LRB10220951HLH30023 b

102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2947

Introduced 10/26/2021, by Sen. Darren Bailey

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-70 new	
10 ILCS 5/19-3	from Ch. 46, par. 19-3

Amends the Election Code. Provides that the State Board of Elections shall develop and maintain a statewide or locally-based system to track and confirm when there is a change in the status of a trackable ballot. Provides that the term "trackable ballot" means a ballot that is: (1) mailed to a voter; and (2) deposited in the mail; or (3) deposited in a ballot box. Effective July 1, 2022.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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   Section 19-3 and by adding Section 1A-70 as follows:

6   (10 ILCS 5/1A-70 new)

7   Sec. 1A-70. Ballot tracking system.

8   (a) As used in this Section:

9   "Change in the status" means:

10   (1) when a trackable ballot is mailed to a voter;

11   (2) when an election official receives a voted

12   trackable ballot; and

13   (3) when a voted trackable ballot is counted.

14   "Trackable ballot" means a ballot that is:

15   (1) mailed to a voter in accordance with Article 19;

16   and

17   (2) deposited in the mail by a voter in accordance

18   with Article 19; or

19   (3) deposited in a ballot box by a voter in accordance

20   with Article 15.

21   "Voter registration database" means the statewide database

22 established under Section 1A-45, or any successor statewide

23 voter registration database established by the State Board of

1   Elections, the Secretary of State, or both.

2   (b) The State Board of Elections shall develop and

3   maintain a statewide or locally-based system to track and

4   confirm when there is a change in the status of a trackable

5   ballot.

6   (c) The ballot tracking system shall be operational on or

7   before July 1, 2022.

8   (d) Beginning on July 1, 2022, if a voter elects to receive

9   electronic notifications regarding the status of the voter's

10 trackable ballot, the ballot tracking system shall, when there

11 is a change in the status of the voter's trackable ballot:

12   (1) send a text message notification to the voter if

13   the voter's information in the voter registration database

14   includes a mobile telephone number;

15   (2) send an e-mail notification to the voter if the

16   voter's information in the voter registration database

17   includes an e-mail address; and

18   (3) send a notification by another electronic means

19   directed by the State Board of Elections.

20   (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

21   Sec. 19-3. Application for a vote by mail ballot.

22   (a) The application for a vote by mail ballot for a single

23 election shall be substantially in the following form:

24   APPLICATION FOR VOTE BY MAIL BALLOT

25   To be voted at the .... election in the County of .... and

1   State of Illinois, in the .... precinct of the (1) *township of

2   .... (2) *City of .... or (3) *.... ward in the City of ....

3   I state that I am a resident of the .... precinct of the

4   (1) *township of .... (2) *City of .... or (3) *.... ward in

5   the city of .... residing at .... in such city or town in the

6   county of .... and State of Illinois; that I have lived at such

7   address for .... month(s) last past; that I am lawfully

8   entitled to vote in such precinct at the .... election to be

9   held therein on ....; and that I wish to vote by vote by mail

10   ballot.

11   I hereby make application for an official ballot or

12   ballots to be voted by me at such election, and I agree that I

13   shall return such ballot or ballots to the official issuing

14   the same prior to the closing of the polls on the date of the

15   election or, if returned by mail, postmarked no later than

16   election day, for counting no later than during the period for

17   counting provisional ballots, the last day of which is the

18   14th day following election day.

19   I understand that this application is made for an official

20   vote by mail ballot or ballots to be voted by me at the

21   election specified in this application and that I must submit

22   a separate application for an official vote by mail ballot or

23   ballots to be voted by me at any subsequent election.

24   Under penalties as provided by law pursuant to Section

25   29-10 of the Election Code, the undersigned certifies that the

26   statements set forth in this application are true and correct.

1   ....

2   *fill in either (1), (2) or (3).

3   Post office address to which ballot is mailed:

4   ....

5   (b) The application for permanent vote by mail status

6   shall be substantially in the following form:

7   APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

8   I am currently a registered voter and wish to apply for

9   permanent vote by mail status.

10   I state that I am a resident of the City of .... residing

11   at .... in such city in the county of .... and State of

12   Illinois; that I have lived at such address for .... month(s)

13   last past; that I am lawfully entitled to vote in such precinct

14   at the .... election to be held therein on ....; and that I

15   wish to vote by vote by mail ballot in:

16   ..... all subsequent elections that do not require a party

17   designation.

18   ..... all subsequent elections, and I wish to receive a

19   .... Party vote by mail ballot in

20   elections that require a party designation.

21   I hereby make application for an official ballot or

22   ballots to be voted by me at such election, and I agree that I

23   shall return such ballot or ballots to the official issuing

24   the same prior to the closing of the polls on the date of the

25   election or, if returned by mail, postmarked no later than

26   election day, for counting no later than during the period for

1 counting provisional ballots, the last day of which is the

2 14th day following election day.

3   Under penalties as provided by law under Section 29-10 of

4 the Election Code, the undersigned certifies that the

5 statements set forth in this application are true and correct.

6   ....

7   Post office address to which ballot is mailed:

8 ....

9   (c) However, if application is made for a primary election

10 ballot, such application shall require the applicant to

11 designate the name of the political party with which the

12 applicant is affiliated. The election authority shall allow

13 any voter on permanent vote by mail status to change his or her

14 party affiliation for a primary election ballot by a method

15 and deadline published and selected by the election authority.

16   (d) If application is made electronically, the applicant

17 shall mark the box associated with the above described

18 statement included as part of the online application

19 certifying that the statements set forth in the application

20 under subsection (a) or (b) are true and correct, and a

21 signature is not required.

22   (e) Any person may produce, reproduce, distribute, or

23 return to an election authority an application under this

24 Section. If applications are sent to a post office box

25 controlled by any individual or organization that is not an

26 election authority, those applications shall (i) include a

1 valid and current phone number for the individual or

2 organization controlling the post office box and (ii) be

3 turned over to the appropriate election authority within 7

4 days of receipt or, if received within 2 weeks of the election

5 in which an applicant intends to vote, within 2 days of

6 receipt. Failure to turn over the applications in compliance

7 with this paragraph shall constitute a violation of this Code

8 and shall be punishable as a petty offense with a fine of $100

9 per application. Removing, tampering with, or otherwise

10 knowingly making the postmark on the application unreadable by

11 the election authority shall establish a rebuttable

12 presumption of a violation of this paragraph. Upon receipt,

13 the appropriate election authority shall accept and promptly

14 process any application under this Section submitted in a form

15 substantially similar to that required by this Section,

16 including any substantially similar production or reproduction

17 generated by the applicant.

18   (f) An election authority may combine the applications in

19 subsections (a) and (b) onto one form, but the distinction

20 between the applications must be clear and the form must

21 provide check boxes for an applicant to indicate whether he or

22 she is applying for a single election vote by mail ballot or

23 for permanent vote by mail status.

24   (g) Beginning on July 1, 2022, the application shall also

25 include substantially the following provision, along with a

26 provision to allow the voter to specifically consent to

1   receive notifications by text message or e-mail:

2   "If you have provided a phone number or email address, you

3   can receive notifications by text message or e-mail regarding

4   the status of a ballot that is mailed to you and that you

5   deposit in the mail or in a ballot drop box by indicating the

6   phone number or email address here."

7   If the applicant provides a phone number or email address

8   on his or her application, the election authority shall

9   transmit that information to the State Board of Elections for

10 inclusion in the statewide voter registration database.

11 (Source: P.A. 102-15, eff. 6-17-21.)

12   Section 99. Effective date. This Act takes effect July 1,

13 2022.