



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2083

Introduced 2/20/2009, by Sen. Chris Lauzen

SYNOPSIS AS INTRODUCED:

New Act

10 ILCS 5/1A-45 new

20 ILCS 3805/7.24i new

215 ILCS 170/20

Creates the State Employee Proof of Citizenship Act. Specifies proof of citizenship necessary to begin State employment. Amends the Election Code. Specifies the proof of citizenship necessary to register to vote and requires presentation of identification documents when a person votes. Amends the Illinois Housing Development Act. Provides that the Illinois Housing Development Authority shall not acquire, contract for, and enter into any commitment to acquire a residential mortgage from a lending institution and shall not make any loan to a lending institution or individual if the residential mortgage is for any individual who is not a citizen or legal resident of the United States. Amends the Covering ALL KIDS Health Insurance Act. Provides that to be eligible for the Covering ALL KIDS Health Insurance Program, a child must be a citizen of the United States. Effective July 1, 2009.

LRB096 04599 JAM 14656 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning citizenship.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the State
5 Employee Proof of Citizenship Act.

6 Section 5. Proof of citizenship for State employment. No
7 person may begin State employment on or after the effective
8 date of this Act without providing the employing State officer
9 or agency satisfactory proof of United States citizenship.
10 Satisfactory proof of citizenship consists of those forms of
11 proof enumerated in subsection (b) of Section 1A-45 of the
12 Election Code.

13 Section 80. The Election Code is amended by adding Section
14 1A-45 as follows:

15 (10 ILCS 5/1A-45 new)

16 Sec. 1A-45. Citizenship.

17 (a) In addition to the other requirements of this Code,
18 each voter registration application must include a statement
19 that the applicant shall submit evidence of United States
20 citizenship with the application and that the registrar shall
21 reject the application if no evidence of citizenship is

1 attached.

2 (b) The election authority shall reject any application for
3 registration that is not accompanied by satisfactory evidence
4 of United States citizenship. Satisfactory evidence of
5 citizenship shall include any of the following:

6 (1) The number of the applicant's driver license or
7 non-driver identification card issued after October 1,
8 1996 by the Secretary of State or the equivalent
9 governmental agency of another state within the United
10 States if the agency indicates on the applicant's driver
11 license or non-driver identification card that the person
12 has provided satisfactory proof of United States
13 citizenship.

14 (2) A legible photocopy of the applicant's birth
15 certificate that verifies citizenship to the satisfaction
16 of the election authority.

17 (3) A legible photocopy of pertinent pages of the
18 applicant's United States passport identifying the
19 applicant and the applicant's passport number or
20 presentation to the election authority of the applicant's
21 United States passport.

22 (4) A presentation to the election authority of the
23 applicant's United States naturalization documents or the
24 number of the certificate of naturalization. If only the
25 number of the certificate of naturalization is provided,
26 the applicant shall not be included in the registration

1 rolls until the number of the certificate of naturalization
2 is verified with the United States Immigration and
3 Naturalization Service by the election authority.

4 (5) Other documents or methods of proof that are
5 established pursuant to the Immigration Reform and Control
6 Act of 1986.

7 (6) The applicant's Bureau of Indian Affairs card
8 number, tribal treaty card number, or tribal enrollment
9 number.

10 (c) Notwithstanding subsection (b) of this Section, any
11 person who is registered in this State on the effective date of
12 this amendatory Act of the 96th General Assembly is deemed to
13 have provided satisfactory evidence of citizenship and shall
14 not be required to resubmit evidence of citizenship unless the
15 person is changing voter registration from one election
16 jurisdiction to another.

17 (d) For the purposes of this Section, proof of voter
18 registration from another state or election jurisdiction in
19 this State is not satisfactory evidence of citizenship.

20 (e) A person who changes address within an election
21 jurisdiction shall not be required to submit evidence of
22 citizenship. After citizenship has been demonstrated to the
23 election authority, the person is not required to resubmit
24 satisfactory evidence of citizenship in that election
25 jurisdiction.

26 (f) After a person has submitted satisfactory evidence of

1 citizenship, the election authority shall indicate this
2 information in the person's permanent voter file. After 2 years
3 the election authority may destroy all documents that were
4 submitted as evidence of citizenship.

5 (g) When requesting a ballot at a polling place or as an
6 absentee voter, each voter shall present one form of
7 identification that bears the name, address, and photograph of
8 the elector or 2 different forms of identification that bear
9 the name and address of the elector.

10 Section 85. The Illinois Housing Development Act is amended
11 by adding Section 7.24i as follows:

12 (20 ILCS 3805/7.24i new)

13 Sec. 7.24i. Citizenship or legal residency required.
14 Notwithstanding any other provision of law to the contrary, the
15 Authority shall not acquire, contract for, and enter into any
16 commitment to acquire a residential mortgage from a lending
17 institution and shall not make any loan to a lending
18 institution or individual if the residential mortgage is for
19 any individual who is not a citizen or legal resident of the
20 United States.

21 Section 90. The Covering ALL KIDS Health Insurance Act is
22 amended by changing Section 20 as follows:

1 (215 ILCS 170/20)

2 (Section scheduled to be repealed on July 1, 2011)

3 Sec. 20. Eligibility.

4 (a) To be eligible for the Program, a person must be a
5 child:

6 (1) who is a citizen of the United States and a
7 resident of the State of Illinois; and

8 (2) who is ineligible for medical assistance under the
9 Illinois Public Aid Code or benefits under the Children's
10 Health Insurance Program Act; and

11 (3) either (i) who has been without health insurance
12 coverage for a period set forth by the Department in rules,
13 but not less than 6 months during the first month of
14 operation of the Program, 7 months during the second month
15 of operation, 8 months during the third month of operation,
16 9 months during the fourth month of operation, 10 months
17 during the fifth month of operation, 11 months during the
18 sixth month of operation, and 12 months thereafter, (ii)
19 whose parent has lost employment that made available
20 affordable dependent health insurance coverage, until such
21 time as affordable employer-sponsored dependent health
22 insurance coverage is again available for the child as set
23 forth by the Department in rules, (iii) who is a newborn
24 whose responsible relative does not have available
25 affordable private or employer-sponsored health insurance,
26 or (iv) who, within one year of applying for coverage under

1 this Act, lost medical benefits under the Illinois Public
2 Aid Code or the Children's Health Insurance Program Act.

3 An entity that provides health insurance coverage (as
4 defined in Section 2 of the Comprehensive Health Insurance Plan
5 Act) to Illinois residents shall provide health insurance data
6 match to the Department of Healthcare and Family Services for
7 the purpose of determining eligibility for the Program under
8 this Act.

9 The Department of Healthcare and Family Services, in
10 collaboration with the Department of Financial and
11 Professional Regulation, Division of Insurance, shall adopt
12 rules governing the exchange of information under this Section.
13 The rules shall be consistent with all laws relating to the
14 confidentiality or privacy of personal information or medical
15 records, including provisions under the Federal Health
16 Insurance Portability and Accountability Act (HIPAA).

17 (b) The Department shall monitor the availability and
18 retention of employer-sponsored dependent health insurance
19 coverage and shall modify the period described in subdivision
20 (a)(3) if necessary to promote retention of private or
21 employer-sponsored health insurance and timely access to
22 healthcare services, but at no time shall the period described
23 in subdivision (a)(3) be less than 6 months.

24 (c) The Department, at its discretion, may take into
25 account the affordability of dependent health insurance when
26 determining whether employer-sponsored dependent health

1 insurance coverage is available upon reemployment of a child's
2 parent as provided in subdivision (a) (3).

3 (d) A child who is determined to be eligible for the
4 Program shall remain eligible for 12 months, provided that the
5 child maintains his or her residence in this State, has not yet
6 attained 19 years of age, and is not excluded under subsection
7 (e).

8 (e) A child is not eligible for coverage under the Program
9 if:

10 (1) the premium required under Section 40 has not been
11 timely paid; if the required premiums are not paid, the
12 liability of the Program shall be limited to benefits
13 incurred under the Program for the time period for which
14 premiums have been paid; if the required monthly premium is
15 not paid, the child is ineligible for re-enrollment for a
16 minimum period of 3 months; re-enrollment shall be
17 completed before the next covered medical visit, and the
18 first month's required premium shall be paid in advance of
19 the next covered medical visit; or

20 (2) the child is an inmate of a public institution or
21 an institution for mental diseases.

22 (f) The Department shall adopt eligibility rules,
23 including, but not limited to: rules regarding annual renewals
24 of eligibility for the Program; rules providing for
25 re-enrollment, grace periods, notice requirements, and hearing
26 procedures under subdivision (e) (1) of this Section; and rules

1 regarding what constitutes availability and affordability of
2 private or employer-sponsored health insurance, with
3 consideration of such factors as the percentage of income
4 needed to purchase children or family health insurance, the
5 availability of employer subsidies, and other relevant
6 factors.

7 (Source: P.A. 94-693, eff. 7-1-06.)

8 Section 999. Effective date. This Act takes effect July 1,
9 2009.