



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5219

Introduced 2/10/2026, by Rep. Edgar González, Jr.

SYNOPSIS AS INTRODUCED:

10 ILCS 5/17-29.5 new

Provides that the amendatory Act may be referred to as the Safe Voting Act. Amends the Election Code. Provides that a person who, in good faith, attends a polling place, ballot drop box, or election authority for the purpose of casting a vote, including early voting, or submitting a vote by mail ballot, and is legally qualified under the laws of this State to cast the vote or submit the ballot, is privileged from civil arrest while going to, remaining at, and returning from the polling place, ballot drop box, or election authority. Sets forth provisions concerning civil damages and limitation of the provision.

LRB104 20233 SPS 33684 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 1. This Act may be referred to as the Safe Voting
5 Act.

6 Section 5. The Election Code is amended by adding Section
7 17-29.5 as follows:

8 (10 ILCS 5/17-29.5 new)

9 Sec. 17-29.5. Election safe zones.

10 (a) As used in this Section:

11 "Arrest" means the taking of an individual into custody by
12 a law enforcement agency or by a law enforcement officer.

13 "Civil arrest" means an arrest that is not:

14 (1) a criminal arrest for an alleged violation of any
15 federal, State, or local criminal law;

16 (2) an arrest for any violation of any condition of
17 probation, parole, pretrial release, supervised release,
18 or mandatory supervised release for which arrest is
19 otherwise authorized by law; or

20 (3) an arrest supported by a judicial warrant or
21 judicial order authorizing the arrest.

22 For the purpose of this definition, a judicial warrant or

1 judicial order authorizing the arrest is a written order from
2 a State court or federal Article III court that directs a law
3 enforcement agency, or a specifically named person, to arrest
4 a person.

5 "Law enforcement agency" means any entity with statutory
6 police powers and the authority to employ individuals
7 authorized to make arrests.

8 (b) A person who, in good faith, attends a polling place,
9 ballot drop box, or election authority for the purpose of
10 casting a vote, including early voting, or submitting a vote
11 by mail ballot, and is legally qualified under the laws of this
12 State to cast the vote or submit the ballot, is privileged from
13 civil arrest while going to, remaining at, and returning from
14 the polling place, ballot drop box, or election authority,
15 including:

16 (1) at the polling place, ballot drop box, or election
17 authority;

18 (2) within the polling place or election authority;

19 (3) on the premises of the polling place, ballot drop
20 box, or election authority, including parking facilities
21 -serving the polling place, ballot drop box, or election
22 authority;

23 (4) on any sidewalk, parkway, or street surrounding
24 the polling place, ballot drop box, or election authority;
25 and

26 (5) on any public way within 200 horizontal feet of

1 the polling place, ballot drop box, or election authority,
2 including any sidewalk, parkway, or street.

3 (c) To maintain access to the polling place, ballot drop
4 box, or election authority and to prevent interference with
5 the right of every eligible and qualified voter to exercise
6 the right to cast a ballot, a county board, election
7 authority, or the State Board of Elections may adopt or issue
8 appropriate rules, resolutions, ordinances, or guidance to
9 protect the privilege from arrest provided under this Section.

10 (d) A person who violates this Section is liable for civil
11 damages for false imprisonment, including actual damages and
12 statutory damages of no more than \$10,000, if the person knew
13 or reasonably should have known that the person arrested is a
14 person duly and in good faith attending a polling place,
15 ballot drop box, or election authority to exercise the right
16 to vote while going to, remaining at, and returning from the
17 polling place, ballot drop box, or election authority. A court
18 may grant any other equitable or declaratory relief it deems
19 appropriate. In a successful action under this Section, a
20 plaintiff may recover court costs and reasonable attorney's
21 fees.

22 (e) No action or proceeding may be commenced under this
23 Section against the county board, election authority, or State
24 Board of Elections, or any personnel thereof, acting lawfully
25 under their duty to maintain safety and order in and around the
26 polling place, ballot drop box, or election authority.

1 (f) Nothing in this Section affects any right or defense,
2 including any existing qualified immunity defense, of any
3 person, police officer, peace officer or public officer, or
4 any election officials of this State under State or federal
5 law.

6 (g) Nothing in this Section precludes the execution of a
7 criminal arrest warrant issued by a judge or a criminal arrest
8 based on probable cause for a violation of criminal law.