



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5999

by Rep. Christian L. Mitchell

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.6
10 ILCS 5/1A-16.6A new

Amends the Election Code. Provides that the Secretary of State shall create by rule an automatic voter registration pilot program. Contains a provision allowing individuals to opt-out of the automatic registration. Establishes requirements for the program. Effective immediately.

LRB099 19098 MGM 43487 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 changing Section
5 1A-16.6 and by adding Section 1A-16.6A as follows:

6 (10 ILCS 5/1A-16.6)

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

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

21 Voter registration data received from a designated
22 government agency through the online registration system shall
23 be processed as provided for in Section 1A-16.5 of this Code.

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

16 Except for Secretary of State employees automatically
17 registering applicants to vote under Section 1A-16.6A,
18 whenever ~~whenever~~ a government employee is accessing the
19 registration system while servicing the applicant, the
20 government employee shall notify the applicant of the
21 applicant's registration status with the State Board of
22 Elections and, if registered, the applicant's current
23 registration address. If the applicant elects to register to
24 vote or to update his or her existing voter registration, the
25 government employee shall collect the needed information and
26 assist the applicant with his or her registration. The

1 applicant shall be informed that by choosing to register to
2 vote or to update his or her existing voter registration, the
3 applicant consents to the transfer of the applicant's personal
4 information to the State Board of Elections.

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

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

25 (c) The State Board of Elections shall track registration
26 data received through the online registration system that

1 originated from a designated government agency for the purposes
2 of maintaining statistics required by the federal National
3 Voter Registration Act of 1993, as amended.

4 (d) The State Board of Elections shall submit a report to
5 the General Assembly and the Governor by December 1, 2015
6 detailing the progress made to implement the government agency
7 voter registration portal described in this Section.

8 (e) The Board shall adopt rules, in consultation with the
9 impacted agencies.

10 (f) As used in this Section, a "designated government
11 agency" means the Secretary of State's Driver Services and
12 Vehicle Services Departments, the Department of Human
13 Services, the Department of Healthcare and Family Services, the
14 Department of Employment Security, and the Department on Aging.
15 (Source: P.A. 98-1171, eff. 6-1-15.)

16 (10 ILCS 5/1A-16.6A new)

17 Sec. 1A-16.6A. Automatic voter registration pilot program.

18 (a) As soon as practicable, the Secretary of State shall
19 create by rule an automatic voter registration pilot program.
20 Except as provided in subsection (b), the automatic voter
21 registration program shall automatically register every
22 citizen of Illinois that is 17 years of age or older and a
23 resident of Cook County to vote at the time the individual
24 applies for or renews a driver's license, other than a
25 temporary visitor's driver's license, or registers a motor

1 vehicle, provided that the applicant is not already registered.
2 The automatic voter registration pilot program shall be
3 conducted by Secretary of State employees using the online
4 voter registration portal pursuant to Section 1A-16.6 of the
5 Election Code.

6 (b) The Secretary of State shall include on every form for
7 a driver's license renewal or application or vehicle
8 registration, excluding applications or other forms relating
9 to temporary visitor's drivers licenses, the opportunity for
10 applicants to opt-out of this automatic voter registration.
11 These forms shall include, in bold-face font, a box for the
12 person to check yes or no that asks, "If you want to opt-out of
13 the Secretary of State's automatic voter registration program,
14 check this box. IF YOU ARE NOT A CITIZEN OF THE UNITED STATES,
15 YOU MUST CHECK THE BOX". Individuals that check the box shall
16 not be automatically registered.

17 (c) Notwithstanding any other provision of law to the
18 contrary, any individual that is unknowingly or
19 unintentionally registered to vote under this Section shall not
20 be liable if his or her registration violates any provision of
21 State law.

22 (d) This Section is repealed on January 1, 2018.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.