



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1933

Introduced 2/10/2017, by Sen. Andy Manar - Don Harmon

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5
10 ILCS 5/1-16 new
10 ILCS 5/1A-16.1 new
10 ILCS 5/1A-16.2 new
10 ILCS 5/1A-16.6
10 ILCS 5/1A-16.8
10 ILCS 5/1A-16.9 new
625 ILCS 5/2-105

from Ch. 95 1/2, par. 2-105

Amends the Election Code. Provides that the State Board of Elections and the Office of the Secretary of State shall establish an automatic voter registration program pursuant to an interagency contract and jointly-adopted rules. Provides that an application for a driver's license, other than a temporary visitor's driver's license or a State identification card, shall also serve as an application to register to vote; allow an update to registration; and perform other specified functions. Requires specified agencies to provide certain information regarding registration. Establishes designated automatic voter registration agencies; and requires the establishment of dual-purpose applications to register to vote. Sets forth provisions and requirements for the State Board of Elections regarding the program. Amends the Freedom of Information Act to exempt certain information. Amends the Illinois Vehicle Code to make conforming changes. Effective immediately.

LRB100 11359 MLM 21744 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 Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for
8 by the statutes referenced below, the following shall be exempt
9 from inspection and copying:

10 (a) All information determined to be confidential
11 under Section 4002 of the Technology Advancement and
12 Development Act.

13 (b) Library circulation and order records identifying
14 library users with specific materials under the Library
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical
17 records received by the Experimental Organ Transplantation
18 Procedures Board and any and all documents or other records
19 prepared by the Experimental Organ Transplantation
20 Procedures Board or its staff relating to applications it
21 has received.

22 (d) Information and records held by the Department of
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmissible
2 disease or any information the disclosure of which is
3 restricted under the Illinois Sexually Transmissible
4 Disease Control Act.

5 (e) Information the disclosure of which is exempted
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of
8 the Architectural, Engineering, and Land Surveying
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted
11 and exempted under Section 50 of the Illinois Prepaid
12 Tuition Act.

13 (h) Information the disclosure of which is exempted
14 under the State Officials and Employees Ethics Act, and
15 records of any lawfully created State or local inspector
16 general's office that would be exempt if created or
17 obtained by an Executive Inspector General's office under
18 that Act.

19 (i) Information contained in a local emergency energy
20 plan submitted to a municipality in accordance with a local
21 emergency energy plan ordinance that is adopted under
22 Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution
24 of surcharge moneys collected and remitted by wireless
25 carriers under the Wireless Emergency Telephone Safety
26 Act.

1 (k) Law enforcement officer identification information
2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death
7 review team or the Executive Council under the Abuse
8 Prevention Review Team Act.

9 (m) Information provided to the predatory lending
10 database created pursuant to Article 3 of the Residential
11 Real Property Disclosure Act, except to the extent
12 authorized under that Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial
15 counsel as provided under Sections 10 and 15 of the Capital
16 Crimes Litigation Act. This subsection (n) shall apply
17 until the conclusion of the trial of the case, even if the
18 prosecution chooses not to pursue the death penalty prior
19 to trial or sentencing.

20 (o) Information that is prohibited from being
21 disclosed under Section 4 of the Illinois Health and
22 Hazardous Substances Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Regional Transportation Authority under Section 2.11 of

1 the Regional Transportation Authority Act or the St. Clair
2 County Transit District under the Bi-State Transit Safety
3 Act.

4 (q) Information prohibited from being disclosed by the
5 Personnel Records Review Act.

6 (r) Information prohibited from being disclosed by the
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted
9 under Section 5-108 of the Public Utilities Act.

10 (t) All identified or deidentified health information
11 in the form of health data or medical records contained in,
12 stored in, submitted to, transferred by, or released from
13 the Illinois Health Information Exchange, and identified
14 or deidentified health information in the form of health
15 data and medical records of the Illinois Health Information
16 Exchange in the possession of the Illinois Health
17 Information Exchange Authority due to its administration
18 of the Illinois Health Information Exchange. The terms
19 "identified" and "deidentified" shall be given the same
20 meaning as in the Health Insurance Portability and
21 Accountability Act of 1996, Public Law 104-191, or any
22 subsequent amendments thereto, and any regulations
23 promulgated thereunder.

24 (u) Records and information provided to an independent
25 team of experts under Brian's Law.

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under
2 the Firearm Owners Identification Card Act or applied for
3 or received a concealed carry license under the Firearm
4 Concealed Carry Act, unless otherwise authorized by the
5 Firearm Concealed Carry Act; and databases under the
6 Firearm Concealed Carry Act, records of the Concealed Carry
7 Licensing Review Board under the Firearm Concealed Carry
8 Act, and law enforcement agency objections under the
9 Firearm Concealed Carry Act.

10 (w) Personally identifiable information which is
11 exempted from disclosure under subsection (g) of Section
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure
14 under Section 5-1014.3 of the Counties Code or Section
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult
17 Protective Services Act and its predecessor enabling
18 statute, the Elder Abuse and Neglect Act, including
19 information about the identity and administrative finding
20 against any caregiver of a verified and substantiated
21 decision of abuse, neglect, or financial exploitation of an
22 eligible adult maintained in the Registry established
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality
25 review team or the Illinois Fatality Review Team Advisory
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement
7 Officer-Worn Body Camera Act, except to the extent
8 authorized under that Act.

9 (dd) Information that is prohibited from being
10 disclosed under Section 45 of the Condominium and Common
11 Interest Community Ombudsperson Act.

12 (ee) ~~(ed)~~ Information that is exempted from disclosure
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Records that are exempt from disclosure under
15 Section 1A-16.6 of the Election Code.

16 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,
17 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;
18 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;
19 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.
20 8-19-16; revised 9-1-16.)

21 Section 10. The Election Code is amended by changing
22 Sections 1A-16.6 and 1A-16.8 and by adding Sections 1-16,
23 1A-16.1, 1A-16.2, and 1A-16.9 as follows:

24 (10 ILCS 5/1-16 new)

1 Sec. 1-16. Election authorities; notices by electronic
2 mail. If an election authority is required by law to send an
3 election-related notice to an individual, that election
4 authority may send that notice solely by electronic mail if the
5 individual provides a current e-mail address to the election
6 authority and authorizes the election authority to send notices
7 by electronic mail. For the purposes of this Section, the term
8 "notice" does not include a ballot.

9 (10 ILCS 5/1A-16.1 new)

10 Sec. 1A-16.1. Automatic voter registration; Secretary of
11 State.

12 (a) The Office of the Secretary of State and the State
13 Board of Elections, pursuant to an interagency contract and
14 jointly-adopted rules, shall establish an automatic voter
15 registration program that satisfies the requirements of this
16 Section and other applicable law.

17 (b) An application for a driver's license, other than a
18 temporary visitor's driver's license, or a State
19 identification card issued by the Office of the Secretary of
20 State shall:

21 (1) also serve as an application to register to vote in
22 Illinois;

23 (2) allow an applicant to change his or her registered
24 residence address;

25 (3) clearly and conspicuously inform the applicant in

1 writing (i) of the qualifications to register to vote in
2 Illinois, (ii) of the penalties provided by law for
3 submission of a false voter registration application,
4 (iii) that, unless the applicant declines to register to
5 vote or update his or her voter registration, his or her
6 application shall also serve as both an application to
7 register to vote and his or her attestation that he or she
8 meets the eligibility requirements for voter registration,
9 and that his or her application to register to vote or
10 update his or her registration will be transmitted to the
11 State Board of Elections for the purpose of registering the
12 person to vote at the residence address to be indicated on
13 his or her driver's license or identification card, and
14 (iv) that declining to register to vote is confidential and
15 will not affect any services the person may be seeking from
16 the Office of the Secretary of State;

17 (4) provide the applicant with an opportunity to
18 affirmatively decline to register to vote or to change his
19 or her registered residence address by providing a check
20 box on the application form without requiring the applicant
21 to state the reason; and

22 (5) unless the applicant declines to register to vote
23 or change his or her registered residence address, require
24 the applicant to attest, by signature under penalty of
25 perjury as described in subsection (e) of this Section, to
26 meeting the qualifications to register to vote in Illinois

1 at his or her residence address as indicated on his or her
2 driver's license or identification card application.

3 (c) The Office of the Secretary of State shall inform each
4 applicant for a driver's license or permit, other than a
5 temporary visitor's driver's license, or a State
6 identification card issued by the Office of the Secretary of
7 State whether the applicant is currently registered to vote in
8 Illinois and, if registered, at what address.

9 (d) The Office of the Secretary of State shall not require
10 an applicant for a driver's license or State identification
11 card to provide duplicate identification or information in
12 order to complete an application to register to vote or change
13 his or her registered residence address. Before transmitting
14 any personal information about an applicant to the State Board
15 of Elections, the Office of the Secretary of State shall review
16 its records regarding the applicant, including identification
17 documents that may have been provided in order to complete the
18 application for a driver's license or State identification
19 card, to confirm that the Office of the Secretary of State is
20 not in possession of any information that indicates that the
21 applicant does not satisfy the qualifications to register to
22 vote in Illinois at his or her residence address.

23 (e) A completed, signed application for a driver's license
24 or permit, other than a temporary visitor's driver's license,
25 or a State identification card issued by the Office of the
26 Secretary of State, shall constitute a signed application to

1 register to vote in Illinois at the residence address indicated
2 in the application unless (i) the person affirmatively declined
3 in the application to register to vote or to change his or her
4 registered residence address or (ii) the records of the Office
5 of the Secretary of State regarding the applicant indicate that
6 he or she does not satisfy the qualifications to register to
7 vote in Illinois at his or her residence address.

8 (f) For each completed and signed application that
9 constitutes an application to register to vote in Illinois or
10 provides for a change in the applicant's registered residence
11 address, the Office of the Secretary of State shall
12 electronically transmit to the State Board of Elections
13 personal information needed to complete the person's
14 registration to vote in Illinois at his or her residence
15 address. The application to register to vote shall be processed
16 in accordance with Section 1A-16.6.

17 (10 ILCS 5/1A-16.2 new)

18 Sec. 1A-16.2. Automatic voter registration; designated
19 automatic voter registration agencies.

20 (a) Each designated automatic voter registration agency
21 may, pursuant to an interagency contract and jointly-adopted
22 rules with the State Board of Elections, agree to participate
23 in an automatic voter registration program established by the
24 State Board of Elections that satisfies the requirements of
25 this Section and other applicable law.

1 (b) As provided in subsection (a), each designated
2 automatic voter registration agency that collects or
3 cross-references reliable personal information indicating
4 citizenship status may provide that an application for a
5 license, permit, program, or service offered by that agency
6 shall serve as a dual-purpose application. The dual-purpose
7 application shall:

8 (1) also serve as an application to register to vote in
9 Illinois;

10 (2) allow an applicant to change his or her registered
11 residence address;

12 (3) clearly and conspicuously inform the applicant in
13 writing (i) of the qualifications to register to vote in
14 Illinois, (ii) of the penalties provided by law for
15 submission of a false voter registration application,
16 (iii) that, unless the applicant declines to register to
17 vote or update his or her voter registration, his or her
18 application shall also serve as both an application to
19 register to vote and his or her attestation that he or she
20 meets the eligibility requirements for voter registration,
21 and that his or her application to register to vote or
22 update his or her registration will be transmitted to the
23 State Board of Elections for the purpose of registering the
24 person to vote at the residence address to be indicated on
25 the dual-purpose application, (iv) that information
26 identifying the agency at which he or she applied to

1 register to vote is confidential, (vi) that declining to
2 register to vote is confidential and will not affect any
3 services the person may be seeking from the agency, and
4 (vii) any additional information needed in order to comply
5 with Section 7 of the federal National Voter Registration
6 Act of 1993;

7 (4) provide the applicant with an opportunity to
8 affirmatively decline to register to vote or change his or
9 her registered residence address by providing a check box
10 on the application form without requiring the applicant to
11 state the reason; and

12 (5) unless the applicant declines to register to vote
13 or to change his or her registered residence address,
14 require the applicant to attest, by signature under penalty
15 of perjury, to meeting the qualifications to register to
16 vote in Illinois at his or her residence address as
17 indicated on his or her dual-purpose application.

18 (c) As provided in subsection (a) of this Section, each
19 designated automatic voter registration agency that does not
20 collect or cross-reference records containing reliable
21 personal information indicating citizenship status may provide
22 that an application for a license, permit, program, or service
23 offered by that agency shall serve as a dual-purpose
24 application. The dual-purpose application shall:

25 (1) also serve as an application to register to vote in
26 Illinois;

1 (2) allow an applicant to change his or her registered
2 residence address;

3 (3) require the applicant to attest, by a separate
4 signature under penalty of perjury, to meeting the
5 qualifications to register to vote in Illinois at his or
6 her residence address as indicated on his or her
7 dual-purpose application;

8 (4) clearly and conspicuously inform the applicant in
9 writing (i) of the qualifications to register to vote in
10 Illinois, (ii) of the penalties provided by law for
11 submission of a false voter registration application,
12 (iii) that the dual-purpose application is also an
13 application to register to vote in Illinois, (iv) that, if
14 he or she decides to register to vote or to change his or
15 her registered residence address, the applicant's personal
16 information will be transmitted to the State Board of
17 Elections for the purpose of registering the person to vote
18 at the residence address to be indicated on the
19 dual-purpose application, (v) that information identifying
20 the agency at which he or she applied to register to vote
21 is confidential, (vi) that his or her decision on whether
22 to register to vote is confidential and will not affect any
23 services the person may be seeking from the agency; and
24 (vii) any additional information needed in order to comply
25 with Section 7 of the federal National Voter Registration
26 Act of 1993.

1 (d) The designated automatic voter registration agency
2 shall inform each applicant whether the applicant is currently
3 registered to vote in Illinois and, if registered, at what
4 address.

5 (e) The designated automatic voter registration agency
6 shall not require an applicant for a dual-purpose application
7 to provide duplicate identification or information in order to
8 complete an application to register to vote or change his or
9 her registered residence address. Before transmitting any
10 personal information about an applicant to the State Board of
11 Elections, the agency shall review its records regarding the
12 applicant, including identification documents that may have
13 been provided in order to complete the dual-purpose
14 application, to confirm that the agency is not in possession of
15 any information that indicates that the applicant does not
16 satisfy the qualifications to register to vote in Illinois at
17 his or her residence address. A completed and signed
18 dual-purpose application, including a completed application
19 under subsection (c) of this Section with a separate signature
20 attesting that the applicant meets the qualifications to
21 register to vote in Illinois at his or her residence address as
22 indicated on his or her application, shall constitute an
23 application to register to vote in Illinois at the residence
24 address indicated in the application unless (i) the person
25 affirmatively declined in the application to register to vote
26 or to change his or her registered residence address or (ii)

1 the agency's records regarding the applicant indicate that he
2 or she does not satisfy the qualifications to register to vote
3 in Illinois at his or her residence address.

4 (f) For each completed and signed dual-purpose application
5 that constitutes an application to register to vote in Illinois
6 or provides for a change in the applicant's registered
7 residence address, the designated automatic voter registration
8 agency shall electronically transmit to the State Board of
9 Elections personal information needed to complete the person's
10 registration to vote in Illinois at his or her residence
11 address. The application to register to vote shall be processed
12 in accordance with Section 1A-16.7.

13 (g) As used in this Section:

14 "Designated automatic voter registration agency" or
15 "agency" means the Department of Human Services, the
16 Department of Healthcare and Family Services, the
17 Department of Employment Security, the Department on
18 Ageing, or an agency of the State or federal government that
19 has been determined by the State Board of Elections to have
20 access to reliable personal information and has entered
21 into an interagency contract with the State Board of
22 Elections to participate in the automatic voter
23 registration program under this Section.

24 "Dual-purpose application" means an application for a
25 license, permit, program, or service offered by a
26 designated automatic voter registration agency that also

1 serves as an application to register to vote in Illinois.

2 "Reliable personal information" means information
3 about individuals obtained from government sources that
4 may be used to verify whether an individual is eligible to
5 register to vote.

6 (10 ILCS 5/1A-16.6)

7 Sec. 1A-16.6. Automatic ~~Government~~ ~~agency~~ voter
8 registration.

9 (a) The State Board of Elections shall establish and
10 maintain a portal for automatic government agency voter
11 registration that permits an eligible person to electronically
12 apply to register to vote or to update his or her existing
13 voter registration as provided in Section 1A-16.1 or Section
14 1A-16.2. The portal shall interface with the online voter
15 registration system established in Section 1A-16.5 of this Code
16 and shall be capable of receiving and processing voter
17 registration application information, including electronic
18 signatures, from the Office of the Secretary of State and each
19 designated automatic voter registration agency, as defined in
20 Section 1A-16.2. The State Board of Elections shall modify the
21 online voter registration system as necessary to implement this
22 Section. ~~By April 1, 2016, the State Board of Elections shall~~
23 ~~establish and maintain a portal for government agency~~
24 ~~registration that permits an eligible person to electronically~~
25 ~~apply to register to vote or to update his or her existing~~

1 ~~voter registration whenever he or she conducts business, either~~
2 ~~online or in person, with a designated government agency. The~~
3 ~~portal shall interface with the online voter registration~~
4 ~~system established in Section 1A-16.5 of this Code and shall be~~
5 ~~capable of receiving and processing voter registration~~
6 ~~application information, including electronic signatures, from~~
7 ~~a designated government agency. The State Board of Elections~~
8 ~~shall modify the online voter registration system as necessary~~
9 ~~to implement this Section.~~

10 ~~Voter registration data received from a designated~~
11 ~~government agency through the online registration system shall~~
12 ~~be processed as provided for in Section 1A-16.5 of this Code.~~

13 ~~Whenever the registration interface is accessible to the~~
14 ~~general public, including, but not limited to, online~~
15 ~~transactions, the interface shall allow the applicant to~~
16 ~~complete the process as provided for in Section 1A-16.5 of this~~
17 ~~Code. The online interface shall be capable of providing the~~
18 ~~applicant with the applicant's voter registration status with~~
19 ~~the State Board of Elections and, if registered, the~~
20 ~~applicant's current registration address. The applicant shall~~
21 ~~not be required to re-enter any registration data, such as~~
22 ~~name, address, and birth date, if the designated government~~
23 ~~agency already has that information on file. The applicant~~
24 ~~shall be informed that by choosing to register to vote or to~~
25 ~~update his or her existing voter registration, the applicant~~
26 ~~consents to the transfer of the applicant's personal~~

1 ~~information to the State Board of Elections.~~

2 ~~Whenever a government employee is accessing the~~
3 ~~registration system while servicing the applicant, the~~
4 ~~government employee shall notify the applicant of the~~
5 ~~applicant's registration status with the State Board of~~
6 ~~Elections and, if registered, the applicant's current~~
7 ~~registration address. If the applicant elects to register to~~
8 ~~vote or to update his or her existing voter registration, the~~
9 ~~government employee shall collect the needed information and~~
10 ~~assist the applicant with his or her registration. The~~
11 ~~applicant shall be informed that by choosing to register to~~
12 ~~vote or to update his or her existing voter registration, the~~
13 ~~applicant consents to the transfer of the applicant's personal~~
14 ~~information to the State Board of Elections.~~

15 ~~In accordance with technical specifications provided by~~
16 ~~the State Board of Elections, each designated government agency~~
17 ~~shall maintain a data transfer mechanism capable of~~
18 ~~transmitting voter registration application information,~~
19 ~~including electronic signatures where available, to the online~~
20 ~~voter registration system established in Section 1A-16.5 of~~
21 ~~this Code. Each designated government agency shall establish~~
22 ~~and operate a voter registration system capable of transmitting~~
23 ~~voter registration application information to the portal as~~
24 ~~described in this Section by July 1, 2016.~~

25 (b) Voter registration data received from the Office of the
26 Secretary of State or a designated automatic voter registration

1 agency through the online registration application system
2 shall be processed as provided in Section 1A-16.5 of this Code.

3 ~~Whenever an applicant's data is transferred from a designated~~
4 ~~government agency, the agency must transmit a signature image~~
5 ~~if available. If no signature image was provided by the agency~~
6 ~~or if no signature image is available in the Secretary of~~
7 ~~State's database or the statewide voter registration database,~~
8 ~~the applicant must be notified that their registration will~~
9 ~~remain in a pending status and the applicant will be required~~
10 ~~to provide identification and a signature to the election~~
11 ~~authority on Election Day in the polling place or during early~~
12 ~~voting.~~

13 (c) The State Board of Elections shall establish technical
14 specifications applicable to each automatic government
15 registration program. The Office of the Secretary of State and
16 each designated automatic voter registration agency shall
17 maintain a data transfer mechanism capable of transmitting
18 voter registration application information, including
19 electronic signatures where available, to the online voter
20 registration system established in Section 1A-16.5 of this
21 Code. ~~The State Board of Elections shall track registration~~
22 ~~data received through the online registration system that~~
23 ~~originated from a designated government agency for the purposes~~
24 ~~of maintaining statistics required by the federal National~~
25 ~~Voter Registration Act of 1993, as amended.~~

26 (d) The State Board of Elections shall, by rule, establish

1 criteria and procedures for determining whether an agency of
2 the State or federal government seeking to become a designated
3 automatic voter registration agency has access to reliable
4 personal information, as defined under this subsection (d) and
5 subsection (f) of Section 1A-16.2 of this Code, and otherwise
6 meets the requirements to enter into an interagency contract
7 and to operate as a designated automatic voter registration
8 agency. The State Board of Elections shall approve each
9 interagency contract upon affirmative vote of a majority of its
10 members. ~~The State Board of Elections shall submit a report to~~
11 ~~the General Assembly and the Governor by December 1, 2015~~
12 ~~detailing the progress made to implement the government agency~~
13 ~~voter registration portal described in this Section.~~

14 As used in this subsection (d), "reliable personal
15 information" means information about individuals obtained from
16 government sources that may be used to verify whether an
17 individual is eligible to register to vote.

18 (e) Whenever an applicant's data is transferred from the
19 Office of the Secretary of State or a designated automatic
20 voter registration agency, the agency must transmit a signature
21 image if available. If no signature image was provided by the
22 agency, or if no signature image is available in the Office of
23 the Secretary of State's database or the statewide voter
24 registration database, the applicant must be notified that his
25 or her registration will remain in a pending status, and the
26 applicant will be required to provide identification that

1 complies with the federal Help America Vote Act of 2002 and a
2 signature to the election authority on election day in the
3 polling place or during early voting. The Board shall adopt
4 rules, in consultation with the impacted agencies.

5 (f) Upon receipt of personal information collected and
6 transferred by the Office of the Secretary of State or a
7 designated automatic voter registration agency, the State
8 Board of Elections shall check the information against the
9 statewide voter registration database. The State Board of
10 Elections shall create and electronically transmit to the
11 appropriate election authority a voter registration
12 application for any individual who is not registered to vote in
13 Illinois and is not disqualified as provided in this Section or
14 whose information reliably indicates a more recent update to
15 the name or address of a person already included in the
16 statewide voter database. The election authority shall process
17 the application accordingly. As used in this Section, a
18 "designated government agency" means the Secretary of State's
19 Driver Services and Vehicle Services Departments, the
20 Department of Human Services, the Department of Healthcare and
21 Family Services, the Department of Employment Security, and the
22 Department on Aging.

23 (g) The appropriate election authority shall ensure that
24 any applicant who is registered to vote or whose existing voter
25 registration is updated under this Section is promptly sent
26 written notice of the change. The notice may be sent by

1 electronic mail if the applicant has provided an electronic
2 mail address on the voter registration form. The notice
3 required by this subsection (g) may be sent or combined with
4 other notices required or permitted by law, including, but not
5 limited to, any notices sent pursuant to Section 1A-16.5 of
6 this Code. Any notice required by this subsection (g) shall
7 contain, at a minimum: (i) the applicant's name, date of birth,
8 and residential address as reflected on the voter registration
9 list; (ii) a statement notifying the applicant to contact the
10 appropriate election authority if his or her voter registration
11 has been updated in error; (iii) the qualifications to register
12 to vote in Illinois; (iv) a statement notifying the applicant
13 that he or she may opt out of voter registration or request a
14 change to his or her registration information at any time by
15 contacting an election official; and (v) contact information
16 for the appropriate election authority, including a phone
17 number, address, electronic mail address, and website address.

18 (h) The appropriate election authority shall ensure that
19 any applicant whose voter registration application is not
20 accepted or deemed incomplete is promptly sent written notice
21 of the application's status. The notice may be sent by
22 electronic mail if the applicant has provided an electronic
23 mail address on the voter registration form. The notice
24 required by this subsection may be sent or combined with other
25 notices required or permitted by law, including, but not
26 limited to, any notices sent pursuant to Section 1A-16.5 of

1 this Code. Any notice required by this subsection (h) shall
2 contain, at a minimum, the reason the application was not
3 accepted or deemed incomplete and contact information for the
4 appropriate election authority, including a phone number,
5 address, electronic mail address, and website address.

6 (i) If the Office of the Secretary of State or a designated
7 automatic voter registration agency transfers information, or
8 if the State Board of Elections creates and transmits a voter
9 registration application, for a person who does not qualify as
10 an eligible voter, then it shall not constitute a completed
11 voter registration form, and the person shall not be considered
12 to have registered to vote.

13 (j) If the registration is processed by any election
14 authority, then it shall be presumed to have been effected and
15 officially authorized by the State, and that person shall not
16 be found on that basis to have made a false claim to
17 citizenship or to have committed an act of moral turpitude, nor
18 shall that person be subject to penalty under any relevant
19 laws, including, but not limited to, Sections 29-10 and 29-19
20 of this Code. This subsection (j) does not apply to a person
21 who knows that he or she is not entitled to register to vote
22 and who willfully votes, registers to vote, or attests under
23 penalty of perjury that he or she is eligible to register to
24 vote or willfully attempts to vote or to register to vote.

25 (k) The State Board of Elections, the Office of the
26 Secretary of State, and each designated automatic voter

1 registration agency shall implement policies and procedures to
2 protect the privacy and security of voter information as it is
3 acquired, stored, and transmitted among agencies, including
4 policies for the retention and preservation of voter
5 information. Information designated as confidential under this
6 Section may be recorded and shared among the State Board of
7 Elections, election authorities, the Office of the Secretary of
8 State, and designated automatic voter registration agencies,
9 but shall be used only for voter registration purposes, shall
10 not be disclosed to the public except in the aggregate as
11 required by subsection (m) of this Section, and shall not be
12 subject to the Freedom of Information Act. The following
13 information shall be designated as confidential:

14 (1) any portion of an applicant's Social Security
15 number;

16 (2) any portion of an applicant's driver's license
17 number or State identification number;

18 (3) an applicant's decision to decline voter
19 registration;

20 (4) the identity of the person providing information
21 relating to a specific applicant; and

22 (5) the personal residence and contact information of
23 any applicant for whom local, State, or federal law
24 requires confidentiality, including, but not limited to, a
25 victim of domestic violence pursuant to the Address
26 Confidentiality for Victims of Domestic Violence Act or a

1 victim of stalking pursuant to the Stalking No Contact
2 Order Act.

3 This subsection (k) shall not apply to information the
4 State Board of Elections is required to share with the
5 Electronic Registration Information Center.

6 (l) The voter registration procedures implemented under
7 this Section shall comport with the federal National Voter
8 Registration Act of 1993, as amended, and shall specifically
9 require that the State Board of Elections track registration
10 data received through the online registration system that
11 originated from a designated automatic voter registration
12 agency for the purposes of maintaining statistics.

13 (m) The State Board of Elections, each election authority
14 that maintains a website, the Office of the Secretary of State,
15 and each designated automatic voter registration agency that
16 maintains a website shall provide information on their websites
17 informing the public about the new registration procedures
18 described in this Section. The Office of the Secretary of State
19 and each designated automatic voter registration agency shall
20 display signage or provide literature for the public containing
21 information about the new registration procedures described in
22 this Section.

23 (n) No later than 6 months after the effective date of this
24 amendatory Act of the 100th General Assembly, the State Board
25 of Elections shall hold at least one public hearing on
26 implementing this amendatory Act of the 100th General Assembly

1 at which the public may provide input.

2 (o) The State Board of Elections shall submit an annual
3 public report to the General Assembly and the Governor
4 detailing the progress made to implement this Section. The
5 report shall include all of the following: the number of
6 records transferred under this Section by agency, the number of
7 voters newly added to the statewide voter registration list
8 because of records transferred under this Section by agency,
9 the number of updated registrations under this Section by
10 agency, the number of persons who opted out of voter
11 registration, and the number of voters who submitted voter
12 registration forms using the online procedure described in
13 Section 1A-16.5 of this Code. Any report produced under this
14 subsection shall exclude any information that identifies any
15 individual personally.

16 (p) The State Board of Elections, in consultation with
17 election authorities, the Office of the Secretary of State,
18 designated automatic voter registration agencies, and
19 community organizations, shall adopt rules as necessary to
20 implement the provisions of this Section.

21 (Source: P.A. 98-1171, eff. 6-1-15.)

22 (10 ILCS 5/1A-16.8)

23 Sec. 1A-16.8. Automatic transfer of registration based
24 upon information from the National Change of Address database
25 and designated automatic voter registration agencies.

1 (a) The State Board of Elections shall cross-reference the
2 statewide voter registration database against the United
3 States Postal Service's National Change of Address database
4 twice each calendar year, April 15 and October 1 in
5 odd-numbered years and April 15 and December 1 in even-numbered
6 years, and shall share the findings with the election
7 authorities.

8 (b) In addition, beginning no later than September 1, 2017,
9 the State Board of Elections shall utilize data provided as
10 part of its membership in the Electronic Registration
11 Information Center in order to cross-reference the statewide
12 voter registration database against databases of relevant
13 personal information kept by designated automatic voter
14 registration agencies, including, but not limited to, driver's
15 license information kept by the Secretary of State, at least 6
16 times each calendar year and shall share the findings with
17 election authorities.

18 This subsection (b) shall no longer apply once Sections
19 1A-16.1 and 1A-16.2 of this Code are fully implemented as
20 determined by the State Board of Elections. Upon a
21 determination by the State Board of Elections of full
22 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,
23 the State Board of Elections shall file notice of full
24 implementation and the inapplicability of this subsection (b)
25 with the Index Department of the Office of the Secretary of
26 State, the Governor, the General Assembly, and the Legislative

1 Reference Bureau.

2 (c) An election authority shall automatically register any
3 voter who has moved into its jurisdiction from another
4 jurisdiction in Illinois or has moved within its jurisdiction
5 provided that:

6 (1) the election authority whose jurisdiction includes
7 the new registration address provides the voter an
8 opportunity to reject the change in registration address
9 through a mailing, sent by non-forwardable mail, to the new
10 registration address, and

11 (2) when the election authority whose jurisdiction
12 includes the previous registration address is a different
13 election authority, then that election authority provides
14 the same opportunity through a mailing, sent by forwardable
15 mail, to the previous registration address.

16 This change in registration shall trigger the same
17 inter-jurisdictional or intra-jurisdictional workflows as if
18 the voter completed a new registration card, including the
19 cancellation of the voter's previous registration. Should the
20 registration of a voter be changed from one address to another
21 within the State and should the voter appear at the polls and
22 offer to vote from the prior registration address, attesting
23 that the prior registration address is the true current
24 address, the voter, if confirmed by the election authority as
25 having been registered at the prior registration address and
26 canceled only by the process authorized by this Section, shall

1 be issued a regular ballot, and the change of registration
2 address shall be canceled. If the election authority is unable
3 to immediately confirm the registration, the voter shall be
4 permitted to register and vote a regular ballot, provided that
5 he or she meets the documentary requirements for same-day
6 registration. If the election authority is unable to confirm
7 the registration and the voter does not meet the requirements
8 for same-day registration, the voter shall be issued a
9 provisional ballot.

10 (d) No voter shall be disqualified from voting due to an
11 error relating to an update of registration under this Section.

12 (Source: P.A. 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

13 (10 ILCS 5/1A-16.9 new)

14 Sec. 1A-16.9. Implementation. The changes made by this
15 amendatory Act of the 100th General Assembly shall be
16 implemented no later than July 1, 2018.

17 Section 15. The Illinois Vehicle Code is amended by
18 changing Section 2-105 as follows:

19 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

20 Sec. 2-105. Offices of Secretary of State.

21 (a) The Secretary of State shall maintain offices in the
22 State capital and in such other places in the State as he may
23 deem necessary to properly carry out the powers and duties

1 vested in him.

2 (b) The Secretary of State may construct and equip one or
3 more buildings in the State of Illinois outside of the County
4 of Sangamon as he deems necessary to properly carry out the
5 powers and duties vested in him. The Secretary of State may, on
6 behalf of the State of Illinois, acquire public or private
7 property needed therefor by lease, purchase or eminent domain.
8 The care, custody and control of such sites and buildings
9 constructed thereon shall be vested in the Secretary of State.
10 Expenditures for the construction and equipping of any of such
11 buildings upon premises owned by another public entity shall
12 not be subject to the provisions of any State law requiring
13 that the State be vested with absolute fee title to the
14 premises. The exercise of the authority vested in the Secretary
15 of State by this Section is subject to the appropriation of the
16 necessary funds.

17 (c) Pursuant to Sections 1A-16.1, 1A-16.6, and Section
18 1A-25 of the Election Code, the Secretary of State shall make
19 driver services facilities available for use as places of
20 accepting applications for voter registration.

21 (d) (Blank).

22 (e) Each person applying at a driver services facility for
23 a driver's license or permit, a corrected driver's license or
24 permit, an Illinois identification card or a corrected Illinois
25 identification card shall be notified, under the procedures set
26 forth in Sections 1A-16.1 and 1A-16.6 of the Election Code,

1 that unless he or she affirmatively declines, his or her
2 personal information shall be transferred to the State Board of
3 Elections for the purpose of creating an electronic voter
4 registration application ~~that the person may apply to register~~
5 ~~to vote at such station and may also apply to transfer his or~~
6 ~~her voter registration at such station to a different address~~
7 ~~in the State.~~ Such notification may be made in writing or
8 verbally issued by an employee or the Secretary of State.

9 The Secretary of State shall promulgate such rules as may
10 be necessary for the efficient execution of his duties and the
11 duties of his employees under this Section.

12 (f) Any person applying at a driver services facility for
13 issuance or renewal of a driver's license or Illinois
14 Identification Card shall be provided, without charge, with a
15 brochure warning the person of the dangers of financial
16 identity theft. The Department of Financial and Professional
17 Regulation shall prepare these brochures and provide them to
18 the Secretary of State for distribution. The brochures shall
19 (i) identify signs warning the reader that he or she might be
20 an intended victim of the crime of financial identity theft,
21 (ii) instruct the reader in how to proceed if the reader
22 believes that he or she is the victim of the crime of identity
23 theft, and (iii) provide the reader with names and telephone
24 numbers of law enforcement and other governmental agencies that
25 provide assistance to victims of financial identity theft.

26 (g) The changes made by this amendatory Act of the 100th

1 General Assembly shall be implemented no later than July 1,
2 2018.

3 (Source: P.A. 97-81, eff. 7-5-11.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.