



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4198

Introduced 10/25/2023, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2.5

10 ILCS 5/19-4

from Ch. 46, par. 19-4

Amends the Election Code. Provides that an election authority may elect to mail a vote by mail ballot to all qualified voters instead of sending notices and applications for permanent vote by mail status. Requires the election authority to make a list of all voters to whom the vote by mail ballots will be sent, publicly post that list, and send the list to the State Board of Elections. Provides that a person who has never voted before may not be sent a vote by mail ballot under the provisions unless the person first provides the election authority with sufficient proof of identity and the election authority verifies the person's proof of identity. Provides that a person may request, in writing, to the election authority that the person not receive a ballot sent under the provisions. Provides that the election authority shall keep a record of a person who has made a request and, in all future elections following receipt of the request, shall instead send the person who made the request a notice and application for permanent vote by mail status.

LRB103 34788 AWJ 64639 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 19-2.5 and 19-4 as follows:

6 (10 ILCS 5/19-2.5)

7 Sec. 19-2.5. Notice for vote by mail ballot; exception.

8 (a) An election authority shall notify all qualified
9 voters, not more than 90 days nor less than 45 days before a
10 general or consolidated election, of the option for permanent
11 vote by mail status using the following notice and including
12 the application for permanent vote by mail status in
13 subsection (b) of Section 19-3:

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

16 (b) Instead of sending the notices and applications for
17 permanent vote by mail status under subsection (a), an
18 election authority may mail a vote by mail ballot to all
19 qualified voters within its jurisdiction as provided in
20 subsection (b) of Section 19-4.

21 (Source: P.A. 102-15, eff. 6-17-21; 102-668, eff. 11-15-21.)

22 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

1 Sec. 19-4. Mailing or delivery of ballots; time.

2 (a) Immediately upon the receipt of such application
3 either by mail or electronic means, not more than 90 days nor
4 less than 5 days prior to such election, or by personal
5 delivery not more than 90 days nor less than one day prior to
6 such election, at the office of such election authority, it
7 shall be the duty of such election authority to examine the
8 records to ascertain whether or not such applicant is lawfully
9 entitled to vote as requested, including a verification of the
10 applicant's signature on file with the office of the election
11 authority, and if found so to be entitled to vote, to post
12 within one business day thereafter the name, street address,
13 ward and precinct number or township and district number, as
14 the case may be, of such applicant given on a list, the pages
15 of which are to be numbered consecutively to be kept by such
16 election authority for such purpose in a conspicuous, open and
17 public place accessible to the public at the entrance of the
18 office of such election authority, and in such a manner that
19 such list may be viewed without necessity of requesting
20 permission therefor. Within one day after posting the name and
21 other information of an applicant for a vote by mail ballot,
22 the election authority shall transmit by electronic means
23 pursuant to a process established by the State Board of
24 Elections that name and other posted information to the State
25 Board of Elections, which shall maintain those names and other
26 information in an electronic format on its website, arranged

1 by county and accessible to State and local political
2 committees.

3 (b) If an election authority elects to mail a vote by mail
4 ballot to all qualified voters instead of sending the notice
5 and application for permanent vote by mail status under
6 subsection (a) of Section 19-4, the vote by mail ballots shall
7 be sent in the same timeframes ballots are sent under
8 subsection (c) of this Section. Before mailing the vote by
9 mail ballots under this subsection and not more than 90 days
10 nor less than 5 days prior to the election, or by personal
11 delivery not more than 90 days nor less than one day prior to
12 such election, at the office of the election authority, the
13 election authority shall examine the records to ascertain
14 which registered voters are entitled to vote and, if found so
15 to be entitled to vote, post the name, street address, ward,
16 and precinct number or township and district number, as the
17 case may be, of those registered voters on a list, the pages of
18 which are to be numbered consecutively to be kept by the
19 election authority for election purposes in a conspicuous,
20 open, and public place accessible to the public at the
21 entrance of the office of the election authority and in a
22 manner that the list may be viewed without necessity of
23 requesting permission to view the list. Within one day after
24 posting the names and other information of the registered
25 voters to which vote by mail ballots will be automatically
26 sent, the election authority shall transmit by electronic

1 means pursuant to a process established by the State Board of
2 Elections that name and other posted information to the State
3 Board of Elections, which shall maintain those names and other
4 information in an electronic format on its website, arranged
5 by county and accessible to State and local political
6 committees.

7 A person who has never voted before may not be sent a vote
8 by mail ballot under this subsection unless the person first
9 provides the election authority with sufficient proof of
10 identity and the election authority verifies the person's
11 proof of identity.

12 A person may request, in writing, to the election
13 authority that the person not receive a ballot sent under this
14 subsection. The election authority shall keep a record of a
15 person who has made a request under this paragraph and, in all
16 future elections following receipt of the request, shall
17 instead send the person who made the request a notice and
18 application under subsection (a) of Section 19-2.5.

19 (c) Within 2 business days after posting a name and other
20 information on the list within its office under subsection (a)
21 or (b), but no sooner than 40 days before an election, the
22 election authority shall mail, postage prepaid, or deliver in
23 person in such office, or deliver via electronic transmission
24 pursuant to Section 19-2.6, an official ballot or ballots if
25 more than one are to be voted at said election. Mail delivery
26 of Temporarily Absent Student ballot applications pursuant to

1 Section 19-12.3 shall be by nonforwardable mail. However, for
2 the consolidated election, vote by mail ballots for certain
3 precincts may be delivered to applicants not less than 25 days
4 before the election if so much time is required to have
5 prepared and printed the ballots containing the names of
6 persons nominated for offices at the consolidated primary.

7 The election authority shall enclose with each vote by
8 mail ballot or application written instructions on how voting
9 assistance shall be provided pursuant to Section 17-14 and a
10 document, written and approved by the State Board of
11 Elections, informing the vote by mail voter of the required
12 postage for returning the application and ballot, and
13 enumerating the circumstances under which a person is
14 authorized to vote by vote by mail ballot pursuant to this
15 Article; such document shall also include a statement
16 informing the applicant that if he or she falsifies or is
17 solicited by another to falsify his or her eligibility to cast
18 a vote by mail ballot, such applicant or other is subject to
19 penalties pursuant to Section 29-10 and Section 29-20 of the
20 Election Code. Each election authority shall maintain a list
21 of the name, street address, ward and precinct, or township
22 and district number, as the case may be, of all applicants who
23 have returned vote by mail ballots to such authority, and the
24 name of such vote by mail voter shall be added to such list
25 within one business day from receipt of such ballot. If the
26 vote by mail ballot envelope indicates that the voter was

1 assisted in casting the ballot, the name of the person so
2 assisting shall be included on the list. The list, the pages of
3 which are to be numbered consecutively, shall be kept by each
4 election authority in a conspicuous, open, and public place
5 accessible to the public at the entrance of the office of the
6 election authority and in a manner that the list may be viewed
7 without necessity of requesting permission for viewing.

8 (d) Each election authority shall maintain a list for each
9 election of the voters to whom it has issued vote by mail
10 ballots. The list shall be maintained for each precinct within
11 the jurisdiction of the election authority. Prior to the
12 opening of the polls on election day, the election authority
13 shall deliver to the judges of election in each precinct the
14 list of registered voters in that precinct to whom vote by mail
15 ballots have been issued by mail.

16 (e) Each election authority shall maintain a list for each
17 election of voters to whom it has issued temporarily absent
18 student ballots. The list shall be maintained for each
19 election jurisdiction within which such voters temporarily
20 abide. Immediately after the close of the period during which
21 application may be made by mail or electronic means for vote by
22 mail ballots, each election authority shall mail to each other
23 election authority within the State a certified list of all
24 such voters temporarily abiding within the jurisdiction of the
25 other election authority.

26 (f) In the event that the return address of an application

1 for ballot by a physically incapacitated elector is that of a
2 facility licensed or certified under the Nursing Home Care
3 Act, the Specialized Mental Health Rehabilitation Act of 2013,
4 the ID/DD Community Care Act, or the MC/DD Act, within the
5 jurisdiction of the election authority, and the applicant is a
6 registered voter in the precinct in which such facility is
7 located, the ballots shall be prepared and transmitted to a
8 responsible judge of election no later than 9 a.m. on the
9 Friday, Saturday, Sunday, or Monday immediately preceding the
10 election as designated by the election authority under Section
11 19-12.2. Such judge shall deliver in person on the designated
12 day the ballot to the applicant on the premises of the facility
13 from which application was made. The election authority shall
14 by mail notify the applicant in such facility that the ballot
15 will be delivered by a judge of election on the designated day.

16 (g) All applications for vote by mail ballots shall be
17 available at the office of the election authority for public
18 inspection upon request from the time of receipt thereof by
19 the election authority until 30 days after the election,
20 except during the time such applications are kept in the
21 office of the election authority pursuant to Section 19-7, and
22 except during the time such applications are in the possession
23 of the judges of election.

24 (h) Notwithstanding any provision of this Section to the
25 contrary, pursuant to subsection (a) of Section 30 of the
26 Address Confidentiality for Victims of Domestic Violence,

1 Sexual Assault, Human Trafficking, or Stalking Act, neither
2 the name nor the address of a program participant under that
3 Act shall be included in any list of registered voters
4 available to the public, including the lists referenced in
5 this Section.

6 (Source: P.A. 102-292, eff. 1-1-22; 102-819, eff. 5-13-22;
7 102-1126, eff. 2-10-23.)