



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0002

Introduced 1/9/2025, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

10 ILCS 5/24-1.1	from Ch. 46, par. 24-1.1
10 ILCS 5/24A-3	from Ch. 46, par. 24A-3
10 ILCS 5/24B-3	
10 ILCS 5/3-5 rep.	
730 ILCS 5/5-5-5	from Ch. 38, par. 1005-5-5

Amends the Election Code. Repeals provisions that prohibit a person that is serving a sentence of confinement in any penal institution from voting until his or her release from confinement. Further amends the Election Code and amends the Unified Code of Corrections making conforming changes. Effective January 1, 2026.

LRB104 03384 SPS 13406 b

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
5 Sections 24-1.1, 24A-3, and 24B-3 as follows:

6 (10 ILCS 5/24-1.1) (from Ch. 46, par. 24-1.1)

7 Sec. 24-1.1. The county board of each county having a
8 population of 35,000 or more, with respect to all elections
9 for which the county board or the county clerk is charged with
10 the duty of providing materials and supplies, and each board
11 of election commissioners in a municipality having a
12 population of 35,000 or more with respect to elections under
13 its jurisdiction, must provide either voting machines in
14 accordance with this Article or electronic voting systems in
15 accordance with Article 24A for each precinct for all such
16 elections except as provided in Section 24-1.2 except in
17 elections held pursuant to the provisions of Section 12 of
18 Article VI of the Constitution relating to retention of judges
19 in office, in which event, the special ballot containing the
20 propositions on the retention of judges may be placed on the
21 voting machines or devices. ~~For purposes of this Section~~
22 ~~24-1.1, the term "population" does not include persons~~
23 ~~prohibited from voting by Section 3-5 of this Act.~~

1 Before voting machines or electronic voting systems are
2 introduced, adopted or used in any precinct or territory at
3 least 2 months public notice must be given before the date of
4 the first election wherein such machines are to be used. The
5 election authority shall publish the notice at least once in
6 one or more newspapers published within its jurisdiction in
7 which the election is held. If there is no such newspaper, the
8 notice shall be published in a newspaper published in the
9 county and having a general circulation within such political
10 subdivision of this State. The notice shall be substantially
11 as follows:

12 Notice is hereby given that on (give date), at (give place
13 where election is held) in the county of an election will
14 be held for (give name of office to be filled) at which voting
15 machines will be used.

16 Dated at on (insert date).

17 The notice referred to herein shall be given only at the
18 first election at which such voting machines or electronic
19 voting systems are used.

20 (Source: P.A. 91-357, eff. 7-29-99.)

21 (10 ILCS 5/24A-3) (from Ch. 46, par. 24A-3)

22 Sec. 24A-3. Except as otherwise provided in this Section,
23 any county board, board of county commissioners and any board
24 of election commissioners, with respect to territory within

1 its jurisdiction, may adopt, experiment with, or abandon a
2 voting system approved for use by the State Board of Elections
3 and may use such voting system in all or some of the precincts
4 within its jurisdiction, or in combination with paper ballots
5 or voting machines. Any such county board, board of county
6 commissioners or board of election commissioners may contract
7 for the tabulation of votes at a location outside its
8 territorial jurisdiction when there is no suitable tabulating
9 equipment available within its territorial jurisdiction. In no
10 case may a county board, board of county commissioners or
11 board of election commissioners contract or arrange for the
12 purchase, lease or loan of an electronic voting system or
13 voting system component without the approval of the State
14 Board of Elections as provided by Section 24A-16. However, the
15 county board and board of county commissioners of each county
16 having a population of 40,000 or more, with respect to all
17 elections for which the county board or the county clerk is
18 charged with the duty of providing materials and supplies, and
19 each board of election commissioners in a municipality having
20 a population of 40,000 or more, with respect to elections
21 under its jurisdiction, must provide either voting systems
22 approved for use by the State Board of Elections under this
23 Article or voting machines under Article 24 for each precinct
24 for all such elections except as provided in Section 24-1.2.
25 ~~For purposes of this Section 24A-3, the term "population" does~~
26 ~~not include persons prohibited from voting by Section 3-5 of~~

1 ~~this Act.~~

2 Before any such system is introduced, adopted or used in
3 any precinct or territory at least 2 months public notice must
4 be given before the date of the first election wherein such
5 voting system is to be used. The election authority shall
6 publish the notice at least once in one or more newspapers
7 published within the county, or other jurisdiction, as the
8 case may be, in which the election is held. If there is no such
9 newspaper, the notice shall be published in a newspaper
10 published in the county and having a general circulation
11 within such jurisdiction. The notice shall be substantially as
12 follows:

13 Notice is hereby given that on (give date), at (give place
14 where election is held) in the county of, an election will
15 be held for (give name of offices to be filled) at which an
16 electronic voting system will be used.

17 Dated at on (insert date).

18 The notice referred to herein shall be given only at the
19 first election at which such voting machines or voting systems
20 are used.

21 (Source: P.A. 91-357, eff. 7-29-99.)

22 (10 ILCS 5/24B-3)

23 Sec. 24B-3. Adoption, experimentation or abandonment of
24 Precinct Tabulation Optical Scan Technology system; Boundaries

1 of precincts; Notice. Except as otherwise provided in this
2 Section, any county board, board of county commissioners and
3 any board of election commissioners, with respect to territory
4 within its jurisdiction, may adopt, experiment with, or
5 abandon a Precinct Tabulation Optical Scan Technology voting
6 system approved for use by the State Board of Elections and may
7 use the Precinct Tabulation Optical Scan Technology voting
8 system in all or some of the precincts within its
9 jurisdiction, or in combination with paper ballots or voting
10 machines. Any county board, board of county commissioners or
11 board of election commissioners may contract for the
12 tabulation of votes at a location outside its territorial
13 jurisdiction when there is no suitable tabulating equipment
14 available within its territorial jurisdiction. In no case may
15 a county board, board of county commissioners or board of
16 election commissioners contract or arrange for the purchase,
17 lease or loan of an electronic Precinct Tabulation Optical
18 Scan Technology voting system or Precinct Tabulation Optical
19 Scan Technology voting system component without the approval
20 of the State Board of Elections as provided by Section 24B-16.
21 However, the county board and board of county commissioners of
22 each county having a population of 40,000 or more, with
23 respect to all elections for which the county board or the
24 county clerk is charged with the duty of providing materials
25 and supplies, and each board of election commissioners in a
26 municipality having a population of 40,000 or more, with

1 respect to elections under its jurisdiction, must provide
2 either Precinct Tabulation Optical Scan Technology voting
3 systems approved for use by the State Board of Elections under
4 this Article or voting systems under Article 24A or Article 24
5 for each precinct for all such elections except as provided in
6 Section 24-1.2. ~~For purposes of this Section 24B-3, the term~~
7 ~~"population" does not include persons prohibited from voting~~
8 ~~by Section 3-5 of this Code.~~

9 Before any such Precinct Tabulation Optical Scan
10 Technology system is introduced, adopted or used in any
11 precinct or territory at least 2 months public notice must be
12 given before the date of the first election where the Precinct
13 Tabulation Optical Scan Technology voting system is to be
14 used. The election authority shall publish the notice at least
15 once in one or more newspapers published within the county, or
16 other jurisdiction, where the election is held. If there is no
17 such newspaper, the notice shall be published in a newspaper
18 published in the county and having a general circulation
19 within such jurisdiction. The notice shall be substantially as
20 follows:

21 Notice is hereby given that on (give date), at (give place
22 where election is held) in the county of, an election will
23 be held for (give name of offices to be filled) at which a
24 Precinct Tabulation Optical Scan Technology electronic voting
25 system will be used.

26 Dated at..... on (insert date).

1 This notice referred to shall be given only at the first
2 election at which the Precinct Tabulation Optical Scan
3 Technology voting machines or Precinct Tabulation Optical Scan
4 Technology voting systems are used.

5 (Source: P.A. 91-357, eff. 7-29-99.)

6 (10 ILCS 5/3-5 rep.)

7 Section 10. The Election Code is amended by repealing
8 Section 3-5.

9 Section 15. The Unified Code of Corrections is amended by
10 changing Section 5-5-5 as follows:

11 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

12 Sec. 5-5-5. Loss and restoration of rights.

13 (a) Conviction and disposition shall not entail the loss
14 by the defendant of any civil rights, except under this
15 Section and Sections 29-6 and 29-10 of The Election Code, as
16 now or hereafter amended.

17 (b) A person convicted of a felony shall be ineligible to
18 hold an office created by the Constitution of this State until
19 the completion of his sentence.

20 (b-5) Notwithstanding any other provision of law, a person
21 convicted of a felony, bribery, perjury, or other infamous
22 crime for an offense committed on or after the effective date
23 of this amendatory Act of the 103rd General Assembly and

1 committed while he or she was serving as a public official in
2 this State is ineligible to hold any local public office or any
3 office created by the Constitution of this State unless the
4 person's conviction is reversed, the person is again restored
5 to such rights by the terms of a pardon for the offense, the
6 person has received a restoration of rights by the Governor,
7 or the person's rights are otherwise restored by law.

8 (c) (Blank). ~~A person sentenced to imprisonment shall lose~~
9 ~~his right to vote until released from imprisonment.~~

10 (d) On completion of sentence of imprisonment or upon
11 discharge from probation, conditional discharge or periodic
12 imprisonment, or at any time thereafter, all license rights
13 and privileges granted under the authority of this State which
14 have been revoked or suspended because of conviction of an
15 offense shall be restored unless the authority having
16 jurisdiction of such license rights finds after investigation
17 and hearing that restoration is not in the public interest.
18 This paragraph (d) shall not apply to the suspension or
19 revocation of a license to operate a motor vehicle under the
20 Illinois Vehicle Code.

21 (e) Upon a person's discharge from incarceration or
22 parole, or upon a person's discharge from probation or at any
23 time thereafter, the committing court may enter an order
24 certifying that the sentence has been satisfactorily completed
25 when the court believes it would assist in the rehabilitation
26 of the person and be consistent with the public welfare. Such

1 order may be entered upon the motion of the defendant or the
2 State or upon the court's own motion.

3 (f) Upon entry of the order, the court shall issue to the
4 person in whose favor the order has been entered a certificate
5 stating that his behavior after conviction has warranted the
6 issuance of the order.

7 (g) This Section shall not affect the right of a defendant
8 to collaterally attack his conviction or to rely on it in bar
9 of subsequent proceedings for the same offense.

10 (h) No application for any license specified in subsection
11 (i) of this Section granted under the authority of this State
12 shall be denied by reason of an eligible offender who has
13 obtained a certificate of relief from disabilities, as defined
14 in Article 5.5 of this Chapter, having been previously
15 convicted of one or more criminal offenses, or by reason of a
16 finding of lack of "good moral character" when the finding is
17 based upon the fact that the applicant has previously been
18 convicted of one or more criminal offenses, unless:

19 (1) there is a direct relationship between one or more
20 of the previous criminal offenses and the specific license
21 sought; or

22 (2) the issuance of the license would involve an
23 unreasonable risk to property or to the safety or welfare
24 of specific individuals or the general public.

25 In making such a determination, the licensing agency shall
26 consider the following factors:

1 (1) the public policy of this State, as expressed in
2 Article 5.5 of this Chapter, to encourage the licensure
3 and employment of persons previously convicted of one or
4 more criminal offenses;

5 (2) the specific duties and responsibilities
6 necessarily related to the license being sought;

7 (3) the bearing, if any, the criminal offenses or
8 offenses for which the person was previously convicted
9 will have on his or her fitness or ability to perform one
10 or more such duties and responsibilities;

11 (4) the time which has elapsed since the occurrence of
12 the criminal offense or offenses;

13 (5) the age of the person at the time of occurrence of
14 the criminal offense or offenses;

15 (6) the seriousness of the offense or offenses;

16 (7) any information produced by the person or produced
17 on his or her behalf in regard to his or her rehabilitation
18 and good conduct, including a certificate of relief from
19 disabilities issued to the applicant, which certificate
20 shall create a presumption of rehabilitation in regard to
21 the offense or offenses specified in the certificate; and

22 (8) the legitimate interest of the licensing agency in
23 protecting property, and the safety and welfare of
24 specific individuals or the general public.

25 (i) A certificate of relief from disabilities shall be
26 issued only for a license or certification issued under the

1 following Acts:

2 (1) the Animal Welfare Act; except that a certificate
3 of relief from disabilities may not be granted to provide
4 for the issuance or restoration of a license under the
5 Animal Welfare Act for any person convicted of violating
6 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
7 Care for Animals Act or Section 26-5 or 48-1 of the
8 Criminal Code of 1961 or the Criminal Code of 2012;

9 (2) the Illinois Athletic Trainers Practice Act;

10 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
11 and Nail Technology Act of 1985;

12 (4) the Boiler and Pressure Vessel Repairer Regulation
13 Act;

14 (5) the Boxing and Full-contact Martial Arts Act;

15 (6) the Illinois Certified Shorthand Reporters Act of
16 1984;

17 (7) the Illinois Farm Labor Contractor Certification
18 Act;

19 (8) the Registered Interior Designers Act;

20 (9) the Illinois Professional Land Surveyor Act of
21 1989;

22 (10) the Landscape Architecture Registration Act;

23 (11) the Marriage and Family Therapy Licensing Act;

24 (12) the Private Employment Agency Act;

25 (13) the Professional Counselor and Clinical
26 Professional Counselor Licensing and Practice Act;

1 (14) the Real Estate License Act of 2000;
2 (15) the Illinois Roofing Industry Licensing Act;
3 (16) the Professional Engineering Practice Act of
4 1989;
5 (17) the Water Well and Pump Installation Contractor's
6 License Act;
7 (18) the Electrologist Licensing Act;
8 (19) the Auction License Act;
9 (20) the Illinois Architecture Practice Act of 1989;
10 (21) the Dietitian Nutritionist Practice Act;
11 (22) the Environmental Health Practitioner Licensing
12 Act;
13 (23) the Funeral Directors and Embalmers Licensing
14 Code;
15 (24) (blank);
16 (25) the Professional Geologist Licensing Act;
17 (26) the Illinois Public Accounting Act; and
18 (27) the Structural Engineering Practice Act of 1989.
19 (Source: P.A. 102-284, eff. 8-6-21; 103-562, eff. 11-17-23.)

20 Section 99. Effective date. This Act takes effect January
21 1, 2026.