



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0368

Introduced 1/30/2009, by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-6.2	from Ch. 46, par. 4-6.2
10 ILCS 5/5-16.2	from Ch. 46, par. 5-16.2
10 ILCS 5/6-50.2	from Ch. 46, par. 6-50.2

Amends the Election Code. Requires a deputy registrar to return completed voter registration materials to the proper election authority within 2 business days after receipt until the last day for accepting registrations before an election (now, within 7 days until the 35th day before an election and within 48 hours between the 35th and 28th days before an election). Prohibits the State Board of Elections and the Secretary of State from adopting rules that require otherwise for Secretary of State employees serving as deputy registrars at driver's license facilities. Prohibits the unauthorized copying or dissemination of personal or other information from a voter registration application. Makes violation a Class A misdemeanor.

LRB096 04630 JAM 14689 b

CORRECTIONAL
BUDGET AND
IMPACT 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 Sections 4-6.2, 5-16.2, and 6-50.2 as follows:

6 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

7 Sec. 4-6.2. (a) The county clerk shall appoint all
8 municipal and township or road district clerks or their duly
9 authorized deputies as deputy registrars who may accept the
10 registration of all qualified residents of the State.

11 The county clerk shall appoint all precinct
12 committeepersons in the county as deputy registrars who may
13 accept the registration of any qualified resident of the State,
14 except during the 27 days preceding an election.

15 The election authority shall appoint as deputy registrars a
16 reasonable number of employees of the Secretary of State
17 located at driver's license examination stations and
18 designated to the election authority by the Secretary of State
19 who may accept the registration of any qualified residents of
20 the State at any such driver's license examination stations.
21 The appointment of employees of the Secretary of State as
22 deputy registrars shall be made in the manner provided in
23 Section 2-105 of the Illinois Vehicle Code.

1 The county clerk shall appoint each of the following named
2 persons as deputy registrars upon the written request of such
3 persons:

4 1. The chief librarian, or a qualified person
5 designated by the chief librarian, of any public library
6 situated within the election jurisdiction, who may accept
7 the registrations of any qualified resident of the State,
8 at such library.

9 2. The principal, or a qualified person designated by
10 the principal, of any high school, elementary school, or
11 vocational school situated within the election
12 jurisdiction, who may accept the registrations of any
13 qualified resident of the State, at such school. The county
14 clerk shall notify every principal and vice-principal of
15 each high school, elementary school, and vocational school
16 situated within the election jurisdiction of their
17 eligibility to serve as deputy registrars and offer
18 training courses for service as deputy registrars at
19 conveniently located facilities at least 4 months prior to
20 every election.

21 3. The president, or a qualified person designated by
22 the president, of any university, college, community
23 college, academy or other institution of learning situated
24 within the election jurisdiction, who may accept the
25 registrations of any resident of the State, at such
26 university, college, community college, academy or

1 institution.

2 4. A duly elected or appointed official of a bona fide
3 labor organization, or a reasonable number of qualified
4 members designated by such official, who may accept the
5 registrations of any qualified resident of the State.

6 5. A duly elected or appointed official of a bonafide
7 State civic organization, as defined and determined by rule
8 of the State Board of Elections, or qualified members
9 designated by such official, who may accept the
10 registration of any qualified resident of the State. In
11 determining the number of deputy registrars that shall be
12 appointed, the county clerk shall consider the population
13 of the jurisdiction, the size of the organization, the
14 geographic size of the jurisdiction, convenience for the
15 public, the existing number of deputy registrars in the
16 jurisdiction and their location, the registration
17 activities of the organization and the need to appoint
18 deputy registrars to assist and facilitate the
19 registration of non-English speaking individuals. In no
20 event shall a county clerk fix an arbitrary number
21 applicable to every civic organization requesting
22 appointment of its members as deputy registrars. The State
23 Board of Elections shall by rule provide for certification
24 of bonafide State civic organizations. Such appointments
25 shall be made for a period not to exceed 2 years,
26 terminating on the first business day of the month

1 following the month of the general election, and shall be
2 valid for all periods of voter registration as provided by
3 this Code during the terms of such appointments.

4 6. The Director of Healthcare and Family Services, or a
5 reasonable number of employees designated by the Director
6 and located at public aid offices, who may accept the
7 registration of any qualified resident of the county at any
8 such public aid office.

9 7. The Director of the Illinois Department of
10 Employment Security, or a reasonable number of employees
11 designated by the Director and located at unemployment
12 offices, who may accept the registration of any qualified
13 resident of the county at any such unemployment office.

14 8. The president of any corporation as defined by the
15 Business Corporation Act of 1983, or a reasonable number of
16 employees designated by such president, who may accept the
17 registrations of any qualified resident of the State.

18 If the request to be appointed as deputy registrar is
19 denied, the county clerk shall, within 10 days after the date
20 the request is submitted, provide the affected individual or
21 organization with written notice setting forth the specific
22 reasons or criteria relied upon to deny the request to be
23 appointed as deputy registrar.

24 The county clerk may appoint as many additional deputy
25 registrars as he considers necessary. The county clerk shall
26 appoint such additional deputy registrars in such manner that

1 the convenience of the public is served, giving due
 2 consideration to both population concentration and area. Some
 3 of the additional deputy registrars shall be selected so that
 4 there are an equal number from each of the 2 major political
 5 parties in the election jurisdiction. The county clerk, in
 6 appointing an additional deputy registrar, shall make the
 7 appointment from a list of applicants submitted by the Chairman
 8 of the County Central Committee of the applicant's political
 9 party. A Chairman of a County Central Committee shall submit a
 10 list of applicants to the county clerk by November 30 of each
 11 year. The county clerk may require a Chairman of a County
 12 Central Committee to furnish a supplemental list of applicants.

13 Deputy registrars may accept registrations at any time
 14 other than the 27 day period preceding an election. All persons
 15 appointed as deputy registrars shall be registered voters
 16 within the county and shall take and subscribe to the following
 17 oath or affirmation:

18 "I do solemnly swear (or affirm, as the case may be) that I
 19 will support the Constitution of the United States, and the
 20 Constitution of the State of Illinois, and that I will
 21 faithfully discharge the duties of the office of deputy
 22 registrar to the best of my ability and that I will register no
 23 person nor cause the registration of any person except upon his
 24 personal application before me.

25
 26 (Signature Deputy Registrar)"

1 This oath shall be administered by the county clerk, or by
2 one of his deputies, or by any person qualified to take
3 acknowledgement of deeds and shall immediately thereafter be
4 filed with the county clerk.

5 Appointments of deputy registrars under this Section,
6 except precinct committeemen, shall be for 2-year terms,
7 commencing on December 1 following the general election of each
8 even-numbered year; except that the terms of the initial
9 appointments shall be until December 1st following the next
10 general election. Appointments of precinct committeemen shall
11 be for 2-year terms commencing on the date of the county
12 convention following the general primary at which they were
13 elected. The county clerk shall issue a certificate of
14 appointment to each deputy registrar, and shall maintain in his
15 office for public inspection a list of the names of all
16 appointees.

17 (b) The county clerk shall be responsible for training all
18 deputy registrars appointed pursuant to subsection (a), at
19 times and locations reasonably convenient for both the county
20 clerk and such appointees. The county clerk shall be
21 responsible for certifying and supervising all deputy
22 registrars appointed pursuant to subsection (a). Deputy
23 registrars appointed under subsection (a) shall be subject to
24 removal for cause.

25 (c) Completed registration materials under the control of
26 deputy registrars, appointed pursuant to subsection (a), shall

1 be returned to the appointing election authority within 2
2 business 7 days, except that ~~completed registration materials~~
3 ~~received by the deputy registrars during the period between the~~
4 ~~35th and 28th day preceding an election shall be returned by~~
5 ~~the deputy registrars to the appointing election authority~~
6 ~~within 48 hours after receipt thereof.~~ The completed
7 registration materials received by the deputy registrars on the
8 last 28th day authorized for accepting registrations preceding
9 an election shall be returned by the deputy registrars within
10 24 hours after receipt thereof. Unused materials shall be
11 returned by deputy registrars appointed pursuant to paragraph 4
12 of subsection (a), not later than the next working day
13 following the close of registration. The State Board of
14 Elections and the Secretary of State may not adopt rules
15 applicable to Secretary of State employees serving as deputy
16 registrars at driver's license examination stations that
17 conflict with this subsection as to the time for return of
18 completed materials and the election authority to which the
19 materials must be returned.

20 (d) The county clerk or board of election commissioners, as
21 the case may be, must provide any additional forms requested by
22 any deputy registrar regardless of the number of unaccounted
23 registration forms the deputy registrar may have in his or her
24 possession.

25 (e) No deputy registrar shall engage in any electioneering
26 or the promotion of any cause during the performance of his or

1 her duties.

2 (f) The county clerk shall not be criminally or civilly
3 liable for the acts or omissions of any deputy registrar. Such
4 deputy registrars shall not be deemed to be employees of the
5 county clerk. A person, including a deputy registrar, who
6 copies, photocopies, or disseminates information from a voter
7 registration application except as authorized or required by
8 State or federal law, rule, or regulation commits a Class A
9 misdemeanor. Information includes, but is not limited to,
10 personal information such as the applicant's name, address,
11 phone number, social security number, or driver's license
12 number.

13 (g) Completed registration materials returned by deputy
14 registrars for persons residing outside the county shall be
15 transmitted by the county clerk within 2 days after receipt to
16 the election authority of the person's election jurisdiction of
17 residence.

18 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

19 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

20 Sec. 5-16.2. (a) The county clerk shall appoint all
21 municipal and township clerks or their duly authorized deputies
22 as deputy registrars who may accept the registration of all
23 qualified residents of the State.

24 The county clerk shall appoint all precinct
25 committeepersons in the county as deputy registrars who may

1 accept the registration of any qualified resident of the State,
2 except during the 27 days preceding an election.

3 The election authority shall appoint as deputy registrars a
4 reasonable number of employees of the Secretary of State
5 located at driver's license examination stations and
6 designated to the election authority by the Secretary of State
7 who may accept the registration of any qualified residents of
8 the State at any such driver's license examination stations.
9 The appointment of employees of the Secretary of State as
10 deputy registrars shall be made in the manner provided in
11 Section 2-105 of the Illinois Vehicle Code.

12 The county clerk shall appoint each of the following named
13 persons as deputy registrars upon the written request of such
14 persons:

15 1. The chief librarian, or a qualified person
16 designated by the chief librarian, of any public library
17 situated within the election jurisdiction, who may accept
18 the registrations of any qualified resident of the State,
19 at such library.

20 2. The principal, or a qualified person designated by
21 the principal, of any high school, elementary school, or
22 vocational school situated within the election
23 jurisdiction, who may accept the registrations of any
24 resident of the State, at such school. The county clerk
25 shall notify every principal and vice-principal of each
26 high school, elementary school, and vocational school

1 situated within the election jurisdiction of their
2 eligibility to serve as deputy registrars and offer
3 training courses for service as deputy registrars at
4 conveniently located facilities at least 4 months prior to
5 every election.

6 3. The president, or a qualified person designated by
7 the president, of any university, college, community
8 college, academy or other institution of learning situated
9 within the election jurisdiction, who may accept the
10 registrations of any resident of the State, at such
11 university, college, community college, academy or
12 institution.

13 4. A duly elected or appointed official of a bona fide
14 labor organization, or a reasonable number of qualified
15 members designated by such official, who may accept the
16 registrations of any qualified resident of the State.

17 5. A duly elected or appointed official of a bona fide
18 State civic organization, as defined and determined by rule
19 of the State Board of Elections, or qualified members
20 designated by such official, who may accept the
21 registration of any qualified resident of the State. In
22 determining the number of deputy registrars that shall be
23 appointed, the county clerk shall consider the population
24 of the jurisdiction, the size of the organization, the
25 geographic size of the jurisdiction, convenience for the
26 public, the existing number of deputy registrars in the

1 jurisdiction and their location, the registration
2 activities of the organization and the need to appoint
3 deputy registrars to assist and facilitate the
4 registration of non-English speaking individuals. In no
5 event shall a county clerk fix an arbitrary number
6 applicable to every civic organization requesting
7 appointment of its members as deputy registrars. The State
8 Board of Elections shall by rule provide for certification
9 of bona fide State civic organizations. Such appointments
10 shall be made for a period not to exceed 2 years,
11 terminating on the first business day of the month
12 following the month of the general election, and shall be
13 valid for all periods of voter registration as provided by
14 this Code during the terms of such appointments.

15 6. The Director of Healthcare and Family Services, or a
16 reasonable number of employees designated by the Director
17 and located at public aid offices, who may accept the
18 registration of any qualified resident of the county at any
19 such public aid office.

20 7. The Director of the Illinois Department of
21 Employment Security, or a reasonable number of employees
22 designated by the Director and located at unemployment
23 offices, who may accept the registration of any qualified
24 resident of the county at any such unemployment office.

25 8. The president of any corporation as defined by the
26 Business Corporation Act of 1983, or a reasonable number of

1 employees designated by such president, who may accept the
2 registrations of any qualified resident of the State.

3 If the request to be appointed as deputy registrar is
4 denied, the county clerk shall, within 10 days after the date
5 the request is submitted, provide the affected individual or
6 organization with written notice setting forth the specific
7 reasons or criteria relied upon to deny the request to be
8 appointed as deputy registrar.

9 The county clerk may appoint as many additional deputy
10 registrars as he considers necessary. The county clerk shall
11 appoint such additional deputy registrars in such manner that
12 the convenience of the public is served, giving due
13 consideration to both population concentration and area. Some
14 of the additional deputy registrars shall be selected so that
15 there are an equal number from each of the 2 major political
16 parties in the election jurisdiction. The county clerk, in
17 appointing an additional deputy registrar, shall make the
18 appointment from a list of applicants submitted by the Chairman
19 of the County Central Committee of the applicant's political
20 party. A Chairman of a County Central Committee shall submit a
21 list of applicants to the county clerk by November 30 of each
22 year. The county clerk may require a Chairman of a County
23 Central Committee to furnish a supplemental list of applicants.

24 Deputy registrars may accept registrations at any time
25 other than the 27 day period preceding an election. All persons
26 appointed as deputy registrars shall be registered voters

1 within the county and shall take and subscribe to the following
2 oath or affirmation:

3 "I do solemnly swear (or affirm, as the case may be) that I
4 will support the Constitution of the United States, and the
5 Constitution of the State of Illinois, and that I will
6 faithfully discharge the duties of the office of deputy
7 registrar to the best of my ability and that I will register no
8 person nor cause the registration of any person except upon his
9 personal application before me.

10
11 (Signature of Deputy Registrar)"

12 This oath shall be administered by the county clerk, or by
13 one of his deputies, or by any person qualified to take
14 acknowledgement of deeds and shall immediately thereafter be
15 filed with the county clerk.

16 Appointments of deputy registrars under this Section,
17 except precinct committeemen, shall be for 2-year terms,
18 commencing on December 1 following the general election of each
19 even-numbered year, except that the terms of the initial
20 appointments shall be until December 1st following the next
21 general election. Appointments of precinct committeemen shall
22 be for 2-year terms commencing on the date of the county
23 convention following the general primary at which they were
24 elected. The county clerk shall issue a certificate of
25 appointment to each deputy registrar, and shall maintain in his
26 office for public inspection a list of the names of all

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3 deputy registrars appointed pursuant to subsection (a), at
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7 registrars appointed pursuant to subsection (a). Deputy
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9 removal for cause.

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11 deputy registrars, appointed pursuant to subsection (a), shall
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13 business 7 days, except that ~~completed registration materials~~
14 ~~received by the deputy registrars during the period between the~~
15 ~~35th and 28th day preceding an election shall be returned by~~
16 ~~the deputy registrars to the appointing election authority~~
17 ~~within 48 hours after receipt thereof.~~ The completed
18 registration materials received by the deputy registrars on the
19 last 20th day authorized for accepting registrations preceding
20 an election shall be returned by the deputy registrars within
21 24 hours after receipt thereof. Unused materials shall be
22 returned by deputy registrars appointed pursuant to paragraph 4
23 of subsection (a), not later than the next working day
24 following the close of registration. The State Board of
25 Elections and the Secretary of State may not adopt rules
26 applicable to Secretary of State employees serving as deputy

1 registrars at driver's license examination stations that
2 conflict with this subsection as to the time for return of
3 completed materials and the election authority to which the
4 materials must be returned.

5 (d) The county clerk or board of election commissioners, as
6 the case may be, must provide any additional forms requested by
7 any deputy registrar regardless of the number of unaccounted
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9 possession.

10 (e) No deputy registrar shall engage in any electioneering
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16 county clerk. A person, including a deputy registrar, who
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19 State or federal law, rule, or regulation commits a Class A
20 misdemeanor. Information includes, but is not limited to,
21 personal information such as the applicant's name, address,
22 phone number, social security number, or driver's license
23 number.

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25 registrars for persons residing outside the county shall be
26 transmitted by the county clerk within 2 days after receipt to

1 the election authority of the person's election jurisdiction of
2 residence.

3 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

4 (10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2)

5 Sec. 6-50.2. (a) The board of election commissioners shall
6 appoint all precinct committeepersons in the election
7 jurisdiction as deputy registrars who may accept the
8 registration of any qualified resident of the State, except
9 during the 27 days preceding an election.

10 The election authority shall appoint as deputy registrars a
11 reasonable number of employees of the Secretary of State
12 located at driver's license examination stations and
13 designated to the election authority by the Secretary of State
14 who may accept the registration of any qualified residents of
15 the State at any such driver's license examination stations.
16 The appointment of employees of the Secretary of State as
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18 Section 2-105 of the Illinois Vehicle Code.

19 The board of election commissioners shall appoint each of
20 the following named persons as deputy registrars upon the
21 written request of such persons:

22 1. The chief librarian, or a qualified person
23 designated by the chief librarian, of any public library
24 situated within the election jurisdiction, who may accept
25 the registrations of any qualified resident of the State,

1 at such library.

2 2. The principal, or a qualified person designated by
3 the principal, of any high school, elementary school, or
4 vocational school situated within the election
5 jurisdiction, who may accept the registrations of any
6 resident of the State, at such school. The board of
7 election commissioners shall notify every principal and
8 vice-principal of each high school, elementary school, and
9 vocational school situated in the election jurisdiction of
10 their eligibility to serve as deputy registrars and offer
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12 conveniently located facilities at least 4 months prior to
13 every election.

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15 the president, of any university, college, community
16 college, academy or other institution of learning situated
17 within the State, who may accept the registrations of any
18 resident of the election jurisdiction, at such university,
19 college, community college, academy or institution.

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21 labor organization, or a reasonable number of qualified
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24 5. A duly elected or appointed official of a bona fide
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4 appointed, the board of election commissioners shall
5 consider the population of the jurisdiction, the size of
6 the organization, the geographic size of the jurisdiction,
7 convenience for the public, the existing number of deputy
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9 registration activities of the organization and the need to
10 appoint deputy registrars to assist and facilitate the
11 registration of non-English speaking individuals. In no
12 event shall a board of election commissioners fix an
13 arbitrary number applicable to every civic organization
14 requesting appointment of its members as deputy
15 registrars. The State Board of Elections shall by rule
16 provide for certification of bona fide State civic
17 organizations. Such appointments shall be made for a period
18 not to exceed 2 years, terminating on the first business
19 day of the month following the month of the general
20 election, and shall be valid for all periods of voter
21 registration as provided by this Code during the terms of
22 such appointments.

23 6. The Director of Healthcare and Family Services, or a
24 reasonable number of employees designated by the Director
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1 jurisdiction at any such public aid office.

2 7. The Director of the Illinois Department of
3 Employment Security, or a reasonable number of employees
4 designated by the Director and located at unemployment
5 offices, who may accept the registration of any qualified
6 resident of the election jurisdiction at any such
7 unemployment office. If the request to be appointed as
8 deputy registrar is denied, the board of election
9 commissioners shall, within 10 days after the date the
10 request is submitted, provide the affected individual or
11 organization with written notice setting forth the
12 specific reasons or criteria relied upon to deny the
13 request to be appointed as deputy registrar.

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19 additional deputy registrars as it considers necessary. The
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22 public is served, giving due consideration to both population
23 concentration and area. Some of the additional deputy
24 registrars shall be selected so that there are an equal number
25 from each of the 2 major political parties in the election
26 jurisdiction. The board of election commissioners, in

1 appointing an additional deputy registrar, shall make the
 2 appointment from a list of applicants submitted by the Chairman
 3 of the County Central Committee of the applicant's political
 4 party. A Chairman of a County Central Committee shall submit a
 5 list of applicants to the board by November 30 of each year.
 6 The board may require a Chairman of a County Central Committee
 7 to furnish a supplemental list of applicants.

8 Deputy registrars may accept registrations at any time
 9 other than the 27 day period preceding an election. All persons
 10 appointed as deputy registrars shall be registered voters
 11 within the election jurisdiction and shall take and subscribe
 12 to the following oath or affirmation:

13 "I do solemnly swear (or affirm, as the case may be) that I
 14 will support the Constitution of the United States, and the
 15 Constitution of the State of Illinois, and that I will
 16 faithfully discharge the duties of the office of registration
 17 officer to the best of my ability and that I will register no
 18 person nor cause the registration of any person except upon his
 19 personal application before me.

20

21 (Signature of Registration Officer)"

22 This oath shall be administered and certified to by one of
 23 the commissioners or by the executive director or by some
 24 person designated by the board of election commissioners, and
 25 shall immediately thereafter be filed with the board of
 26 election commissioners. The members of the board of election

1 commissioners and all persons authorized by them under the
2 provisions of this Article to take registrations, after
3 themselves taking and subscribing to the above oath, are
4 authorized to take or administer such oaths and execute such
5 affidavits as are required by this Article.

6 Appointments of deputy registrars under this Section,
7 except precinct committeemen, shall be for 2-year terms,
8 commencing on December 1 following the general election of each
9 even-numbered year, except that the terms of the initial
10 appointments shall be until December 1st following the next
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25 registrars appointed under subsection (a) shall be subject to
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17 of State employees serving as deputy registrars at driver's
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22 the case may be, must provide any additional forms requested by
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1 or the promotion of any cause during the performance of his or
2 her duties.

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9 except as authorized or required by State or federal law, rule,
10 or regulation commits a Class A misdemeanor. Information
11 includes, but is not limited to, personal information such as
12 the applicant's name, address, phone number, social security
13 number, or driver's license number.

14 (g) Completed registration materials returned by deputy
15 registrars for persons residing outside the election
16 jurisdiction shall be transmitted by the board of election
17 commissioners within 2 days after receipt to the election
18 authority of the person's election jurisdiction of residence.

19 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)