



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1935

Introduced 2/15/2019, by Sen. Andy Manar

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.5
10 ILCS 5/3-6

Amends the Election Code. Allows the State Board of Elections to receive voter registration information provided by applicants using electronic voter registration portals (rather than the Board's website). Provides that notwithstanding any other provision of law, a person who is otherwise qualified to vote may preregister to vote on or after that person's 16th birthday, with the registration held in abeyance by the appropriate election authority until that individual attains the required age to vote. Requires preregistration to be completed using the online voter registration system or an electronic voter registration portal. Provides that for the purposes of the Code, an individual who is 16 years of age or older (rather than who is 17 years of age and who will be 18 years of age on the date of the general or consolidated election) shall be deemed competent to execute and attest to any voter registration forms.

LRB101 08991 SMS 54084 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 1A-16.5 and 3-6 as follows:

6 (10 ILCS 5/1A-16.5)

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

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

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

22 (c) The Board may receive voter registration information
23 provided by applicants using electronic voter registration

1 portals ~~the State Board of Elections' website~~, may cross
2 reference that information with data or information contained
3 in the Secretary of State's database in order to match the
4 information submitted by applicants, and may receive from the
5 Secretary of State the applicant's digitized signature upon a
6 successful match of that applicant's information with that
7 contained in the Secretary of State's database.

8 (d) Notwithstanding any other provision of law, a person
9 who is qualified to register to vote and who has an authentic
10 Illinois driver's license or State identification card issued
11 by the Secretary of State may submit an application to register
12 to vote electronically on a website maintained by the State
13 Board of Elections.

14 (e) An online voter registration application shall contain
15 all of the information that is required for a paper application
16 as provided in Section 1A-16 of this Code, except that the
17 applicant shall be required to provide:

18 (1) the applicant's full Illinois driver's license or
19 State identification card number;

20 (2) the last 4 digits of the applicant's social
21 security number; and

22 (3) the date the Illinois driver's license or State
23 identification card was issued.

24 (f) For an applicant's registration or change in
25 registration to be accepted, the applicant shall mark the box
26 associated with the following statement included as part of the

1 online voter registration application:

2 "By clicking on the box below, I swear or affirm all of the
3 following:

4 (1) I am the person whose name and identifying information
5 is provided on this form, and I desire to register to vote in
6 the State of Illinois.

7 (2) All the information I have provided on this form is
8 true and correct as of the date I am submitting this form.

9 (3) I authorize the Secretary of State to transmit to the
10 State Board of Elections my signature that is on file with the
11 Secretary of State and understand that such signature will be
12 used by my local election authority on this online voter
13 registration application for admission as an elector as if I
14 had signed this form personally."

15 (g) Immediately upon receiving a completed online voter
16 registration application, the online voter registration system
17 shall send, by electronic mail, a confirmation notice that the
18 application has been received. Within 48 hours of receiving
19 such an application, the online voter registration system shall
20 send by electronic mail, a notice informing the applicant of
21 whether the following information has been matched with the
22 Secretary of State database:

23 (1) that the applicant has an authentic Illinois
24 driver's license or State identification card issued by the
25 Secretary of State and that the driver's license or State
26 identification number provided by the applicant matches

1 the driver's license or State identification card number
2 for that person on file with the Secretary of State;

3 (2) that the date of issuance of the Illinois driver's
4 license or State identification card listed on the
5 application matches the date of issuance of that card for
6 that person on file with the Secretary of State;

7 (3) that the date of birth provided by the applicant
8 matches the date of birth for that person on file with the
9 Secretary of State; and

10 (4) that the last 4 digits of the applicant's social
11 security number matches the last 4 digits for that person
12 on file with the Secretary of State.

13 (h) If the information provided by the applicant matches
14 the information on the Secretary of State's databases for any
15 driver's license and State identification card holder and is
16 matched as provided in subsection (g) above, the online voter
17 registration system shall:

18 (1) retrieve from the Secretary of State's database
19 files an electronic copy of the applicant's signature from
20 his or her Illinois driver's license or State
21 identification card and such signature shall be deemed to
22 be the applicant's signature on his or her online voter
23 registration application;

24 (2) within 2 days of receiving the application, forward
25 to the county clerk or board of election commissioners
26 having jurisdiction over the applicant's voter

1 registration: (i) the application, along with the
2 applicant's relevant data that can be directly loaded into
3 the jurisdiction's voter registration system and (ii) a
4 copy of the applicant's electronic signature and a
5 certification from the State Board of Elections that the
6 applicant's driver's license or State identification card
7 number, driver's license or State identification card date
8 of issuance, and date of birth and social security
9 information have been successfully matched.

10 (i) Upon receipt of the online voter registration
11 application, the county clerk or board of election
12 commissioners having jurisdiction over the applicant's voter
13 registration shall promptly search its voter registration
14 database to determine whether the applicant is already
15 registered to vote at the address on the application and
16 whether the new registration would create a duplicate
17 registration. If the applicant is already registered to vote at
18 the address on the application, the clerk or board, as the case
19 may be, shall send the applicant by first class mail, and
20 electronic mail if the applicant has provided an electronic
21 mail address on the original voter registration form for that
22 address, a disposition notice as otherwise required by law
23 informing the applicant that he or she is already registered to
24 vote at such address. If the applicant is not already
25 registered to vote at the address on the application and the
26 applicant is otherwise eligible to register to vote, the clerk

1 or board, as the case may be, shall:

2 (1) enter the name and address of the applicant on the
3 list of registered voters in the jurisdiction; and

4 (2) send by mail, and electronic mail if the applicant
5 has provided an electronic mail address on the voter
6 registration form, a disposition notice to the applicant as
7 otherwise provided by law setting forth the applicant's
8 name and address as it appears on the application and
9 stating that the person is registered to vote.

10 (j) An electronic signature of the person submitting a
11 duplicate registration application or a change of address form
12 that is retrieved and imported from the Secretary of State's
13 driver's license or State identification card database as
14 provided herein may, in the discretion of the clerk or board,
15 be substituted for and replace any existing signature for that
16 individual in the voter registration database of the county
17 clerk or board of election commissioners.

18 (k) Any new registration or change of address submitted
19 electronically as provided in this Section shall become
20 effective as of the date it is received by the county clerk or
21 board of election commissioners having jurisdiction over said
22 registration. Disposition notices prescribed in this Section
23 shall be sent within 5 business days of receipt of the online
24 application or change of address by the county clerk or board
25 of election commissioners.

26 (l) All provisions of this Code governing voter

1 registration and applicable thereto and not inconsistent with
2 this Section shall apply to online voter registration under
3 this Section. All applications submitted on a website
4 maintained by the State Board of Elections shall be deemed
5 timely filed if they are submitted no later than 11:59 p.m. on
6 the 16th day prior to an election. After the registration
7 period for an upcoming election has ended and until the 2nd day
8 following such election, the web page containing the online
9 voter registration form on the State Board of Elections website
10 shall inform users of the procedure for grace period voting.

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

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

22 (o) (Blank).

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

1 departments of State Government listed in Section 5-15 of the
2 Civil Administrative Code of Illinois (General Provisions and
3 Departments of State Government).

4 (Source: P.A. 98-115, eff. 7-29-13; 98-756, eff. 7-16-14;
5 98-1171, eff. 6-1-15; 99-522, eff. 6-30-16.)

6 (10 ILCS 5/3-6)

7 Sec. 3-6. Voting and registration age.

8 (a) Notwithstanding any other provision of law, a person
9 who is otherwise qualified to vote may preregister to vote on
10 or after that person's 16th birthday, with the registration
11 held in abeyance by the appropriate election authority until
12 that individual attains the required age to vote.
13 Preregistration under this subsection (a) shall be completed
14 using the online voter registration system, including in person
15 with a designated government agency, as provided in Section
16 1A-16.6, and through the automatic government agency voter
17 registration portal, as provided in Section 16.7, or an
18 electronic voter registration portal, as provided in Section
19 1A-16.5.

20 (b) Notwithstanding any other provision of law, a person
21 who is 17 years old on the date of a caucus, general primary
22 election, or consolidated primary election and who is otherwise
23 qualified to vote is qualified to vote at that caucus, general
24 primary, or consolidated primary, including voting a vote by
25 mail, grace period, or early voting ballot with respect to that

1 general primary or consolidated primary, if that person will be
2 18 years old on the date of the immediately following general
3 election or consolidated election for which candidates are
4 nominated at that primary.

5 (c) Notwithstanding any other provision of law, an
6 individual who is 17 years of age, will be 18 years of age on
7 the date of the immediately following general or consolidated
8 election, and is otherwise qualified to vote shall be deemed
9 eligible to circulate a nominating petition or a petition
10 proposing a public question.

11 (d) For the purposes of this Code, a person who is 16 years
12 of age or older shall be deemed competent to execute and attest
13 to any voter registration forms.

14 (e) References in this Code and elsewhere to the
15 requirement that a person must be 18 years old to vote shall be
16 interpreted in accordance with this Section.

17 ~~For the purposes of this Code, an individual who is 17~~
18 ~~years of age and who will be 18 years of age on the date of the~~
19 ~~general or consolidated election shall be deemed competent to~~
20 ~~execute and attest to any voter registration forms. An~~
21 ~~individual who is 17 years of age, will be 18 years of age on~~
22 ~~the date of the immediately following general or consolidated~~
23 ~~election, and is otherwise qualified to vote shall be deemed~~
24 ~~eligible to circulate a nominating petition or a petition~~
25 ~~proposing a public question.~~

26 (Source: P.A. 99-722, eff. 8-5-16; 100-201, eff. 8-18-17.)