Sen. Daniel Biss

Filed: 3/4/2015

09900SB1265sam001   LRB099 09122 MGM 31674 a

1   AMENDMENT TO SENATE BILL 1265

2   AMENDMENT NO. _____. Amend Senate Bill 1265 by replacing

3   everything after the enacting clause with the following:

4   "Section 5. The Election Code is amended by changing

5   Section 1A-16.5 as follows:

6   (10 ILCS 5/1A-16.5)

7   (Text of Section before amendment by P.A. 98-1171)

8   Sec. 1A-16.5. Online voter registration.

9   (a) The State Board of Elections shall establish and

10   maintain a system for online voter registration that permits a

11   person to apply to register to vote or to update his or her

12   existing voter registration. In accordance with technical

13   specifications provided by the State Board of Elections, each

14   election authority shall maintain a voter registration system

15   capable of receiving and processing voter registration

16   application information, including electronic signatures, from

1 the online voter registration system established by the State

2 Board of Elections.

3   (b) The online voter registration system shall employ

4 security measures to ensure the accuracy and integrity of voter

5 registration applications submitted electronically pursuant to

6 this Section.

7   (c) The Board may receive voter registration information

8 provided by applicants using the State Board of Elections'

9 website, may cross reference that information with data or

10 information contained in the Secretary of State's database in

11 order to match the information submitted by applicants, and may

12 receive from the Secretary of State the applicant's digitized

13 signature upon a successful match of that applicant's

14 information with that contained in the Secretary of State's

15 database.

16   (d) Notwithstanding any other provision of law, a person

17 who is qualified to register to vote and who has an authentic

18 Illinois driver's license or State identification card issued

19 by the Secretary of State may submit an application to register

20 to vote electronically on a website maintained by the State

21 Board of Elections.

22   (e) An online voter registration application shall contain

23 all of the information that is required for a paper application

24 as provided in Section 1A-16 of this Code, except that the

25 applicant shall be required to provide:

26   (1) the applicant's full Illinois driver's license or

1   State identification card number;

2   (2) the last 4 digits of the applicant's social

3   security number; and

4   (3) the date the Illinois driver's license or State

5   identification card was issued.

6   (f) For an applicant's registration or change in

7   registration to be accepted, the applicant shall mark the box

8   associated with the following statement included as part of the

9   online voter registration application:

10   "By clicking on the box below, I swear or affirm all of the

11   following:

12   (1) I am the person whose name and identifying information

13   is provided on this form, and I desire to register to vote in

14   the State of Illinois.

15   (2) All the information I have provided on this form is

16   true and correct as of the date I am submitting this form.

17   (3) I authorize the Secretary of State to transmit to the

18   State Board of Elections my signature that is on file with the

19   Secretary of State and understand that such signature will be

20   used by my local election authority on this online voter

21   registration application for admission as an elector as if I

22   had signed this form personally.".

23   (g) Immediately upon receiving a completed online voter

24   registration application, the online voter registration system

25   shall send, by electronic mail, a confirmation notice that the

26   application has been received. Within 48 hours of receiving

1   such an application, the online voter registration system shall
2   send by electronic mail, a notice informing the applicant of
3   whether the following information has been matched with the
4   Secretary of State database:

5   (1) that the applicant has an authentic Illinois
6   driver's license or State identification card issued by the
7   Secretary of State and that the driver's license or State
8   identification number provided by the applicant matches
9   the driver's license or State identification card number
10   for that person on file with the Secretary of State;

11   (2) that the date of issuance of the Illinois driver's
12   license or State identification card listed on the
13   application matches the date of issuance of that card for
14   that person on file with the Secretary of State;

15   (3) that the date of birth provided by the applicant
16   matches the date of birth for that person on file with the
17   Secretary of State; and

18   (4) that the last 4 digits of the applicant's social
19   security number matches the last 4 digits for that person
20   on file with the Secretary of State.

21 (h) If the information provided by the applicant matches
22 the information on the Secretary of State's databases for any
23 driver's license and State identification card holder and is
24 matched as provided in subsection (g) above, the online voter
25 registration system shall:

26   (1) retrieve from the Secretary of State's database

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1   files an electronic copy of the applicant's signature from

2   his or her Illinois driver's license or State

3   identification card and such signature shall be deemed to

4   be the applicant's signature on his or her online voter

5   registration application;

6   (2) within 2 days of receiving the application, forward

7   to the county clerk or board of election commissioners

8   having jurisdiction over the applicant's voter

9   registration: (i) the application, along with the

10   applicant's relevant data that can be directly loaded into

11   the jurisdiction's voter registration system and (ii) a

12   copy of the applicant's electronic signature and a

13   certification from the State Board of Elections that the

14   applicant's driver's license or State identification card

15   number, driver's license or State identification card date

16   of issuance, and date of birth and social security

17   information have been successfully matched.

18   (i) Upon receipt of the online voter registration

19 application, the county clerk or board of election

20 commissioners having jurisdiction over the applicant's voter

21 registration shall promptly search its voter registration

22 database to determine whether the applicant is already

23 registered to vote at the address on the application and

24 whether the new registration would create a duplicate

25 registration. If the applicant is already registered to vote at

26 the address on the application, the clerk or board, as the case

1 may be, shall send the applicant by first class mail, and

2 electronic mail if the applicant has provided an electronic

3 mail address on the original voter registration form for that

4 address, a disposition notice as otherwise required by law

5 informing the applicant that he or she is already registered to

6 vote at such address. If the applicant is not already

7 registered to vote at the address on the application and the

8 applicant is otherwise eligible to register to vote, the clerk

9 or board, as the case may be, shall:

10   (1) enter the name and address of the applicant on the

11   list of registered voters in the jurisdiction; and

12   (2) send by mail, and electronic mail if the applicant

13   has provided an electronic mail address on the voter

14   registration form, a disposition notice to the applicant as

15   otherwise provided by law setting forth the applicant's

16   name and address as it appears on the application and

17   stating that the person is registered to vote.

18 (j) An electronic signature of the person submitting a

19 duplicate registration application or a change of address form

20 that is retrieved and imported from the Secretary of State's

21 driver's license or State identification card database as

22 provided herein may, in the discretion of the clerk or board,

23 be substituted for and replace any existing signature for that

24 individual in the voter registration database of the county

25 clerk or board of election commissioners.

26 (k) Any new registration or change of address submitted

1   electronically as provided in this Section shall become

2   effective as of the date it is received by the county clerk or

3   board of election commissioners having jurisdiction over said

4   registration. Disposition notices prescribed in this Section

5   shall be sent within 5 business days of receipt of the online

6   application or change of address by the county clerk or board

7   of election commissioners.

8   (l) All provisions of this Code governing voter

9   registration and applicable thereto and not inconsistent with

10   this Section shall apply to online voter registration under

11   this Section. All applications submitted on a website

12   maintained by the State Board of Elections shall be deemed

13   timely filed if they are submitted no later than 11:59 p.m. on

14   the final day for voter registration prior to an election.

15   After the registration period for an upcoming election has

16   ended and until the 2nd day following such election, the web

17   page containing the online voter registration form on the State

18   Board of Elections website shall inform users of the procedure

19   for grace period voting.

20   (m) The State Board of Elections shall maintain a list of

21   the name, street address, e-mail address, and likely precinct,

22   ward, township, and district numbers, as the case may be, of

23   people who apply to vote online through the voter registration

24   system and those names and that information shall be stored in

25   an electronic format on its website, arranged by county and

26   accessible to State and local political committees.

1   (n) The Illinois State Board of Elections shall submit a
2 report to the General Assembly and the Governor by January 31,
3 2014 detailing the progress made to implement the online voter
4 registration system described in this Section.

5   (o) The online voter registration system provided for in
6 this Section shall be fully operational by July 1, 2014.
7 (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14.)

8   (Text of Section after amendment by P.A. 98-1171)

9   Sec. 1A-16.5. Online voter registration.

10   (a) The State Board of Elections shall establish and
11 maintain a system for online voter registration that permits a
12 person to apply to register to vote or to update his or her
13 existing voter registration. In accordance with technical
14 specifications provided by the State Board of Elections, each
15 election authority shall maintain a voter registration system
16 capable of receiving and processing voter registration
17 application information, including electronic signatures, from
18 the online voter registration system established by the State
19 Board of Elections.

20   (b) The online voter registration system shall employ
21 security measures to ensure the accuracy and integrity of voter
22 registration applications submitted electronically pursuant to
23 this Section.

24   (c) The Board may receive voter registration information
25 provided by applicants using the State Board of Elections'

1   website, may cross reference that information with data or

2   information contained in the Secretary of State's database in

3   order to match the information submitted by applicants, and may

4   receive from the Secretary of State the applicant's digitized

5   signature upon a successful match of that applicant's

6   information with that contained in the Secretary of State's

7   database.

8   (d) Notwithstanding any other provision of law, a person

9   who is qualified to register to vote and who has an authentic

10   Illinois driver's license or State identification card issued

11   by the Secretary of State may submit an application to register

12   to vote electronically on a website maintained by the State

13   Board of Elections.

14   (e) An online voter registration application shall contain

15   all of the information that is required for a paper application

16   as provided in Section 1A-16 of this Code, except that the

17   applicant shall be required to provide:

18   (1) the applicant's full Illinois driver's license or

19   State identification card number;

20   (2) the last 4 digits of the applicant's social

21   security number; and

22   (3) the date the Illinois driver's license or State

23   identification card was issued.

24   (f) For an applicant's registration or change in

25   registration to be accepted, the applicant shall mark the box

26   associated with the following statement included as part of the

1   online voter registration application:

2   "By clicking on the box below, I swear or affirm all of the

3   following:

4   (1) I am the person whose name and identifying information

5   is provided on this form, and I desire to register to vote in

6   the State of Illinois.

7   (2) All the information I have provided on this form is

8   true and correct as of the date I am submitting this form.

9   (3) I authorize the Secretary of State to transmit to the

10   State Board of Elections my signature that is on file with the

11   Secretary of State and understand that such signature will be

12   used by my local election authority on this online voter

13   registration application for admission as an elector as if I

14   had signed this form personally.".

15   (g) Immediately upon receiving a completed online voter

16   registration application, the online voter registration system

17   shall send, by electronic mail, a confirmation notice that the

18   application has been received. Within 48 hours of receiving

19   such an application, the online voter registration system shall

20   send by electronic mail, a notice informing the applicant of

21   whether the following information has been matched with the

22   Secretary of State database:

23   (1) that the applicant has an authentic Illinois

24   driver's license or State identification card issued by the

25   Secretary of State and that the driver's license or State

26   identification number provided by the applicant matches

1   the driver's license or State identification card number

2   for that person on file with the Secretary of State;

3   (2) that the date of issuance of the Illinois driver's

4   license   or   State   identification   card   listed   on   the

5   application matches the date of issuance of that card for

6   that person on file with the Secretary of State;

7   (3) that the date of birth provided by the applicant

8   matches the date of birth for that person on file with the

9   Secretary of State; and

10   (4) that the last 4 digits of the applicant's social

11   security number matches the last 4 digits for that person

12   on file with the Secretary of State.

13   (h) If the information provided by the applicant matches

14   the information on the Secretary of State's databases for any

15   driver's license and State identification card holder and is

16   matched as provided in subsection (g) above, the online voter

17   registration system shall:

18   (1) retrieve from the Secretary of State's database

19   files an electronic copy of the applicant's signature from

20   his   or   her   Illinois   driver's   license   or   State

21   identification card and such signature shall be deemed to

22   be the applicant's signature on his or her online voter

23   registration application;

24   (2) within 2 days of receiving the application, forward

25   to the county clerk or board of election commissioners

26   having   jurisdiction   over   the   applicant's   voter

1   registration: (i) the application, along with the
2   applicant's relevant data that can be directly loaded into
3   the jurisdiction's voter registration system and (ii) a
4   copy of the applicant's electronic signature and a
5   certification from the State Board of Elections that the
6   applicant's driver's license or State identification card
7   number, driver's license or State identification card date
8   of issuance, and date of birth and social security
9   information have been successfully matched.

10   (i) Upon receipt of the online voter registration
11   application, the county clerk or board of election
12   commissioners having jurisdiction over the applicant's voter
13   registration shall promptly search its voter registration
14   database to determine whether the applicant is already
15   registered to vote at the address on the application and
16   whether the new registration would create a duplicate
17   registration. If the applicant is already registered to vote at
18   the address on the application, the clerk or board, as the case
19   may be, shall send the applicant by first class mail, and
20   electronic mail if the applicant has provided an electronic
21   mail address on the original voter registration form for that
22   address, a disposition notice as otherwise required by law
23   informing the applicant that he or she is already registered to
24   vote at such address. If the applicant is not already
25   registered to vote at the address on the application and the
26   applicant is otherwise eligible to register to vote, the clerk

1   or board, as the case may be, shall:

2   (1) enter the name and address of the applicant on the

3   list of registered voters in the jurisdiction; and

4   (2) send by mail, and electronic mail if the applicant

5   has provided an electronic mail address on the voter

6   registration form, a disposition notice to the applicant as

7   otherwise provided by law setting forth the applicant's

8   name and address as it appears on the application and

9   stating that the person is registered to vote.

10   (j) An electronic signature of the person submitting a

11   duplicate registration application or a change of address form

12   that is retrieved and imported from the Secretary of State's

13   driver's license or State identification card database as

14   provided herein may, in the discretion of the clerk or board,

15   be substituted for and replace any existing signature for that

16   individual in the voter registration database of the county

17   clerk or board of election commissioners.

18   (k) Any new registration or change of address submitted

19   electronically as provided in this Section shall become

20   effective as of the date it is received by the county clerk or

21   board of election commissioners having jurisdiction over said

22   registration. Disposition notices prescribed in this Section

23   shall be sent within 5 business days of receipt of the online

24   application or change of address by the county clerk or board

25   of election commissioners.

26   (l) All provisions of this Code governing voter

1   registration and applicable thereto and not inconsistent with
2   this Section shall apply to online voter registration under
3   this Section. Notwithstanding any other deadlines for voter
4   registration or grace period registrations, all ~~All~~
5   applications submitted on a website maintained by the State
6   Board of Elections shall be deemed timely filed if they are
7   submitted no later than 11:59 p.m. on the 14th day ~~final day~~
8   ~~for voter registration~~ prior to an election. After the online
9   registration period for an upcoming election has ended, during
10   any time while the online registration system is active but
11   grace period registration is also ongoing, and until the 2nd
12   day following such election, the web page containing the online
13   voter registration form on the State Board of Elections website
14   shall inform users of the procedure for grace period voting.

15   (m) The State Board of Elections shall maintain a list of
16   the name, street address, e-mail address, and likely precinct,
17   ward, township, and district numbers, as the case may be, of
18   people who apply to vote online through the voter registration
19   system and those names and that information shall be stored in
20   an electronic format on its website, arranged by county and
21   accessible to State and local political committees.

22   (n) The Illinois State Board of Elections shall develop or
23   cause to be developed an online voter registration system able
24   to be accessed by at least the top two most used mobile
25   electronic operating systems by January 1, 2016.

26   (o) (Blank).

1   (p) Each State department that maintains an Internet
2   website must include a hypertext link to the homepage website
3   maintained and operated pursuant to this Section 1A-16.5. For
4   the purposes of this Section, "State department" means the
5   departments of State Government listed in Section 5-15 of the
6   Civil Administrative Code of Illinois (General Provisions and
7   Departments of State Government).
8   (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14;
9   98-1171, eff. 6-1-15.)

10   Section 95. No acceleration or delay. Where this Act makes
11   changes in a statute that is represented in this Act by text
12   that is not yet or no longer in effect (for example, a Section
13   represented by multiple versions), the use of that text does
14   not accelerate or delay the taking effect of (i) the changes
15   made by this Act or (ii) provisions derived from any other
16   Public Act.".