



Sen. William R. Haine

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LRB093 05385 JAM 54190 a

1 AMENDMENT TO HOUSE BILL 640

2 AMENDMENT NO. _____. Amend House Bill 640 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by adding Section
5 1A-25 and changing Section 18A-5 as follows:

6 (10 ILCS 5/1A-25 new)

7 Sec. 1A-25. Centralized statewide voter registration list.
8 The centralized statewide voter registration list required by
9 Title III, Subtitle A, Section 303 of the Help America Vote Act
10 of 2002 shall be created and maintained by the State Board of
11 Elections as provided in this Section.

12 (1) The centralized statewide voter registration list
13 shall be compiled from the voter registration data bases of
14 each election authority in this State.

15 (2) All new voter registration forms and applications
16 to register to vote shall be transmitted to the appropriate
17 election authority. The election authority shall process
18 and verify each voter registration form and electronically
19 enter verified registrations on an expedited basis onto the
20 statewide voter registration list. All original
21 registration cards shall remain permanently in the office
22 of the election authority as required by Sections 4-20,
23 5-28, and 6-65.

24 (3) The centralized statewide voter registration list

1 shall:

2 (i) Be designed to allow election authorities to
3 utilize the registration data on the statewide voter
4 registration list pertinent to voters registered in
5 their election jurisdiction on locally maintained
6 software programs that are unique to each
7 jurisdiction.

8 (ii) Allow each election authority to perform
9 essential election management functions, including but
10 not limited to production of voter lists, processing of
11 absentee voters, production of individual, pre-printed
12 applications to vote, administration of election
13 judges, and polling place administration, but shall
14 not prevent any election authority from using
15 information from that election authority's own
16 systems.

17 (4) The registration information maintained by each
18 election authority shall at all times be synchronized with
19 that authority's information on the statewide list on a
20 constant, real-time basis.

21 To protect the privacy and confidentiality of voter
22 registration information, the disclosure of any portion of the
23 centralized statewide voter registration list to any person or
24 entity other than to a State or local political committee and
25 other than to a governmental entity for a governmental purpose
26 is specifically prohibited.

27 (10 ILCS 5/18A-5)

28 Sec. 18A-5. Provisional voting; general provisions.

29 (a) A person who claims to be a registered voter is
30 entitled to cast a provisional ballot under the following
31 circumstances:

32 (1) The person's name does not appear on the official
33 list of eligible voters, ~~whether a list of active or~~

1 ~~inactive voters,~~ for the precinct in which the person seeks
 2 to vote. The official list is the centralized statewide
 3 voter registration list established and maintained in
 4 accordance with Section 1A-25;

5 (2) The person's voting status has been challenged by
 6 an election judge, a pollwatcher, or any legal voter and
 7 that challenge has been sustained by a majority of the
 8 election judges; or

9 (3) A federal or State court order extends the time for
 10 closing the polls beyond the time period established by
 11 State law and the person votes during the extended time
 12 period.

13 (b) The procedure for obtaining and casting a provisional
 14 ballot at the polling place shall be as follows:

15 (1) An election judge at the polling place shall notify
 16 a person who is entitled to cast a provisional ballot
 17 pursuant to subsection (a) that he or she may cast a
 18 provisional ballot in that election. An election judge must
 19 accept any information provided by a person who casts a
 20 provisional ballot that the person believes supports his or
 21 her claim that he or she is a duly registered voter and
 22 qualified to vote in the election.

23 (2) The person shall execute a written form provided by
 24 the election judge that shall state or contain all of the
 25 following:

26 (i) an affidavit stating the following:

27 State of Illinois, County of,
 28 Township, Precinct, Ward
 29, I,, do solemnly
 30 swear (or affirm) that: I am a citizen of the United
 31 States; I am 18 years of age or older; I have resided
 32 in this State and in this precinct for 30 days
 33 preceding this election; I have not voted in this
 34 election; I am a duly registered voter in every

1 respect; and I am eligible to vote in this election.
2 Signature Printed Name of Voter Printed
3 Residence Address of Voter City State
4 Zip Code Telephone Number Date of
5 Birth and Driver's License Number Last
6 4 digits of Social Security Number or State
7 Identification Card Number.

8 (ii) Written instruction stating the following:

9 In order to expedite the verification of your voter
10 registration status, the (insert name of county
11 clerk of board of election commissioners here)
12 requests that you include your phone number and both
13 the last four digits of your social security number and
14 your driver's license number or State Identification
15 Card Number issued to you by the Secretary of State. At
16 minimum, you are required to include either (A) your
17 driver's license number or State Identification Card
18 Number issued to you by the Secretary of State or (B)
19 the last 4 digits of your social security number.

20 (iii) A box for the election judge to check one of the
21 3 reasons why the person was given a provisional ballot
22 under subsection (a) of Section 18A-5.

23 (iv) An area for the election judge to affix his or her
24 signature and to set forth any facts that support or oppose
25 the allegation that the person is not qualified to vote in
26 the precinct in which the person is seeking to vote.

27 The written affidavit form described in this subsection
28 (b) (2) must be printed on a multi-part form prescribed by the
29 county clerk or board of election commissioners, as the case
30 may be.

31 (3) After the person executes the portion of the written
32 affidavit described in subsection (b) (2) (i) of this Section,
33 the election judge shall complete the portion of the written
34 affidavit described in subsection (b) (2) (iii) and (b) (2) (iv).

1 (4) The election judge shall give a copy of the completed
2 written affidavit to the person. The election judge shall place
3 the original written affidavit in a self-adhesive clear plastic
4 packing list envelope that must be attached to a separate
5 envelope marked as a "provisional ballot envelope". The
6 election judge shall also place any information provided by the
7 person who casts a provisional ballot in the clear plastic
8 packing list envelope. Each county clerk or board of election
9 commissioners, as the case may be, must design, obtain or
10 procure self-adhesive clear plastic packing list envelopes and
11 provisional ballot envelopes that are suitable for
12 implementing this subsection (b)(4) of this Section.

13 (5) The election judge shall provide the person with a
14 provisional ballot, written instructions for casting a
15 provisional ballot, and the provisional ballot envelope with
16 the clear plastic packing list envelope affixed to it, which
17 contains the person's original written affidavit and, if any,
18 information provided by the provisional voter to support his or
19 her claim that he or she is a duly registered voter. An
20 election judge must also give the person written information
21 that states that any person who casts a provisional ballot
22 shall be able to ascertain, pursuant to guidelines established
23 by the State Board of Elections, whether the provisional vote
24 was counted in the official canvass of votes for that election
25 and, if the provisional vote was not counted, the reason that
26 the vote was not counted.

27 (6) After the person has completed marking his or her
28 provisional ballot, he or she shall place the marked ballot
29 inside of the provisional ballot envelope, close and seal the
30 envelope, and return the envelope to an election judge, who
31 shall then deposit the sealed provisional ballot envelope into
32 a securable container separately identified and utilized for
33 containing sealed provisional ballot envelopes. Upon the
34 closing of the polls, the securable container shall be sealed

1 with filament tape provided for that purpose, which shall be
2 wrapped around the box lengthwise and crosswise, at least twice
3 each way, and each of the election judges shall sign the seal.

4 (c) Instead of the affidavit form described in subsection
5 (b), the county clerk or board of election commissioners, as
6 the case may be, may design and use a multi-part affidavit form
7 that is imprinted upon or attached to the provisional ballot
8 envelope described in subsection (b). If a county clerk or
9 board of election commissioners elects to design and use its
10 own multi-part affidavit form, then the county clerk or board
11 of election commissioners shall establish a mechanism for
12 accepting any information the provisional voter has supplied to
13 the election judge to support his or her claim that he or she
14 is a duly registered voter. In all other respects, a county
15 clerk or board of election commissioners shall establish
16 procedures consistent with subsection (b).

17 (d) The county clerk or board of election commissioners, as
18 the case may be, shall use the completed affidavit form
19 described in subsection (b) to update the person's voter
20 registration information in the State voter registration
21 database and voter registration database of the county clerk or
22 board of election commissioners, as the case may be. If a
23 person is later determined not to be a registered voter based
24 on Section 18A-15 of this Code, then the affidavit shall be
25 processed by the county clerk or board of election
26 commissioners, as the case may be, as a voter registration
27 application.

28 (Source: P.A. 93-574, eff. 8-21-03.)

29 Section 99. Effective date. This Act takes effect upon
30 becoming law."