



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB3452

Introduced 11/15/2016, by Sen. Sue Rezin

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5  
10 ILCS 5/1-16 new  
10 ILCS 5/1A-16.1 new  
10 ILCS 5/1A-16.2 new  
10 ILCS 5/1A-16.6  
10 ILCS 5/1A-16.7 new

Amends the Election Code. Provides that the Office of the Secretary of State and the State Board of Elections shall jointly establish an automatic voter registration program. Provides that designated automatic voter registration agencies may agree to participate in an automatic voter registration program established by the State Board of Elections. Provides that the term "designated automatic voter registration agency" means an agency of the State or federal government that has been determined by the State Board of Elections to have access to reliable personal information and has entered into an interagency contract with the State Board of Elections to participate in the automatic voter registration program. Provides for dual purpose applications, and provides that an application for a driver's license or a State identification card shall be a dual-purpose application. Provides that if an election authority is required by law to send an election-related notice to an individual, that election authority may send that notice solely by electronic mail if the individual provides a current e-mail address to the election authority and authorizes the election authority to send notices by electronic mail. Amends the Freedom of Information Act. Provides that certain information specified in the amendatory Act is exempt from inspection and copying. Effective immediately.

LRB099 24007 HLH 51596 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 Freedom of Information Act is amended by  
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 Sec. 7.5. Statutory exemptions. To the extent provided for  
8 by the statutes referenced below, the following shall be exempt  
9 from inspection and copying:

10 (a) All information determined to be confidential  
11 under Section 4002 of the Technology Advancement and  
12 Development Act.

13 (b) Library circulation and order records identifying  
14 library users with specific materials under the Library  
15 Records Confidentiality Act.

16 (c) Applications, related documents, and medical  
17 records received by the Experimental Organ Transplantation  
18 Procedures Board and any and all documents or other records  
19 prepared by the Experimental Organ Transplantation  
20 Procedures Board or its staff relating to applications it  
21 has received.

22 (d) Information and records held by the Department of  
23 Public Health and its authorized representatives relating

1 to known or suspected cases of sexually transmissible  
2 disease or any information the disclosure of which is  
3 restricted under the Illinois Sexually Transmissible  
4 Disease Control Act.

5 (e) Information the disclosure of which is exempted  
6 under Section 30 of the Radon Industry Licensing Act.

7 (f) Firm performance evaluations under Section 55 of  
8 the Architectural, Engineering, and Land Surveying  
9 Qualifications Based Selection Act.

10 (g) Information the disclosure of which is restricted  
11 and exempted under Section 50 of the Illinois Prepaid  
12 Tuition Act.

13 (h) Information the disclosure of which is exempted  
14 under the State Officials and Employees Ethics Act, and  
15 records of any lawfully created State or local inspector  
16 general's office that would be exempt if created or  
17 obtained by an Executive Inspector General's office under  
18 that Act.

19 (i) Information contained in a local emergency energy  
20 plan submitted to a municipality in accordance with a local  
21 emergency energy plan ordinance that is adopted under  
22 Section 11-21.5-5 of the Illinois Municipal Code.

23 (j) Information and data concerning the distribution  
24 of surcharge moneys collected and remitted by wireless  
25 carriers under the Wireless Emergency Telephone Safety  
26 Act.

1           (k) Law enforcement officer identification information  
2           or driver identification information compiled by a law  
3           enforcement agency or the Department of Transportation  
4           under Section 11-212 of the Illinois Vehicle Code.

5           (l) Records and information provided to a residential  
6           health care facility resident sexual assault and death  
7           review team or the Executive Council under the Abuse  
8           Prevention Review Team Act.

9           (m) Information provided to the predatory lending  
10          database created pursuant to Article 3 of the Residential  
11          Real Property Disclosure Act, except to the extent  
12          authorized under that Article.

13          (n) Defense budgets and petitions for certification of  
14          compensation and expenses for court appointed trial  
15          counsel as provided under Sections 10 and 15 of the Capital  
16          Crimes Litigation Act. This subsection (n) shall apply  
17          until the conclusion of the trial of the case, even if the  
18          prosecution chooses not to pursue the death penalty prior  
19          to trial or sentencing.

20          (o) Information that is prohibited from being  
21          disclosed under Section 4 of the Illinois Health and  
22          Hazardous Substances Registry Act.

23          (p) Security portions of system safety program plans,  
24          investigation reports, surveys, schedules, lists, data, or  
25          information compiled, collected, or prepared by or for the  
26          Regional Transportation Authority under Section 2.11 of

1 the Regional Transportation Authority Act or the St. Clair  
2 County Transit District under the Bi-State Transit Safety  
3 Act.

4 (q) Information prohibited from being disclosed by the  
5 Personnel Records Review Act.

6 (r) Information prohibited from being disclosed by the  
7 Illinois School Student Records Act.

8 (s) Information the disclosure of which is restricted  
9 under Section 5-108 of the Public Utilities Act.

10 (t) All identified or deidentified health information  
11 in the form of health data or medical records contained in,  
12 stored in, submitted to, transferred by, or released from  
13 the Illinois Health Information Exchange, and identified  
14 or deidentified health information in the form of health  
15 data and medical records of the Illinois Health Information  
16 Exchange in the possession of the Illinois Health  
17 Information Exchange Authority due to its administration  
18 of the Illinois Health Information Exchange. The terms  
19 "identified" and "deidentified" shall be given the same  
20 meaning as in the Health Insurance Portability and  
21 Accountability Act of 1996, Public Law 104-191, or any  
22 subsequent amendments thereto, and any regulations  
23 promulgated thereunder.

24 (u) Records and information provided to an independent  
25 team of experts under Brian's Law.

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under  
2 the Firearm Owners Identification Card Act or applied for  
3 or received a concealed carry license under the Firearm  
4 Concealed Carry Act, unless otherwise authorized by the  
5 Firearm Concealed Carry Act; and databases under the  
6 Firearm Concealed Carry Act, records of the Concealed Carry  
7 Licensing Review Board under the Firearm Concealed Carry  
8 Act, and law enforcement agency objections under the  
9 Firearm Concealed Carry Act.

10 (w) Personally identifiable information which is  
11 exempted from disclosure under subsection (g) of Section  
12 19.1 of the Toll Highway Act.

13 (x) Information which is exempted from disclosure  
14 under Section 5-1014.3 of the Counties Code or Section  
15 8-11-21 of the Illinois Municipal Code.

16 (y) Confidential information under the Adult  
17 Protective Services Act and its predecessor enabling  
18 statute, the Elder Abuse and Neglect Act, including  
19 information about the identity and administrative finding  
20 against any caregiver of a verified and substantiated  
21 decision of abuse, neglect, or financial exploitation of an  
22 eligible adult maintained in the Registry established  
23 under Section 7.5 of the Adult Protective Services Act.

24 (z) Records and information provided to a fatality  
25 review team or the Illinois Fatality Review Team Advisory  
26 Council under Section 15 of the Adult Protective Services

1 Act.

2 (aa) Information which is exempted from disclosure  
3 under Section 2.37 of the Wildlife Code.

4 (bb) Information which is or was prohibited from  
5 disclosure by the Juvenile Court Act of 1987.

6 (cc) Recordings made under the Law Enforcement  
7 Officer-Worn Body Camera Act, except to the extent  
8 authorized under that Act.

9 (dd) Information that is prohibited from being  
10 disclosed under Section 45 of the Condominium and Common  
11 Interest Community Ombudsperson Act.

12 (ee) ~~(ed)~~ Information that is exempted from disclosure  
13 under Section 30.1 of the Pharmacy Practice Act.

14 (ff) Records that are exempt from disclosure under  
15 Section 1A-16.7 of the Election Code.

16 (Source: P.A. 98-49, eff. 7-1-13; 98-63, eff. 7-9-13; 98-756,  
17 eff. 7-16-14; 98-1039, eff. 8-25-14; 98-1045, eff. 8-25-14;  
18 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352, eff. 1-1-16;  
19 99-642, eff. 7-28-16; 99-776, eff. 8-12-16; 99-863, eff.  
20 8-19-16; revised 9-1-16.)

21 Section 10. The Election Code is amended by changing  
22 Section 1A-16.6 and by adding Sections 1-16, 1A-16.1, 1A-16.2,  
23 and 1A-16.7 as follows:

24 (10 ILCS 5/1-16 new)

1       Sec. 1-16. Election authorities; notices by electronic  
2 mail. If an election authority is required by law to send an  
3 election-related notice to an individual, that election  
4 authority may send that notice solely by electronic mail if the  
5 individual provides a current e-mail address to the election  
6 authority and authorizes the election authority to send notices  
7 by electronic mail. For the purposes of this Section, the term  
8 "notice" does not include a ballot.

9           (10 ILCS 5/1A-16.1 new)

10       Sec. 1A-16.1. Automatic voter registration; Secretary of  
11 State.

12       (a) The Office of the Secretary of State and the State  
13 Board of Elections, pursuant to an interagency contract and  
14 jointly-adopted rules, shall establish an automatic voter  
15 registration program that satisfies the requirements of this  
16 Section and other applicable law.

17       (b) An application for a driver's license, other than a  
18 temporary visitor's driver's license, or a State  
19 identification card issued by the Office of the Secretary of  
20 State shall:

21           (1) also serve as an application to register to vote in  
22 Illinois;

23           (2) allow an applicant to change his or her registered  
24 residence address;

25           (3) clearly and conspicuously inform the applicant in



1 writing (i) of the qualifications to register to vote in  
2 Illinois, (ii) of the penalties provided by law for  
3 submission of a false voter registration application,  
4 (iii) that the application is also an application to  
5 register to vote in Illinois, (iv) that, unless he or she  
6 declines to register to vote or to change his or her  
7 registered residence address, the applicant's personal  
8 information will be transmitted to the State Board of  
9 Elections for the purpose of registering the person to vote  
10 at the residence address to be indicated on his or her  
11 driver's license or identification card, and (v) that  
12 declining to register to vote is confidential and will not  
13 affect any services the person may be seeking from the  
14 Office of the Secretary of State;

15 (4) provide the applicant with an opportunity to  
16 affirmatively decline to register to vote or to change his  
17 or her registered residence address without requiring the  
18 applicant to state the reason; and

19 (5) unless the applicant declines to register to vote  
20 or change his or her registered residence address, require  
21 the applicant to attest, by signature under penalty of  
22 perjury, to meeting the qualifications to register to vote  
23 in Illinois at his or her residence address as indicated on  
24 his or her driver's license or identification card  
25 application.

26 (c) The Office of the Secretary of State shall inform each

1 applicant for a driver's license, other than a temporary  
2 visitor's driver's license, or a State identification card  
3 issued by the Office of the Secretary of State whether the  
4 applicant is currently registered to vote in Illinois and, if  
5 registered, at what address.

6 (d) The Office of the Secretary of State shall not require  
7 an applicant for a driver's license or State identification  
8 card to provide duplicate identification or information in  
9 order to complete an application to register to vote or change  
10 his or her registered residence address. Before transmitting  
11 any personal information about an applicant to the State Board  
12 of Elections, the Office of the Secretary of State shall review  
13 its records regarding the applicant, including identification  
14 documents that may have been provided in order to complete the  
15 application for a driver's license or State identification  
16 card, to confirm that the Office of the Secretary of State is  
17 not in possession of any information that indicates that the  
18 applicant does not satisfy the qualifications to register to  
19 vote in Illinois at his or her residence address. A completed,  
20 signed application for a driver's license or permit, other than  
21 a temporary visitor's driver's license, shall constitute an  
22 application to register to vote in Illinois at the residence  
23 address indicated in the application unless (i) the person  
24 affirmatively declined in the application to register to vote  
25 or to change his or her registered residence address or (ii)  
26 the records of the Office of the Secretary of State regarding

1 the applicant indicate that he or she does not satisfy the  
2 qualifications to register to vote in Illinois at his or her  
3 residence address.

4 (e) For each completed and signed application that  
5 constitutes an application to register to vote in Illinois or  
6 provides for a change in the applicant's registered residence  
7 address, the Office of the Secretary of State shall  
8 electronically transmit to the State Board of Elections  
9 personal information needed to complete the person's  
10 registration to vote in Illinois at his or her residence  
11 address. The application to register to vote shall be processed  
12 in accordance with Section 1A-16.7.

13 (10 ILCS 5/1A-16.2 new)

14 Sec. 1A-16.2. Automatic voter registration; designated  
15 automatic voter registration agencies.

16 (a) Each designated automatic voter registration agency  
17 may, pursuant to an interagency contract and jointly-adopted  
18 rules with the State Board of Elections, agree to participate  
19 in an automatic voter registration program established by the  
20 State Board of Elections that satisfies the requirements of  
21 this Section and other applicable law.

22 (b) As provided in subsection (a), each designated  
23 automatic voter registration agency may provide that an  
24 application for a license, permit, program, or service offered  
25 by that agency shall serve as dual-purpose application. The

1 dual-purpose application shall:

2 (1) also serve as an application to register to vote in  
3 Illinois;

4 (2) allow an applicant to change his or her registered  
5 residence address;

6 (3) clearly and conspicuously inform the applicant in  
7 writing (i) of the qualifications to register to vote in  
8 Illinois, (ii) of the penalties provided by law for  
9 submission of a false voter registration application,  
10 (iii) that the dual-purpose application is also an  
11 application to register to vote in Illinois, (iv) that,  
12 unless he or she declines to register to vote or to change  
13 his or her registered residence address, the applicant's  
14 personal information will be transmitted to the State Board  
15 of Elections for the purpose of registering the person to  
16 vote at the residence address to be indicated on the  
17 dual-purpose application, and (v) that declining to  
18 register to vote is confidential and will not affect any  
19 services the person may be seeking from the agency;

20 (4) provide the applicant with an opportunity to  
21 affirmatively decline to register to vote or change his or  
22 her registered residence address without requiring the  
23 applicant to state the reason; and

24 (5) unless the applicant declines to register to vote  
25 or to change his or her registered residence address,  
26 require the applicant to attest, by signature under penalty

1       of perjury, to meeting the qualifications to register to  
2       vote in Illinois at his or her residence address as  
3       indicated on his or her dual-purpose application.

4       (c) The designated automatic voter registration agency  
5       shall inform each applicant whether the applicant is currently  
6       registered to vote in Illinois and, if registered, at what  
7       address.

8       (d) The designated automatic voter registration agency  
9       shall not require an applicant for a dual-purpose application  
10       to provide duplicate identification or information in order to  
11       complete an application to register to vote or change his or  
12       her registered residence address. Before transmitting any  
13       personal information about an applicant to the State Board of  
14       Elections, the agency shall review its records regarding the  
15       applicant, including identification documents that may have  
16       been provided in order to complete the dual-purpose  
17       application, to confirm that the agency is not in possession of  
18       any information that indicates that the applicant does not  
19       satisfy the qualifications to register to vote in Illinois at  
20       his or her residence address. A completed and signed  
21       dual-purpose application shall constitute an application to  
22       register to vote in Illinois at the residence address indicated  
23       in the application unless (i) the person affirmatively declined  
24       in the application to register to vote or to change his or her  
25       registered residence address or (ii) the agency's records  
26       regarding the applicant indicate that he or she does not

1 satisfy the qualifications to register to vote in Illinois at  
2 his or her residence address.

3 (e) For each completed and signed dual-purpose application  
4 that constitutes an application to register to vote in Illinois  
5 or provides for a change in the applicant's registered  
6 residence address, the designated automatic voter registration  
7 agency shall electronically transmit to the State Board of  
8 Elections personal information needed to complete the person's  
9 registration to vote in Illinois at his or her residence  
10 address. The application to register to vote shall be processed  
11 in accordance with Section 1A-16.7.

12 (f) As used in this Section:

13 "Designated automatic voter registration agency" or  
14 "agency" means an agency of the State or federal government  
15 that has been determined by the State Board of Elections to  
16 have access to reliable personal information and has  
17 entered into an interagency contract with the State Board  
18 of Elections to participate in the automatic voter  
19 registration program under this Section.

20 "Dual-purpose application" means an application for a  
21 license, permit, program, or service offered by a  
22 designated automatic voter registration agency that also  
23 serves as an application to register to vote in Illinois.

24 (10 ILCS 5/1A-16.6)

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

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

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

17           Whenever the registration interface is accessible to the  
18 general public, including, but not limited to, online  
19 transactions, the interface shall allow the applicant to  
20 complete the process as provided for in Section 1A-16.5 of this  
21 Code. The online interface shall be capable of providing the  
22 applicant with the applicant's voter registration status with  
23 the State Board of Elections and, if registered, the  
24 applicant's current registration address. The applicant shall  
25 not be required to re-enter any registration data, such as  
26 name, address, and birth date, if the designated government

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

6 Whenever a government employee is accessing the  
7 registration system while servicing the applicant, the  
8 government employee shall notify the applicant of the  
9 applicant's registration status with the State Board of  
10 Elections and, if registered, the applicant's current  
11 registration address. If the applicant elects to register to  
12 vote or to update his or her existing voter registration, the  
13 government employee shall collect the needed information and  
14 assist the applicant with his or her registration. The  
15 applicant shall be informed that by choosing to register to  
16 vote or to update his or her existing voter registration, the  
17 applicant consents to the transfer of the applicant's personal  
18 information to the State Board of Elections.

19 In accordance with technical specifications provided by  
20 the State Board of Elections, each designated government agency  
21 shall maintain a data transfer mechanism capable of  
22 transmitting voter registration application information,  
23 including electronic signatures where available, to the online  
24 voter registration system established in Section 1A-16.5 of  
25 this Code. Each designated government agency shall establish  
26 and operate a voter registration system capable of transmitting



1 voter registration application information to the portal as  
2 described in this Section by July 1, 2016.

3 (b) Whenever an applicant's data is transferred from a  
4 designated government agency, the agency must transmit a  
5 signature image if available. If no signature image was  
6 provided by the agency or if no signature image is available in  
7 the Secretary of State's database or the statewide voter  
8 registration database, the applicant must be notified that  
9 their registration will remain in a pending status and the  
10 applicant will be required to provide identification and a  
11 signature to the election authority on Election Day in the  
12 polling place or during early voting.

13 (c) The State Board of Elections shall track registration  
14 data received through the online registration system that  
15 originated from a designated government agency for the purposes  
16 of maintaining statistics required by the federal National  
17 Voter Registration Act of 1993, as amended.

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

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

24 (f) As used in this Section, a "designated government  
25 agency" means the Secretary of State's Driver Services and  
26 Vehicle Services Departments, the Department of Human

1 Services, the Department of Healthcare and Family Services, the  
2 Department of Employment Security, and the Department on Aging;  
3 however, if the designated government agency becomes a  
4 designated automatic voter registration agency under Section  
5 1A-16.1 or Section 1A-16.2, that agency shall cease to be a  
6 designated government agency under this Section.

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

8 (10 ILCS 5/1A-16.7 new)

9 Sec. 1A-16.7. Automatic voter registration.

10 (a) The State Board of Elections shall establish and  
11 maintain a portal for automatic government agency voter  
12 registration that permits an eligible person to electronically  
13 apply to register to vote or to update his or her existing  
14 voter registration as provided in Section 1A-16.1 or Section  
15 1A-16.2. The portal shall interface with the online voter  
16 registration system established in Section 1A-16.5 of this Code  
17 and shall be capable of receiving and processing voter  
18 registration application information, including electronic  
19 signatures, from the Office of the Secretary of State and each  
20 designated automatic voter registration agency, as defined in  
21 Section 1A-16.2. The State Board of Elections shall modify the  
22 online voter registration system as necessary to implement this  
23 Section.

24 (b) Voter registration data received from the Office of the  
25 Secretary of State or a designated automatic voter registration

1 agency through the online registration application system  
2 shall be processed as provided in Section 1A-16.5 of this Code.

3 (c) The State Board of Elections shall establish technical  
4 specifications applicable to each automatic government  
5 registration program. The Office of the Secretary of State and  
6 each designated automatic voter registration agency shall  
7 maintain a data transfer mechanism capable of transmitting  
8 voter registration application information, including  
9 electronic signatures where available, to the online voter  
10 registration system established in Section 1A-16.5 of this  
11 Code.

12 (d) The State Board of Elections shall, by rule, establish  
13 criteria and procedures for determining whether an agency of  
14 the State or federal government seeking to become a designated  
15 automatic voter registration agency has access to reliable  
16 personal information and otherwise meets the requirements to  
17 enter into an interagency contract and to operate as a  
18 designated automatic voter registration agency. "Reliable  
19 personal information" means information about individuals  
20 obtained from government sources that may be used to verify  
21 whether an individual is eligible to register to vote. The  
22 State Board of Elections shall approve each interagency  
23 contract upon affirmative vote of a majority of its members.

24 (e) Whenever an applicant's data is transferred from the  
25 Office of the Secretary of State or a designated automatic  
26 voter registration agency, the agency must transmit a signature

1 image if available. If no signature image was provided by the  
2 agency, or if no signature image is available in the Office of  
3 the Secretary of State's database or the statewide voter  
4 registration database, the applicant must be notified that his  
5 or her registration will remain in a pending status, and the  
6 applicant will be required to provide identification that  
7 complies with the federal Help America Vote Act of 2002 and a  
8 signature to the election authority on election day in the  
9 polling place or during early voting.

10 (f) Upon receipt of personal information collected and  
11 transferred by the Office of the Secretary of State or a  
12 designated automatic voter registration agency, the State  
13 Board of Elections shall check the information against the  
14 statewide voter registration database. The State Board of  
15 Elections shall create and electronically transmit to the  
16 appropriate election authority a voter registration  
17 application for any individual who is not registered to vote in  
18 Illinois and is not disqualified as provided in this Section or  
19 whose information reliably indicates a more recent update to  
20 the name or address of a person already included in the  
21 statewide voter database. The election authority shall process  
22 the application accordingly.

23 (g) The appropriate election authority shall ensure that  
24 any applicant who is registered to vote or whose existing voter  
25 registration is updated under this Section is promptly sent  
26 written notice of the change. The notice may be sent by

1 electronic mail if the applicant has provided an electronic  
2 mail address on the voter registration form. The notice  
3 required by this subsection may be sent or combined with other  
4 notices required or permitted by law, including, but not  
5 limited to, any notices sent pursuant to Section 1A-16.5 of  
6 this Code. Any notice required by this subsection shall  
7 contain, at a minimum: (i) the applicant's name, date of birth,  
8 and residential address as reflected on the voter registration  
9 list; (ii) a statement notifying the applicant to contact the  
10 appropriate election authority if his or her voter registration  
11 has been updated in error; (iii) a statement notifying the  
12 applicant that he or she may opt out of voter registration or  
13 request a change to his or her registration information at any  
14 time by contacting an election official; and (iv) contact  
15 information for the appropriate election authority, including  
16 a phone number, address, electronic mail address, and website  
17 address.

18 (h) The appropriate election authority shall ensure that  
19 any applicant whose voter registration application is not  
20 accepted or deemed incomplete is promptly sent written notice  
21 of the application's status. The notice may be sent by  
22 electronic mail if the applicant has provided an electronic  
23 mail address on the voter registration form. The notice  
24 required by this subsection may be sent or combined with other  
25 notices required or permitted by law, including, but not  
26 limited to, any notices sent pursuant to Section 1A-16.5 of

1 this Code. Any notice required by this subsection shall  
2 contain, at a minimum, the reason the application was not  
3 accepted or deemed incomplete and contact information for the  
4 appropriate election authority, including a phone number,  
5 address, electronic mail address, and website address.

6 (i) If the State Board of Elections or a local election  
7 authority determines that personal information collected and  
8 transferred by the Office of the Secretary of State or a  
9 designated automatic voter registration agency of an  
10 individual who attested to his or her eligibility to register  
11 to vote includes a green card or other legal proof that the  
12 person is not a United States citizen or is not otherwise  
13 eligible to register to vote, then the State Board of Elections  
14 shall not create a voter registration application and shall  
15 notify the person of the reason his or her voter registration  
16 application is incomplete.

17 (j) If the Office of the Secretary of State or a designated  
18 automatic voter registration agency transfers information, or  
19 if the State Board of Elections creates and transmits a voter  
20 registration application, for a person who does not qualify as  
21 an eligible voter, then it shall not constitute a completed  
22 voter registration form, and the person shall not be considered  
23 to have registered to vote.

24 (k) If the registration is processed by any election  
25 authority, then it shall be presumed to have been effected and  
26 officially authorized by the State, and that person shall not

1 be found on that basis to have made a false claim to  
2 citizenship or to have committed an act of moral turpitude, nor  
3 shall that person be subject to penalty under any relevant  
4 laws, including, but not limited to, Sections 29-10 and 29-19  
5 of this Code. This subsection does not apply to a person who  
6 knows that he or she is not entitled to register to vote and  
7 who willfully votes, registers to vote, or attests under  
8 penalty of perjury that he or she is eligible to register to  
9 vote or willfully attempts to vote or to register to vote.

10 (1) The State Board of Elections, the Office of the  
11 Secretary of State, and each designated automatic voter  
12 registration agency shall implement policies and procedures to  
13 protect the privacy and security of voter information as it is  
14 acquired, stored, and transmitted among agencies, including  
15 policies for the retention and preservation of voter  
16 information. Information designated as confidential under this  
17 Section may be recorded and shared among the State Board of  
18 Elections, election authorities, the Office of the Secretary of  
19 State, and designated automatic voter registration agencies,  
20 but shall be used only for voter registration purposes, shall  
21 not be disclosed to the public except in the aggregate as  
22 required by subsection (n) of this Section, and shall not be  
23 subject to the Freedom of Information Act. The following  
24 information shall be designated as confidential:

25 (1) any portion of an applicant's Social Security  
26 number;

1           (2) any portion of an applicant's driver's license  
2           number or State identification number;

3           (3) an applicant's decision to decline voter  
4           registration;

5           (4) the identity of the person providing information  
6           relating to a specific applicant; and

7           (5) the personal residence and contact information of  
8           any applicant for whom local, State, or federal law  
9           requires confidentiality, including, but not limited to, a  
10          victim of domestic violence pursuant to the Address  
11          Confidentiality for Victims of Domestic Violence Act or a  
12          victim of stalking pursuant to the Stalking No Contact  
13          Order Act.

14          This subsection (1) shall not apply to information the  
15          State Board of Elections is required to share with the  
16          Electronic Registration Information Center.

17          (m) The voter registration procedures implemented under  
18          this Section shall comport with the federal National Voter  
19          Registration Act of 1993, as amended, and shall specifically  
20          require that the State Board of Elections track registration  
21          data received through the online registration system that  
22          originated from a designated automatic voter registration  
23          agency for the purposes of maintaining statistics.

24          (n) The State Board of Elections, each election authority  
25          that maintains a website, the Office of the Secretary of State,  
26          and each designated automatic voter registration agency that



1 maintains a website shall provide information on their websites  
2 informing the public about the new registration procedures  
3 described in this Section. The Office of the Secretary of State  
4 and each designated automatic voter registration agency shall  
5 display signage or provide literature for the public containing  
6 information about the new registration procedures described in  
7 this Section.

8 (o) No later than July 1, 2017, the State Board of  
9 Elections shall hold at least one public hearing on  
10 implementing this amendatory Act of the 99th General Assembly  
11 at which the public may provide input.

12 (p) The State Board of Elections shall submit an annual  
13 public report to the General Assembly and the Governor  
14 detailing the progress made to implement this Section. The  
15 report shall include all of the following: the number of  
16 records transferred under this Section by agency, the number of  
17 voters newly added to the statewide voter registration list  
18 because of records transferred under this Section by agency,  
19 the number of updated registrations under this Section by  
20 agency, the number of persons who opted out of voter  
21 registration, and the number of voters who submitted voter  
22 registration forms using the online procedure described in  
23 Section 1A-16.5 of this Code. Any report produced under this  
24 subsection shall exclude any information that identifies any  
25 individual personally.

26 (q) The State Board of Elections, in consultation with

1 election authorities, the Office of the Secretary of State,  
2 designated automatic voter registration agencies, and  
3 community organizations, shall adopt rules as necessary to  
4 implement the provisions of this Section.

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