1   AN ACT in relation to 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 adding Section

5   1A-25 and changing Section 18A-5 as follows:

6   (10 ILCS 5/1A-25 new)

7   Sec. 1A-25. Centralized statewide voter registration list.

8   The centralized statewide voter registration list required by

9   Title III, Subtitle A, Section 303 of the Help America Vote Act

10   of 2002 shall be created and maintained by the State Board of

11   Elections as provided in this Section.

12   (1) The centralized statewide voter registration list

13   shall be compiled from the voter registration data bases of

14   each election authority in this State.

15   (2) All new voter registration forms and applications

16   to register to vote shall be transmitted to the appropriate

17   election authority. The election authority shall process

18   and verify each voter registration form and electronically

19   enter verified registrations on an expedited basis onto the

20   statewide   voter   registration   list.   All   original

21   registration cards shall remain permanently in the office

22   of the election authority as required by Sections 4-20,

23   5-28, and 6-65.

24   (3) The centralized statewide voter registration list

25   shall:

26   (i) Be designed to allow election authorities to

27   utilize the registration data on the statewide voter

28   registration list pertinent to voters registered in

29   their election jurisdiction on locally maintained

30   software   programs   that   are   unique   to   each

31   jurisdiction.

32   (ii) Allow each election authority to perform

1   essential election management functions, including but

2   not limited to production of voter lists, processing of

3   absentee voters, production of individual, pre-printed

4   applications to vote, administration of election

5   judges, and polling place administration, but shall

6   not prevent any election authority from using

7   information from that election authority's own

8   systems.

9   (4) The registration information maintained by each

10   election authority shall at all times be synchronized with

11   that authority's information on the statewide list on a

12   constant, real-time basis.

13   To protect the privacy and confidentiality of voter

14   registration information, the disclosure of any portion of the

15   centralized statewide voter registration list to any person or

16   entity other than to a State or local political committee and

17   other than to a governmental entity for a governmental purpose

18   is specifically prohibited.

19   (10 ILCS 5/18A-5)

20   Sec. 18A-5. Provisional voting; general provisions.

21   (a) A person who claims to be a registered voter is

22   entitled to cast a provisional ballot under the following

23   circumstances:

24   (1) The person's name does not appear on the official

25   list of eligible voters, whether a list of active or

26   inactive voters, for the precinct in which the person seeks

27   to vote. The official list is the centralized statewide

28   voter registration list established and maintained in

29   accordance with Section 1A-25;

30   (2) The person's voting status has been challenged by

31   an election judge, a pollwatcher, or any legal voter and

32   that challenge has been sustained by a majority of the

33   election judges; or

34   (3) A federal or State court order extends the time for

35   closing the polls beyond the time period established by

State law and the person votes during the extended time period.

(b) The procedure for obtaining and casting a provisional ballot at the polling place shall be as follows:

(1) An election judge at the polling place shall notify a person who is entitled to cast a provisional ballot pursuant to subsection (a) that he or she may cast a provisional ballot in that election. An election judge must accept any information provided by a person who casts a provisional ballot that the person believes supports his or her claim that he or she is a duly registered voter and qualified to vote in the election.

(2) The person shall execute a written form provided by the election judge that shall state or contain all of the following:

(i) an affidavit stating the following:

State of Illinois, County of ...., Township ...., Precinct ...., Ward ...., I, ..., do solemnly swear (or affirm) that: I am a citizen of the United States; I am 18 years of age or older; I have resided in this State and in this precinct for 30 days preceding this election; I have not voted in this election; I am a duly registered voter in every respect; and I am eligible to vote in this election. Signature ...... Printed Name of Voter .... Printed Residence Address of Voter ...... City ...... State .... Zip Code ..... Telephone Number ...... Date of Birth .... and Driver's License Number .... Last 4 digits of Social Security Number ...... or State Identification Card Number.

(ii) Written instruction stating the following:

In order to expedite the verification of your voter registration status, the .... (insert name of county clerk of board of election commissioners here) requests that you include your phone number and both

1   the last four digits of your social security number and
2   your driver's license number or State Identification
3   Card Number issued to you by the Secretary of State. At
4   minimum, you are required to include either (A) your
5   driver's license number or State Identification Card
6   Number issued to you by the Secretary of State or (B)
7   the last 4 digits of your social security number.
8   (iii) A box for the election judge to check one of the
9   3 reasons why the person was given a provisional ballot
10   under subsection (a) of Section 18A-5.
11   (iv) An area for the election judge to affix his or her
12   signature and to set forth any facts that support or oppose
13   the allegation that the person is not qualified to vote in
14   the precinct in which the person is seeking to vote.
15   The written affidavit form described in this subsection
16 (b)(2) must be printed on a multi-part form prescribed by the
17 county clerk or board of election commissioners, as the case
18 may be.
19   (3) After the person executes the portion of the written
20 affidavit described in subsection (b)(2)(i) of this Section,
21 the election judge shall complete the portion of the written
22 affidavit described in subsection (b)(2)(iii) and (b)(2)(iv).
23   (4) The election judge shall give a copy of the completed
24 written affidavit to the person. The election judge shall place
25 the original written affidavit in a self-adhesive clear plastic
26 packing list envelope that must be attached to a separate
27 envelope marked as a "provisional ballot envelope". The
28 election judge shall also place any information provided by the
29 person who casts a provisional ballot in the clear plastic
30 packing list envelope. Each county clerk or board of election
31 commissioners, as the case may be, must design, obtain or
32 procure self-adhesive clear plastic packing list envelopes and
33 provisional ballot envelopes that are suitable for
34 implementing this subsection (b)(4) of this Section.
35   (5) The election judge shall provide the person with a
36 provisional ballot, written instructions for casting a

provisional ballot, and the provisional ballot envelope with the clear plastic packing list envelope affixed to it, which contains the person's original written affidavit and, if any, information provided by the provisional voter to support his or her claim that he or she is a duly registered voter. An election judge must also give the person written information that states that any person who casts a provisional ballot shall be able to ascertain, pursuant to guidelines established by the State Board of Elections, whether the provisional vote was counted in the official canvass of votes for that election and, if the provisional vote was not counted, the reason that the vote was not counted.

(6) After the person has completed marking his or her provisional ballot, he or she shall place the marked ballot inside of the provisional ballot envelope, close and seal the envelope, and return the envelope to an election judge, who shall then deposit the sealed provisional ballot envelope into a securable container separately identified and utilized for containing sealed provisional ballot envelopes. Upon the closing of the polls, the securable container shall be sealed with filament tape provided for that purpose, which shall be wrapped around the box lengthwise and crosswise, at least twice each way, and each of the election judges shall sign the seal.

(c) Instead of the affidavit form described in subsection (b), the county clerk or board of election commissioners, as the case may be, may design and use a multi-part affidavit form that is imprinted upon or attached to the provisional ballot envelope described in subsection (b). If a county clerk or board of election commissioners elects to design and use its own multi-part affidavit form, then the county clerk or board of election commissioners shall establish a mechanism for accepting any information the provisional voter has supplied to the election judge to support his or her claim that he or she is a duly registered voter. In all other respects, a county clerk or board of election commissioners shall establish procedures consistent with subsection (b).

1   (d) The county clerk or board of election commissioners, as
2   the case may be, shall use the completed affidavit form
3   described in subsection (b) to update the person's voter
4   registration information in the State voter registration
5   database and voter registration database of the county clerk or
6   board of election commissioners, as the case may be. If a
7   person is later determined not to be a registered voter based
8   on Section 18A-15 of this Code, then the affidavit shall be
9   processed by the county clerk or board of election
10   commissioners, as the case may be, as a voter registration
11   application.
12   (Source: P.A. 93-574, eff. 8-21-03.)

13   Section 99. Effective date. This Act takes effect upon
14   becoming law.