



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5141

Introduced 1/27/2022, by Rep. Edgar Gonzalez, Jr.

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.1
10 ILCS 5/1A-16.2
10 ILCS 5/1A-16.7
10 ILCS 5/1A-16.8
625 ILCS 5/2-105

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

Amends the Election Code. Makes changes to identification requirements for certain applications with the Secretary of State to serve as a dual-purpose application. Provides that if an applicant provides the Secretary of State with an identification document demonstrating a lack of United States citizenship, the application shall not serve as a dual-purpose application. Provides that an agency that does not collect or cross-references reliable personal information indicating citizenship status may enter into an agreement with the State Board of Elections to transmit information that shall serve only to update an applicant's existing voter registration record. Allows the agency to transmit information on all clients who may be registered to vote with a clear indication that the information shall be used only for updates. Requires the Department of Healthcare and Family Services to, as permitted by applicable federal law, implement an automatic voter registration system for applicants for Illinois Medicaid no later than July 1, 2023. Makes other and conforming changes throughout the Code and in the Illinois Vehicle Code. Effective immediately.

LRB102 24619 AWJ 33856 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-16.1, 1A-16.2, 1A-16.7, and 1A-16.8 as follows:

6 (10 ILCS 5/1A-16.1)

7 Sec. 1A-16.1. Automatic voter registration; Secretary of
8 State.

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

14 (b) If, as part of an application, an application for
15 renewal, a change of address form, or a recertification form
16 for a driver's license, other than a temporary visitor's
17 driver's license, or a State identification card issued by the
18 Office of the Secretary of State, an applicant presents an
19 identification document that demonstrates United States
20 citizenship and is of age to register to vote or the
21 information provided to the Office pursuant to subsection (c)
22 indicates that the applicant is currently registered to vote
23 in Illinois, ~~meets the requirements of the federal REAL ID Act~~

1 ~~of 2005,~~ then that application shall serve as a dual-purpose
2 application unless the applicant declines in accordance with
3 subsection (g) of Section 1A-16.7. The dual-purpose
4 application shall:

5 (1) also serve as an application to register to vote
6 in Illinois; and

7 (2) ~~allow an applicant to~~ change the applicant's ~~his~~
8 ~~or her~~ registered residence address or name as it appears
9 on the voter registration rolls. ~~†~~

10 ~~(3) provide the applicant with an opportunity to~~
11 ~~affirmatively decline to register to vote or to change his~~
12 ~~or her registered residence address or name by providing a~~
13 ~~check box on the application form without requiring the~~
14 ~~applicant to state the reason; and~~

15 ~~(4) unless the applicant declines to register to vote~~
16 ~~or change his or her registered residence address or name,~~
17 ~~require the applicant to attest, by signature under~~
18 ~~penalty of perjury as described in subsection (c) of this~~
19 ~~Section, to meeting the qualifications to register to vote~~
20 ~~in Illinois at his or her residence address as indicated~~
21 ~~on his or her driver's license or identification card~~
22 ~~dual-purpose application.~~

23 (b-5) If, as part of an application, an application for
24 renewal, a change of address form, or a recertification form
25 for a driver's license, other than a temporary visitor's
26 driver's license, or a State identification card issued by the

1 Office of the Secretary of State, an applicant presents an
2 identification document that neither demonstrates United
3 States citizenship nor demonstrates lack of United States
4 citizenship and the information provided to the Office
5 pursuant to subsection (c) does not indicate that the
6 applicant is currently registered to vote in Illinois, ~~does~~
7 ~~not meet the requirements of the federal REAL ID Act of 2005,~~
8 then that application shall serve as a dual-purpose
9 application. The dual-purpose application shall:

10 (1) also serve as an application to register to vote
11 in Illinois;

12 (2) (blank); and ~~allow an applicant to change his or~~
13 ~~her registered residence address or name as it appears on~~
14 ~~the voter registration rolls; and~~

15 (3) if the applicant chooses to register to vote ~~or to~~
16 ~~change his or her registered residence address or name,~~
17 then require the applicant to attest, by a separate
18 signature under penalty of perjury, to meeting the
19 qualifications to register to vote in Illinois at his or
20 her residence address as indicated on his or her
21 dual-purpose application.

22 (b-10) (Blank). ~~The Office of the Secretary of State shall~~
23 ~~clearly and conspicuously inform each applicant in writing:~~
24 ~~(i) of the qualifications to register to vote in Illinois,~~
25 ~~(ii) of the penalties provided by law for submission of a false~~
26 ~~voter registration application, (iii) that, unless the~~

1 ~~applicant declines to register to vote or update his or her~~
2 ~~voter registration, his or her dual purpose application shall~~
3 ~~also serve as both an application to register to vote and his~~
4 ~~or her attestation that he or she meets the eligibility~~
5 ~~requirements for voter registration, and that his or her~~
6 ~~application to register to vote or update his or her~~
7 ~~registration will be transmitted to the State Board of~~
8 ~~Elections for the purpose of registering the person to vote at~~
9 ~~the residence address to be indicated on his or her driver's~~
10 ~~license or identification card, and (iv) that declining to~~
11 ~~register to vote is confidential and will not affect any~~
12 ~~services the person may be seeking from the Office of the~~
13 ~~Secretary of State.~~

14 (c) The Office of the Secretary of State shall review
15 information provided to the Office of the Secretary of State
16 by the State Board of Elections to determine whether each
17 ~~inform each applicant for a driver's license or permit, other~~
18 ~~than a temporary visitor's driver's license, or a State~~
19 ~~identification card issued by the Office of the Secretary of~~
20 ~~State whether the applicant under subsections (b) and (b-5) is~~
21 currently registered to vote in Illinois and, if registered,
22 at what address.

23 (d) The Office of the Secretary of State shall not require
24 an applicant for a driver's license or State identification
25 card to provide duplicate identification or information in
26 order to complete an application to register to vote or change

1 his or her registered residence address or name. Before
2 transmitting any personal information about an applicant to
3 the State Board of Elections, the Office of the Secretary of
4 State shall review its records of the identification documents
5 the applicant provided in order to complete the application
6 for a driver's license or State identification card, to
7 confirm that nothing in those documents indicates that the
8 applicant does not satisfy the qualifications to register to
9 vote in Illinois at his or her residence address. If an
10 applicant provides the Secretary of State with an
11 identification document demonstrating a lack of United States
12 citizenship, the application shall not serve as a dual-purpose
13 application under this Section.

14 (e) A completed, signed application for (i) a driver's
15 license or permit, other than a temporary visitor's driver's
16 license, or a State identification card issued by the Office
17 of the Secretary of State as part of which an applicant
18 presents an identification document that demonstrates that the
19 applicant is a United States citizen and is of age to register
20 to vote or for which the information provided to the Office
21 pursuant to subsection (c) indicates that the applicant is
22 currently registered to vote in Illinois, ~~that meets the~~
23 ~~requirements of the federal REAL ID Act of 2005;~~ or (ii) a
24 completed application under subsection (b-5) of this Section
25 with a separate signature attesting the applicant meets the
26 qualifications to register to vote in Illinois at his or her

1 residence address as indicated on his or her application shall
2 constitute a signed application to register to vote in
3 Illinois at the residence address indicated in the application
4 ~~unless the person affirmatively declined in the application to~~
5 ~~register to vote or to change his or her registered residence~~
6 ~~address or name.~~ If the identification documents provided to
7 complete the dual-purpose application indicate that he or she
8 does not satisfy the qualifications to register to vote in
9 Illinois at his or her residence address, the application
10 shall be marked as incomplete.

11 (f) For each completed and signed application that
12 constitutes an application to register to vote in Illinois or
13 provides for a change in the applicant's registered residence
14 address or name, the Office of the Secretary of State shall
15 electronically transmit to the State Board of Elections
16 personal information needed to complete the person's
17 registration to vote in Illinois at his or her residence
18 address, including the applicant's choice of language other
19 than English during the licensing transaction. The application
20 to register to vote shall be processed in accordance with
21 Section 1A-16.7.

22 (g) (Blank). ~~If the federal REAL ID Act of 2005 is~~
23 ~~repealed, abrogated, superseded, or otherwise no longer in~~
24 ~~effect, then the State Board of Elections shall establish~~
25 ~~criteria for determining reliable personal information~~
26 ~~indicating citizenship status and shall adopt rules as~~

1 ~~necessary for the Secretary of State to continue processing~~
2 ~~dual-purpose applications under this Section.~~

3 (h) As used in this Section, "dual-purpose application"
4 means an application, an application for renewal, a change of
5 address form, or a recertification form for driver's license
6 or permit, other than a temporary visitor's driver's license,
7 or a State identification card offered by the Secretary of
8 State that also serves as an application to register to vote in
9 Illinois. "Dual-purpose application" does not mean an
10 application under subsection (c) of Section 6-109 of the
11 Illinois Vehicle Code.

12 (Source: P.A. 100-464, eff. 8-28-17.)

13 (10 ILCS 5/1A-16.2)

14 Sec. 1A-16.2. Automatic voter registration; designated
15 automatic voter registration agencies.

16 (a) Each designated automatic voter registration agency
17 shall, pursuant to an interagency contract and jointly-adopted
18 rules with the State Board of Elections, agree to participate
19 in an automatic voter registration program established by the
20 State Board of Elections that satisfies the requirements of
21 this Section and other applicable law. If the designated
22 automatic voter registration agency provides applications,
23 applications for renewal, change of address forms, filing, or
24 recertification forms to individuals for services offered by
25 another agency, then the State Board of Elections and the

1 designated automatic voter agency shall consult with the other
2 agency. The State Board of Elections shall consider the
3 current technological capabilities of the designated voter
4 registration agency when drafting interagency contracts and
5 jointly-adopted rules. The State Board of Elections and the
6 designated automatic voter registration agency shall amend
7 these contracts and rules as the technological capabilities of
8 the designated voter registration agencies improve.

9 (b) As provided in subsection (a) of this Section, each
10 designated automatic voter registration agency that collects
11 or cross-references reliable personal information indicating
12 citizenship status may provide that an application for a
13 license, permit, program, or service shall serve as a
14 dual-purpose application. The dual-purpose application shall:

15 (1) also serve as an application to register to vote
16 in Illinois; and

17 (2) ~~allow an applicant to change~~ the applicant's his
18 ~~or her~~ registered residence address or name as it appears
19 on the voter registration rolls. †

20 ~~(3) provide the applicant with an opportunity to~~
21 ~~affirmatively decline to register to vote or change his or~~
22 ~~her registered residence address or name by providing a~~
23 ~~check box on the application form without requiring the~~
24 ~~applicant to state the reason; and~~

25 ~~(4) unless the applicant declines to register to vote~~
26 ~~or to change his or her registered residence address or~~

1 ~~name, require the applicant to attest, by signature under~~
2 ~~penalty of perjury, to meeting the qualifications to~~
3 ~~register to vote in Illinois at his or her residence~~
4 ~~address as indicated on his or her dual-purpose~~
5 ~~application.~~

6 (c) As provided in subsection (a) of this Section, each
7 designated automatic voter registration agency that does not
8 collect or cross-reference records containing reliable
9 personal information indicating citizenship status may provide
10 that an application, an application for renewal, a change of
11 address form, or a recertification form for a license, permit,
12 program, or service shall serve as a dual-purpose application.
13 The dual-purpose application shall:

14 (1) also serve as an application to register to vote
15 in Illinois;

16 (2) allow an applicant to change his or her registered
17 residence address or name as it appears on the voter
18 registration rolls; and

19 (3) if the applicant chooses to register to vote or to
20 change his or her registered residence address or name,
21 then require the applicant to attest, by a separate
22 signature under penalty of perjury, to meeting the
23 qualifications to register to vote in Illinois at his or
24 her residence address as indicated on his or her
25 dual-purpose application.

26 (c-5) (Blank). ~~The designated automatic voter registration~~

1 ~~agency shall clearly and conspicuously inform each applicant~~
2 ~~in writing: (i) of the qualifications to register to vote in~~
3 ~~Illinois, (ii) of the penalties provided by law for submission~~
4 ~~of a false voter registration application, (iii) that, unless~~
5 ~~the applicant declines to register to vote or update his or her~~
6 ~~voter registration, his or her application shall also serve as~~
7 ~~both an application to register to vote and his or her~~
8 ~~attestation that he or she meets the eligibility requirements~~
9 ~~for voter registration, and that his or her application to~~
10 ~~register to vote or update his or her registration will be~~
11 ~~transmitted to the State Board of Elections for the purpose of~~
12 ~~registering the person to vote at the residence address to be~~
13 ~~indicated on the dual purpose application, (iv) that~~
14 ~~information identifying the agency at which he or she applied~~
15 ~~to register to vote is confidential, (v) that declining to~~
16 ~~register to vote is confidential and will not affect any~~
17 ~~services the person may be seeking from the agency, and (vi)~~
18 ~~any additional information needed in order to comply with~~
19 ~~Section 7 of the federal National Voter Registration Act of~~
20 ~~1993.~~

21 (d) The designated automatic voter registration agency
22 shall review information provided to the agency by the State
23 Board of Elections to inform each applicant covered by
24 subsection (c) whether the applicant is currently registered
25 to vote in Illinois and, if registered, at what address.

26 (e) The designated automatic voter registration agency

1 shall not require an applicant for a dual-purpose application
2 to provide duplicate identification or information in order to
3 complete an application to register to vote or change his or
4 her registered residence address or name. Before transmitting
5 any personal information about an applicant to the State Board
6 of Elections, the agency shall review its records of the
7 identification documents the applicant provided or that the
8 agency cross-references in order to complete the dual-purpose
9 application, to confirm that nothing in those documents
10 indicates that the applicant does not satisfy the
11 qualifications to register to vote in Illinois at his or her
12 residence address. A completed and signed dual-purpose
13 application, including a completed application under
14 subsection (c) of this Section with a separate signature
15 attesting that the applicant meets the qualifications to
16 register to vote in Illinois at his or her residence address as
17 indicated on his or her application, shall constitute an
18 application to register to vote in Illinois at the residence
19 address indicated in the application ~~unless the person~~
20 ~~affirmatively declined in the application to register to vote~~
21 ~~or to change his or her registered residence address or name.~~
22 If the identification documents provided to complete the
23 dual-purpose application, or that the agency cross-references,
24 indicate that he or she does not satisfy the qualifications to
25 register to vote in Illinois at his or her residence address,
26 the application shall be marked as incomplete.

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

10 (g) As used in this Section:

11 "Designated automatic voter registration agency" or
12 "agency" means the divisions of Family and Community
13 Services and Rehabilitation Services of the Department of
14 Human Services, the Department of Employment Security, the
15 Department of Financial and Professional Regulation, the
16 Department of Natural Resources, or an agency of the
17 State, local, tribal, or federal government that has been
18 determined by the State Board of Elections to have access
19 to reliable personal information and has entered into an
20 interagency contract with the State Board of Elections to
21 participate in the automatic voter registration program
22 under this Section. If an agency under this Section
23 collects or cross-references reliable personal information
24 indicating citizenship status for more than one person
25 listed on an application for a license, permit, program,
26 or service, each person for whom the agency collects or

1 cross-references reliable personal information indicating
2 citizenship status shall be considered an applicant under
3 this Section and the application shall serve as a
4 dual-purpose application for each such person.

5 "Dual-purpose application" means an application, an
6 application for renewal, a change of address form, or a
7 recertification form for a license, permit, program, or
8 service offered by a designated automatic voter
9 registration agency that also serves as an application to
10 register to vote in Illinois.

11 "Reliable personal information" means information
12 about individuals obtained from government sources that
13 may be used to verify whether an individual is eligible to
14 register to vote.

15 (h) This Section shall be implemented no later than July
16 1, 2019.

17 (i) The Department of Healthcare and Family Services shall
18 implement, as permitted by applicable federal law, an
19 automatic voter registration system under this Section for
20 applicants for Illinois Medicaid no later than July 1, 2023.

21 (Source: P.A. 100-464, eff. 8-28-17.)

22 (10 ILCS 5/1A-16.7)

23 Sec. 1A-16.7. Automatic voter registration.

24 (a) The State Board of Elections shall establish and
25 maintain a portal for automatic government agency voter

1 registration that permits an eligible person to electronically
2 apply to register to vote or to update his or her existing
3 voter registration as provided in Section 1A-16.1 or Section
4 1A-16.2. The portal shall interface with the online voter
5 registration system established in Section 1A-16.5 of this
6 Code and shall be capable of receiving and processing voter
7 registration application information, including electronic
8 signatures, from the Office of the Secretary of State and each
9 designated automatic voter registration agency, as defined in
10 Section 1A-16.2. The State Board of Elections may
11 cross-reference voter registration information from any
12 designated automatic voter registration agency, as defined
13 under Section 1A-16.2 of this Code, with information contained
14 in the database of the Secretary of State as provided under
15 subsection (c) of Section 1A-16.5 of this Code. The State
16 Board of Elections shall modify the online voter registration
17 system as necessary to implement this Section.

18 (b) Voter registration data received from the Office of
19 the Secretary of State or a designated automatic voter
20 registration agency through the online registration
21 application system shall be processed as provided in Section
22 1A-16.5 of this Code.

23 (c) The State Board of Elections shall establish technical
24 specifications applicable to each automatic government
25 registration program, including data format and transmission
26 specifications. The Office of the Secretary of State and each

1 designated automatic voter registration agency shall maintain
2 a data transfer mechanism capable of transmitting voter
3 registration application information, including electronic
4 signatures where available, to the online voter registration
5 system established in Section 1A-16.5 of this Code.

6 (d) The State Board of Elections shall, by rule, establish
7 criteria and procedures for determining whether an agency of
8 the State or federal government seeking to become a designated
9 automatic voter registration agency has access to reliable
10 personal information, as defined under this subsection (d) and
11 subsection (f) of Section 1A-16.2 of this Code, and otherwise
12 meets the requirements to enter into an interagency contract
13 and to operate as a designated automatic voter registration
14 agency. The State Board of Elections shall approve each
15 interagency contract upon affirmative vote of a majority of
16 its members.

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

21 (e) Whenever an applicant's data is transferred from the
22 Office of the Secretary of State or a designated automatic
23 voter registration agency, the agency must transmit a
24 signature image if available. If no signature image was
25 provided by the agency, and ~~or~~ if no signature image is
26 available in the Office of the Secretary of State's database,

1 ~~or~~ the statewide voter registration database, or other
2 database available to the State Board of Elections, the
3 applicant must be notified that his or her registration will
4 remain in a pending status until the applicant: ~~and the~~
5 ~~applicant will be required to~~

6 (i) provides ~~provide~~ identification that
7 complies with the federal Help America Vote Act of
8 2002 and a signature to the election authority on
9 election day in the polling place or during early
10 voting; ~~or~~

11 (ii) provides identification that complies
12 with the federal Help America Vote Act of 2002 and
13 a signature with a mail ballot, or provides a
14 signature according to the procedures in
15 subsection (g-5) of Section 19-8; or

16 (iii) provides a signature in response to the
17 notice described in subsection (g) or by other
18 paper or electronic means determined by the State
19 Board of Elections.

20 (f) Upon receipt of personal information collected and
21 transferred by the Office of the Secretary of State or a
22 designated automatic voter registration agency, the State
23 Board of Elections shall check the information against the
24 statewide voter registration database. The State Board of
25 Elections shall create and electronically transmit to the
26 appropriate election authority a voter registration

1 application for any individual who is not registered to vote
2 in Illinois and is not disqualified as provided in this
3 Section or whose information reliably indicates a more recent
4 update to the name or address of a person already included in
5 the statewide voter database. The election authority shall
6 process the application accordingly. If the individual
7 provides the designated automatic voter registration agency
8 with an address designated by the Attorney General as a
9 substitute mailing address under Section 15 of the Address
10 Confidentiality for Victims of Domestic Violence, Sexual
11 Assault, Human Trafficking, or Stalking Act, or if the State
12 Board of Elections otherwise determines that the individual is
13 a program participant under Section 10 of the Address
14 Confidentiality for Victims of Domestic Violence, Sexual
15 Assault, Human Trafficking, or Stalking Act, the application
16 shall be deemed an Illinois Address Confidentiality Program
17 Voter Registration Application under Section 30 of the Address
18 Confidentiality for Victims of Domestic Violence, Sexual
19 Assault, Human Trafficking, or Stalking Act and rules and
20 procedures applicable to program participants shall apply to
21 the individual and the application.

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

1 required or permitted by law, including, but not limited to,
2 any notices sent pursuant to Section 1A-16.5 of this Code. Any
3 notice required by this subsection (g) shall contain, at a
4 minimum: (i) the applicant's name and residential address as
5 reflected on the voter registration list; ~~(ii) a statement~~
6 ~~notifying the applicant to contact the appropriate election~~
7 ~~authority if his or her voter registration has been updated in~~
8 ~~error;~~ (ii) ~~(iii)~~ the qualifications to register to vote in
9 Illinois; ~~(iv) a statement notifying the applicant that he or~~
10 ~~she may opt out of voter registration or request a change to~~
11 ~~his or her registration information at any time by contacting~~
12 ~~an election official;~~ and (iii) ~~(v)~~ contact information for
13 the appropriate election authority, including a phone number,
14 address, electronic mail address, and website address. For an
15 applicant newly registered pursuant to subsection (b) of
16 Section 1A-16.1 or subsection (b) of Section 1A-16.2, the
17 notice shall contain: (i) a notice that the individual is
18 registered to vote unless the individual declines to be
19 registered and that if the person wishes to decline to be
20 registered, he or she may return a postage-prepaid notice of
21 declination; (ii) the notices required by Section 5(c)(2) of
22 the National Voter Registration Act of 1993; and (iii) a
23 postage prepaid opportunity to provide a signature pursuant to
24 subsection (e), and to select a language for election
25 materials if applicable to the jurisdiction. For an existing
26 registrant whose information has been updated, the notice

1 shall include a postage-prepaid opportunity to indicate his or
2 her voter registration has been updated in error.

3 (g-5) If an applicant newly registered pursuant to
4 subsection (b) of Section 1A-16.1 or subsection (b) of Section
5 1A-16.2 returns the notice described in subsection (g)
6 declining to be registered, the applicant's voter registration
7 record shall be cancelled in the statewide voter registration
8 database and if such declination form is received back to the
9 election authority within 21 days after mailing the notice,
10 the applicant shall be deemed never to have been registered.
11 If a person sent a notice required under subsection (g) casts a
12 ballot or makes an application for a vote by mail ballot
13 between the date of the automatic voter registration agency
14 transaction and the 21st day after the mailing of such a
15 notice, then the person shall be deemed not to have declined to
16 register to vote pursuant to the subsection.

17 (h) The appropriate election authority shall ensure that
18 any applicant whose voter registration application is not
19 accepted or deemed incomplete is promptly sent written notice
20 of the application's status. The notice required by this
21 subsection may be sent or combined with other notices required
22 or permitted by law, including, but not limited to, any
23 notices sent pursuant to Section 1A-16.5 of this Code. Any
24 notice required by this subsection (h) shall contain, at a
25 minimum, the reason the application was not accepted or deemed
26 incomplete and contact information for the appropriate

1 election authority, including a phone number, address,
2 electronic mail address, and website address.

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

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

22 (k) The State Board of Elections, the Office of the
23 Secretary of State, and each designated automatic voter
24 registration agency shall implement policies and procedures to
25 protect the privacy and security of voter information as it is
26 acquired, stored, and transmitted among agencies, including

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

11 (1) any portion of an applicant's Social Security
12 number;

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

15 (3) an applicant's decision to decline voter
16 registration;

17 (4) the identity of the person providing information
18 relating to a specific applicant; ~~and~~

19 (5) the personal residence and contact information of
20 any applicant for whom notice has been given by an
21 appropriate legal authority; and -

22 (6) the personal residence and contact information
23 relating to an applicant who returns a notice under
24 subsection (g) declining to register to vote and received
25 back to the election authority within 21 days after
26 mailing such a notice or for whom such a 21-day period has

1 not passed.

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

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

12 Nothing in this Code shall require designated voter
13 registration agencies to transmit information that is
14 confidential client information under State or federal law
15 without the consent of the applicant.

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

26 (n) No later than 6 months after the effective date of this

1 amendatory Act of the 100th General Assembly, the State Board
2 of Elections shall hold at least one public hearing on
3 implementing this amendatory Act of the 100th General Assembly
4 at which the public may provide input.

5 (o) The State Board of Elections shall submit an annual
6 public report to the General Assembly and the Governor
7 detailing the progress made to implement this Section. The
8 report shall include all of the following: the number of
9 records transferred under this Section by agency, the number
10 of voters newly added to the statewide voter registration list
11 because of records transferred under this Section by agency,
12 the number of updated registrations under this Section by
13 agency, the number of persons who opted out of voter
14 registration, and the number of voters who submitted voter
15 registration forms using the online procedure described in
16 Section 1A-16.5 of this Code. The 2018 and 2019 annual reports
17 may include less detail if election authorities are not
18 equipped to provide complete information to the State Board of
19 Elections. Any report produced under this subsection (o) shall
20 exclude any information that identifies any individual
21 personally.

22 (p) The State Board of Elections, in consultation with
23 election authorities, the Office of the Secretary of State,
24 designated automatic voter registration agencies, and
25 community organizations, shall adopt rules as necessary to
26 implement the provisions of this Section.

1 (Source: P.A. 100-464, eff. 8-28-17.)

2 (10 ILCS 5/1A-16.8)

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

6 (a) The State Board of Elections shall cross-reference the
7 statewide voter registration database against the United
8 States Postal Service's National Change of Address database
9 twice each calendar year, April 15 and October 1 in
10 odd-numbered years and April 15 and December 1 in
11 even-numbered years or with the same frequency as in
12 subsection (b) of this Section, and shall share the findings
13 with the election authorities.

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

24 This subsection (b) shall no longer apply once Sections
25 1A-16.1 and 1A-16.2 of this Code are fully implemented as

1 determined by the State Board of Elections. Upon a
2 determination by the State Board of Elections of full
3 implementation of Sections 1A-16.1 and 1A-16.2 of this Code,
4 the State Board of Elections shall file notice of full
5 implementation and the inapplicability of this subsection (b)
6 with the Index Department of the Office of the Secretary of
7 State, the Governor, the General Assembly, and the Legislative
8 Reference Bureau.

9 (b-5) The State Board of Elections shall not be required
10 to share any data on any voter attained using the National
11 Change of Address database under subsection (a) of this
12 Section if that voter has a more recent government transaction
13 indicated using the cross-reference under subsection (b) of
14 this Section. If there is contradictory or unclear data
15 between data obtained under subsections (a) and (b) of this
16 Section, then data obtained under subsection (b) of this
17 Section shall take priority.

18 (c) An election authority shall automatically register any
19 voter who has moved into its jurisdiction from another
20 jurisdiction in Illinois or has moved within its jurisdiction
21 provided that:

22 (1) the election authority whose jurisdiction includes
23 the new registration address provides the voter an
24 opportunity to reject the change in registration address
25 through a mailing, sent by non-forwardable mail, to the
26 new registration address, and

1 (2) when the election authority whose jurisdiction
2 includes the previous registration address is a different
3 election authority, then that election authority provides
4 the same opportunity through a mailing, sent by
5 forwardable mail, to the previous registration address.

6 This change in registration shall trigger the same
7 inter-jurisdictional or intra-jurisdictional workflows as if
8 the voter completed a new registration card, including the
9 cancellation of the voter's previous registration. Should the
10 registration of a voter be changed from one address to another
11 within the State and should the voter appear at the polls and
12 offer to vote from the prior registration address, attesting
13 that the prior registration address is the true current
14 address, the voter, if confirmed by the election authority as
15 having been registered at the prior registration address and
16 canceled only by the process authorized by this Section, shall
17 be issued a regular ballot, and the change of registration
18 address shall be canceled. If the election authority is unable
19 to immediately confirm the registration, the voter shall be
20 permitted to register and vote a regular ballot, provided that
21 he or she meets the documentary requirements for same-day
22 registration. If the election authority is unable to confirm
23 the registration and the voter does not meet the requirements
24 for same-day registration, the voter shall be issued a
25 provisional ballot.

26 (c-5) An agency that does not collect or cross-reference

1 reliable personal information indicating citizenship status
2 may enter into an agreement with the State Board of Elections
3 to transmit information that shall serve only to update an
4 applicant's existing voter registration record. The agency
5 shall transmit information on all clients who may be
6 registered to vote with a clear indication that the
7 information shall be used only for updates. The State Board of
8 Elections shall determine which applicants are already
9 registered to vote and, for any voter whose information
10 provided to the agency differs from that on the voter
11 registration record, provide that information to the voter's
12 local election authority who shall update a registered voter's
13 records in accordance with the procedures in Section 1A-16.7.
14 The State Board of Election and local election authority shall
15 take no action under this subsection for any applicant not
16 already registered to vote.

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

20 (Source: P.A. 99-522, eff. 6-30-16; 100-464, eff. 8-28-17.)

21 Section 10. The Illinois Vehicle Code is amended by
22 changing Section 2-105 as follows:

23 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

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

1 (a) The Secretary of State shall maintain offices in the
2 State capital and in such other places in the State as he may
3 deem necessary to properly carry out the powers and duties
4 vested in him.

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

20 (c) Pursuant to Sections 1A-16.1, 1A-16.7, and 1A-25 of
21 the Election Code, the Secretary of State shall make driver
22 services facilities available for use as places of accepting
23 applications for voter registration.

24 (d) (Blank).

25 (e) Each person applying at a driver services facility for
26 a driver's license or permit, a corrected driver's license or

1 permit, an Illinois identification card or a corrected
2 Illinois identification card shall be notified, under the
3 procedures set forth in Sections 1A-16.1 and 1A-16.7 of the
4 Election Code, that ~~unless he or she affirmatively declines,~~
5 his or her personal information shall be transferred to the
6 State Board of Elections for the purpose of creating an
7 electronic voter registration application. Such notification
8 may be made in writing or verbally issued by an employee or the
9 Secretary of State.

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

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

1 theft.

2 (g) The changes made by this amendatory Act of the 100th
3 General Assembly shall be implemented no later than July 1,
4 2018.

5 (Source: P.A. 100-464, eff. 8-28-17.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.