim to
2 citizenship or to have committed an act of moral turpitude,
3 nor shall that person be subject to penalty under any relevant
4 laws, including, but not limited to, Sections 29-10 and 29-19
5 of this Code. This subsection (j) does not apply to a person
6 who knows that he or she is not entitled to register to vote
7 and who willfully votes, registers to vote, or attests under
8 penalty of perjury that he or she is eligible to register to
9 vote or willfully attempts to vote or to register to vote.

10 (k) The State Board of Elections, the Office of the
11 Secretary of State, and each designated automatic voter
12 registration agency shall implement policies and procedures to
13 protect the privacy and security of voter information as it is
14 acquired, stored, and transmitted among agencies, including
15 policies for the retention and preservation of voter
16 information. Information designated as confidential under this
17 Section may be recorded and shared among the State Board of
18 Elections, election authorities, the Office of the Secretary
19 of State, and designated automatic voter registration
20 agencies, but shall be used only for voter registration
21 purposes, shall not be disclosed to the public except in the
22 aggregate as required by subsection (m) of this Section, and
23 shall not be subject to the Freedom of Information Act. The
24 following information shall be designated as confidential:

25 (1) any portion of an applicant's Social Security
26 number;

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

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

5 (4) the identity of the person providing information
6 relating to a specific applicant; ~~and~~

7 (5) the personal residence and contact information of
8 any applicant for whom notice has been given by an
9 appropriate legal authority; and ~~-~~

10 (6) the personal residence and contact information
11 relating to an applicant who returns a notice under
12 subsection (g) declining to register to vote that was
13 received by the election authority within 21 days after
14 mailing such a notice or for whom such a 21-day period has
15 not passed.

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

19 (1) The voter registration procedures implemented under
20 this Section shall comport with the federal National Voter
21 Registration Act of 1993, as amended, and shall specifically
22 require that the State Board of Elections track registration
23 data received through the online registration system that
24 originated from a designated automatic voter registration
25 agency for the purposes of maintaining statistics.

26 Nothing in this Code shall require designated voter

1 registration agencies to transmit information that is
2 confidential client information under State or federal law
3 without the consent of the applicant.

4 (m) The State Board of Elections, each election authority
5 that maintains a website, the Office of the Secretary of
6 State, and each designated automatic voter registration agency
7 that maintains a website shall provide information on their
8 websites informing the public about the new registration
9 procedures described in this Section. The Office of the
10 Secretary of State and each designated automatic voter
11 registration agency shall display signage or provide
12 literature for the public containing information about the new
13 registration procedures described in this Section.

14 (n) No later than 6 months after the effective date of this
15 amendatory Act of the 100th General Assembly, the State Board
16 of Elections shall hold at least one public hearing on
17 implementing this amendatory Act of the 100th General Assembly
18 at which the public may provide input.

19 (o) The State Board of Elections shall submit an annual
20 public report to the General Assembly and the Governor
21 detailing the progress made to implement this Section. The
22 report shall include all of the following: the number of
23 records transferred under this Section by agency, the number
24 of voters newly added to the statewide voter registration list
25 because of records transferred under this Section by agency,
26 the number of updated registrations under this Section by

1 agency, the number of persons who opted out of voter
2 registration, and the number of voters who submitted voter
3 registration forms using the online procedure described in
4 Section 1A-16.5 of this Code. The 2018 and 2019 annual reports
5 may include less detail if election authorities are not
6 equipped to provide complete information to the State Board of
7 Elections. Any report produced under this subsection (o) shall
8 exclude any information that identifies any individual
9 personally.

10 (p) The State Board of Elections, in consultation with
11 election authorities, the Office of the Secretary of State,
12 designated automatic voter registration agencies, and
13 community organizations, shall adopt rules as necessary to
14 implement the provisions of this Section.

15 (q) The changes made to this Section by this amendatory
16 Act of the 103rd General Assembly that require implementation
17 shall be implemented no later than January 1, 2025.

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

19 (10 ILCS 5/1A-16.8)

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

23 (a) The State Board of Elections shall cross-reference the
24 statewide voter registration database against the United
25 States Postal Service's National Change of Address database

1 twice each calendar year, April 15 and October 1 in
2 odd-numbered years and April 15 and December 1 in
3 even-numbered years or with the same frequency as in
4 subsection (b) of this Section, and shall share the findings
5 with the election authorities.

6 (b) In addition, beginning no later than September 1,
7 2017, the State Board of Elections shall utilize data provided
8 as part of its membership in the Electronic Registration
9 Information Center in order to cross-reference the statewide
10 voter registration database against databases of relevant
11 personal information kept by designated automatic voter
12 registration agencies, including, but not limited to, driver's
13 license information kept by the Secretary of State, at least 6
14 times each calendar year and shall share the findings with
15 election authorities.

16 This subsection (b) shall no longer apply once Sections
17 1A-16.1 and 1A-16.2 of this Code are fully implemented as
18 determined by the State Board of Elections. Upon a
19 determination by the State Board of Elections of full
20 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,
21 the State Board of Elections shall file notice of full
22 implementation and the inapplicability of this subsection (b)
23 with the Index Department of the Office of the Secretary of
24 State, the Governor, the General Assembly, and the Legislative
25 Reference Bureau.

26 (b-5) The State Board of Elections shall not be required

1 to share any data on any voter attained using the National
2 Change of Address database under subsection (a) of this
3 Section if that voter has a more recent government transaction
4 indicated using the cross-reference under subsection (b) of
5 this Section. If there is contradictory or unclear data
6 between data obtained under subsections (a) and (b) of this
7 Section, then data obtained under subsection (b) of this
8 Section shall take priority.

9 (c) An election authority shall automatically register any
10 voter who has moved into its jurisdiction from another
11 jurisdiction in Illinois or has moved within its jurisdiction
12 provided that:

13 (1) the election authority whose jurisdiction includes
14 the new registration address provides the voter an
15 opportunity to reject the change in registration address
16 through a mailing, sent by non-forwardable mail, to the
17 new registration address, and

18 (2) when the election authority whose jurisdiction
19 includes the previous registration address is a different
20 election authority, then that election authority provides
21 the same opportunity through a mailing, sent by
22 forwardable mail, to the previous registration address.

23 This change in registration shall trigger the same
24 inter-jurisdictional or intra-jurisdictional workflows as if
25 the voter completed a new registration card, including the
26 cancellation of the voter's previous registration. Should the

1 registration of a voter be changed from one address to another
2 within the State and should the voter appear at the polls and
3 offer to vote from the prior registration address, attesting
4 that the prior registration address is the true current
5 address, the voter, if confirmed by the election authority as
6 having been registered at the prior registration address and
7 canceled only by the process authorized by this Section, shall
8 be issued a regular ballot, and the change of registration
9 address shall be canceled. If the election authority is unable
10 to immediately confirm the registration, the voter shall be
11 permitted to register and vote a regular ballot, provided that
12 he or she meets the documentary requirements for same-day
13 registration. If the election authority is unable to confirm
14 the registration and the voter does not meet the requirements
15 for same-day registration, the voter shall be issued a
16 provisional ballot.

17 (c-5) An agency that does not collect or cross-reference
18 reliable personal information indicating citizenship status
19 may enter into an agreement with the State Board of Elections
20 to transmit information that shall serve only to update an
21 applicant's existing voter registration record. Under such an
22 agreement, the agency shall transmit information on all
23 clients who may be registered to vote with a clear indication
24 that the information shall be used only for updates. The State
25 Board of Elections shall determine which applicants are
26 already registered to vote and, for any voter whose

1 information provided to the agency differs from that on the
2 voter registration record, provide that information to the
3 voter's local election authority who shall update a registered
4 voter's records in accordance with the procedures in Section
5 1A-16.7. The State Board of Election and local election
6 authority shall take no action under this subsection for any
7 applicant not already registered to vote.

8 This subsection shall be implemented no later than January
9 1, 2025.

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

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

14 Section 10. The Illinois Vehicle Code is amended by
15 changing Section 2-105 as follows:

16 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

17 Sec. 2-105. Offices of Secretary of State.

18 (a) The Secretary of State shall maintain offices in the
19 State capital and in such other places in the State as he may
20 deem necessary to properly carry out the powers and duties
21 vested in him.

22 (b) The Secretary of State may construct and equip one or
23 more buildings in the State of Illinois outside of the County
24 of Sangamon as he deems necessary to properly carry out the

1 powers and duties vested in him. The Secretary of State may, on
2 behalf of the State of Illinois, acquire public or private
3 property needed therefor by lease, purchase or eminent domain.
4 The care, custody and control of such sites and buildings
5 constructed thereon shall be vested in the Secretary of State.
6 Expenditures for the construction and equipping of any of such
7 buildings upon premises owned by another public entity shall
8 not be subject to the provisions of any State law requiring
9 that the State be vested with absolute fee title to the
10 premises. The exercise of the authority vested in the
11 Secretary of State by this Section is subject to the
12 appropriation of the necessary funds.

13 (c) Pursuant to Sections 1A-16.1, 1A-16.7, and 1A-25 of
14 the Election Code, the Secretary of State shall make driver
15 services facilities available for use as places of accepting
16 applications for voter registration.

17 (d) (Blank).

18 (e) Each person applying at a driver services facility for
19 a driver's license or permit, a corrected driver's license or
20 permit, an Illinois Identification Card ~~Illinois~~
21 ~~identification card~~ or a corrected Illinois Identification
22 Card ~~Illinois identification card~~ shall be notified, under the
23 procedures set forth in Sections 1A-16.1 and 1A-16.7 of the
24 Election Code, that ~~unless he or she affirmatively declines,~~
25 his or her personal information shall be transferred to the
26 State Board of Elections for the purpose of creating an

1 electronic voter registration application. Such notification
2 may be made in writing or verbally issued by an employee or the
3 Secretary of State.

4 The Secretary of State shall promulgate such rules as may
5 be necessary for the efficient execution of his duties and the
6 duties of his employees under this Section.

7 (f) Any person applying at a driver services facility for
8 issuance or renewal of a driver's license or Illinois
9 Identification Card shall be provided, without charge, with a
10 brochure warning the person of the dangers of financial
11 identity theft. The Department of Financial and Professional
12 Regulation shall prepare these brochures and provide them to
13 the Secretary of State for distribution. The brochures shall
14 (i) identify signs warning the reader that he or she might be
15 an intended victim of the crime of financial identity theft,
16 (ii) instruct the reader in how to proceed if the reader
17 believes that he or she is the victim of the crime of identity
18 theft, and (iii) provide the reader with names and telephone
19 numbers of law enforcement and other governmental agencies
20 that provide assistance to victims of financial identity
21 theft.

22 (g) (Blank). ~~The changes made by this amendatory Act of~~
23 ~~the 100th General Assembly shall be implemented no later than~~
24 ~~July 1, 2018.~~

25 (h) The change made to this Section by this amendatory Act
26 of the 103rd General Assembly shall be implemented no later

1 than January 1, 2025.

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

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