

AN ACT concerning civil law.

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

Section 5. The Election Code is amended by changing Section 20-3 as follows:

(10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

Sec. 20-3. The election authority shall furnish the following applications for registration by mail or vote by mail ballot which shall be considered a method of application in lieu of the official postcard.

1. Members of the United States Service, citizens of the United States temporarily residing outside the territorial limits of the United States, and certified program participants under the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act may make application within the periods prescribed in Sections 20-2 or 20-2.1, as the case may be. Such application shall be substantially in the following form:

"APPLICATION FOR BALLOT

To be voted at the election in the precinct in which is located my residence at, in the city/village/township of(insert home address) County of and State of Illinois.

I state that I am a citizen of the United States; that on (insert date of election) I shall have resided in the State of Illinois and in the election precinct for 30 days; that on the above date I shall be the age of 18 years or above; that I am lawfully entitled to vote in such precinct at that election; that I am (check category 1, 2, or 3 below):

1. a member of the United States Service,
2. a citizen of the United States temporarily residing outside the territorial limits of the United States and that I expect to be absent from the said county of my residence on the date of holding such election, and that I will have no opportunity to vote in person on that day.
3. a certified program participant under the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act.

I hereby make application for an official ballot or ballots to be voted by me at such election if I am absent from the said county of my residence, and I agree that I shall return said ballot or ballots to the election authority postmarked no later than election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day or shall destroy said ballot or ballots.

(Check below only if category 2 or 3 and not previously registered)

I hereby make application to become registered as a

voter and agree to return the forms and affidavits for registration to the election authority not later than 30 days before the election.

Under penalties as provided by law pursuant to Article 29 of the Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

.....

Post office address or service address to which registration materials or ballot should be mailed

.....

.....

.....

....."

If application is made for a primary election ballot, such application shall designate the name of the political party with which the applicant is affiliated.

Such applications may be obtained from the election authority having jurisdiction over the person's precinct of residence.

2. A spouse or dependent of a member of the United States Service, said spouse or dependent being a registered voter in the county, may make application on behalf of said person in the office of the election authority within the periods prescribed in Section 20-2 which shall be substantially in the following form:

"APPLICATION FOR BALLOT to be voted at the..... election

in the precinct in which is located the residence of the person for whom this application is made at.....(insert residence address) in the city/village/township of..... County of..... and State of Illinois.

I certify that the following named person..... (insert name of person) is a member of the United States Service.

I state that said person is a citizen of the United States; that on (insert date of election) said person shall have resided in the State of Illinois and in the election precinct for which this application is made for 30 days; that on the above date said person shall be the age of 18 years or above; that said person is lawfully entitled to vote in such precinct at that election; that said person is a member of the United States Service, and that in the course of his duties said person expects to be absent from his county of residence on the date of holding such election, and that said person will have no opportunity to vote in person on that day.

I hereby make application for an official ballot or ballots to be voted by said person at such election and said person agrees that he shall return said ballot or ballots to the election authority postmarked no later than election day, for counting no later than during the period for counting provisional ballots, the last day of which is the 14th day following election day, or shall destroy said ballot or ballots.

I hereby certify that I am the (mother, father, sister, brother, husband or wife) of the said elector, and that I am a registered voter in the election precinct for which this application is made. (Strike all but one that is applicable.)

Under penalties as provided by law pursuant to Article 29 of The Election Code, the undersigned certifies that the statements set forth in this application are true and correct.

Name of applicant

Residence address

City/village/township.....

Service address to which ballot should be mailed:

.....
.....
.....
....."

If application is made for a primary election ballot, such application shall designate the name of the political party with which the person for whom application is made is affiliated.

Such applications may be obtained from the election authority having jurisdiction over the voting precinct in which the person for whom application is made is entitled to vote.

(Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

Section 10. The Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act is amended

by changing Sections 1, 5, 10, 11, 15, and 40 as follows:

(750 ILCS 61/1)

Sec. 1. Short title. This Act may be cited as the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act.

(Source: P.A. 91-494, eff. 1-1-00.)

(750 ILCS 61/5)

Sec. 5. Legislative findings. The General Assembly finds that persons attempting to escape from actual or threatened domestic violence, sexual assault, or stalking frequently establish new addresses in order to prevent their assailants or probable assailants from finding them. The purpose of this Act is to enable State and local agencies to respond to requests for public records without disclosing the location of a victim of domestic violence, sexual assault, or stalking, to enable interagency cooperation with the Attorney General in providing address confidentiality for victims of domestic violence, sexual assault, or stalking, and to enable State and local agencies to accept a program participant's use of an address designated by the Attorney General as a substitute mailing address.

(Source: P.A. 91-494, eff. 1-1-00.)

(750 ILCS 61/10)

Sec. 10. Definitions. In this Act, unless the context otherwise requires:

"Address" means a residential street address, school address, or work address of an individual, as specified on the individual's application to be a program participant under this Act.

"Program participant" means a person certified as a program participant under this Act.

"Domestic violence" has the same meaning as in the Illinois Domestic Violence Act of 1986 and includes a threat of domestic violence against an individual in a domestic situation, regardless of whether the domestic violence or threat has been reported to law enforcement officers.

"Sexual assault" has the same meaning as sexual conduct or sexual penetration as defined in the Civil No Contact Order Act. "Sexual assault" includes a threat of sexual assault, regardless of whether the sexual assault or threat has been reported to law enforcement officers.

"Stalking" has the same meaning as in the Stalking No Contact Order Act. "Stalking" includes a threat of stalking, regardless of whether the stalking or threat has been reported to law enforcement officers.

(Source: P.A. 91-494, eff. 1-1-00.)

(750 ILCS 61/11)

Sec. 11. Address confidentiality program; administration.

Subject to appropriations for the purposes of this Act, the Attorney General shall administer an address confidentiality program for victims of domestic violence, sexual assault, or stalking.

(Source: P.A. 91-494, eff. 1-1-00.)

(750 ILCS 61/15)

Sec. 15. Address confidentiality program; application; certification.

(a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of a person with a disability, as defined in Article 11a of the Probate Act of 1975, may apply to the Attorney General to have an address designated by the Attorney General serve as the person's address or the address of the minor or person with a disability. The Attorney General shall approve an application if it is filed in the manner and on the form prescribed by him or her and if it contains:

(1) a sworn statement by the applicant that the applicant has good reason to believe (i) that the applicant, or the minor or person with a disability on whose behalf the application is made, is a victim of domestic violence, sexual assault, or stalking; and (ii) that the applicant fears for his or her safety or his or her children's safety, or the safety of the minor or person with a disability on whose behalf the application is made;

(2) a designation of the Attorney General as agent for purposes of service of process and receipt of mail;

(3) the mailing address where the applicant can be contacted by the Attorney General, and the phone number or numbers where the applicant can be called by the Attorney General;

(4) the new address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of domestic violence, sexual assault, or stalking; and

(5) the signature of the applicant and of any individual or representative of any office designated in writing under Section 40 of this Act who assisted in the preparation of the application, and the date on which the applicant signed the application.

(b) Applications shall be filed with the office of the Attorney General.

(c) Upon filing a properly completed application, the Attorney General shall certify the applicant as a program participant. Applicants shall be certified for 4 years following the date of filing unless the certification is withdrawn or invalidated before that date. The Attorney General shall by rule establish a renewal procedure.

(d) A person who falsely attests in an application that disclosure of the applicant's address would endanger the applicant's safety or the safety of the applicant's children or

the minor or incapacitated person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application, is guilty of a Class 3 felony.

(Source: P.A. 99-143, eff. 7-27-15.)

(750 ILCS 61/40)

Sec. 40. Assistance for program applicants. The Attorney General shall designate State and local agencies and nonprofit agencies that provide counseling and shelter services to victims of domestic violence, sexual assault, or stalking to assist persons applying to be program participants. Any assistance and counseling rendered by the office of the Attorney General or its designees to applicants shall in no way be construed as legal advice.

(Source: P.A. 91-494, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect January 1, 2021.