



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0621

Introduced 2/5/2007, by Rep. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-6.2	from Ch. 46, par. 4-6.2
10 ILCS 5/5-16.2	from Ch. 46, par. 5-16.2
10 ILCS 5/6-50.2	from Ch. 46, par. 6-50.2

Amends the Election Code. Requires a deputy registrar to return completed voter registration materials to the proper election authority within 2 business days after receipt until the last day for accepting registrations before an election (now, within 7 days until the 35th day before an election and within 48 hours between the 35th and 28th days before an election). Prohibits the State Board of Elections and the Secretary of State from adopting rules that require otherwise for Secretary of State employees serving as deputy registrars at driver's license facilities. Prohibits the unauthorized copying or dissemination of personal or other information from a voter registration application. Makes violation a Class A misdemeanor.

LRB095 04432 JAM 27540 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 4-6.2, 5-16.2, and 6-50.2 as follows:

6 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

7 Sec. 4-6.2. (a) The county clerk shall appoint all  
8 municipal and township or road district clerks or their duly  
9 authorized deputies as deputy registrars who may accept the  
10 registration of all qualified residents of the State.

11 The county clerk shall appoint all precinct  
12 committeepersons in the county as deputy registrars who may  
13 accept the registration of any qualified resident of the State,  
14 except during the 27 days preceding an election.

15 The election authority shall appoint as deputy registrars a  
16 reasonable number of employees of the Secretary of State  
17 located at driver's license examination stations and  
18 designated to the election authority by the Secretary of State  
19 who may accept the registration of any qualified residents of  
20 the State at any such driver's license examination stations.  
21 The appointment of employees of the Secretary of State as  
22 deputy registrars shall be made in the manner provided in  
23 Section 2-105 of the Illinois Vehicle Code.

1           The county clerk shall appoint each of the following named  
2 persons as deputy registrars upon the written request of such  
3 persons:

4           1. The chief librarian, or a qualified person  
5 designated by the chief librarian, of any public library  
6 situated within the election jurisdiction, who may accept  
7 the registrations of any qualified resident of the State,  
8 at such library.

9           2. The principal, or a qualified person designated by  
10 the principal, of any high school, elementary school, or  
11 vocational school situated within the election  
12 jurisdiction, who may accept the registrations of any  
13 qualified resident of the State, at such school. The county  
14 clerk shall notify every principal and vice-principal of  
15 each high school, elementary school, and vocational school  
16 situated within the election jurisdiction of their  
17 eligibility to serve as deputy registrars and offer  
18 training courses for service as deputy registrars at  
19 conveniently located facilities at least 4 months prior to  
20 every election.

21           3. The president, or a qualified person designated by  
22 the president, of any university, college, community  
23 college, academy or other institution of learning situated  
24 within the election jurisdiction, who may accept the  
25 registrations of any resident of the State, at such  
26 university, college, community college, academy or

1 institution.

2 4. A duly elected or appointed official of a bona fide  
3 labor organization, or a reasonable number of qualified  
4 members designated by such official, who may accept the  
5 registrations of any qualified resident of the State.

6 5. A duly elected or appointed official of a bonafide  
7 State civic organization, as defined and determined by rule  
8 of the State Board of Elections, or qualified members  
9 designated by such official, who may accept the  
10 registration of any qualified resident of the State. In  
11 determining the number of deputy registrars that shall be  
12 appointed, the county clerk shall consider the population  
13 of the jurisdiction, the size of the organization, the  
14 geographic size of the jurisdiction, convenience for the  
15 public, the existing number of deputy registrars in the  
16 jurisdiction and their location, the registration  
17 activities of the organization and the need to appoint  
18 deputy registrars to assist and facilitate the  
19 registration of non-English speaking individuals. In no  
20 event shall a county clerk fix an arbitrary number  
21 applicable to every civic organization requesting  
22 appointment of its members as deputy registrars. The State  
23 Board of Elections shall by rule provide for certification  
24 of bonafide State civic organizations. Such appointments  
25 shall be made for a period not to exceed 2 years,  
26 terminating on the first business day of the month

1 following the month of the general election, and shall be  
2 valid for all periods of voter registration as provided by  
3 this Code during the terms of such appointments.

4 6. The Director of Healthcare and Family Services ~~the~~  
5 ~~Illinois Department of Public Aid~~, or a reasonable number  
6 of employees designated by the Director and located at  
7 public aid offices, who may accept the registration of any  
8 qualified resident of the county at any such public aid  
9 office.

10 7. The Director of the Illinois Department of  
11 Employment Security, or a reasonable number of employees  
12 designated by the Director and located at unemployment  
13 offices, who may accept the registration of any qualified  
14 resident of the county at any such unemployment office.

15 8. The president of any corporation as defined by the  
16 Business Corporation Act of 1983, or a reasonable number of  
17 employees designated by such president, who may accept the  
18 registrations of any qualified resident of the State.

19 If the request to be appointed as deputy registrar is  
20 denied, the county clerk shall, within 10 days after the date  
21 the request is submitted, provide the affected individual or  
22 organization with written notice setting forth the specific  
23 reasons or criteria relied upon to deny the request to be  
24 appointed as deputy registrar.

25 The county clerk may appoint as many additional deputy  
26 registrars as he considers necessary. The county clerk shall

1 appoint such additional deputy registrars in such manner that  
 2 the convenience of the public is served, giving due  
 3 consideration to both population concentration and area. Some  
 4 of the additional deputy registrars shall be selected so that  
 5 there are an equal number from each of the 2 major political  
 6 parties in the election jurisdiction. The county clerk, in  
 7 appointing an additional deputy registrar, shall make the  
 8 appointment from a list of applicants submitted by the Chairman  
 9 of the County Central Committee of the applicant's political  
 10 party. A Chairman of a County Central Committee shall submit a  
 11 list of applicants to the county clerk by November 30 of each  
 12 year. The county clerk may require a Chairman of a County  
 13 Central Committee to furnish a supplemental list of applicants.

14 Deputy registrars may accept registrations at any time  
 15 other than the 27 day period preceding an election. All persons  
 16 appointed as deputy registrars shall be registered voters  
 17 within the county and shall take and subscribe to the following  
 18 oath or affirmation:

19 "I do solemnly swear (or affirm, as the case may be) that I  
 20 will support the Constitution of the United States, and the  
 21 Constitution of the State of Illinois, and that I will  
 22 faithfully discharge the duties of the office of deputy  
 23 registrar to the best of my ability and that I will register no  
 24 person nor cause the registration of any person except upon his  
 25 personal application before me.

26 .....

1 (Signature Deputy Registrar)"

2 This oath shall be administered by the county clerk, or by  
3 one of his deputies, or by any person qualified to take  
4 acknowledgement of deeds and shall immediately thereafter be  
5 filed with the county clerk.

6 Appointments of deputy registrars under this Section,  
7 except precinct committeemen, shall be for 2-year terms,  
8 commencing on December 1 following the general election of each  
9 even-numbered year; except that the terms of the initial  
10 appointments shall be until December 1st following the next  
11 general election. Appointments of precinct committeemen shall  
12 be for 2-year terms commencing on the date of the county  
13 convention following the general primary at which they were  
14 elected. The county clerk shall issue a certificate of  
15 appointment to each deputy registrar, and shall maintain in his  
16 office for public inspection a list of the names of all  
17 appointees.

18 (b) The county clerk shall be responsible for training all  
19 deputy registrars appointed pursuant to subsection (a), at  
20 times and locations reasonably convenient for both the county  
21 clerk and such appointees. The county clerk shall be  
22 responsible for certifying and supervising all deputy  
23 registrars appointed pursuant to subsection (a). Deputy  
24 registrars appointed under subsection (a) shall be subject to  
25 removal for cause.

26 (c) Completed registration materials under the control of

1 deputy registrars, appointed pursuant to subsection (a), shall  
2 be returned to the appointing election authority within 2  
3 business 7 days, except that ~~completed registration materials~~  
4 ~~received by the deputy registrars during the period between the~~  
5 ~~35th and 28th day preceding an election shall be returned by~~  
6 ~~the deputy registrars to the appointing election authority~~  
7 ~~within 48 hours after receipt thereof.~~ The completed  
8 registration materials received by the deputy registrars on the  
9 last 28th day authorized for accepting registrations preceding  
10 an election shall be returned by the deputy registrars within  
11 24 hours after receipt thereof. Unused materials shall be  
12 returned by deputy registrars appointed pursuant to paragraph 4  
13 of subsection (a), not later than the next working day  
14 following the close of registration. The State Board of  
15 Elections and the Secretary of State may not adopt rules  
16 applicable to Secretary of State employees serving as deputy  
17 registrars at driver's license examination stations that  
18 conflict with this subsection as to the time for return of  
19 completed materials and the election authority to which the  
20 materials must be returned.

21 (d) The county clerk or board of election commissioners, as  
22 the case may be, must provide any additional forms requested by  
23 any deputy registrar regardless of the number of unaccounted  
24 registration forms the deputy registrar may have in his or her  
25 possession.

26 (e) No deputy registrar shall engage in any electioneering



1 or the promotion of any cause during the performance of his or  
2 her duties.

3 (f) The county clerk shall not be criminally or civilly  
4 liable for the acts or omissions of any deputy registrar. Such  
5 deputy registrars shall not be deemed to be employees of the  
6 county clerk. A person, including a deputy registrar, who  
7 copies, photocopies, or disseminates information from a voter  
8 registration application except as authorized or required by  
9 State or federal law, rule, or regulation commits a Class A  
10 misdemeanor. Information includes, but is not limited to,  
11 personal information such as the applicant's name, address,  
12 phone number, social security number, or driver's license  
13 number.

14 (g) Completed registration materials returned by deputy  
15 registrars for persons residing outside the county shall be  
16 transmitted by the county clerk within 2 days after receipt to  
17 the election authority of the person's election jurisdiction of  
18 residence.

19 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
20 revised 12-15-05.)

21 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

22 Sec. 5-16.2. (a) The county clerk shall appoint all  
23 municipal and township clerks or their duly authorized deputies  
24 as deputy registrars who may accept the registration of all  
25 qualified residents of the State.

1           The county clerk shall appoint all precinct  
2       committeepersons in the county as deputy registrars who may  
3       accept the registration of any qualified resident of the State,  
4       except during the 27 days preceding an election.

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6       reasonable number of employees of the Secretary of State  
7       located at driver's license examination stations and  
8       designated to the election authority by the Secretary of State  
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10      the State at any such driver's license examination stations.  
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12      deputy registrars shall be made in the manner provided in  
13      Section 2-105 of the Illinois Vehicle Code.

14          The county clerk shall appoint each of the following named  
15      persons as deputy registrars upon the written request of such  
16      persons:

17           1. The chief librarian, or a qualified person  
18      designated by the chief librarian, of any public library  
19      situated within the election jurisdiction, who may accept  
20      the registrations of any qualified resident of the State,  
21      at such library.

22           2. The principal, or a qualified person designated by  
23      the principal, of any high school, elementary school, or  
24      vocational school situated within the election  
25      jurisdiction, who may accept the registrations of any  
26      resident of the State, at such school. The county clerk

1 shall notify every principal and vice-principal of each  
2 high school, elementary school, and vocational school  
3 situated within the election jurisdiction of their  
4 eligibility to serve as deputy registrars and offer  
5 training courses for service as deputy registrars at  
6 conveniently located facilities at least 4 months prior to  
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9 the president, of any university, college, community  
10 college, academy or other institution of learning situated  
11 within the election jurisdiction, who may accept the  
12 registrations of any resident of the State, at such  
13 university, college, community college, academy or  
14 institution.

15 4. A duly elected or appointed official of a bona fide  
16 labor organization, or a reasonable number of qualified  
17 members designated by such official, who may accept the  
18 registrations of any qualified resident of the State.

19 5. A duly elected or appointed official of a bona fide  
20 State civic organization, as defined and determined by rule  
21 of the State Board of Elections, or qualified members  
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23 registration of any qualified resident of the State. In  
24 determining the number of deputy registrars that shall be  
25 appointed, the county clerk shall consider the population  
26 of the jurisdiction, the size of the organization, the

1 geographic size of the jurisdiction, convenience for the  
2 public, the existing number of deputy registrars in the  
3 jurisdiction and their location, the registration  
4 activities of the organization and the need to appoint  
5 deputy registrars to assist and facilitate the  
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10 Board of Elections shall by rule provide for certification  
11 of bona fide State civic organizations. Such appointments  
12 shall be made for a period not to exceed 2 years,  
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14 following the month of the general election, and shall be  
15 valid for all periods of voter registration as provided by  
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18 ~~Illinois Department of Public Aid~~, or a reasonable number  
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20 public aid offices, who may accept the registration of any  
21 qualified resident of the county at any such public aid  
22 office.

23 7. The Director of the Illinois Department of  
24 Employment Security, or a reasonable number of employees  
25 designated by the Director and located at unemployment  
26 offices, who may accept the registration of any qualified

1 resident of the county at any such unemployment office.

2 8. The president of any corporation as defined by the  
3 Business Corporation Act of 1983, or a reasonable number of  
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17 of the additional deputy registrars shall be selected so that  
18 there are an equal number from each of the 2 major political  
19 parties in the election jurisdiction. The county clerk, in  
20 appointing an additional deputy registrar, shall make the  
21 appointment from a list of applicants submitted by the Chairman  
22 of the County Central Committee of the applicant's political  
23 party. A Chairman of a County Central Committee shall submit a  
24 list of applicants to the county clerk by November 30 of each  
25 year. The county clerk may require a Chairman of a County  
26 Central Committee to furnish a supplemental list of applicants.

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 2 other than the 27 day period preceding an election. All persons  
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 8 Constitution of the State of Illinois, and that I will  
 9 faithfully discharge the duties of the office of deputy  
 10 registrar to the best of my ability and that I will register no  
 11 person nor cause the registration of any person except upon his  
 12 personal application before me.

13 .....  
 14 (Signature of Deputy Registrar)"

15 This oath shall be administered by the county clerk, or by  
 16 one of his deputies, or by any person qualified to take  
 17 acknowledgement of deeds and shall immediately thereafter be  
 18 filed with the county clerk.

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 20 except precinct committeemen, shall be for 2-year terms,  
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 26 convention following the general primary at which they were

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12 possession.

13 (e) No deputy registrar shall engage in any electioneering  
14 or the promotion of any cause during the performance of his or  
15 her duties.

16 (f) The county clerk shall not be criminally or civilly  
17 liable for the acts or omissions of any deputy registrar. Such  
18 deputy registers shall not be deemed to be employees of the  
19 county clerk. A person, including a deputy registrar, who  
20 copies, photocopies, or disseminates information from a voter  
21 registration application except as authorized or required by  
22 State or federal law, rule, or regulation commits a Class A  
23 misdemeanor. Information includes, but is not limited to,  
24 personal information such as the applicant's name, address,  
25 phone number, social security number, or driver's license  
26 number.



1 (g) Completed registration materials returned by deputy  
2 registrars for persons residing outside the county shall be  
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4 the election authority of the person's election jurisdiction of  
5 residence.

6 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
7 revised 12-15-05.)

8 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

9 Sec. 6-50.2. (a) The board of election commissioners shall  
10 appoint all precinct committeepersons in the election  
11 jurisdiction as deputy registrars who may accept the  
12 registration of any qualified resident of the State, except  
13 during the 27 days preceding an election.

14 The election authority shall appoint as deputy registrars a  
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19 the State at any such driver's license examination stations.  
20 The appointment of employees of the Secretary of State as  
21 deputy registrars shall be made in the manner provided in  
22 Section 2-105 of the Illinois Vehicle Code.

23 The board of election commissioners shall appoint each of  
24 the following named persons as deputy registrars upon the  
25 written request of such persons:

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2 designated by the chief librarian, of any public library  
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4 the registrations of any qualified resident of the State,  
5 at such library.

6           2. The principal, or a qualified person designated by  
7 the principal, of any high school, elementary school, or  
8 vocational school situated within the election  
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11 election commissioners shall notify every principal and  
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16 conveniently located facilities at least 4 months prior to  
17 every election.

18           3. The president, or a qualified person designated by  
19 the president, of any university, college, community  
20 college, academy or other institution of learning situated  
21 within the State, who may accept the registrations of any  
22 resident of the election jurisdiction, at such university,  
23 college, community college, academy or institution.

24           4. A duly elected or appointed official of a bona fide  
25 labor organization, or a reasonable number of qualified  
26 members designated by such official, who may accept the

1 registrations of any qualified resident of the State.

2 5. A duly elected or appointed official of a bona fide  
3 State civic organization, as defined and determined by rule  
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8 appointed, the board of election commissioners shall  
9 consider the population of the jurisdiction, the size of  
10 the organization, the geographic size of the jurisdiction,  
11 convenience for the public, the existing number of deputy  
12 registrars in the jurisdiction and their location, the  
13 registration activities of the organization and the need to  
14 appoint deputy registrars to assist and facilitate the  
15 registration of non-English speaking individuals. In no  
16 event shall a board of election commissioners fix an  
17 arbitrary number applicable to every civic organization  
18 requesting appointment of its members as deputy  
19 registrars. The State Board of Elections shall by rule  
20 provide for certification of bona fide State civic  
21 organizations. Such appointments shall be made for a period  
22 not to exceed 2 years, terminating on the first business  
23 day of the month following the month of the general  
24 election, and shall be valid for all periods of voter  
25 registration as provided by this Code during the terms of  
26 such appointments.

1           6. The Director of Healthcare and Family Services ~~the~~  
2           ~~Illinois Department of Public Aid~~, or a reasonable number  
3           of employees designated by the Director and located at  
4           public aid offices, who may accept the registration of any  
5           qualified resident of the election jurisdiction at any such  
6           public aid office.

7           7. The Director of the Illinois Department of  
8           Employment Security, or a reasonable number of employees  
9           designated by the Director and located at unemployment  
10          offices, who may accept the registration of any qualified  
11          resident of the election jurisdiction at any such  
12          unemployment office. If the request to be appointed as  
13          deputy registrar is denied, the board of election  
14          commissioners shall, within 10 days after the date the  
15          request is submitted, provide the affected individual or  
16          organization with written notice setting forth the  
17          specific reasons or criteria relied upon to deny the  
18          request to be appointed as deputy registrar.

19          8. The president of any corporation, as defined by the  
20          Business Corporation Act of 1983, or a reasonable number of  
21          employees designated by such president, who may accept the  
22          registrations of any qualified resident of the State.

23          The board of election commissioners may appoint as many  
24          additional deputy registrars as it considers necessary. The  
25          board of election commissioners shall appoint such additional  
26          deputy registrars in such manner that the convenience of the

1 public is served, giving due consideration to both population  
 2 concentration and area. Some of the additional deputy  
 3 registrars shall be selected so that there are an equal number  
 4 from each of the 2 major political parties in the election  
 5 jurisdiction. The board of election commissioners, in  
 6 appointing an additional deputy registrar, shall make the  
 7 appointment from a list of applicants submitted by the Chairman  
 8 of the County Central Committee of the applicant's political  
 9 party. A Chairman of a County Central Committee shall submit a  
 10 list of applicants to the board by November 30 of each year.  
 11 The board may require a Chairman of a County Central Committee  
 12 to furnish a supplemental list of applicants.

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 14 other than the 27 day period preceding an election. All persons  
 15 appointed as deputy registrars shall be registered voters  
 16 within the election jurisdiction and shall take and subscribe  
 17 to the following oath or affirmation:

18 "I do solemnly swear (or affirm, as the case may be) that I  
 19 will support the Constitution of the United States, and the  
 20 Constitution of the State of Illinois, and that I will  
 21 faithfully discharge the duties of the office of registration  
 22 officer to the best of my ability and that I will register no  
 23 person nor cause the registration of any person except upon his  
 24 personal application before me.

25 .....  
 26 (Signature of Registration Officer)"

1           This oath shall be administered and certified to by one of  
2 the commissioners or by the executive director or by some  
3 person designated by the board of election commissioners, and  
4 shall immediately thereafter be filed with the board of  
5 election commissioners. The members of the board of election  
6 commissioners and all persons authorized by them under the  
7 provisions of this Article to take registrations, after  
8 themselves taking and subscribing to the above oath, are  
9 authorized to take or administer such oaths and execute such  
10 affidavits as are required by this Article.

11           Appointments of deputy registrars under this Section,  
12 except precinct committeemen, shall be for 2-year terms,  
13 commencing on December 1 following the general election of each  
14 even-numbered year, except that the terms of the initial  
15 appointments shall be until December 1st following the next  
16 general election. Appointments of precinct committeemen shall  
17 be for 2-year terms commencing on the date of the county  
18 convention following the general primary at which they were  
19 elected. The county clerk shall issue a certificate of  
20 appointment to each deputy registrar, and shall maintain in his  
21 office for public inspection a list of the names of all  
22 appointees.

23           (b) The board of election commissioners shall be  
24 responsible for training all deputy registrars appointed  
25 pursuant to subsection (a), at times and locations reasonably  
26 convenient for both the board of election commissioners and

1 such appointees. The board of election commissioners shall be  
2 responsible for certifying and supervising all deputy  
3 registrars appointed pursuant to subsection (a). Deputy  
4 registrars appointed under subsection (a) shall be subject to  
5 removal for cause.

6 (c) Completed registration materials under the control of  
7 deputy registrars appointed pursuant to subsection (a) shall be  
8 returned to the appointing election authority within 2 business  
9 7 days, except that ~~completed registration materials received~~  
10 ~~by the deputy registrars during the period between the 35th and~~  
11 ~~28th day preceding an election shall be returned by the deputy~~  
12 ~~registrars to the appointing election authority within 48 hours~~  
13 ~~after receipt thereof.~~ The completed registration materials  
14 received by the deputy registrars on the last 28th day  
15 authorized for accepting registrations preceding an election  
16 shall be returned by the deputy registrars within 24 hours  
17 after receipt thereof. Unused materials shall be returned by  
18 deputy registrars appointed pursuant to paragraph 4 of  
19 subsection (a), not later than the next working day following  
20 the close of registration. The State Board of Elections and the  
21 Secretary of State may not adopt rules applicable to Secretary  
22 of State employees serving as deputy registrars at driver's  
23 license examination stations that conflict with this  
24 subsection as to the time for return of completed materials and  
25 the election authority to which the materials must be returned.

26 (d) The county clerk or board of election commissioners, as

1 the case may be, must provide any additional forms requested by  
2 any deputy registrar regardless of the number of unaccounted  
3 registration forms the deputy registrar may have in his or her  
4 possession.

5 (e) No deputy registrar shall engage in any electioneering  
6 or the promotion of any cause during the performance of his or  
7 her duties.

8 (f) The board of election commissioners shall not be  
9 criminally or civilly liable for the acts or omissions of any  
10 deputy registrar. Such deputy registrars shall not be deemed to  
11 be employees of the board of election commissioners. A person,  
12 including a deputy registrar, who copies, photocopies, or  
13 disseminates information from a voter registration application  
14 except as authorized or required by State or federal law, rule,  
15 or regulation commits a Class A misdemeanor. Information  
16 includes, but is not limited to, personal information such as  
17 the applicant's name, address, phone number, social security  
18 number, or driver's license number.

19 (g) Completed registration materials returned by deputy  
20 registrars for persons residing outside the election  
21 jurisdiction shall be transmitted by the board of election  
22 commissioners within 2 days after receipt to the election  
23 authority of the person's election jurisdiction of residence.

24 (Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05;  
25 revised 12-15-05.)