



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0593

Introduced 2/24/2021, by Sen. Suzy Glowiak Hilton

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5	
10 ILCS 5/1A-16	
10 ILCS 5/19-1	from Ch. 46, par. 19-1
10 ILCS 5/20-3	from Ch. 46, par. 20-3
750 ILCS 61/1	
750 ILCS 61/5	
750 ILCS 61/10	
750 ILCS 61/11	
750 ILCS 61/15	
750 ILCS 61/30	
750 ILCS 61/35	
750 ILCS 61/40	

Amends the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, or Stalking Act. Changes the name of the Act to the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, Human Trafficking, or Stalking Act. Makes the Act's requirements applicable to victims of human trafficking. Deletes language providing that: a program participant who is otherwise qualified to vote may apply to vote under the Election Code; the program participant shall automatically receive absentee ballots for all elections in the jurisdictions for which that individual resides; and the election authority shall transmit the absentee ballot to the program participant at the address designated by the participant in his or her application. Provides instead that a program participant who is otherwise qualified to vote may register to vote by submitting an Illinois Address Confidentiality Program Voter Registration Application created by the State Board of Elections to the appropriate election authority. Provides that the State Board of Elections (rather than the Attorney General) shall adopt rules to ensure the integrity of the voting process and the confidentiality of the program participant. In a provision regarding when disclosure of an address is prohibited, removes the exception requirement that a certification has been canceled. Exempts a program participant's address and phone number on file with the Attorney General from being disclosed under the Freedom of Information Act. Makes corresponding changes in the Freedom of Information Act and the Election Code.

LRB102 16318 LNS 21704 b

A BILL FOR

1 AN ACT concerning civil law.

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
9 exempt 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
19 records 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
21 local emergency energy plan ordinance that is adopted
22 under 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 carriers
25 under the Emergency Telephone System Act.

26 (k) Law enforcement officer identification information

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

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

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

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

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

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

1 County Transit District under the Bi-State Transit Safety
2 Act.

3 (q) Information prohibited from being disclosed by the
4 Personnel Record Review Act.

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

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

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

23 (u) Records and information provided to an independent
24 team of experts under the Developmental Disability and
25 Mental Health Safety Act (also known as 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
7 Carry Licensing Review Board under the Firearm Concealed
8 Carry 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
22 an 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) Information that is exempted from disclosure
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Information that is exempted from disclosure
15 under the Revised Uniform Unclaimed Property Act.

16 (gg) Information that is prohibited from being
17 disclosed under Section 7-603.5 of the Illinois Vehicle
18 Code.

19 (hh) Records that are exempt from disclosure under
20 Section 1A-16.7 of the Election Code.

21 (ii) Information which is exempted from disclosure
22 under Section 2505-800 of the Department of Revenue Law of
23 the Civil Administrative Code of Illinois.

24 (jj) Information and reports that are required to be
25 submitted to the Department of Labor by registering day
26 and temporary labor service agencies but are exempt from

1 disclosure under subsection (a-1) of Section 45 of the Day
2 and Temporary Labor Services Act.

3 (kk) Information prohibited from disclosure under the
4 Seizure and Forfeiture Reporting Act.

5 (ll) Information the disclosure of which is restricted
6 and exempted under Section 5-30.8 of the Illinois Public
7 Aid Code.

8 (mm) Records that are exempt from disclosure under
9 Section 4.2 of the Crime Victims Compensation Act.

10 (nn) Information that is exempt from disclosure under
11 Section 70 of the Higher Education Student Assistance Act.

12 (oo) Communications, notes, records, and reports
13 arising out of a peer support counseling session
14 prohibited from disclosure under the First Responders
15 Suicide Prevention Act.

16 (pp) Names and all identifying information relating to
17 an employee of an emergency services provider or law
18 enforcement agency under the First Responders Suicide
19 Prevention Act.

20 (qq) Information and records held by the Department of
21 Public Health and its authorized representatives collected
22 under the Reproductive Health Act.

23 (rr) Information that is exempt from disclosure under
24 the Cannabis Regulation and Tax Act.

25 (ss) Data reported by an employer to the Department of
26 Human Rights pursuant to Section 2-108 of the Illinois

1 Human Rights Act.

2 (tt) Recordings made under the Children's Advocacy
3 Center Act, except to the extent authorized under that
4 Act.

5 (uu) Information that is exempt from disclosure under
6 Section 50 of the Sexual Assault Evidence Submission Act.

7 (vv) Information that is exempt from disclosure under
8 subsections (f) and (j) of Section 5-36 of the Illinois
9 Public Aid Code.

10 (ww) Information that is exempt from disclosure under
11 Section 16.8 of the State Treasurer Act.

12 (xx) Information that is exempt from disclosure or
13 information that shall not be made public under the
14 Illinois Insurance Code.

15 (yy) Information prohibited from being disclosed under
16 the Illinois Educational Labor Relations Act.

17 (zz) Information prohibited from being disclosed under
18 the Illinois Public Labor Relations Act.

19 (aaa) Information prohibited from being disclosed
20 under Section 1-167 of the Illinois Pension Code.

21 (bbb) Information prohibited from being disclosed
22 under Section 35 of the Address Confidentiality for
23 Victims of Domestic Violence, Sexual Assault, Human
24 Trafficking, or Stalking Act.

25 (Source: P.A. 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
26 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.

1 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
2 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
3 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; 101-13, eff.
4 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221,
5 eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19;
6 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff.
7 1-1-20; 101-600, eff. 12-6-19; 101-620, eff. 12-20-19; 101-649,
8 eff. 7-7-20.)

9 Section 10. The Election Code is amended by changing
10 Sections 1A-16, 19-1, and 20-3 as follows:

11 (10 ILCS 5/1A-16)

12 Sec. 1A-16. Voter registration information; Internet
13 posting; processing of voter registration forms; content of
14 such forms. Notwithstanding any law to the contrary, the
15 following provisions shall apply to voter registration under
16 this Code.

17 (a) Voter registration information; Internet posting of
18 voter registration form. Within 90 days after August 21, 2003
19 (the effective date of Public Act 93-574), the State Board of
20 Elections shall post on its World Wide Web site the following
21 information:

22 (1) A comprehensive list of the names, addresses,
23 phone numbers, and websites, if applicable, of all county
24 clerks and boards of election commissioners in Illinois.

1 (2) A schedule of upcoming elections and the deadline
2 for voter registration.

3 (3) A downloadable, printable voter registration form,
4 in at least English and in Spanish versions, that a person
5 may complete and mail or submit to the State Board of
6 Elections or the appropriate county clerk or board of
7 election commissioners.

8 Any forms described under paragraph (3) must state the
9 following:

10 If you do not have a driver's license or social
11 security number, and this form is submitted by mail, and
12 you have never registered to vote in the jurisdiction you
13 are now registering in, then you must send, with this
14 application, either (i) a copy of a current and valid
15 photo identification, or (ii) a copy of a current utility
16 bill, bank statement, government check, paycheck, or other
17 government document that shows the name and address of the
18 voter. If you do not provide the information required
19 above, then you will be required to provide election
20 officials with either (i) or (ii) described above the
21 first time you vote at a voting place.

22 (b) Acceptance of registration forms by the State Board of
23 Elections and county clerks and board of election
24 commissioners. The State Board of Elections, county clerks,
25 and board of election commissioners shall accept all completed
26 voter registration forms described in subsection (a)(3) of

1 this Section and Section ~~Sections~~ 1A-17 and voter registration
2 forms created under Section 30 of the Address Confidentiality
3 for Victims of Domestic Violence, Sexual Assault, Human
4 Trafficking, or Stalking Act ~~1A-30~~ that are:

5 (1) postmarked on or before the day that voter
6 registration is closed under this Code;

7 (2) not postmarked, but arrives no later than 5 days
8 after the close of registration;

9 (3) submitted in person by a person using the form on
10 or before the day that voter registration is closed under
11 this Code; or

12 (4) submitted in person by a person who submits one or
13 more forms on behalf of one or more persons who used the
14 form on or before the day that voter registration is
15 closed under this Code.

16 Upon the receipt of a registration form, the State Board
17 of Elections shall mark the date on which the form was received
18 and send the form via first class mail to the appropriate
19 county clerk or board of election commissioners, as the case
20 may be, within 2 business days based upon the home address of
21 the person submitting the registration form. The county clerk
22 and board of election commissioners shall accept and process
23 any form received from the State Board of Elections.

24 (c) Processing of registration forms by county clerks and
25 boards of election commissioners. The county clerk or board of
26 election commissioners shall promulgate procedures for

1 processing the voter registration form.

2 (d) Contents of the voter registration form. The State
3 Board shall create a voter registration form, which must
4 contain the following content:

5 (1) Instructions for completing the form.

6 (2) A summary of the qualifications to register to
7 vote in Illinois.

8 (3) Instructions for mailing in or submitting the form
9 in person.

10 (4) The phone number for the State Board of Elections
11 should a person submitting the form have questions.

12 (5) A box for the person to check that explains one of
13 3 reasons for submitting the form:

14 (a) new registration;

15 (b) change of address; or

16 (c) change of name.

17 (6) a box for the person to check yes or no that asks,
18 "Are you a citizen of the United States?", a box for the
19 person to check yes or no that asks, "Will you be 18 years
20 of age on or before election day?", and a statement of "If
21 you checked 'no' in response to either of these questions,
22 then do not complete this form."

23 (7) A space for the person to fill in his or her home
24 telephone number.

25 (8) Spaces for the person to fill in his or her first,
26 middle, and last names, street address (principal place of

1 residence), county, city, state, and zip code.

2 (9) Spaces for the person to fill in his or her mailing
3 address, city, state, and zip code if different from his
4 or her principal place of residence.

5 (10) A space for the person to fill in his or her
6 Illinois driver's license number if the person has a
7 driver's license.

8 (11) A space for a person without a driver's license
9 to fill in the last four digits of his or her social
10 security number if the person has a social security
11 number.

12 (12) A space for a person without an Illinois driver's
13 license to fill in his or her identification number from
14 his or her State Identification card issued by the
15 Secretary of State.

16 (13) A space for the person to fill the name appearing
17 on his or her last voter registration, the street address
18 of his or her last registration, including the city,
19 county, state, and zip code.

20 (14) A space where the person swears or affirms the
21 following under penalty of perjury with his or her
22 signature:

23 (a) "I am a citizen of the United States.";

24 (b) "I will be at least 18 years old on or before
25 the next election.";

26 (c) "I will have lived in the State of Illinois and

1 in my election precinct at least 30 days as of the date
2 of the next election."; and

3 (d) "The information I have provided is true to
4 the best of my knowledge under penalty of perjury. If I
5 have provided false information, then I may be fined,
6 imprisoned, or, if I am not a U.S. citizen, deported
7 from or refused entry into the United States.".

8 (15) A space for the person to fill in his or her
9 e-mail address if he or she chooses to provide that
10 information.

11 (d-5) Compliance with federal law; rulemaking authority.
12 The voter registration form described in this Section shall be
13 consistent with the form prescribed by the Federal Election
14 Commission under the National Voter Registration Act of 1993,
15 P.L. 103-31, as amended from time to time, and the Help America
16 Vote Act of 2002, P.L. 107-252, in all relevant respects. The
17 State Board of Elections shall periodically update the form
18 based on changes to federal or State law. The State Board of
19 Elections shall promulgate any rules necessary for the
20 implementation of this Section; provided that the rules
21 comport with the letter and spirit of the National Voter
22 Registration Act of 1993 and Help America Vote Act of 2002 and
23 maximize the opportunity for a person to register to vote.

24 (e) Forms available in paper form. The State Board of
25 Elections shall make the voter registration form available in
26 regular paper stock and form in sufficient quantities for the

1 general public. The State Board of Elections may provide the
2 voter registration form to the Secretary of State, county
3 clerks, boards of election commissioners, designated agencies
4 of the State of Illinois, and any other person or entity
5 designated to have these forms by this Code in regular paper
6 stock and form or some other format deemed suitable by the
7 Board. Each county clerk or board of election commissioners
8 has the authority to design and print its own voter
9 registration form so long as the form complies with the
10 requirements of this Section. The State Board of Elections,
11 county clerks, boards of election commissioners, or other
12 designated agencies of the State of Illinois required to have
13 these forms under this Code shall provide a member of the
14 public with any reasonable number of forms that he or she may
15 request. Nothing in this Section shall permit the State Board
16 of Elections, county clerk, board of election commissioners,
17 or other appropriate election official who may accept a voter
18 registration form to refuse to accept a voter registration
19 form because the form is printed on photocopier or regular
20 paper stock and form.

21 (f) (Blank).

22 (Source: P.A. 100-863, eff. 8-14-18.)

23 (10 ILCS 5/19-1) (from Ch. 46, par. 19-1)

24 Sec. 19-1. Any qualified elector of the State of Illinois
25 having duly registered where such registration is required may

1 vote at such election as hereinafter in this Article provided.
2 Notwithstanding any law to the contrary, this Article extends
3 to a certified program participant under the Address
4 Confidentiality for Victims of Domestic Violence, Sexual
5 Assault, Human Trafficking, or Stalking Act.

6 For purposes of this Article 19, a physically
7 incapacitated voter marks his or her ballot "personally" when
8 the voter exercises his or her physical abilities to their
9 reasonable limit in marking the ballot, and marking personally
10 may include instructing the person assisting the incapacitated
11 voter when giving such instruction represents the reasonable
12 limit of the physical abilities.

13 (Source: P.A. 95-440, eff. 8-27-07; 96-553, eff. 8-17-09.)

14 (10 ILCS 5/20-3) (from Ch. 46, par. 20-3)

15 Sec. 20-3. The election authority shall furnish the
16 following applications for registration by mail or vote by
17 mail ballot which shall be considered a method of application
18 in lieu of the official postcard.

19 1. Members of the United States Service and 7 citizens of
20 the United States temporarily residing outside the territorial
21 limits of the United States, ~~and certified program~~
22 ~~participants under the Address Confidentiality for Victims of~~
23 ~~Domestic Violence, Sexual Assault, or Stalking Act~~ may make
24 application within the periods prescribed in Sections 20-2 or
25 20-2.1, as the case may be. Such application shall be

1 substantially in the following form:

2 "APPLICATION FOR BALLOT

3 To be voted at the election in the precinct
4 in which is located my residence at, in the
5 city/village/township of(insert home address)
6 County of and State of Illinois.

7 I state that I am a citizen of the United States; that on
8 (insert date of election) I shall have resided in the State of
9 Illinois and in the election precinct for 30 days; that on the
10 above date I shall be the age of 18 years or above; that I am
11 lawfully entitled to vote in such precinct at that election;
12 that I am (check category 1, 2, or 3 below):

- 13 1. () a member of the United States Service,
- 14 2. () a citizen of the United States temporarily
- 15 residing outside the territorial limits of the United States
- 16 and that I expect to be absent from the said county of my
- 17 residence on the date of holding such election, and that I will
- 18 have no opportunity to vote in person on that day.

19 ~~3. () a certified program participant under the Address~~
20 ~~Confidentiality for Victims of Domestic Violence, Sexual~~
21 ~~Assault, or Stalking Act.~~

22 I hereby make application for an official ballot or
23 ballots to be voted by me at such election if I am absent from
24 the said county of my residence, and I agree that I shall
25 return said ballot or ballots to the election authority
26 postmarked no later than election day, for counting no later

1 than during the period for counting provisional ballots, the
2 last day of which is the 14th day following election day or
3 shall destroy said ballot or ballots.

4 (Check below only if category 2 ~~or 3~~ and not previously
5 registered)

6 () I hereby make application to become registered as a
7 voter and agree to return the forms and affidavits for
8 registration to the election authority not later than 30 days
9 before the election.

10 Under penalties as provided by law pursuant to Article 29
11 of the Election Code, the undersigned certifies that the
12 statements set forth in this application are true and correct.

13

14 Post office address or service address to which
15 registration materials or ballot should be mailed

16

17

18

19"

20 If application is made for a primary election ballot, such
21 application shall designate the name of the political party
22 with which the applicant is affiliated.

23 Such applications may be obtained from the election
24 authority having jurisdiction over the person's precinct of
25 residence.

26 2. A spouse or dependent of a member of the United States

1 Service, said spouse or dependent being a registered voter in
2 the county, may make application on behalf of said person in
3 the office of the election authority within the periods
4 prescribed in Section 20-2 which shall be substantially in the
5 following form:

6 "APPLICATION FOR BALLOT to be voted at the..... election
7 in the precinct in which is located the residence of the person
8 for whom this application is made at.....(insert
9 residence address) in the city/village/township of.....
10 County of..... and State of Illinois.

11 I certify that the following named person.....
12 (insert name of person) is a member of the United States
13 Service.

14 I state that said person is a citizen of the United States;
15 that on (insert date of election) said person shall have
16 resided in the State of Illinois and in the election precinct
17 for which this application is made for 30 days; that on the
18 above date said person shall be the age of 18 years or above;
19 that said person is lawfully entitled to vote in such precinct
20 at that election; that said person is a member of the United
21 States Service, and that in the course of his duties said
22 person expects to be absent from his county of residence on the
23 date of holding such election, and that said person will have
24 no opportunity to vote in person on that day.

25 I hereby make application for an official ballot or
26 ballots to be voted by said person at such election and said

1 person agrees that he shall return said ballot or ballots to
 2 the election authority postmarked no later than election day,
 3 for counting no later than during the period for counting
 4 provisional ballots, the last day of which is the 14th day
 5 following election day, or shall destroy said ballot or
 6 ballots.

7 I hereby certify that I am the (mother, father, sister,
 8 brother, husband or wife) of the said elector, and that I am a
 9 registered voter in the election precinct for which this
 10 application is made. (Strike all but one that is applicable.)

11 Under penalties as provided by law pursuant to Article 29
 12 of The Election Code, the undersigned certifies that the
 13 statements set forth in this application are true and correct.

14 Name of applicant

15 Residence address

16 City/village/township.....

17 Service address to which ballot should be mailed:
 18
 19
 20
 21"

22 If application is made for a primary election ballot, such
 23 application shall designate the name of the political party
 24 with which the person for whom application is made is
 25 affiliated.

26 Such applications may be obtained from the election

1 authority having jurisdiction over the voting precinct in
2 which the person for whom application is made is entitled to
3 vote.

4 (Source: P.A. 101-270, eff. 1-1-21.)

5 Section 15. The Address Confidentiality for Victims of
6 Domestic Violence, Sexual Assault, or Stalking Act is amended
7 by changing Sections 1, 5, 10, 11, 15, 30, 35, and 40 as
8 follows:

9 (750 ILCS 61/1)

10 Sec. 1. Short title. This Act may be cited as the Address
11 Confidentiality for Victims of Domestic Violence, Sexual
12 Assault, Human Trafficking, or Stalking Act.

13 (Source: P.A. 101-270, eff. 1-1-21.)

14 (750 ILCS 61/5)

15 Sec. 5. Legislative findings. The General Assembly finds
16 that persons attempting to escape from actual or threatened
17 domestic violence, sexual assault, human trafficking, or
18 stalking frequently establish new addresses in order to
19 prevent their assailants or probable assailants from finding
20 them. The purpose of this Act is to enable State and local
21 agencies to respond to requests for public records without
22 disclosing the location of a victim of domestic violence,
23 sexual assault, human trafficking, or stalking, to enable

1 interagency cooperation with the Attorney General in providing
2 address confidentiality for victims of domestic violence,
3 sexual assault, human trafficking, or stalking, and to enable
4 State and local agencies to accept a program participant's use
5 of an address designated by the Attorney General as a
6 substitute mailing address.

7 (Source: P.A. 101-270, eff. 1-1-21.)

8 (750 ILCS 61/10)

9 Sec. 10. Definitions. In this Act, unless the context
10 otherwise requires:

11 "Address" means a residential street address, school
12 address, or work address of an individual, as specified on the
13 individual's application to be a program participant under
14 this Act.

15 "Program participant" means a person certified as a
16 program participant under this Act.

17 "Domestic violence" has the same meaning as in the
18 Illinois Domestic Violence Act of 1986 and includes a threat
19 of domestic violence against an individual in a domestic
20 situation, regardless of whether the domestic violence or
21 threat has been reported to law enforcement officers.

22 "Human trafficking" means the practices set forth in
23 subsection (b), (c), or (d) of Section 10-9 of the Criminal
24 Code of 2012, regardless of whether the victim has reported
25 the trafficking to law enforcement officers.

1 "Sexual assault" has the same meaning as sexual conduct or
2 sexual penetration as defined in the Civil No Contact Order
3 Act. "Sexual assault" includes a threat of sexual assault,
4 regardless of whether the sexual assault or threat has been
5 reported to law enforcement officers.

6 "Stalking" has the same meaning as in the Stalking No
7 Contact Order Act. "Stalking" includes a threat of stalking,
8 regardless of whether the stalking or threat has been reported
9 to law enforcement officers.

10 (Source: P.A. 101-270, eff. 1-1-21.)

11 (750 ILCS 61/11)

12 Sec. 11. Address confidentiality program; administration.
13 Subject to appropriations for the purposes of this Act, the
14 Attorney General shall administer an address confidentiality
15 program for victims of domestic violence, sexual assault,
16 human trafficking, or stalking.

17 (Source: P.A. 101-270, eff. 1-1-21.)

18 (750 ILCS 61/15)

19 Sec. 15. Address confidentiality program; application;
20 certification.

21 (a) An adult person, a parent or guardian acting on behalf
22 of a minor, or a guardian acting on behalf of a person with a
23 disability, as defined in Article 11a of the Probate Act of
24 1975, may apply to the Attorney General to have an address

1 designated by the Attorney General serve as the person's
2 address or the address of the minor or person with a
3 disability. The Attorney General shall approve an application
4 if it is filed in the manner and on the form prescribed by him
5 or her and if it contains:

6 (1) a sworn statement by the applicant that the
7 applicant has good reason to believe (i) that the
8 applicant, or the minor or person with a disability on
9 whose behalf the application is made, is a victim of
10 domestic violence, sexual assault, human trafficking, or
11 stalking; and (ii) that the applicant fears for his or her
12 safety or his or her children's safety, or the safety of
13 the minor or person with a disability on whose behalf the
14 application is made;

15 (2) a designation of the Attorney General as agent for
16 purposes of service of process and receipt of mail;

17 (3) a State ~~the~~ mailing address where the applicant
18 can be contacted by the Attorney General, and the phone
19 number or numbers where the applicant can be called by the
20 Attorney General;

21 (3.5) proof of a State residential street address
22 where the applicant resides or a signed statement
23 affirming the applicant's status as homeless in this
24 State;

25 (4) the new address or addresses that the applicant
26 requests not be disclosed for the reason that disclosure

1 will increase the risk of domestic violence, sexual
2 assault, human trafficking, or stalking; and

3 (5) the signature of the applicant and of any
4 individual or representative of any office designated in
5 writing under Section 40 of this Act who assisted in the
6 preparation of the application, and the date on which the
7 applicant signed the application.

8 (b) Applications shall be filed with the office of the
9 Attorney General.

10 (c) Upon filing a properly completed application, the
11 Attorney General shall certify the applicant as a program
12 participant. Applicants shall be certified for 4 years
13 following the date of filing unless the certification is
14 withdrawn or invalidated before that date. The Attorney
15 General shall by rule establish a renewal procedure.

16 (d) A person who falsely attests in an application that
17 disclosure of the applicant's address would endanger the
18 applicant's safety or the safety of the applicant's children
19 or the minor or incapacitated person on whose behalf the
20 application is made, or who knowingly provides false or
21 incorrect information upon making an application, is guilty of
22 a Class 3 felony.

23 (Source: P.A. 101-270, eff. 1-1-21.)

24 (750 ILCS 61/30)

25 Sec. 30. Voting by program participant; use of designated

1 address by election authority.

2 (a) A program participant who is otherwise qualified to
3 vote may register ~~apply~~ to vote by submitting an Illinois
4 Address Confidentiality Program Voter Registration Application
5 created by the State Board of Elections to the appropriate
6 election authority ~~under Article 20 of the Election Code. The~~
7 ~~program participant shall automatically receive absentee~~
8 ~~ballots for all elections in the jurisdictions for which that~~
9 ~~individual resides in the same manner as absentee voters who~~
10 ~~qualify under Article 20 of the Election Code. The State Board~~
11 ~~of Elections Attorney General shall adopt rules to ensure the~~
12 integrity of the voting process and the confidentiality of the
13 program participant. Upon request, the ~~The~~ election authority
14 shall transmit the vote by mail ~~absentee~~ ballot to the program
15 participant at the address designated by the participant in
16 his or her application. Neither the name nor the address of a
17 program participant shall be included in any list of
18 registered voters available to the public.

19 (b) The election authority may not make the participant's
20 address contained in voter registration records available for
21 public inspection or copying except under the following
22 circumstances:

23 (1) if requested by a law enforcement agency, to the
24 law enforcement agency; and

25 (2) if directed by a court order, to a person
26 identified in the order.

1 (Source: P.A. 91-494, eff. 1-1-00.)

2 (750 ILCS 61/35)

3 Sec. 35. Disclosure of address prohibited; exceptions. The
4 Attorney General may not make a program participant's address,
5 other than the address designated by the Attorney General,
6 available for inspection or copying, except under the
7 following circumstances:

8 (a) if requested by a law enforcement agency, to the law
9 enforcement agency;

10 (b) if directed by a court order, to a person identified in
11 the order; and

12 (c) (blank) ~~if certification has been canceled.~~

13 A program participant's address and phone number on file
14 with the Attorney General are not subject to disclosure under
15 the Freedom of Information Act.

16 (Source: P.A. 91-494, eff. 1-1-00.)

17 (750 ILCS 61/40)

18 Sec. 40. Assistance for program applicants. The Attorney
19 General shall designate State and local agencies and nonprofit
20 agencies that provide counseling and shelter services to
21 victims of domestic violence, sexual assault, human
22 trafficking, or stalking to assist persons applying to be
23 program participants. Any assistance and counseling rendered
24 by the office of the Attorney General or its designees to

1 applicants shall in no way be construed as legal advice.

2 (Source: P.A. 101-270, eff. 1-1-21.)