



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3047

Introduced 2/6/2025, by Rep. Kam Buckner

#### SYNOPSIS AS INTRODUCED:

- 10 ILCS 5/Art. 3A heading new
- 10 ILCS 5/3A-1 new
- 10 ILCS 5/3A-5 new
- 10 ILCS 5/3A-10 new
- 10 ILCS 5/3A-15 new
- 10 ILCS 5/3A-20 new
- 10 ILCS 5/3A-25 new
- 10 ILCS 5/3A-30 new
- 10 ILCS 5/3A-35 new
- 10 ILCS 5/3A-50 new
- 10 ILCS 5/3A-55 new
- 10 ILCS 5/3A-60 new
- 10 ILCS 5/3A-65 new
- 10 ILCS 5/3A-70 new
- 10 ILCS 5/3A-80 new
- 10 ILCS 5/Art. 3B heading new
- 10 ILCS 5/3B-1 new
- 10 ILCS 5/3B-5 new
- 10 ILCS 5/3B-10 new
- 10 ILCS 5/3B-15 new
- 10 ILCS 5/3B-20 new
- 10 ILCS 5/3B-25 new
- 30 ILCS 105/5.1030 new

Amends the Election Code. Provides that the amendatory Act may be referred to as the Voting Rights Act of 2025. Creates the Voting Rights Act of 2025 Article. Provides that a political subdivision, State agency, or any other government official or entity responsible for election administration shall not implement or enforce any election policy or practice, or take any other action or fail to take any action that results in, is likely to result in, or is intended to result in disparate outcomes. Creates the Language Access in Elections Article. Provides that a local election authority shall provide language assistance for elections conducted in a political subdivision if that political subdivision meets specified conditions. Creates the Voting Rights Act of 2025 and the Language Access in Elections Articles in the Code. Effective July 1, 2025.

LRB104 11050 SPS 21132 b

A BILL FOR

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 1. This Act may be referred to as the Illinois  
5 Voting Rights Act of 2025.

6 Section 5. The Election Code is amended by adding Article  
7 3A and Article 3B as follows:

8 (10 ILCS 5/Art. 3A heading new)

9 ARTICLE 3A. VOTING RIGHTS ACT OF 2025

10 (10 ILCS 5/3A-1 new)

11 Sec. 3A-1. Purpose. In order to advance the protections  
12 for the right to vote under Section 1 of Article III of the  
13 Illinois Constitution; the right to free and equal elections  
14 under Section 3 of Article III of the Illinois Constitution;  
15 the protections against voter suppression and discrimination  
16 provided under Section 8 of Article III of the Illinois  
17 Constitution; the guarantees of equal protection, freedom of  
18 expression, and freedom of association under the Illinois  
19 Constitution and United States Constitution; and to protect  
20 against the suppression, dilution, and abridgment of voting  
21 rights on account of race, color, or membership in a language

1 minority group, it is the public policy of this State to:

2 (1) encourage participation in the elective franchise  
3 by all eligible voters to the maximum extent; and

4 (2) ensure that eligible voters have an equal  
5 opportunity to participate in the political processes of  
6 this State and to exercise the elective franchise without  
7 denying or abridging that opportunity on account of race,  
8 color, or membership in a language minority group.

9 (10 ILCS 5/3A-5 new)

10 Sec. 3A-5. Definitions. As used in this Article:

11 "At-large method of election" means a method of election  
12 in which candidates are voted on by all voters in the political  
13 subdivision, voters are allowed or required to cast as many  
14 votes as there are seats to fill, and voters cannot cast more  
15 than one vote for a given candidate.

16 "District-based method of election" means a method of  
17 election in which the political subdivision is divided into  
18 districts, each district is represented by a single  
19 representative, and candidates are voted on by only voters  
20 residing in the district.

21 "Election policy or practice" includes any qualification  
22 to be a voter, prerequisite to voting, or method of election,  
23 as well as any law, statute, ordinance, resolution, charter or  
24 code provision, regulation, rule, policy, practice, procedure,  
25 standard, or action with respect to voting or the

1 administration or schedule of elections.

2 "Method of election" means the method by which candidates  
3 are elected to a governmental body of a political subdivision,  
4 and includes any at-large, district-based, share-based, or  
5 other method of election, as well as any districting or  
6 redistricting plan used to elect candidates to the  
7 governmental body.

8 "Other method of election" means a method of election  
9 other than an at-large, district-based, or share-based method  
10 of election, or any combination of methods of election.

11 "Political subdivision" means a geographic area, which is  
12 organized under State or local law for the provision of  
13 government or other services, and which conducts elections  
14 administered by a local election authority, including, but not  
15 limited to, a county, city, town, village, school district,  
16 any other district organized under State or local law, a  
17 county clerk, or board of election commissioners.

18 "Protected class" means a class of eligible voters who are  
19 members of a racial, color, or language minority group and  
20 includes members of a reporting category that has ever been  
21 established by the U.S. Office of Management and Budget  
22 Statistical Policy Directive No. 15: Standards for  
23 Maintaining, Collecting, and Presenting Federal Data on Race  
24 and Ethnicity, and may include a class of two or more such  
25 groups.

26 "Share-based method of election" means a method of

1 election in which more than one candidate is to be elected and  
2 different groups of voters may each elect their preferred  
3 candidates to the seats to fill based on their relative share  
4 of the votes cast. "Share-based method of election" includes,  
5 but is not limited to, the single transferable vote,  
6 cumulative voting, limited voting, and party-list or  
7 slate-list systems.

8 "Voting eligible population" and "eligible voters" means  
9 individuals who are eligible to register and vote, regardless  
10 of whether the individuals are registered to vote.

11 (10 ILCS 5/3A-10 new)

12 Sec. 3A-10. Construction in favor of the right to vote.  
13 Any provision of this Article, any regulation, charter, home  
14 rule ordinance, or other enactment of the State or any local  
15 government relating to the right to vote shall be liberally  
16 construed or applied in favor of the rights enumerated in  
17 paragraphs (1) through (5). To the extent a court is afforded  
18 discretion on an issue, including, but not limited to,  
19 discovery, procedure, admissibility of evidence, or remedies,  
20 the court shall exercise that discretion and weigh other  
21 equitable discretion in favor of the rights enumerated in  
22 paragraphs (1) through (5) as follows:

23 (1) protecting the right to cast a ballot and make the  
24 ballot valid;

25 (2) ensuring eligible individuals seeking voter

1 registration are not impaired in being registered;

2 (3) ensuring eligible voters are not impaired in  
3 voting, including, but not limited to, having their votes  
4 counted;

5 (4) making the fundamental right to vote more  
6 accessible to eligible voters; and

7 (5) ensuring equitable access for protected class  
8 members to opportunities to be registered to vote and to  
9 vote.

10 (10 ILCS 5/3A-15 new)

11 Sec. 3A-15. Prohibiting voter suppression.

12 (a) A political subdivision, State agency, or any other  
13 government official or entity responsible for election  
14 administration shall not implement or enforce any election  
15 policy or practice, or take any other action or fail to take  
16 any action that results in, is likely to result in, or is  
17 intended to result in, either of the following:

18 (1) a material disparity in voter participation,  
19 access to voting opportunities, or the opportunity or  
20 ability to participate in any stage of the political  
21 process between members of a protected class and other  
22 members of the electorate; or

23 (2) based on the totality of the circumstances, the  
24 opportunity or ability of members of a protected class to  
25 participate in any stage of the political process is

1 impaired.

2 (b) There shall be no violation under paragraph (1) of  
3 subsection (a) if the political subdivision, State agency, or  
4 any other government official or entity demonstrates by clear  
5 and convincing evidence that (i) the election policy or  
6 practice is necessary to significantly further an important  
7 and particularized governmental interest and (ii) there is no  
8 alternative election policy or practice that results in a  
9 smaller disparity between protected class members and other  
10 members of the electorate.

11 (c) Notwithstanding subsection (b), a violation exists  
12 under paragraph (2) of subsection (a) in circumstances that  
13 include, but are not limited to, any of the following:

14 (1) a political subdivision closes, moves, or  
15 consolidates one or more precincts, polling places, early  
16 voting sites, or ballot drop boxes or reassigns precincts  
17 to polling places in a manner that makes it more difficult  
18 for members of a protected class to cast their ballot or  
19 results in a disparity in geographic access between  
20 members of a protected class and other members of the  
21 electorate;

22 (2) a political subdivision provides or changes the  
23 hours or date of an election or for early voting in a  
24 manner that impairs the right to vote of members of a  
25 protected class, including, but not limited to, making the  
26 change without proper notice as required by law; and

1           (3) a political subdivision or State agency fails to  
2           provide voting or election materials in languages other  
3           than English as required by federal, State, county, or  
4           other local law.

5           (d) Implementing a reorganization of a political  
6           subdivision, including, but not limited to, an annexation,  
7           incorporation, dissolution, consolidation, or division of a  
8           political subdivision, violates subsection (a) if, based on  
9           the totality of the circumstances, the reorganization impairs  
10           the opportunity of protected class members to nominate or  
11           elect candidates of the protected class member's choice, or  
12           otherwise influence the outcome of elections.

13           (10 ILCS 5/3A-20 new)

14           Sec. 3A-20. Prohibiting vote dilution in political  
15           subdivisions.

16           (a) No political subdivision shall employ (i) an at-large  
17           method of election, (ii) a district-based method of election,  
18           (iii) a share-based method of election, or (iv) any other  
19           method of election for any office that has the effect, will  
20           likely have the effect, or is motivated in part by the intent,  
21           of diluting the vote of protected class members.

22           (b) A political subdivision violates subsection (a) if:

23           (1) either: (A) elections in the political subdivision  
24           exhibit racially polarized voting resulting in an  
25           impairment of the equal opportunity or ability of

1 protected class members to nominate or elect candidates of  
2 their choice; or (B) based on the totality of the  
3 circumstances, the equal opportunity or ability of members  
4 of a protected class to nominate or elect candidates of  
5 their choice or influence the outcome of elections is  
6 impaired; and

7 (2) one or more modifications to the existing method  
8 of election or one or more new methods of election exist  
9 which would cure or mitigate the impairment described in  
10 subparagraph (1). For the purpose of satisfying this  
11 requirement, it is not necessary for the total number or  
12 share of protected class members to exceed any numerical  
13 threshold in any district or in the political subdivision  
14 as a whole.

15 (c) Members of different protected classes may jointly  
16 file an action under this Section if that they demonstrate  
17 that the combined voting preferences of the multiple protected  
18 classes are polarized against the rest of the electorate.

19 (10 ILCS 5/3A-25 new)

20 Sec. 3A-25. Prohibiting vote dilution in Legislative and  
21 Representative Districts.

22 (a) As required by Section 3 of Article III of the Illinois  
23 Constitution which declares that "All elections shall be free  
24 and equal," in any redistricting plan under Section 3 of  
25 Article IV of the Illinois Constitution, the districts shall

1 be configured in such a way as to provide adequate  
2 representation to protected classes protected by federal and  
3 State law. Therefore, as explained in subsection (b), no  
4 Legislative Districts and Representative Districts shall be  
5 drawn such that the redistricting plan has the effect, or is  
6 motived in part by the intent, of impairing the opportunity or  
7 ability of members of a protected class to participate in the  
8 political process and elect or nominate candidates of their  
9 choice or otherwise influence the outcome of elections as a  
10 result of diluting the vote of such protected class members.  
11 The requirements imposed by this subsection (a) are in  
12 addition and subordinate to any requirements or obligations  
13 imposed by the United States Constitution, any federal law  
14 regarding redistricting Legislative Districts or  
15 Representative Districts, including, but not limited to, the  
16 federal Voting Rights Act of 1965, and the Illinois  
17 Constitution.

18 (b) A redistricting plan under Section 3 of Article IV of  
19 the Illinois Constitution for Legislative Districts and  
20 Representative Districts violates this subsection if:

21 (1) either: (A) elections in one or more Legislative  
22 or Representative districts exhibit racially polarized  
23 voting resulting in an impairment of the equal opportunity  
24 or ability of protected class members to nominate or elect  
25 candidates of their choice; or (B) based on the totality  
26 of the circumstances, the equal opportunity or ability of

1 protected class members to nominate or elect candidates of  
2 their choice or otherwise influence the outcome of  
3 elections is impaired; and

4 (2) one or more reasonably configured alternative  
5 redistricting plans exist which would cure or mitigate the  
6 impairment described in sub-subparagraph (1) by providing  
7 members of a protected class an equal opportunity or  
8 ability to nominate and elect candidates of their choice.

9 For any such reasonably configured alternative  
10 redistricting plan, it is not necessary to show that members  
11 of a protected class comprise a majority in any such  
12 districts.

13 (c) A civil action to cure a violation of this Section may  
14 be brought by the Attorney General or any individual or entity  
15 aggrieved by a violation of this Section in the Illinois  
16 Supreme Court, which holds exclusive jurisdiction over  
17 redistricting matters.

18 (d) An entity aggrieved by a violation of this Section  
19 includes, but is not limited to, any entity (1) whose  
20 membership includes individuals aggrieved by a violation of  
21 this Section; or (2) whose mission would be frustrated by a  
22 violation of this Section, including, but not limited to, an  
23 entity who would expend or divert resources to fulfill its  
24 mission as a result of such violation or who shall expend  
25 greater resources or efforts to advocate before an elected  
26 body that is less responsive to the entity or its members due

1 to the alleged violation. An entity shall not be compelled to  
2 disclose the identity of any specific member to pursue a claim  
3 on behalf of its members.

4 (e) In an action involving a districting plan, any  
5 individual who resides in the defendant jurisdiction and is a  
6 member of the affected protected class or classes, whether  
7 they reside in any particular district, may challenge the  
8 districting plan as a whole.

9 (f) A person whose rights have been violated under this  
10 Section is entitled to injunctive relief against district maps  
11 that constitute a violation of subsection (b).

12 (g) This Section is intended to benefit and protect the  
13 rights of individual voters and to provide a remedy for  
14 infringing on the rights granted under this Section. This  
15 Section shall be construed liberally to confer standing as  
16 broadly as the Illinois Constitution permits.

17 (10 ILCS 5/3A-30 new)

18 Sec. 3A-30. Guidelines and relevant circumstances to  
19 evaluate compliance.

20 (a) To evaluate the totality of the circumstances  
21 paragraph (2) of subsection (a) of Section 3A-15, subparagraph  
22 (B) of paragraph (1) of subsection (b) of Section 3A-20, and  
23 subparagraph (B) of paragraph (1) of subsection (b) of Section  
24 3A-25:

25 (1) the following factors may be relevant:

1           (A) whether members of the protected class vote at  
2           a lower rate than other voters;

3           (B) the history of discrimination affecting  
4           members of the protected class;

5           (C) the extent to which members of a protected  
6           class are disadvantaged, or otherwise bear the effects  
7           of past public or private discrimination, in any areas  
8           that may hinder the member's ability to participate  
9           effectively in any stage of the political process,  
10           including education, employment, health, criminal  
11           justice involvement, housing, transportation, land  
12           use, or environmental protection;

13           (D) the use of overt or subtle racial appeals in  
14           political campaigns or by government officials, or in  
15           connection with the adoption or maintenance of the  
16           election policy or practice;

17           (E) the extent to which members of a protected  
18           class have been elected to office;

19           (F) the extent to which members of a protected  
20           class have faced barriers with respect to accessing  
21           the ballot, receiving financial support, or receiving  
22           any other support for an election;

23           (G) the extent to which members of a protected  
24           class contribute to political campaigns at lower  
25           rates;

26           (H) the extent to which candidates face hostility

1 or barriers while campaigning due to their membership  
2 in a protected class;

3 (I) the use of any election policy or practice  
4 that may enhance the dilutive effects of a method of  
5 election in the local government;

6 (J) the lack of responsiveness by elected  
7 officials to the particularized needs of protected  
8 class members or a community of protected class  
9 members;

10 (K) whether the election policy or practice was  
11 designed to advance, and does materially advance, a  
12 valid and substantial State interest; and

13 (L) other factors deemed relevant;

14 (2) no set number or combination of these factors  
15 shall be required to determine that a violation occurred;  
16 and

17 (3) evidence of these factors is most probative if it  
18 relates to the political subdivision in which the alleged  
19 violation occurred, but is still probative if it relates  
20 to the geographic region in which that political  
21 subdivision is located or to this State.

22 (b) When evaluating whether a violation of Section 3A-15,  
23 Section 3A-20, or Section 3A-25 has occurred:

24 (1) the following circumstances are never relevant:

25 (A) the total number or share of members of a  
26 protected class on whom the election policy or

1 practice does not impose a material burden;

2 (B) the degree to which the election policy or  
3 practice has a long pedigree or was in widespread use  
4 at some earlier date;

5 (C) the use of an identical or similar election  
6 policy or practice in another political subdivision;  
7 and

8 (D) the availability of other forms of voting not  
9 impacted by the election policy or practice;

10 (2) evidence concerning the intent of voters, elected  
11 officials, or public officials to discriminate against  
12 protected class members is never required;

13 (3) a State interest in preventing voter fraud or  
14 bolstering voter confidence in the integrity of elections  
15 is not relevant unless there is substantial evidence that  
16 criminal activity by individual voters has occurred in the  
17 local government in substantial numbers and the connection  
18 between the election policy or practice and a State  
19 interest in preventing voter fraud or bolstering voter  
20 confidence in the integrity of elections is supported by  
21 substantial evidence;

22 (4) whether protected class members typically elect  
23 candidates of their choice to the governing body in  
24 approximate proportion to their total number or share of  
25 the population may be relevant under Sections 3A-20 or  
26 3A-25.

1       (c) For the purposes of demonstrating that a violation of  
2 subparagraph (A) of paragraph (1) of subsection (b) of Section  
3 3A-20 or subparagraph (B) of paragraph (1) of subsection (A)  
4 of Section 3A-25 has occurred, including for the purposes of  
5 demonstrating that racially polarized voting exists:

6           (1) racially polarized voting shall be assessed based  
7 on relevant election results, which may include, but are  
8 not limited to, elections for offices of the political  
9 subdivision; elections held in the political subdivision  
10 for other offices, such as State or federal offices;  
11 ballot measures; and other electoral choices that bear on  
12 the rights and privileges of the protected class;

13           (A) no set number or combination of elections  
14 shall be required to establish the existence of  
15 racially polarized voting;

16           (B) evidence of non-polarized voting in elections  
17 for offices outside the political subdivision shall  
18 not preclude a finding of racially polarized voting  
19 based on elections for offices of the political  
20 subdivision;

21           (C) non-statistical or non-quantitative evidence  
22 shall not preclude a finding of racially polarized  
23 voting based on statistical or quantitative evidence;  
24 and

25           (D) low turnout or registration rates among  
26 protected class members shall not preclude a finding

1 of racially polarized voting;

2 (2) racially polarized voting shall be assessed based  
3 only on the combined electoral preferences of members of a  
4 protected class or classes. There is no requirement that  
5 the electoral preferences of each protected class or any  
6 subgroup within a protected class be separately polarized  
7 from those of other voters; and

8 (3) the causes of or reasons for racially polarized  
9 voting, including partisan explanations or discriminatory  
10 intent, are not relevant.

11 (10 ILCS 5/3A-35 new)

12 Sec. 3A-35. Pre-litigation notification letter for  
13 political subdivisions.

14 (a) Before commencing legal action alleging a violation of  
15 Sections 3A-15 or 3A-20, a prospective plaintiff shall send a  
16 notification letter to the political subdivision or State  
17 agency asserting that the political subdivision or State  
18 agency may be in violation of Sections 3A-15 or 3A-20. The  
19 prospective plaintiff shall not commence an action against  
20 that political subdivision or State agency within 60 days  
21 after sending that notification letter. If a political  
22 subdivision or State agency passes a resolution, ordinance, or  
23 takes other official action approved by its legislative or  
24 governing body or its chief executive that indicates a good  
25 faith intention to seek a remedy to the alleged violation, a

1 prospective plaintiff shall not commence an action against  
2 that political subdivision or State agency for 60 days from  
3 the approval date of such resolution, ordinance or other  
4 official action.

5 (b) Notwithstanding subsection (a), a pre-litigation  
6 notice letter is not required if:

7 (1) the prospect of obtaining relief would be futile;

8 (2) another party has already submitted a notification  
9 letter alleging a substantially similar violation and that  
10 party is eligible to bring a cause of action;

11 (3) the prospective plaintiff is seeking preliminary  
12 injunctive relief;

13 (4) the prospective plaintiff is seeking preliminary  
14 relief with respect to an upcoming election;

15 (5) the prospective plaintiff is seeking to intervene  
16 in or join an existing action;

17 (6) following the prospective plaintiff's submission  
18 of a notice letter, the political subdivision or State  
19 agency enacted a remedy that would not remedy the  
20 violation identified in the letter;

21 (7) the prospective plaintiff is challenging an action  
22 taken by the political subdivision or State agency in the  
23 past year; or

24 (8) the prospective plaintiff is facing other exigent  
25 circumstances.

1 (10 ILCS 5/3A-50 new)

2 Sec. 3A-50. Civil actions.

3 (a) A civil action to cure a violation of Sections 3A-15 or  
4 3A-20 may be brought by the Attorney General or any individual  
5 or entity aggrieved by a violation of these Sections in any  
6 State or federal court of competent jurisdiction.

7 (b) An entity aggrieved by a violation of these Sections  
8 includes, but is not limited to, any entity (1) whose  
9 membership includes individuals aggrieved by a violation of  
10 these Sections, or (2) whose mission would be frustrated by a  
11 violation of these Sections, including, but not limited to, an  
12 entity who would expend or divert resources to fulfill its  
13 mission as a result of such violation or who shall expend  
14 greater resources or efforts to advocate before an elected  
15 body that is less responsive to the entity or its members due  
16 to the alleged violation. An entity shall not be compelled to  
17 disclose the identity of any specific member to pursue a claim  
18 on behalf of its members.

19 (c) In an action involving a districting plan, any  
20 individual who resides in the defendant jurisdiction and is a  
21 member of the affected protected class or classes, whether  
22 they reside in any particular district, may challenge the  
23 districting plan as a whole.

24 (d) This Section is intended to benefit and protect the  
25 rights of individual voters and to provide a remedy for  
26 infringing on the rights granted under this Section. This

1 Section shall be construed liberally to confer standing as  
2 broadly as the Illinois Constitution permits.

3 (10 ILCS 5/3A-55 new)

4 Sec. 3A-55. Remedies.

5 (a) In any action brought under this Article, except for  
6 Section 3A-25, the court has broad authority to order adequate  
7 remedies that are tailored to address the violation,  
8 notwithstanding any other provisions of State or local law.  
9 Unless otherwise prohibited by law, adequate remedies include,  
10 but are not limited to, any of the following:

11 (1) drawing new or revised districting or  
12 redistricting plans;

13 (2) adopting a different method of election or  
14 reasonably increasing the size of the elected legislative  
15 or governing body of a political subdivision;

16 (3) adding or changing voting days or hours;

17 (4) adding or moving polling places or ballot drop  
18 boxes;

19 (5) eliminating staggered elections so that all  
20 members of the elected legislative or governing body are  
21 elected at the same time;

22 (6) ordering a special election;

23 (7) restoring or adding individuals to a voter  
24 registration list or requiring expanded opportunities for  
25 admitting voters;

1           (8) reorganizing a political subdivision, including,  
2           but not limited to, an annexation, incorporation,  
3           dissolution, consolidation, or division of a political  
4           subdivision;

5           (9) imposing nominal or compensatory damages;

6           (10) imposing punitive damages in the form of a civil  
7           fine that shall be deposited into the Voter Outreach and  
8           Education Fund;

9           (11) any other form of declaratory or injunctive  
10          relief that, in the court's judgment, is tailored to  
11          address the violation; and

12          (12) retaining jurisdiction for a period of time the  
13          court considers appropriate.

14          (b) In any action in which a court finds a violation of  
15          this Article, the federal Voting Rights Act of 1965, the  
16          Illinois Constitution, the Fourteenth Amendment of the United  
17          States Constitution concerning the right to vote, the  
18          Fifteenth Amendment of the United States Constitution, or any  
19          other State or federal law concerning the right to vote for  
20          protected class members, in addition to the remedies available  
21          under subsection (a), the court may retain jurisdiction and  
22          require that, for a period of 10 years, the local government  
23          obtain a court order before enacting any election policy or  
24          practice as follows:

25               (1) a court shall retain jurisdiction following a  
26               violation described in subsection (b) if the violation is

1 susceptible to repetition, the remedy is susceptible to  
2 circumvention, there is evidence of intentional  
3 discrimination by the local government, or the local  
4 government failed to adopt broad prophylactic measures  
5 that prevent any future violations. Otherwise, the court  
6 may retain jurisdiction following a violation described in  
7 subsection (b) based on the severity of the violation and  
8 whether the local government has any previous violations;  
9 and

10 (2) a request for judicial preapproval submitted to a  
11 court under this subsection may be granted only if the  
12 court concludes that:

13 (A) the proposed election policy or practice will  
14 not diminish, in relation to the status quo before the  
15 enactment or implementation of the election policy or  
16 practice, the equal opportunity or ability of members  
17 of a protected class whose voting rights are  
18 implicated by the election policy or practice to  
19 participate in any stage of the political process or  
20 to nominate or elect candidates of their choice; and

21 (B) that the proposed election policy or practice  
22 is unlikely to violate any of the provisions of this  
23 Article.

24 (c) In any action brought under this Article, the court  
25 may order a remedy only if the remedy will not impair the  
26 ability of protected class members to participate in the

1 political process and elect the protected class member's  
2 preferred candidates, or otherwise influence the outcome of  
3 elections.

4 (d) In any action brought under this Article, the court  
5 shall consider remedies proposed by any parties and interested  
6 non-parties and shall not provide deference or priority to a  
7 proposed remedy offered by the defendant or the political  
8 subdivision simply because the remedy has been proposed by the  
9 defendant or the political subdivision.

10 (10 ILCS 5/3A-60 new)

11 Sec. 3A-60. Attorney's fees. A court shall award  
12 reasonable attorney's fees and costs, including expert witness  
13 fees and other litigation expenses, to a plaintiff who is a  
14 prevailing party in any action brought under this Article or  
15 under procedures under Section 3A-35. In awarding reasonable  
16 attorney's fees, the court shall consider the degree to which  
17 the relief obtained relates to the relief sought.

18 For the purpose of this Section, the term "prevailing  
19 party" includes any party:

20 (1) who obtains some of their requested relief through  
21 a judicial judgment in their favor;

22 (2) who obtains some of their requested relief through  
23 any settlement agreement approved by the court; or

24 (3) whose pursuit of a non-frivolous claim or notice  
25 of a claim following the procedure under Section 3A-35 was

1 a catalyst for a unilateral change in position by the  
2 opposing party relative to the relief sought.

3 To the extent parties are unable to come to mutual  
4 agreement, any party may file a motion or action for  
5 clarification of rights.

6 (10 ILCS 5/3A-65 new)

7 Sec. 3A-65. Expedient litigation and preliminary relief.

8 Because of the frequency of elections, the severe consequences  
9 and irreparable harm of holding elections under unlawful  
10 conditions, and the expenditure to defend potentially unlawful  
11 conditions that benefit incumbent officials, actions brought  
12 under this Article are subject to expedited pretrial and trial  
13 proceedings and shall receive an automatic calendar  
14 preference. In any action alleging a violation of this Article  
15 or any other law concerning voting rights or elections in  
16 which a plaintiff party seeks preliminary relief with respect  
17 to an upcoming election, the court shall grant relief if the  
18 court determines that the plaintiffs are more likely than not  
19 to succeed on the merits, and it is possible to implement an  
20 adequate remedy before an upcoming primary or general election  
21 that would resolve the alleged violation.

22 (10 ILCS 5/3A-70 new)

23 Sec. 3A-70. Voter Outreach and Education Fund. There is  
24 created in the State treasury a special fund to be known as the

1 Voter Outreach and Education Fund. All penalties and charges  
2 directed to the Fund by Section 3A-55 and all other funds from  
3 any public or private source directed to the Fund shall be paid  
4 into the Fund. Interest earned on moneys in the Fund shall  
5 remain in the Fund and be credited to it. Moneys in the Fund  
6 shall be used solely for the purposes of educating voters and  
7 persons qualified to be voters on the rights ensured to them  
8 under federal and State constitutional and statutory law and  
9 remedies.

10 (10 ILCS 5/3A-80 new)

11 Sec. 3A-80. Construction and severability.

12 (a) No act of the General Assembly shall be construed to  
13 supersede, amend, abrogate, or limit the applicability or  
14 scope of this Article, unless it explicitly states that it  
15 supersedes, amends, abrogates, or limits the applicability or  
16 scope of the Illinois Voting Rights Act, even if the act may be  
17 construed as contradicting, conflicting with, or interpreting  
18 this Article or violating any of its provisions. When  
19 evaluating whether a political subdivision or government  
20 official or entity responsible for election administration has  
21 violated Section 3A-20, other acts of the General Assembly  
22 shall not be considered.

23 (b) The provisions of this Article shall be severable and  
24 if any section, subsection, paragraph, subparagraph, sentence,  
25 or other portion of this Article is for any reason held or

1 declared by any court of competent jurisdiction to be  
2 unconstitutional or preempted by federal law, or the  
3 applicability of that portion to any person or facility is  
4 held invalid, the remainder of this Article shall not thereby  
5 be deemed to be unconstitutional, preempted, or invalid.

6 (10 ILCS 5/Art. 3B heading new)

7 ARTICLE 3B. LANGUAGE ACCESS IN ELECTIONS

8 (10 ILCS 5/3B-1 new)

9 Sec. 3B-1. Definitions. As used in this Article:

10 "Limited-English proficiency" is defined as unable to  
11 speak, read, write or understand English adequately enough to  
12 participate in the electoral process.

13 "Local election authority" means a county clerk or board  
14 of election commissioners.

15 "Political subdivision" means a geographic area which is  
16 organized under State or local law for the provision of  
17 government or other services, and which conducts elections  
18 administered by a local election authority, including, but not  
19 limited to, a county, city, town, village, school district,  
20 any other district organized under State or local law, county  
21 clerk, or board of election commissioners.

22 (10 ILCS 5/3B-5 new)

23 Sec. 3B-5. Language access assistance.

1       (a) A local election authority shall provide language  
2 assistance for elections conducted in a political subdivision  
3 if that political subdivision meets any of the following  
4 conditions:

5           (1) has a voting-eligible population of at least 600  
6 individuals in that political subdivision who speak 1  
7 language other than English and have limited English  
8 proficiency; and

9           (2) has a voting-eligible population of at least 100  
10 individuals in that political subdivision who speak 1  
11 language other than English and have limited English  
12 proficiency and also comprise 2.5% or more of the  
13 voting-eligible population in the local government.

14       (b) On at least a biannual basis, the State Board of  
15 Elections shall post on its website both of the following  
16 based on data made available by the United States Census  
17 Bureau, American Community Survey, or data of comparable  
18 quality collected by a public office:

19           (1) a list of each political subdivision that is  
20 required under this Section to provide language assistance  
21 for elections under subsection (a); and

22           (2) a list of each language in which the political  
23 subdivisions listed in paragraph (1) of subsection (b) are  
24 required to provide language assistance for elections.

25       (c) The State Board of Elections shall provide the  
26 information posted on its website under subsection (b) to each

1 local election authority in this State.

2 (d) If the State Board of Elections determines under this  
3 Section that language assistance for elections shall be  
4 provided in a political subdivision, the local election  
5 authority shall do the following:

6 (1) provide effective language assistance for  
7 elections in each designated language and provide related  
8 materials in English, and in each designated language as  
9 translated by a certified translator, including  
10 registration or voting notices, forms, instructions,  
11 assistance, ballots, absent voter ballot applications,  
12 signage at polling places, and other materials or  
13 information relating to the electoral process;

14 (2) for a language that is oral or unwritten,  
15 including historically unwritten as may be the case for  
16 some Native Americans, provide only oral instructions,  
17 assistance, or other information relating to the electoral  
18 process in that language; and

19 (3) ensure that all materials provided in a designated  
20 language are of an equal quality to the corresponding  
21 English materials, ensure that all provided translations  
22 convey the intent and essential meaning of the original  
23 text or communication and do not rely solely on any  
24 automatic translation service, and ensure the accuracy of  
25 the translated voting or election materials, including any  
26 varying dialects.

1       (e) If available, language assistance for elections shall  
2 include live interpretation. In addition to the other  
3 requirements of this Section, each local election authority  
4 that meets any of the conditions in paragraphs (1) or (2) of  
5 subsection (a) shall make a good faith effort to provide  
6 bilingual election judges.

7       (f) The State Board of Elections shall produce electronic  
8 copies of any election materials that the State Board of  
9 Elections makes public in each language that has been  
10 designated under subsection (a).

11       (g) Nothing in this Section prohibits a political  
12 subdivision or local election authority from voluntarily  
13 providing language assistance for elections beyond that  
14 language assistance for elections required in this Section or  
15 passing laws requiring additional language assistance for  
16 elections than required in this Section if the political  
17 subdivision or local election authority determines that  
18 language assistance for elections would be beneficial for the  
19 limited English proficiency residents in that political  
20 subdivision.

21       (h) This Section takes effect January 1, 2026.

22       (10 ILCS 5/3B-10 new)

23       Sec. 3B-10. Public and private right of action. The  
24 Attorney General, any individual aggrieved by a violation of  
25 Section 3B-5, any entity whose membership includes individuals

1 aggrieved by a violation of Section 3B-5, any entity whose  
2 mission would be frustrated by a violation of Section 3B-5, or  
3 any entity that would expend resources in order to fulfill its  
4 mission as a result of a violation of Section 3B-5 may bring a  
5 civil lawsuit, in a federal district court or State circuit  
6 court, against the offending unit of government. Any State  
7 claim brought in federal district court shall be a  
8 supplemental claim to a federal claim. This Article is  
9 intended to benefit and protect the rights of individual,  
10 eligible voters and to provide a remedy for infringing on the  
11 rights granted under this Article.

12 (10 ILCS 5/3B-15 new)

13 Sec. 3B-15. Remedies.

14 (a) In any action brought under Section 3B-10, the court  
15 has broad authority to order adequate remedies that are  
16 tailored to address the violation. Unless otherwise prohibited  
17 by law, adequate remedies include, but are not limited to, any  
18 of the following:

19 (1) adding voting days or hours;

20 (2) adding polling places or absent voter ballot drop  
21 boxes;

22 (3) ordering a special election;

23 (4) imposing nominal or compensatory damages;

24 (5) imposing punitive damages in the form of a civil  
25 fine that shall be deposited into the Voter Outreach and

1       Education Fund;

2           (6) any other form of declaratory or injunctive relief  
3       that, in the court's judgment, is tailored to address the  
4       violation; or

5           (7) retaining jurisdiction for a period of time the  
6       court considers appropriate.

7       (b) In any action brought under Section 3B-10, the court  
8       may order a remedy only if the remedy will not impair the  
9       ability of limited English proficient voters to participate in  
10       the political process and elect the limited English proficient  
11       voter's preferred candidates, or otherwise influence the  
12       outcome of elections.

13       (c) In any action brought under Section 3B-10, the court  
14       shall consider remedies proposed by any parties and interested  
15       non-parties and shall not provide deference or priority to a  
16       proposed remedy offered by the defendant or the political  
17       subdivision simply because the remedy has been proposed by the  
18       defendant or the political subdivision.

19       (d) In any action brought under Section 3B-10, the court  
20       has the authority to order remedies that may be inconsistent  
21       with other provisions of State or local law, when the  
22       inconsistent provisions of law would otherwise preclude the  
23       court from ordering an adequate remedy.

24       (10 ILCS 5/3B-20 new)

25       Sec. 3B-20. Attorney's fees. Upon motion, a court shall

1 award reasonable attorney's fees and costs, including expert  
2 witness fees and other litigation expenses, to a plaintiff who  
3 is a prevailing party in any action brought under this  
4 Article. In awarding reasonable attorney's fees, the court  
5 shall consider the degree to which the relief obtained relates  
6 to the relief sought.

7 For the purpose of this Section, the term "prevailing  
8 party" includes any party:

9 (1) who obtains some of their requested relief through  
10 a judicial judgment in their favor;

11 (2) who obtains some of their requested relief through  
12 any settlement agreement approved by the court; or

13 (3) whose pursuit of a non-frivolous claim was a  
14 catalyst for a unilateral change in position by the  
15 opposing party relative to the relief sought.

16 (10 ILCS 5/3B-25 new)

17 Sec. 3B-25. Expedient litigation. Because of the frequency  
18 of elections, the severe consequences and irreparable harm of  
19 holding elections under unlawful conditions, and the  
20 expenditure to defend potentially unlawful conditions that  
21 benefit incumbent officials, actions brought under this  
22 Article are subject to expedited pretrial and trial  
23 proceedings and shall receive an automatic calendar  
24 preference.

1           Section 10. The State Finance Act is amended by adding  
2           Section 5.1030 as follows:

3           (30 ILCS 105/5.1030 new)

4           Sec. 5.1030. The Voter Outreach and Education Fund.

5           Section 99. Effective date. This Act takes effect July 1,  
6           2025.