

# HB5677



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5677

by Rep. Elaine Nekritz

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.5

Amends the Election Code. Provides that all applications submitted on a website maintained by the State Board of Elections shall be deemed timely filed if they are submitted no later than 11:59 p.m. on the 16th day (instead of on the final day for voter registration) prior to an election. Effective immediately.

LRB099 18427 MLM 42803 b

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 Section  
5 1A-16.5 as follows:

6 (10 ILCS 5/1A-16.5)

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

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

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

22 (c) The Board may receive voter registration information  
23 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 (1) 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. All applications submitted on a website  
4 maintained by the State Board of Elections shall be deemed  
5 timely filed if they are submitted no later than 11:59 p.m. on  
6 the 16th day ~~final day for voter registration~~ prior to an  
7 election. After the registration period for an upcoming  
8 election has ended and until the 2nd day following such  
9 election, the web page containing the online voter registration  
10 form on the State Board of Elections website shall inform users  
11 of the procedure for grace period voting.

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

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

23 (o) (Blank).

24 (p) Each State department that maintains an Internet  
25 website must include a hypertext link to the homepage website  
26 maintained and operated pursuant to this Section 1A-16.5. For



1 the purposes of this Section, "State department" means the  
2 departments of State Government listed in Section 5-15 of the  
3 Civil Administrative Code of Illinois (General Provisions and  
4 Departments of State Government).

5 (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14;  
6 98-1171, eff. 6-1-15.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.