



Sen. Andy Manar

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1 AMENDMENT TO SENATE BILL 250

2 AMENDMENT NO. _____. Amend Senate Bill 250 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 1A-16.6 and 1A-16.8 as follows:

6 (10 ILCS 5/1A-16.6)

7 Sec. 1A-16.6. Government agency voter registration.

8 (a) The ~~By April 1, 2016,~~ the State Board of Elections
9 shall establish and maintain a portal for automatic government
10 agency registration that permits an eligible person to
11 electronically apply to register to vote or to update his or
12 her existing voter registration whenever he or she conducts
13 business, either online or in person, with a designated
14 government agency. The portal shall interface with the online
15 voter registration system established in Section 1A-16.5 of
16 this Code and shall be capable of receiving and processing

1 voter registration application information, including
2 electronic signatures, from a designated government agency.
3 The State Board of Elections shall modify the online voter
4 registration system as necessary to implement this Section.

5 Voter registration data received from a designated
6 government agency through the online registration application
7 system shall be processed as provided for in Section 1A-16.5 of
8 this Code.

9 Whenever the registration interface is accessible to the
10 general public, including, but not limited to, online
11 transactions, the interface shall allow the applicant to
12 complete the process as provided for in Section 1A-16.5 of this
13 Code. The online interface shall be capable of providing the
14 applicant with the applicant's voter registration status with
15 the State Board of Elections and, if registered, the
16 applicant's current registration address. The applicant shall
17 not be required to re-enter any registration data, such as
18 name, address, and birth date, if the designated government
19 agency already has that information on file. ~~The applicant~~
20 ~~shall be informed that by choosing to register to vote or to~~
21 ~~update his or her existing voter registration, the applicant~~
22 ~~consents to the transfer of the applicant's personal~~
23 ~~information to the State Board of Elections.~~

24 (a-5) Whenever an employee of a designated government
25 agency serves a member of the public ~~a government employee is~~
26 ~~accessing the registration system while servicing the~~

1 applicant, the agency shall inform the individual in writing of
2 the qualifications to register to vote in Illinois and of the
3 penalties provided by law for submission of a false voter
4 registration application and shall provide an opportunity to
5 attest to meeting those qualifications under penalty of
6 perjury. The agency shall notify the individual that his or her
7 personal information shall be transferred to the State Board of
8 Elections for the purpose of creating an electronic voter
9 registration application, and that the individual will only be
10 registered to vote if he or she meets the qualifications to
11 register to vote in Illinois. The agency shall not require the
12 individual to provide duplicate information, including, but
13 not limited to, any information he or she has already provided
14 as part of the underlying service transaction, except for a
15 signature. The agency shall inform the individual in writing
16 that declining to transfer his or her personal information for
17 voter registration purposes is confidential and will not affect
18 any services the individual may be seeking from the agency. The
19 individual shall not be required to disclose the reason for
20 declining, including his or her citizenship status. After each
21 transaction, the agency shall electronically transfer to the
22 State Board of Elections personal information relevant to voter
23 registration, including all records of documents relating to
24 identity, address, and citizenship, for every applicant,
25 regardless of whether or not the individual executed an
26 attestation. The State Board of Elections shall electronically

1 transfer to the appropriate election authority all voter
2 registration information required for each voter registration
3 application it creates. ~~government employee shall notify the~~
4 ~~applicant of the applicant's registration status with the State~~
5 ~~Board of Elections and, if registered, the applicant's current~~
6 ~~registration address. If the applicant elects to register to~~
7 ~~vote or to update his or her existing voter registration, the~~
8 ~~government employee shall collect the needed information and~~
9 ~~assist the applicant with his or her registration. The~~
10 ~~applicant shall be informed that by choosing to register to~~
11 ~~vote or to update his or her existing voter registration, the~~
12 ~~applicant consents to the transfer of the applicant's personal~~
13 ~~information to the State Board of Elections.~~

14 (a-10) Upon receipt of personal information collected and
15 transferred by a designated government agency, the State Board
16 of Elections shall check the information against the statewide
17 voter registration database. The State Board of Elections shall
18 create and electronically transmit to the appropriate election
19 authority a voter registration application for all individuals
20 who are not registered to vote in Illinois and are not
21 disqualified as provided in subsection (a-15) of this Section
22 or whose information reliably indicates a more recent update to
23 the name or address of a person already included in the
24 statewide voter database, regardless of whether they provided
25 an attestation during the agency transaction. The election
26 authority shall process the application accordingly. If an

1 individual did not provide an attestation during the agency
2 transaction, the election authority shall not treat the
3 application as complete or add the individual to the voter
4 registration list until the expiration of a period of time
5 established by rule for declining registration.

6 (a-15) If the State Board of Elections determines that
7 personal information collected and transferred by the
8 designated government agency includes a green card or other
9 legal proof that the person is not a United States citizen,
10 then the State Board of Elections shall not create a voter
11 registration application and shall notify the person of the
12 reason his or her voter registration application is incomplete.

13 (a-20) Unless the application is incomplete pursuant to
14 subsection (a-15), the State Board of Elections shall create
15 and electronically transmit to the appropriate election
16 authority a voter registration application for any individual
17 who has attested to meeting voter registration applications. If
18 the personal information collected and transferred by the
19 designated government agency does not make it clear whether or
20 not a person is qualified to register to vote in Illinois, the
21 person's attestation that he or she is so qualified shall be
22 deemed sufficient evidence of meeting qualifications to
23 register to vote and the election authority shall process the
24 application accordingly.

25 (a-25) The appropriate election authority shall ensure
26 that any applicant who is registered to vote or whose existing

1 voter registration is updated under this Section is promptly
2 sent written notice of the change. The notice may be sent by
3 electronic mail if the applicant has provided an electronic
4 mail address on the voter registration form. The notice
5 required by this subsection (a-25) may be sent or combined with
6 other notices required or permitted by law, including, but not
7 limited to, any notices sent pursuant to Section 1A-16.5 of
8 this Code. Any notice required by this subsection (a-25) shall
9 contain, at a minimum:

10 (1) the applicant's name, date of birth, and
11 residential address as reflected on the voter registration
12 list;

13 (2) a statement that the applicant will be registered
14 to vote or will have his or her voter registration updated
15 unless he or she declines registration within a period of
16 time established by rule;

17 (3) a statement of the qualifications to be a voter;

18 (4) a statement that it is illegal for a person who is
19 not qualified to be a voter to vote in an election, which
20 shall be printed in larger text than the rest of the
21 notice;

22 (5) a statement notifying the applicant to contact the
23 appropriate election authority if he or she does not meet
24 the qualifications to be a voter and stating that the
25 applicant does not have to provide a reason he or she is
26 not qualified to vote or disclose citizenship status;

1 (6) a statement notifying the applicant to contact the
2 appropriate election authority if his or her voter
3 registration has been updated in error;

4 (7) a statement notifying the applicant that he or she
5 may opt out of voter registration, or request a change to
6 registration information, at any time by contacting an
7 election official;

8 (8) a prepaid postcard allowing the applicant to opt
9 out of voter registration or update his or her voter
10 registration information, or directions for opting out of
11 voter registration or updating voter registration
12 information online;

13 (9) contact information for the appropriate election
14 authority, including a phone number, address, electronic
15 mail address, and website address;

16 (10) a statement notifying the applicant that some
17 personal information related to voter registration may be
18 subject to public disclosure for purposes related to the
19 electoral process unless protected under an address
20 confidentiality program; and

21 (11) any other information necessary to fulfill the
22 obligations of this Section or local, State, or federal
23 law.

24 (a-30) The appropriate election authority shall ensure
25 that any applicant whose voter registration application is not
26 accepted or deemed incomplete is promptly sent written notice

1 of the application's status. The notice may be sent by
2 electronic mail if the applicant has provided an electronic
3 mail address on the voter registration form. The notice
4 required by this subsection (a-30) may be sent or combined with
5 other notices required or permitted by law, including, but not
6 limited to, any notices sent pursuant to Section 1A-16.5 of
7 this Code. Any notice required by this subsection (a-30) shall
8 contain, at a minimum, the reason the application was not
9 accepted or deemed incomplete and contact information for the
10 appropriate election authority including a phone number,
11 address, electronic mail address, and website address.

12 (a-35) If a designated government agency transfers
13 information, or if the State Board of Elections creates and
14 transmits a voter registration application, for a person who
15 does not qualify as an eligible voter, it shall not constitute
16 a completed voter registration form, and the person shall not
17 be considered to have registered to vote. If the registration
18 is processed by any election authority, it shall be presumed to
19 have been effected and officially authorized by the State and
20 that person shall not be found on that basis to have made a
21 false claim to citizenship or to have committed an act of moral
22 turpitude, nor shall that person be subject to penalty under
23 any relevant laws, including, but not limited to, Sections
24 29-10 and 29-19 of this Code. This subsection (a-35) does not
25 apply to any person who knows that he or she is ineligible to
26 register to vote but who knowingly and willfully registers to

1 vote or attests under penalty of perjury that he or she is
2 eligible to register to vote.

3 (a-40) No employee of a designated government agency shall
4 transmit to the State Board of Elections personal information
5 for any person who applies for or is issued a temporary
6 visitor's driver's license pursuant to Section 6-105.1 of the
7 Illinois Vehicle Code.

8 (a-45) In the event that the registration of a voter is
9 changed from one address to another within the State and the
10 voter appears at the polls and offers to vote from the prior
11 registration address, attesting that the prior registration
12 address is the true current address, the voter, if confirmed by
13 the election authority as having been registered at the prior
14 registration address and canceled only by the process
15 authorized by this Section, shall be issued a regular ballot,
16 and the change of registration address shall be canceled. If
17 the election authority is unable to immediately confirm the
18 registration, the voter shall be permitted to register and vote
19 a regular ballot, provided that he or she meets the documentary
20 requirements for same-day registration. If the election
21 authority is unable to confirm the registration and the voter
22 does not meet the requirements for same-day registration, the
23 voter shall be issued a provisional ballot and the provisional
24 ballot shall be counted as provided for under Article 18A of
25 this Code. No voter shall be disqualified from voting due to an
26 error relating to an update of registration made under this

1 Section.

2 (a-50) In accordance with technical specifications
3 provided by the State Board of Elections, each designated
4 government agency shall maintain a data transfer mechanism
5 capable of transmitting voter registration application
6 information, including electronic signatures where available,
7 to the online voter registration system established in Section
8 1A-16.5 of this Code. Each designated government agency shall
9 establish and operate a voter registration system capable of
10 transmitting voter registration application information to the
11 portal as described in this Section by July 1, 2016.

12 (b) Whenever an applicant's data is transferred from a
13 designated government agency, the agency must transmit a
14 signature image if available. If no signature image was
15 provided by the agency or if no signature image is available in
16 the Secretary of State's database or the statewide voter
17 registration database, the applicant must be notified that
18 their registration will remain in a pending status and the
19 applicant will be required to provide identification and a
20 signature to the election authority on Election Day in the
21 polling place or during early voting.

22 (b-5) The State Board of Elections and designated
23 government agencies shall implement policies and procedures to
24 protect the privacy and security of voter information as it is
25 acquired, stored, and transmitted among agencies, including
26 policies for the retention and preservation of voter

1 information. Information designated as confidential under this
2 Section may be recorded and shared among the State Board of
3 Elections, election authorities, and designated government
4 agencies, but shall be used only for voter registration
5 purposes, shall not be disclosed to the public except in the
6 aggregate as required by subsection (d) of this Section, and
7 shall not be subject to the Freedom of Information Act. The
8 following information shall be designated as confidential: any
9 portion of an applicant's Social Security number, any portion
10 of an applicant's motor vehicle driver's license number or
11 State identification number, an applicant's decision to
12 decline voter registration, the identity of the designated
13 government agency providing information relating to a specific
14 applicant, and the personal residence and contact information
15 of any applicant for whom local, State, or federal law requires
16 confidentiality, including, but not limited to, a victim of
17 domestic violence pursuant to the Address Confidentiality for
18 Victims of Domestic Violence Act or a victim of stalking
19 pursuant to the Stalking No Contact Order Act. This subsection
20 (b-5) shall not apply to information the State Board of
21 Elections is required to share with the Electronic Registration
22 Information Center.

23 (c) The voter registration procedures implemented under
24 this Section shall comport with the federal National Voter
25 Registration Act of 1993, as amended, and shall specifically
26 require that the The State Board of Elections ~~shall~~ track

1 registration data received through the online registration
2 system that originated from a designated government agency for
3 the purposes of maintaining statistics ~~required by the federal~~
4 ~~National Voter Registration Act of 1993, as amended.~~

5 (c-5) No later than September 1, 2016, designated
6 government agencies under this Section shall transfer all
7 personal information contained in relevant agency databases
8 and collected since September 1, 2015 to the State Board of
9 Elections for cross-reference against the statewide voter
10 registration database. The State Board of Elections shall
11 create voter registration applications for all persons who are
12 not registered to vote in Illinois and are not disqualified as
13 provided in subsection (a-15) of this Section or whose records
14 indicate a more recent update to an existing voter
15 registration, and shall transmit these voter registration
16 applications to the appropriate election authorities for
17 processing and registration.

18 (d) The State Board of Elections shall submit an annual
19 public ~~a~~ report to the General Assembly and the Governor ~~by~~
20 ~~December 1, 2015~~ detailing the progress made to implement ~~the~~
21 ~~government agency voter registration portal described in this~~
22 Section. The report shall include all of the following: the
23 number of records transferred under this Section by agency, the
24 number of voters newly added to the statewide voter
25 registration list because of records transferred under this
26 Section by agency, the number of updated registrations under

1 this Section by agency, the number of persons who opted out of
2 voter registration, and the number of voters who submitted
3 voter registration forms using the online procedure described
4 in Section 1A-16.5 of this Code. Any report produced under this
5 subsection (d) shall exclude any information that identifies
6 any individual personally.

7 (d-5) The State Board of Elections, each election authority
8 that maintains a website, and each designated government agency
9 that maintains a website shall provide information on their
10 websites informing the public about the new registration
11 procedures described in this Section. Each designated
12 government agency shall display signage or provide literature
13 for the public containing information about the new
14 registration procedures described in this Section.

15 (d-10) No later than January 1, 2017, the State Board of
16 Elections shall hold at least one public hearing on
17 implementing this amendatory Act of the 99th General Assembly
18 at which the public may provide input.

19 (e) The State Board of Elections, in consultation with
20 election authorities, the Secretary of State, designated
21 government agencies, and community organizations, shall adopt
22 rules as necessary to implement the provisions of this Section
23 , ~~in consultation with the impacted agencies.~~

24 (e-5) Subsection (c-5) of this Section shall be implemented
25 no later than September 1, 2016. Subsections (a-5) through
26 (a-45) and subsection (b-5) of this Section shall be

1 implemented no later than July 1, 2017 for all designated
2 government agencies maintained by the Secretary of State and no
3 later than January 1, 2018 for all other designated government
4 agencies.

5 (f) As used in this Section, a "designated government
6 agency" means the Secretary of State's Driver Services and
7 Vehicle Services Departments, the Department of Human
8 Services, the Department of Healthcare and Family Services, the
9 Department of Employment Security, ~~and~~ the Department on Aging,
10 any federal source that agrees to submit personal
11 identification information to the State for voter registration
12 purposes, and any other reliable State government source the
13 State Board of Elections may designate.

14 (Source: P.A. 98-1171, eff. 6-1-15.)

15 (10 ILCS 5/1A-16.8)

16 Sec. 1A-16.8. Automatic transfer of registration based
17 upon information from the National Change of Address database
18 and designated government agencies, as defined in Section
19 1A-16.6 of this Code. The State Board of Elections shall
20 cross-reference the statewide voter registration database
21 against the United States Postal Service's National Change of
22 Address database twice each calendar year, April 15 and October
23 1 in odd-numbered years and April 15 and December 1 in
24 even-numbered years, and shall share the findings with the
25 election authorities. In addition, beginning no later than

1 September 1, 2016, the State Board of Elections shall utilize
2 data provided as part of its membership in the Electronic
3 Registration Information Center in order to cross-reference
4 the statewide voter registration database against databases of
5 relevant personal information kept by designated government
6 agencies, including, but not limited to, driver's license
7 information kept by the Secretary of State, at least 6 times
8 each calendar year and shall share the findings with election
9 authorities. An election authority shall automatically
10 register any voter who has moved into its jurisdiction from
11 another jurisdiction in Illinois or has moved within its
12 jurisdiction provided that:

13 (1) the election authority whose jurisdiction includes
14 the new registration address provides the voter an
15 opportunity to reject the change in registration address
16 through a mailing, sent by non-forwardable mail, to the new
17 registration address, and

18 (2) when the election authority whose jurisdiction
19 includes the previous registration address is a different
20 election authority, then that election authority provides
21 the same opportunity through a mailing, sent by forwardable
22 mail, to the previous registration address.

23 This change in registration shall trigger the same
24 inter-jurisdictional or intra-jurisdictional workflows as if
25 the voter completed a new registration card, including the
26 cancellation of the voter's previous registration. Should the

1 registration of a voter be changed from one address to another
2 within the State and should the voter appear at the polls and
3 offer to vote from the prior registration address, attesting
4 that the prior registration address is the true current
5 address, the voter, if confirmed by the election authority as
6 having been registered at the prior registration address and
7 canceled only by the process authorized by this Section, shall
8 be issued a regular ballot, and the change of registration
9 address shall be canceled. If the election authority is unable
10 to immediately confirm the registration, the voter shall be
11 permitted to register and vote a regular ballot, provided that
12 he or she meets the documentary requirements for same-day
13 registration. If the election authority is unable to confirm
14 the registration and the voter does not meet the requirements
15 for same-day registration, the voter shall be issued a
16 provisional ballot and the provisional ballot shall be counted
17 as provided under Article 18A of this Code. No voter shall be
18 disqualified from voting due to an error relating to an update
19 of registration under this Section.

20 (Source: P.A. 98-1171, eff. 6-1-15.)

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

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

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

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

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

20 (c) Pursuant to Sections 1A-16.6 and Section ~~Section~~ 1A-25 of the
21 Election Code, the Secretary of State shall make driver
22 services facilities available for use as places of accepting
23 applications for voter registration.

24 (d) (Blank).

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

1 permit, an Illinois identification card or a corrected Illinois
2 identification card shall be notified, under the procedures set
3 forth in Section 1A-16.6 of the Election Code, that unless he
4 or she opts out that the person shall be registered may apply
5 to register to vote, and if his or her address has changed, his
6 or her voter registration information shall be updated to the
7 new address within this State at such station and may also
8 apply to transfer his or her voter registration at such station
9 to a different address in the State. Such notification may be
10 made in writing or verbally issued by an employee or the
11 Secretary of State.

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

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

1 numbers of law enforcement and other governmental agencies that
2 provide assistance to victims of financial identity theft.

3 (Source: P.A. 97-81, eff. 7-5-11.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".