



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0059

Introduced 1/13/2025, by Sen. Steve McClure

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-10	from Ch. 46, par. 4-10
10 ILCS 5/5-9	from Ch. 46, par. 5-9
10 ILCS 5/6-37	from Ch. 46, par. 6-37
15 ILCS 305/38 new	

Amends the Secretary of State Act. Provides that, by January 1, 2026, the Secretary of State shall establish and maintain a secure database that is accessible to local election officials and that indicates whether the particular person to whom a driver's license or State identification card has been issued is a United States citizen. Amends the Election Code. Provides that, on and after January 1, 2026, before an applicant is registered to vote, the registration officer shall verify the applicant's citizenship status using the secure database maintained by the Secretary of State. Provides that, if the information in the database indicates that the applicant is not a United States citizen, then the applicant's card shall be marked with the word "incomplete", and the registration officer shall notify the applicant in writing that (i) the application is incomplete and (ii) the applicant may not vote unless the applicant appears before the county clerk to present evidence that the applicant is a United States citizen. Effective immediately.

LRB104 07475 SPS 17517 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 4-10, 5-9, and 6-37 as follows:

6 (10 ILCS 5/4-10) (from Ch. 46, par. 4-10)

7 Sec. 4-10. Except as herein provided, no person shall be
8 registered, unless he applies in person to a registration
9 officer, answers such relevant questions as may be asked of
10 him by the registration officer, and executes the affidavit of
11 registration. The registration officer shall require the
12 applicant to furnish two forms of identification, and except
13 in the case of a homeless individual, one of which must include
14 his or her residence address. These forms of identification
15 shall include, but not be limited to, any of the following:
16 driver's license, social security card, public aid
17 identification card, utility bill, employee or student
18 identification card, lease or contract for a residence, credit
19 card, or a civic, union or professional association membership
20 card. The registration officer shall require a homeless
21 individual to furnish evidence of his or her use of the mailing
22 address stated. This use may be demonstrated by a piece of mail
23 addressed to that individual and received at that address or

1 by a statement from a person authorizing use of the mailing
2 address. The registration officer shall require each applicant
3 for registration to read or have read to him the affidavit of
4 registration before permitting him to execute the affidavit.

5 One of the registration officers or a deputy registration
6 officer, county clerk, or clerk in the office of the county
7 clerk, shall administer to all persons who shall personally
8 apply to register the following oath or affirmation:

9 "You do solemnly swear (or affirm) that you will fully and
10 truly answer all such questions as shall be put to you touching
11 your name, place of residence, place of birth, your
12 qualifications as an elector and your right as such to
13 register and vote under the laws of the State of Illinois."

14 The registration officer shall satisfy himself that each
15 applicant for registration is qualified to register before
16 registering him. If the registration officer has reason to
17 believe that the applicant is a resident of a Soldiers' and
18 Sailors' Home or any facility which is licensed or certified
19 pursuant to the Nursing Home Care Act, the Specialized Mental
20 Health Rehabilitation Act of 2013, the ID/DD Community Care
21 Act, or the MC/DD Act, the following question shall be put,
22 "When you entered the home which is your present address, was
23 it your bona fide intention to become a resident thereof?" Any
24 voter of a township, city, village or incorporated town in
25 which such applicant resides, shall be permitted to be present
26 at the place of any precinct registration and shall have the

1 right to challenge any applicant who applies to be registered.

2 In case the officer is not satisfied that the applicant is
3 qualified he shall forthwith notify such applicant in writing
4 to appear before the county clerk to complete his
5 registration. Upon the card of such applicant shall be written
6 the word "incomplete" and no such applicant shall be permitted
7 to vote unless such registration is satisfactorily completed
8 as hereinafter provided. No registration shall be taken and
9 marked as incomplete if information to complete it can be
10 furnished on the date of the original application.

11 Any person claiming to be an elector in any election
12 precinct and whose registration card is marked "Incomplete"
13 may make and sign an application in writing, under oath, to the
14 county clerk in substance in the following form:

15 "I do solemnly swear that I,, did on (insert date)
16 make application to the board of registry of the precinct
17 of the township of (or to the county clerk of county)
18 and that said board or clerk refused to complete my
19 registration as a qualified voter in said precinct. That I
20 reside in said precinct, that I intend to reside in said
21 precinct, and am a duly qualified voter of said precinct and am
22 entitled to be registered to vote in said precinct at the next
23 election.

24 (Signature of applicant)"

25 All such applications shall be presented to the county

1 clerk or to his duly authorized representative by the
2 applicant, in person between the hours of 9:00 a.m. and 5:00
3 p.m. on any day after the days on which the 1969 and 1970
4 precinct re-registrations are held but not on any day within
5 27 days preceding the ensuing general election and thereafter
6 for the registration provided in Section 4-7 all such
7 applications shall be presented to the county clerk or his
8 duly authorized representative by the applicant in person
9 between the hours of 9:00 a.m. and 5:00 p.m. on any day prior
10 to 27 days preceding the ensuing general election. Such
11 application shall be heard by the county clerk or his duly
12 authorized representative at the time the application is
13 presented. If the applicant for registration has registered
14 with the county clerk, such application may be presented to
15 and heard by the county clerk or by his duly authorized
16 representative upon the dates specified above or at any time
17 prior thereto designated by the county clerk.

18 Any otherwise qualified person who is absent from his
19 county of residence either due to business of the United
20 States or because he is temporarily outside the territorial
21 limits of the United States may become registered by mailing
22 an application to the county clerk within the periods of
23 registration provided for in this Article, or by simultaneous
24 application for registration by mail and vote by mail ballot
25 as provided in Article 20 of this Code.

26 Upon receipt of such application the county clerk shall

1 immediately mail an affidavit of registration in duplicate,
2 which affidavit shall contain the following and such other
3 information as the State Board of Elections may think it
4 proper to require for the identification of the applicant:

5 Name. The name of the applicant, giving surname and first
6 or Christian name in full, and the middle name or the initial
7 for such middle name, if any.

8 Sex.

9 Residence. The name and number of the street, avenue or
10 other location of the dwelling, and such additional clear and
11 definite description as may be necessary to determine the
12 exact location of the dwelling of the applicant. Where the
13 location cannot be determined by street and number, then the
14 Section, congressional township and range number may be used,
15 or such other information as may be necessary, including post
16 office mailing address.

17 Electronic mail address, if the registrant has provided
18 this information.

19 Term of residence in the State of Illinois and the
20 precinct.

21 Nativity. The State or country in which the applicant was
22 born.

23 Citizenship. Whether the applicant is native born or
24 naturalized. If naturalized, the court, place and date of
25 naturalization.

26 Age. Date of birth, by month, day and year.

1 Out of State address of

2 AFFIDAVIT OF REGISTRATION

3 State of

4)ss

5 County of

6 I hereby swear (or affirm) that I am a citizen of the
7 United States; that on the day of the next election I shall
8 have resided in the State of Illinois and in the election
9 precinct 30 days; that I am fully qualified to vote, that I am
10 not registered to vote anywhere else in the United States,
11 that I intend to remain a resident of the State of Illinois and
12 of the election precinct, that I intend to return to the State
13 of Illinois, and that the above statements are true.

14

15 (His or her signature or mark)

16 Subscribed and sworn to before me, an officer qualified to
17 administer oaths, on (insert date).

18

19 Signature of officer administering oath.

20 Upon receipt of the executed duplicate affidavit of
21 Registration, the county clerk shall transfer the information
22 contained thereon to duplicate Registration Cards provided for
23 in Section 4-8 of this Article and shall attach thereto a copy
24 of each of the duplicate affidavit of registration and
25 thereafter such registration card and affidavit shall
26 constitute the registration of such person the same as if he

1 had applied for registration in person.

2 Notwithstanding any other provision of law, on and after
3 January 1, 2026, before an applicant is registered under this
4 Section, the registration officer shall verify the applicant's
5 citizenship status using the secure database maintained by the
6 Secretary of State under Section 38 of the Secretary of State
7 Act. If the information in the database indicates that the
8 applicant is not a United States citizen, then the applicant's
9 card shall be marked with the word "incomplete", and the
10 registration officer shall notify the applicant in writing
11 that (i) the application is incomplete and (ii) the applicant
12 may not vote unless the applicant appears before the county
13 clerk to present evidence that the applicant is a United
14 States citizen.

15 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 10-1-13;
16 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
17 7-29-15.)

18 (10 ILCS 5/5-9) (from Ch. 46, par. 5-9)

19 Sec. 5-9. Except as herein provided, no person shall be
20 registered unless he applies in person to registration
21 officer, answers such relevant questions as may be asked of
22 him by the registration officer, and executes the affidavit of
23 registration. The registration officer shall require the
24 applicant to furnish two forms of identification, and except
25 in the case of a homeless individual, one of which must include

1 his or her residence address. These forms of identification
2 shall include, but not be limited to, any of the following:
3 driver's license, social security card, public aid
4 identification card, utility bill, employee or student
5 identification card, lease or contract for a residence, credit
6 card, or a civic, union or professional association membership
7 card. The registration officer shall require a homeless
8 individual to furnish evidence of his or her use of the mailing
9 address stated. This use may be demonstrated by a piece of mail
10 addressed to that individual and received at that address or
11 by a statement from a person authorizing use of the mailing
12 address. The registration officer shall require each applicant
13 for registration to read or have read to him the affidavit of
14 registration before permitting him to execute the affidavit.

15 One of the Deputy Registrars, the Judge of Registration,
16 or an Officer of Registration, County Clerk, or clerk in the
17 office of the County Clerk, shall administer to all persons
18 who shall personally apply to register the following oath or
19 affirmation:

20 "You do solemnly swear (or affirm) that you will fully and
21 truly answer all such questions as shall be put to you touching
22 your place of residence, name, place of birth, your
23 qualifications as an elector and your right as such to
24 register and vote under the laws of the State of Illinois."

25 The Registration Officer shall satisfy himself that each
26 applicant for registration is qualified to register before

1 registering him. If the registration officer has reason to
2 believe that the applicant is a resident of a Soldiers' and
3 Sailors' Home or any facility which is licensed or certified
4 pursuant to the Nursing Home Care Act, the Specialized Mental
5 Health Rehabilitation Act of 2013, the ID/DD Community Care
6 Act, or the MC/DD Act, the following question shall be put,
7 "When you entered the home which is your present address, was
8 it your bona fide intention to become a resident thereof?" Any
9 voter of a township, city, village or incorporated town in
10 which such applicant resides, shall be permitted to be present
11 at the place of precinct registration, and shall have the
12 right to challenge any applicant who applies to be registered.

13 In case the officer is not satisfied that the applicant is
14 qualified, he shall forthwith in writing notify such applicant
15 to appear before the County Clerk to furnish further proof of
16 his qualifications. Upon the card of such applicant shall be
17 written the word "Incomplete" and no such applicant shall be
18 permitted to vote unless such registration is satisfactorily
19 completed as hereinafter provided. No registration shall be
20 taken and marked as "incomplete" if information to complete it
21 can be furnished on the date of the original application.

22 Any person claiming to be an elector in any election
23 precinct in such township, city, village or incorporated town
24 and whose registration is marked "Incomplete" may make and
25 sign an application in writing, under oath, to the County
26 Clerk in substance in the following form:

1 "I do solemnly swear that I,, did on (insert
 2 date) make application to the Board of Registry of the
 3 precinct of ward of the City of or of
 4 the District Town of (or to the
 5 County Clerk of) and County; that
 6 said Board or Clerk refused to complete my registration as a
 7 qualified voter in said precinct, that I reside in said
 8 precinct (or that I intend to reside in said precinct), am a
 9 duly qualified voter and entitled to vote in said precinct at
 10 the next election.

11
 12 (Signature of Applicant)"

13 All such applications shall be presented to the County
 14 Clerk by the applicant, in person between the hours of nine
 15 o'clock a.m. and five o'clock p.m., on Monday and Tuesday of
 16 the third week subsequent to the weeks in which the 1961 and
 17 1962 precinct re-registrations are to be held, and thereafter
 18 for the registration provided in Section 5-17 of this Article,
 19 all such applications shall be presented to the County Clerk
 20 by the applicant in person between the hours of nine o'clock
 21 a.m. and nine o'clock p.m. on Monday and Tuesday of the third
 22 week prior to the date on which such election is to be held.

23 Any otherwise qualified person who is absent from his
 24 county of residence either due to business of the United
 25 States or because he is temporarily outside the territorial
 26 limits of the United States may become registered by mailing

1 an application to the county clerk within the periods of
2 registration provided for in this Article or by simultaneous
3 application for registration by mail and vote by mail ballot
4 as provided in Article 20 of this Code.

5 Upon receipt of such application the county clerk shall
6 immediately mail an affidavit of registration in duplicate,
7 which affidavit shall contain the following and such other
8 information as the State Board of Elections may think it
9 proper to require for the identification of the applicant:

10 Name. The name of the applicant, giving surname and first
11 or Christian name in full, and the middle name or the initial
12 for such middle name, if any.

13 Sex.

14 Residence. The name and number of the street, avenue or
15 other location of the dwelling, and such additional clear and
16 definite description as may be necessary to determine the
17 exact location of the dwelling of the applicant. Where the
18 location cannot be determined by street and number, then the
19 Section, congressional township and range number may be used,
20 or such other information as may be necessary, including post
21 office mailing address.

22 Electronic mail address, if the registrant has provided
23 this information.

24 Term of residence in the State of Illinois and the
25 precinct.

26 Nativity. The State or country in which the applicant was

1 born.

2 Citizenship. Whether the applicant is native born or
3 naturalized. If naturalized, the court, place and date of
4 naturalization.

5 Age. Date of birth, by month, day and year.

6 Out of State address of

7 AFFIDAVIT OF REGISTRATION

8 State of)

9)ss

10 County of)

11 I hereby swear (or affirm) that I am a citizen of the
12 United States; that on the day of the next election I shall
13 have resided in the State of Illinois for 6 months and in the
14 election precinct 30 days; that I am fully qualified to vote,
15 that I am not registered to vote anywhere else in the United
16 States, that I intend to remain a resident of the State of
17 Illinois and of the election precinct, that I intend to return
18 to the State of Illinois, and that the above statements are
19 true.

20

21 (His or her signature or mark)

22 Subscribed and sworn to before me, an officer qualified to
23 administer oaths, on (insert date).

24

25 Signature of officer administering oath.

1 Upon receipt of the executed duplicate affidavit of
2 Registration, the county clerk shall transfer the information
3 contained thereon to duplicate Registration Cards provided for
4 in Section 5-7 of this Article and shall attach thereto a copy
5 of each of the duplicate affidavit of registration and
6 thereafter such registration card and affidavit shall
7 constitute the registration of such person the same as if he
8 had applied for registration in person.

9 Notwithstanding any other provision of law, on and after
10 January 1, 2026, before an applicant is registered under this
11 Section, the registration officer shall verify the applicant's
12 citizenship status using the secure database maintained by the
13 Secretary of State under Section 38 of the Secretary of State
14 Act. If the information in the database indicates that the
15 applicant is not a United States citizen, then the applicant's
16 card shall be marked with the word "incomplete", and the
17 registration officer shall notify the applicant in writing
18 that (i) the application is incomplete and (ii) the applicant
19 may not vote unless the applicant appears before the county
20 clerk to present evidence that the applicant is a United
21 States citizen.

22 (Source: P.A. 98-104, eff. 7-22-13; 98-115, eff. 10-1-13;
23 98-756, eff. 7-16-14; 98-1171, eff. 6-1-15; 99-180, eff.
24 7-29-15.)

1 Sec. 6-37. Except as otherwise provided for in Section
2 6-29 of this Article, no person shall be registered unless he
3 applies in person to a registration officer, answers such
4 relevant questions as may be asked of him by the registration
5 officer, and executes the affidavit of registration. The
6 registration officer shall require the applicant to furnish
7 two forms of identification, and except in the case of a
8 homeless individual, one of which must include his or her
9 residence address. These forms of identification shall
10 include, but not be limited to, any of the following: driver's
11 license, social security card, public aid identification card,
12 utility bill, employee or student identification card, lease
13 or contract for a residence, credit card, or a civic, union or
14 professional association membership card. The registration
15 officer shall require a homeless individual to furnish
16 evidence of his or her use of the mailing address stated. This
17 use may be demonstrated by a piece of mail addressed to that
18 individual and received at that address or by a statement from
19 a person authorizing use of the mailing address. The
20 registration officer shall require each applicant for
21 registration to read or have read to him the affidavit of
22 registration before permitting him to execute the affidavit.

23 The registration officer shall satisfy himself that each
24 applicant for registration is qualified to register before
25 registering him. Any voter of the ward, village or
26 incorporated town in which such applicant resides, shall be

1 permitted to be present at the place of registration, and
2 shall have the right to challenge any applicant who applies to
3 be registered.

4 In case the officer is not satisfied that the applicant is
5 qualified he shall forthwith in writing notify such applicant
6 to appear before the board of election commissioners to
7 furnish further proof of his qualification. Upon the card of
8 such applicant shall be written the word "incomplete" and no
9 such applicant shall be permitted to vote unless such
10 registration is satisfactorily completed as hereinafter
11 provided.

12 Any person claiming to be an elector in any election
13 precinct in such city, village or incorporated town and whose
14 registration is marked "incomplete" may make and sign an
15 application in writing, under oath, to the board of election
16 commissioners in substance in the following form:

17 "I do solemnly swear that I,.... did on make
18 application to the board of registry of the precinct of
19 ward of the city of(or to the board of election
20 commissioners of) and that said board refused to complete
21 my registration as a qualified voter in said precinct, that I
22 reside in said precinct, am a duly qualified voter and
23 entitled to vote in said precinct at the next election.

24(Signature of Applicant)"

25 In all cities, villages or incorporated towns having a
26 population of less than 200,000 all such applications shall be

1 presented to the board of election commissioners by the
2 applicant, in person, between the hours of nine o'clock a.m.,
3 and five o'clock p.m. on Tuesday or Wednesday of the second
4 week prior to the week in which such election is to be held,
5 and in all municipalities having a population of more than
6 200,000 and having a board of election commissioners and in
7 all cities, villages and incorporated towns within the
8 jurisdiction of such board, all such applications shall be
9 presented to the board of election commissioners by the
10 applicant, in person between the hours of nine o'clock a.m.
11 and five o'clock p.m., on Monday and Tuesday of the third week
12 prior to the week in which such election is to be held.

13 Notwithstanding any other provision of law, on and after
14 January 1, 2026, before an applicant is registered under this
15 Section, the registration officer shall verify the applicant's
16 citizenship status using the secure database maintained by the
17 Secretary of State under Section 38 of the Secretary of State
18 Act. If the information in the database indicates that the
19 applicant is not a United States citizen, then the applicant's
20 card shall be marked with the word "incomplete", and the
21 registration officer shall notify the applicant in writing
22 that (i) the application is incomplete and (ii) the applicant
23 may not vote unless the applicant appears before the county
24 clerk to present evidence that the applicant is a United
25 States citizen.

26 (Source: P.A. 96-317, eff. 1-1-10.)

1 Section 10. The Secretary of State Act is amended by
2 adding Section 38 as follows:

3 (15 ILCS 305/38 new)

4 Sec. 38. Secure voter registration database. By January 1,
5 2026, the Secretary of State shall establish and maintain a
6 secure database that is accessible to local election officials
7 and that indicates whether the particular person to whom a
8 driver's license or State identification card has been issued
9 is a United States citizen.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.