



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB0989

Introduced 1/12/2023, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45.35 new	
10 ILCS 5/1-22 new	
10 ILCS 5/1-23 new	
10 ILCS 5/3-5	from Ch. 46, par. 3-5
10 ILCS 5/19-2.5	
10 ILCS 5/19A-20	
730 ILCS 5/3-14-1	from Ch. 38, par. 1003-14-1
730 ILCS 5/5-5-5	from Ch. 38, par. 1005-5-5

Amends the Election Code. Provides that a person convicted of a felony or otherwise under sentence in a correctional institution or jail shall have his or her right to vote restored and shall be eligible to vote not later than 14 days following his or her conviction. In provisions concerning temporary branch polling places at county jails, provides that a voter entitled to vote in another county, other than the county in which the jail is located, shall be allowed to vote only by mail. Provides that a correctional institution shall make available to a person in its custody current election resource material from the State Board of Elections and current election resource material that is requested by a person in custody and received at the correctional institution from a local election authority in response to the request. Creates the Post-Conviction Task Force to strengthen and improve provisions that restore the right to vote to a person convicted of a felony or otherwise under sentence in a correctional institution or jail. Makes other changes. Amends the Unified Code of Corrections to make conforming changes. Effective June 1, 2023.

LRB103 03473 AWJ 48479 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 Illinois Administrative Procedure Act is
5 amended by adding Section 5-45.35 as follows:

6 (5 ILCS 100/5-45.35 new)

7 Sec. 5-45.35. Emergency rulemaking. To provide for the
8 expeditious and timely implementation of the changes made to
9 the Election Code and the Unified Code of Corrections by this
10 amendatory Act of the 102nd General Assembly, emergency rules
11 implementing those changes may be adopted in accordance with
12 Section 5-45 by the State Board of Elections, except that the
13 24-month limitation on the adoption of emergency rules and the
14 provisions of Sections 5-115 and 5-125 do not apply to rules
15 adopted under this Section. The adoption of emergency rules
16 authorized by Section 5-45 and this Section is deemed to be
17 necessary for the public interest, safety, and welfare.

18 This Section is repealed one year after the effective date
19 of this amendatory Act of the 103rd General Assembly.

20 Section 10. The Election Code is amended by changing
21 Sections 3-5, 19-2.5, and 19A-20 and by adding Sections 1-22
22 and 1-23 as follows:

1 (10 ILCS 5/1-22 new)

2 Sec. 1-22. Post-conviction voting.

3 (a) As used in this Section, "correctional institution"
4 means any place used to house persons under state supervision
5 or custody, including, but not limited to, state, federal, or
6 juvenile facilities, adult transition centers, halfway houses,
7 and other reentry or rehabilitation programs.

8 (b) A person convicted of a felony, or otherwise under
9 sentence in a correctional institution or jail, shall have his
10 or her right to vote restored and shall be eligible to vote not
11 later than 14 days following his or her conviction. Persons
12 under any form of state supervision or custody who are
13 disqualified from voting shall have their right to vote
14 restored under this Section, including, but not limited to:
15 persons incarcerated in State, federal, or juvenile
16 facilities; persons on probation or parole; persons on
17 mandatory supervised release; persons on work release; persons
18 on furlough; persons released on electronic monitoring;
19 persons housed in adult transition centers, halfway houses, or
20 other reentry or rehabilitation programs; and persons owing
21 court fines or fees. Persons may not be denied the right to
22 vote because of a past criminal conviction.

23 (c) Each local election authority shall coordinate with
24 the correctional institution, Illinois Department of
25 Corrections, and other correctional agencies incarcerating

1 eligible voters to facilitate voting by mail for those voters
2 eligible to vote in that election jurisdiction who are
3 incarcerated in the correctional institution.

4 (d) All requirements of the federal Voting Rights Act of
5 1965, including Sections 203 and 208, State and local language
6 access requirements, and the federal Americans with
7 Disabilities Act and State and local disability access
8 requirements shall also apply to voting under this Section.
9 The correctional institution shall make available to persons
10 in its custody voter registration applications, vote by mail
11 ballot applications, vote by mail ballots received at the
12 institution from the local election authority, and other
13 election materials in the languages provided by the State
14 Board of Elections and local election authorities.

15 (e) The correctional institution shall make available to a
16 person in its custody current election resource material,
17 maintained by the State Board of Elections, containing
18 detailed information regarding the voting rights of a person
19 with a criminal conviction in the following formats: (1) in
20 print; (2) on the correctional institution's website; and (3)
21 in a visible location on the premises of each correctional
22 institution where notices are customarily posted. The
23 correctional institution shall also make available to a person
24 in its custody current election resource material from a local
25 election authority that is requested by that person in its
26 custody and received at the correctional institution from the

1 local election authority in response to that person's request.
2 The correctional institution shall provide resource materials
3 to a person in its custody upon intake and release of the
4 person on parole, mandatory supervised release, final
5 discharge, or pardon from the correctional institution.

6 (f) By December 31, 2023 and by December 31 of each year
7 thereafter, the State Board of Elections, in coordination and
8 cooperation with correctional institutions and local election
9 authorities, shall prepare a report containing data concerning
10 compliance with this Section, including the number of voter
11 registrations, vote by mail ballot applications, vote by mail
12 ballots completed, and voter education packets delivered.

13 (g) A person who has left the person's residence as part of
14 the person's confinement in a correctional institution and who
15 has not established another residence for voter registration
16 purposes may not be considered to have changed or lost
17 residence. The person may register to vote at the address of
18 the person's last place of residence before the person's
19 confinement in a correctional institution.

20 (h) The provisions of this Section shall apply to all
21 elections beginning with the general election in 2024.

22 (i) The State Board of Elections may adopt rules,
23 including emergency rules, to implement the provisions of this
24 Section.

1 Sec. 1-23. Post-Conviction Task Force.

2 (a) The Post-Conviction Task Force is created to
3 strengthen and improve implementation of the provisions of
4 Section 1-22 that restore the right to vote to a person
5 convicted of a felony, or otherwise under sentence in a
6 correctional institution or jail, and to provide voting access
7 while under sentence in a correctional institution or jail.

8 (b) The members of the Task Force shall be as follows:

9 (1) the Chair of the State Board of Elections, or the
10 Chair's designee, who shall serve as Chair of the Task
11 Force;

12 (2) the Director of Corrections, or the Director's
13 designee;

14 (3) the Secretary of State, or the Secretary of
15 State's designee;

16 (4) a representative from a statewide organization
17 that represents county clerks, appointed by the chair of
18 the State Board of Elections;

19 (5) a representative from 2 separate Illinois
20 organizations advocating against voter
21 disenfranchisement, with one representative appointed by
22 the President of the Senate and one representative
23 appointed by the Speaker of the House of Representatives;
24 and

25 (6) 4 members from the General Assembly, with one
26 member appointed by the President of the Senate, one

1 member appointed by the Senate Minority Leader, one member
2 appointed by the Speaker of the House of Representatives,
3 and one member appointed by the House Minority Leader.

4 (c) The State Board of Elections shall provide
5 administrative and other support to the Task Force.

6 (d) On or before July 1, 2023, the Task Force members shall
7 be appointed. On or before September 1, 2023, the Task Force
8 shall prepare a status report that summarizes its work and
9 makes recommendations on the implementation of provisions
10 restoring voting rights to a person convicted of a felony or
11 otherwise under sentence in a correctional institution or jail
12 and providing access to vote while under sentence in a
13 correctional institution or jail. On or before January 1,
14 2024, the Task Force shall prepare a comprehensive report that
15 summarizes its work and the implementation and administration
16 of the 2024 general election. The report shall include
17 recommendations for strengthening and improving implementation
18 of restoring voting rights to a person convicted of a felony or
19 otherwise under sentence in a correctional institution or jail
20 and providing access to vote while under sentence in a
21 correctional institution.

22 (e) The Task Force is dissolved and this Section is
23 repealed on January 1, 2026.

24 (10 ILCS 5/3-5) (from Ch. 46, par. 3-5)

25 Sec. 3-5. Confinement or detention in a jail. ~~No person~~

1 ~~who has been legally convicted, in this or another state or in~~
2 ~~any federal court, of any crime, and is serving a sentence of~~
3 ~~confinement in any penal institution, or who has been~~
4 ~~convicted under any Section of this Code and is serving a~~
5 ~~sentence of confinement in any penal institution, shall vote,~~
6 ~~offer to vote, attempt to vote or be permitted to vote at any~~
7 ~~election until his release from confinement.~~

8 ~~Confinement for purposes of this Section shall include any~~
9 ~~person convicted and imprisoned but granted a furlough as~~
10 ~~provided by Section 3-11-1 of the Unified Code of Corrections,~~
11 ~~or admitted to a work release program as provided by Section~~
12 ~~3-13-2 of the Unified Code of Corrections. Confinement shall~~
13 ~~not include any person convicted and imprisoned but released~~
14 ~~on parole.~~

15 Confinement or detention in a jail pending acquittal or
16 conviction of a crime is not a disqualification for voting.

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

18 (10 ILCS 5/19-2.5)

19 Sec. 19-2.5. Notice for vote by mail ballot.

20 (a) An election authority shall notify all qualified
21 voters, not more than 90 days nor less than 45 days before a
22 general or consolidated election, of the option for permanent
23 vote by mail status using the following notice and including
24 the application for permanent vote by mail status in
25 subsection (b) of Section 19-3:

1 "You may apply to permanently be placed on vote by mail
2 status using the attached application."

3 (b) A person completing a voter registration application
4 or submitting a change of address shall be notified of the
5 option to receive a vote by mail ballot. Upon request of the
6 person, the voter registration application or change of
7 address form shall serve as an application to receive an
8 official vote by mail ballot, and the individual need not
9 complete a separate vote by mail application. An elector who
10 is a resident of a location covered by Section 203 of the
11 federal Voting Rights Act of 1965 or local language access
12 requirements must be offered a voter registration application
13 in a language of the applicable minority group and must be able
14 to request a vote by mail ballot in the language of the
15 applicable minority group. Upon processing the voter
16 registration application and accepting the application without
17 rejection, the election authority shall provide the individual
18 with an official vote by mail ballot for the next occurring
19 election.

20 (Source: P.A. 102-15, eff. 6-17-21; 102-668, eff. 11-15-21.)

21 (10 ILCS 5/19A-20)

22 Sec. 19A-20. Temporary branch polling places.

23 (a) In addition to permanent polling places for early
24 voting, the election authority may establish temporary branch
25 polling places for early voting.

1 (b) The provisions of subsection (b) of Section 19A-15 do
2 not apply to a temporary polling place. Voting at a temporary
3 branch polling place may be conducted on any one or more days
4 and during any hours within the period for early voting by
5 personal appearance that are determined by the election
6 authority.

7 (c) The schedules for conducting voting do not need to be
8 uniform among the temporary branch polling places.

9 (d) The legal rights and remedies which inure to the owner
10 or lessor of private property are not impaired or otherwise
11 affected by the leasing of the property for use as a temporary
12 branch polling place for early voting, except to the extent
13 necessary to conduct early voting at that location.

14 (e) In a county with a population of:

15 (1) 3,000,000 or more, the election authority in the
16 county shall establish a temporary branch polling place
17 under this Section in the county jail. ~~Only a resident of a~~
18 ~~county who is in custody at the county jail and who has not~~
19 ~~been convicted of the offense for which the resident is in~~
20 ~~custody is eligible to vote at a temporary branch polling~~
21 ~~place established under this paragraph (1).~~ The temporary
22 branch polling place established under this paragraph (1)
23 shall allow a voter to vote in the same elections that the
24 voter would be entitled to vote in where the voter
25 resides, except that a voter entitled to vote in another
26 county, other than the county in which the jail is

1 located, shall be allowed to vote only by mail. To the
2 maximum extent feasible, voting booths or screens shall be
3 provided to ensure the privacy of the voter.

4 (2) less than 3,000,000, the sheriff may establish a
5 temporary branch polling place at the county jail. ~~Only a~~
6 ~~resident of a county who is in custody at the county jail~~
7 ~~and who has not been convicted of the offense for which the~~
8 ~~resident is in custody is eligible to vote at a temporary~~
9 ~~branch polling place established under this paragraph (2).~~

10 A temporary branch polling place established under this
11 paragraph (2) shall allow a voter to vote in the same
12 elections that the voter would be entitled to vote in
13 where the voter resides, except that a voter entitled to
14 vote in another county, other than the county in which the
15 jail is located, shall be allowed to vote only by mail. To
16 the maximum extent feasible, voting booths or screens
17 shall be provided to ensure the privacy of the voter.

18 All provisions of this Code applicable to pollwatchers
19 shall apply to a temporary branch polling place under this
20 subsection (e), subject to approval from the election
21 authority and the county jail, except that nonpartisan
22 pollwatchers shall be limited to one per division within the
23 jail instead of one per precinct. A county that establishes a
24 temporary branch polling place inside a county jail in
25 accordance with this subsection (e) shall adhere to all
26 requirements of this subsection (e). All requirements of the

1 federal Voting Rights Act of 1965 and Sections 203 and 208 of
2 the federal Americans with Disabilities Act shall apply to
3 this subsection (e).

4 (Source: P.A. 101-442, eff. 1-1-20; 102-15, eff. 6-17-21.)

5 Section 15. The Unified Code of Corrections is amended by
6 changing Sections 3-14-1 and 5-5-5 as follows:

7 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

8 Sec. 3-14-1. Release from the institution.

9 (a) Upon release of a person on parole, mandatory release,
10 final discharge, or pardon, the Department shall return all
11 property held for him, provide him with suitable clothing and
12 procure necessary transportation for him to his designated
13 place of residence and employment. It may provide such person
14 with a grant of money for travel and expenses which may be paid
15 in installments. The amount of the money grant shall be
16 determined by the Department.

17 (a-1) The Department shall, before a wrongfully imprisoned
18 person, as defined in Section 3-1-2 of this Code, is
19 discharged from the Department, provide him or her with any
20 documents necessary after discharge.

21 (a-2) The Department of Corrections may establish and
22 maintain, in any institution it administers, revolving funds
23 to be known as "Travel and Allowances Revolving Funds". These
24 revolving funds shall be used for advancing travel and expense

1 allowances to committed, paroled, and discharged prisoners.
2 The moneys paid into such revolving funds shall be from
3 appropriations to the Department for Committed, Paroled, and
4 Discharged Prisoners.

5 (a-3) (Blank). ~~Upon release of a person who is eligible to~~
6 ~~vote on parole, mandatory release, final discharge, or pardon,~~
7 ~~the Department shall provide the person with a form that~~
8 ~~informs him or her that his or her voting rights have been~~
9 ~~restored and a voter registration application. The Department~~
10 ~~shall have available voter registration applications in the~~
11 ~~languages provided by the Illinois State Board of Elections.~~
12 ~~The form that informs the person that his or her rights have~~
13 ~~been restored shall include the following information:~~

14 ~~(1) All voting rights are restored upon release from~~
15 ~~the Department's custody.~~

16 ~~(2) A person who is eligible to vote must register in~~
17 ~~order to be able to vote.~~

18 ~~The Department of Corrections shall confirm that the~~
19 ~~person received the voter registration application and has~~
20 ~~been informed that his or her voting rights have been~~
21 ~~restored.~~

22 (a-4) Prior to release of a person on parole, mandatory
23 supervised release, final discharge, or pardon, the Department
24 shall screen every person for Medicaid eligibility. Officials
25 of the correctional institution or facility where the
26 committed person is assigned shall assist an eligible person

1 to complete a Medicaid application to ensure that the person
2 begins receiving benefits as soon as possible after his or her
3 release. The application must include the eligible person's
4 address associated with his or her residence upon release from
5 the facility. If the residence is temporary, the eligible
6 person must notify the Department of Human Services of his or
7 her change in address upon transition to permanent housing.

8 (b) (Blank).

9 (c) Except as otherwise provided in this Code, the
10 Department shall establish procedures to provide written
11 notification of any release of any person who has been
12 convicted of a felony to the State's Attorney and sheriff of
13 the county from which the offender was committed, and the
14 State's Attorney and sheriff of the county into which the
15 offender is to be paroled or released. Except as otherwise
16 provided in this Code, the Department shall establish
17 procedures to provide written notification to the proper law
18 enforcement agency for any municipality of any release of any
19 person who has been convicted of a felony if the arrest of the
20 offender or the commission of the offense took place in the
21 municipality, if the offender is to be paroled or released
22 into the municipality, or if the offender resided in the
23 municipality at the time of the commission of the offense. If a
24 person convicted of a felony who is in the custody of the
25 Department of Corrections or on parole or mandatory supervised
26 release informs the Department that he or she has resided,

1 resides, or will reside at an address that is a housing
2 facility owned, managed, operated, or leased by a public
3 housing agency, the Department must send written notification
4 of that information to the public housing agency that owns,
5 manages, operates, or leases the housing facility. The written
6 notification shall, when possible, be given at least 14 days
7 before release of the person from custody, or as soon
8 thereafter as possible. The written notification shall be
9 provided electronically if the State's Attorney, sheriff,
10 proper law enforcement agency, or public housing agency has
11 provided the Department with an accurate and up to date email
12 address.

13 (c-1) (Blank).

14 (c-2) The Department shall establish procedures to provide
15 notice to the Illinois State Police of the release or
16 discharge of persons convicted of violations of the
17 Methamphetamine Control and Community Protection Act or a
18 violation of the Methamphetamine Precursor Control Act. The
19 Illinois State Police shall make this information available to
20 local, State, or federal law enforcement agencies upon
21 request.

22 (c-5) If a person on parole or mandatory supervised
23 release becomes a resident of a facility licensed or regulated
24 by the Department of Public Health, the Illinois Department of
25 Public Aid, or the Illinois Department of Human Services, the
26 Department of Corrections shall provide copies of the

1 following information to the appropriate licensing or
2 regulating Department and the licensed or regulated facility
3 where the person becomes a resident:

4 (1) The mittimus and any pre-sentence investigation
5 reports.

6 (2) The social evaluation prepared pursuant to Section
7 3-8-2.

8 (3) Any pre-release evaluation conducted pursuant to
9 subsection (j) of Section 3-6-2.

10 (4) Reports of disciplinary infractions and
11 dispositions.

12 (5) Any parole plan, including orders issued by the
13 Prisoner Review Board, and any violation reports and
14 dispositions.

15 (6) The name and contact information for the assigned
16 parole agent and parole supervisor.

17 This information shall be provided within 3 days of the
18 person becoming a resident of the facility.

19 (c-10) If a person on parole or mandatory supervised
20 release becomes a resident of a facility licensed or regulated
21 by the Department of Public Health, the Illinois Department of
22 Public Aid, or the Illinois Department of Human Services, the
23 Department of Corrections shall provide written notification
24 of such residence to the following:

25 (1) The Prisoner Review Board.

26 (2) The chief of police and sheriff in the

1 municipality and county in which the licensed facility is
2 located.

3 The notification shall be provided within 3 days of the
4 person becoming a resident of the facility.

5 (d) Upon the release of a committed person on parole,
6 mandatory supervised release, final discharge, or pardon, the
7 Department shall provide such person with information
8 concerning programs and services of the Illinois Department of
9 Public Health to ascertain whether such person has been
10 exposed to the human immunodeficiency virus (HIV) or any
11 identified causative agent of Acquired Immunodeficiency
12 Syndrome (AIDS).

13 (e) Upon the release of a committed person on parole,
14 mandatory supervised release, final discharge, pardon, or who
15 has been wrongfully imprisoned, the Department shall verify
16 the released person's full name, date of birth, and social
17 security number. If verification is made by the Department by
18 obtaining a certified copy of the released person's birth
19 certificate and the released person's social security card or
20 other documents authorized by the Secretary, the Department
21 shall provide the birth certificate and social security card
22 or other documents authorized by the Secretary to the released
23 person. If verification by the Department is done by means
24 other than obtaining a certified copy of the released person's
25 birth certificate and the released person's social security
26 card or other documents authorized by the Secretary, the

1 Department shall complete a verification form, prescribed by
2 the Secretary of State, and shall provide that verification
3 form to the released person.

4 (f) Forty-five days prior to the scheduled discharge of a
5 person committed to the custody of the Department of
6 Corrections, the Department shall give the person:

7 (1) who is otherwise uninsured an opportunity to apply
8 for health care coverage including medical assistance
9 under Article V of the Illinois Public Aid Code in
10 accordance with subsection (b) of Section 1-8.5 of the
11 Illinois Public Aid Code, and the Department of
12 Corrections shall provide assistance with completion of
13 the application for health care coverage including medical
14 assistance;

15 (2) information about obtaining a standard Illinois
16 Identification Card or a limited-term Illinois
17 Identification Card under Section 4 of the Illinois
18 Identification Card Act;

19 (3) information about voter registration and may
20 distribute information prepared by the State Board of
21 Elections. The Department of Corrections may enter into an
22 interagency contract with the State Board of Elections to
23 participate in the automatic voter registration program
24 and be a designated automatic voter registration agency
25 under Section 1A-16.2 of the Election Code;

26 (4) information about job listings upon discharge from

1 the correctional institution or facility;

2 (5) information about available housing upon discharge
3 from the correctional institution or facility;

4 (6) a directory of elected State officials and of
5 officials elected in the county and municipality, if any,
6 in which the committed person intends to reside upon
7 discharge from the correctional institution or facility;
8 and

9 (7) any other information that the Department of
10 Corrections deems necessary to provide the committed
11 person in order for the committed person to reenter the
12 community and avoid recidivism.

13 The Department may adopt rules to implement this Section.

14 (Source: P.A. 101-351, eff. 1-1-20; 101-442, eff. 1-1-20;
15 102-538, eff. 8-20-21; 102-558, eff. 8-20-21; 102-606, eff.
16 1-1-22; 102-813, eff. 5-13-22.)

17 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

18 Sec. 5-5-5. Loss and restoration of rights.

19 (a) Conviction and disposition shall not entail the loss
20 by the defendant of any civil rights, except under this
21 Section and Sections 29-6 and 29-10 of The Election Code, as
22 now or hereafter amended.

23 (b) A person convicted of a felony shall be ineligible to
24 hold an office created by the Constitution of this State until
25 the completion of his sentence.

1 (c) A person convicted of a felony or otherwise under
2 sentence in a correctional institution or jail shall have his
3 or her right to vote restored not later than 14 days following
4 his or her conviction ~~sentenced to imprisonment shall lose his~~
5 ~~right to vote until released from imprisonment.~~

6 (d) On completion of sentence of imprisonment or upon
7 discharge from probation, conditional discharge or periodic
8 imprisonment, or at any time thereafter, all license rights
9 and privileges granted under the authority of this State which
10 have been revoked or suspended because of conviction of an
11 offense shall be restored unless the authority having
12 jurisdiction of such license rights finds after investigation
13 and hearing that restoration is not in the public interest.
14 This paragraph (d) shall not apply to the suspension or
15 revocation of a license to operate a motor vehicle under the
16 Illinois Vehicle Code.

17 (e) Upon a person's discharge from incarceration or
18 parole, or upon a person's discharge from probation or at any
19 time thereafter, the committing court may enter an order
20 certifying that the sentence has been satisfactorily completed
21 when the court believes it would assist in the rehabilitation
22 of the person and be consistent with the public welfare. Such
23 order may be entered upon the motion of the defendant or the
24 State or upon the court's own motion.

25 (f) Upon entry of the order, the court shall issue to the
26 person in whose favor the order has been entered a certificate

1 stating that his behavior after conviction has warranted the
2 issuance of the order.

3 (g) This Section shall not affect the right of a defendant
4 to collaterally attack his conviction or to rely on it in bar
5 of subsequent proceedings for the same offense.

6 (h) No application for any license specified in subsection
7 (i) of this Section granted under the authority of this State
8 shall be denied by reason of an eligible offender who has
9 obtained a certificate of relief from disabilities, as defined
10 in Article 5.5 of this Chapter, having been previously
11 convicted of one or more criminal offenses, or by reason of a
12 finding of lack of "good moral character" when the finding is
13 based upon the fact that the applicant has previously been
14 convicted of one or more criminal offenses, unless:

15 (1) there is a direct relationship between one or more
16 of the previous criminal offenses and the specific license
17 sought; or

18 (2) the issuance of the license would involve an
19 unreasonable risk to property or to the safety or welfare
20 of specific individuals or the general public.

21 In making such a determination, the licensing agency shall
22 consider the following factors:

23 (1) the public policy of this State, as expressed in
24 Article 5.5 of this Chapter, to encourage the licensure
25 and employment of persons previously convicted of one or
26 more criminal offenses;

1 (2) the specific duties and responsibilities
2 necessarily related to the license being sought;

3 (3) the bearing, if any, the criminal offenses or
4 offenses for which the person was previously convicted
5 will have on his or her fitness or ability to perform one
6 or more such duties and responsibilities;

7 (4) the time which has elapsed since the occurrence of
8 the criminal offense or offenses;

9 (5) the age of the person at the time of occurrence of
10 the criminal offense or offenses;

11 (6) the seriousness of the offense or offenses;

12 (7) any information produced by the person or produced
13 on his or her behalf in regard to his or her rehabilitation
14 and good conduct, including a certificate of relief from
15 disabilities issued to the applicant, which certificate
16 shall create a presumption of rehabilitation in regard to
17 the offense or offenses specified in the certificate; and

18 (8) the legitimate interest of the licensing agency in
19 protecting property, and the safety and welfare of
20 specific individuals or the general public.

21 (i) A certificate of relief from disabilities shall be
22 issued only for a license or certification issued under the
23 following Acts:

24 (1) the Animal Welfare Act; except that a certificate
25 of relief from disabilities may not be granted to provide
26 for the issuance or restoration of a license under the

1 Animal Welfare Act for any person convicted of violating
2 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
3 Care for Animals Act or Section 26-5 or 48-1 of the
4 Criminal Code of 1961 or the Criminal Code of 2012;

5 (2) the Illinois Athletic Trainers Practice Act;

6 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
7 and Nail Technology Act of 1985;

8 (4) the Boiler and Pressure Vessel Repairer Regulation
9 Act;

10 (5) the Boxing and Full-contact Martial Arts Act;

11 (6) the Illinois Certified Shorthand Reporters Act of
12 1984;

13 (7) the Illinois Farm Labor Contractor Certification
14 Act;

15 (8) the Registered Interior Designers Act;

16 (9) the Illinois Professional Land Surveyor Act of
17 1989;

18 (10) the Landscape Architecture Registration Act;

19 (11) the Marriage and Family Therapy Licensing Act;

20 (12) the Private Employment Agency Act;

21 (13) the Professional Counselor and Clinical
22 Professional Counselor Licensing and Practice Act;

23 (14) the Real Estate License Act of 2000;

24 (15) the Illinois Roofing Industry Licensing Act;

25 (16) the Professional Engineering Practice Act of
26 1989;

- 1 (17) the Water Well and Pump Installation Contractor's
2 License Act;
- 3 (18) the Electrologist Licensing Act;
- 4 (19) the Auction License Act;
- 5 (20) the Illinois Architecture Practice Act of 1989;
- 6 (21) the Dietitian Nutritionist Practice Act;
- 7 (22) the Environmental Health Practitioner Licensing
8 Act;
- 9 (23) the Funeral Directors and Embalmers Licensing
10 Code;
- 11 (24) (blank);
- 12 (25) the Professional Geologist Licensing Act;
- 13 (26) the Illinois Public Accounting Act; and
- 14 (27) the Structural Engineering Practice Act of 1989.
- 15 (Source: P.A. 102-284, eff. 8-6-21.)

16 Section 99. Effective date. This Act takes effect June 1,
17 2023.