



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2476

by Rep. Curtis J. Tarver II

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/19-2.3 new  
10 ILCS 5/19A-20  
55 ILCS 5/3-15003.3 new  
55 ILCS 5/3-15003.4 new  
730 ILCS 5/3-2-2.3 new  
730 ILCS 5/3-14-1

from Ch. 38, par. 1003-14-1

Amends the Election Code. Provides that each election authority shall collaborate with the county jail within the jurisdiction of the election authority to facilitate voting by mail for voters eligible to vote in the county who are confined or detained in the county jail. Provides that in a county with a population of 3,000,000 or more, the election authority in the county shall establish a temporary branch polling place in the county jail. Contains additional provisions concerning the temporary branch polling place in the county jail. Amends the Counties Code. Provides that each election authority shall collaborate with the county jail within the jurisdiction of the election authority to facilitate voter registration for voters eligible to vote in that county who are confined or detained in the county jail. Provides that a county jail shall provide a voter registration application to any person in custody at the jail who requests an application and is eligible to vote. Amends the Unified Code of Corrections. Provides that upon release of a person who is eligible to vote, the Department of Corrections shall provide the person with a specified form that informs him or her that his or her voting rights have been restored. Amends the Unified Code of Corrections and Counties Code. Provides that upon discharge from a county jail or release from the Department of Corrections, a person shall be provided with a voter registration form. Provides that the Department, each county jail, and each county probation office shall provide an individual in its custody with specified information on voting rights. Makes other changes.

LRB101 06091 SMS 51112 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 Election Code is amended by adding Sections  
5 19-2.3 and by changing Section 19A-20 as follows:

6 (10 ILCS 5/19-2.3 new)

7 Sec. 19-2.3. Vote by mail; jails. Each election authority  
8 in a county with a population under 3,000,000 shall collaborate  
9 with the primary county jail where eligible voters are confined  
10 or detained who are within the jurisdiction of the election  
11 authority to facilitate an opportunity for voting by mail for  
12 voters eligible to vote in the election jurisdiction who are  
13 confined or detained in the county jail.

14 (10 ILCS 5/19A-20)

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

16 (a) In addition to permanent polling places for early  
17 voting, the election authority may establish temporary branch  
18 polling places for early voting.

19 (b) The provisions of subsection (b) of Section 19A-15 do  
20 not apply to a temporary polling place. Voting at a temporary  
21 branch polling place may be conducted on any one or more days  
22 and during any hours within the period for early voting by

1 personal appearance that are determined by the election  
2 authority.

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

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

10 (e) In a county with a population of 3,000,000 or more, the  
11 election authority in the county shall establish a temporary  
12 branch polling place under this Section in the county jail.  
13 Only a resident of a county who is in custody at the county  
14 jail and who has not been convicted of the offense for which  
15 the resident is in custody is eligible to vote at a temporary  
16 branch polling place established under this subsection. The  
17 temporary branch polling place established under this  
18 subsection shall allow a voter to vote in the same elections  
19 that the voter would be entitled to vote in where the voter  
20 resides. To the maximum extent feasible, voting booths or  
21 screens shall be provided to ensure the privacy of the voter.

22 All provisions of this Code applicable to pollwatchers  
23 shall apply to a temporary branch polling place under this  
24 subsection, subject to approval from the election authority and  
25 the county jail. A county that establishes a temporary branch  
26 polling place inside a county jail in accordance with this

1 subsection shall adhere to all requirements of this subsection.  
2 All requirements of the federal Voting Rights Act of 1965 shall  
3 apply to this subsection.

4 (Source: P.A. 94-645, eff. 8-22-05.)

5 Section 10. The Counties Code is amended by adding Sections  
6 3-15003.3 and 3-15003.4 as follows:

7 (55 ILCS 5/3-15003.3 new)

8 Sec. 3-15003.3. Voter registration; county jails. Upon  
9 discharge of a person who is eligible to vote from a county  
10 jail, the county jail shall provide the person with a voter  
11 registration application. Each election authority shall  
12 collaborate with the county jail within the jurisdiction of the  
13 election authority to facilitate voter registration for voters  
14 eligible to vote in that county who are confined or detained in  
15 the county jail. A county jail shall provide a voter  
16 registration application to any person in custody at the jail  
17 who requests an application and is eligible to vote.

18 (55 ILCS 5/3-15003.4 new)

19 Sec. 3-15003.4. Voting rights; county jails; probation  
20 offices.

21 (a) Each county jail and county probation office shall make  
22 available current resource materials, maintained by the  
23 Illinois State Board of Elections, containing detailed

1 information regarding the voting rights of a person with a  
2 criminal conviction in print.

3 (b) The current resource materials described under  
4 subsection (a) shall be provided:

5 (1) upon discharge of a person from a county jail; and

6 (2) upon intake of a person by a county probation  
7 department.

8 Section 15. The Unified Code of Corrections is amended by  
9 adding Sections 3-2-2.3 and by changing Section 3-14-1 as  
10 follows:

11 (730 ILCS 5/3-2-2.3 new)

12 Sec. 3-2-2.3. Voting rights information.

13 (a) The Department shall make available to a person in its  
14 custody current resource materials, maintained by the Illinois  
15 State Board of Elections, containing detailed information  
16 regarding the voting rights of a person with a criminal  
17 conviction in the following formats:

18 (1) in print;

19 (2) on the Department's website; and

20 (3) in a visible location on the premises of each  
21 Department facility where notices are customarily posted.

22 (b) The current resource materials described under  
23 subsection (a) shall be provided upon release of a person on  
24 parole, mandatory supervised release, final discharge, or

1 pardon from the Department.

2 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

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

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

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

16 (a-2) The Department of Corrections may establish and  
17 maintain, in any institution it administers, revolving funds to  
18 be known as "Travel and Allowances Revolving Funds". These  
19 revolving funds shall be used for advancing travel and expense  
20 allowances to committed, paroled, and discharged prisoners.  
21 The moneys paid into such revolving funds shall be from  
22 appropriations to the Department for Committed, Paroled, and  
23 Discharged Prisoners.

24 (a-3) Upon release of a person who is eligible to vote on  
25 parole, mandatory release, final discharge, or pardon, the

1 Department shall provide the person with a form that informs  
2 him or her that his or her voting rights have been restored and  
3 a voter registration application. The Department shall have  
4 available voter registration applications in the languages  
5 provided by the Illinois State Board of Elections. The form  
6 that informs the person that his or her rights have been  
7 restored shall include the following information:

8 (1) All voting rights are restored upon release from  
9 the Department's custody.

10 (2) A person who is eligible to vote must register in  
11 order to be able to vote.

12 The Department of Corrections shall confirm that the person  
13 received the voter registration application and has been  
14 informed that his or her voting rights have been restored.

15 (b) (Blank).

16 (c) Except as otherwise provided in this Code, the  
17 Department shall establish procedures to provide written  
18 notification of any release of any person who has been  
19 convicted of a felony to the State's Attorney and sheriff of  
20 the county from which the offender was committed, and the  
21 State's Attorney and sheriff of the county into which the  
22 offender is to be paroled or released. Except as otherwise  
23 provided in this Code, the Department shall establish  
24 procedures to provide written notification to the proper law  
25 enforcement agency for any municipality of any release of any  
26 person who has been convicted of a felony if the arrest of the

1 offender or the commission of the offense took place in the  
2 municipality, if the offender is to be paroled or released into  
3 the municipality, or if the offender resided in the  
4 municipality at the time of the commission of the offense. If a  
5 person convicted of a felony who is in the custody of the  
6 Department of Corrections or on parole or mandatory supervised  
7 release informs the Department that he or she has resided,  
8 resides, or will reside at an address that is a housing  
9 facility owned, managed, operated, or leased by a public  
10 housing agency, the Department must send written notification  
11 of that information to the public housing agency that owns,  
12 manages, operates, or leases the housing facility. The written  
13 notification shall, when possible, be given at least 14 days  
14 before release of the person from custody, or as soon  
15 thereafter as possible. The written notification shall be  
16 provided electronically if the State's Attorney, sheriff,  
17 proper law enforcement agency, or public housing agency has  
18 provided the Department with an accurate and up to date email  
19 address.

20 (c-1) (Blank).

21 (c-2) The Department shall establish procedures to provide  
22 notice to the Department of State Police of the release or  
23 discharge of persons convicted of violations of the  
24 Methamphetamine Control and Community Protection Act or a  
25 violation of the Methamphetamine Precursor Control Act. The  
26 Department of State Police shall make this information



1 available to local, State, or federal law enforcement agencies  
2 upon request.

3 (c-5) If a person on parole or mandatory supervised release  
4 becomes a resident of a facility licensed or regulated by the  
5 Department of Public Health, the Illinois Department of Public  
6 Aid, or the Illinois Department of Human Services, the  
7 Department of Corrections shall provide copies of the following  
8 information to the appropriate licensing or regulating  
9 Department and the licensed or regulated facility where the  
10 person becomes a resident:

11 (1) The mittimus and any pre-sentence investigation  
12 reports.

13 (2) The social evaluation prepared pursuant to Section  
14 3-8-2.

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

17 (4) Reports of disciplinary infractions and  
18 dispositions.

19 (5) Any parole plan, including orders issued by the  
20 Prisoner Review Board, and any violation reports and  
21 dispositions.

22 (6) The name and contact information for the assigned  
23 parole agent and parole supervisor.

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

26 (c-10) If a person on parole or mandatory supervised

1 release becomes a resident of a facility licensed or regulated  
2 by the Department of Public Health, the Illinois Department of  
3 Public Aid, or the Illinois Department of Human Services, the  
4 Department of Corrections shall provide written notification  
5 of such residence to the following:

6 (1) The Prisoner Review Board.

7 (2) The chief of police and sheriff in the municipality  
8 and county in which the licensed facility is located.

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

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

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

1 authorized by the Secretary to the released person. If  
2 verification by the Department is done by means other than  
3 obtaining a certified copy of the released person's birth  
4 certificate and the released person's social security card or  
5 other documents authorized by the Secretary, the Department  
6 shall complete a verification form, prescribed by the Secretary  
7 of State, and shall provide that verification form to the  
8 released person.

9 (f) Forty-five days prior to the scheduled discharge of a  
10 person committed to the custody of the Department of  
11 Corrections, the Department shall give the person who is  
12 otherwise uninsured an opportunity to apply for health care  
13 coverage including medical assistance under Article V of the  
14 Illinois Public Aid Code in accordance with subsection (b) of  
15 Section 1-8.5 of the Illinois Public Aid Code, and the  
16 Department of Corrections shall provide assistance with  
17 completion of the application for health care coverage  
18 including medical assistance. The Department may adopt rules to  
19 implement this Section.

20 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;  
21 99-907, eff. 7-1-17.)