

# HB4749



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

**HB4749**

by Rep. Mike Fortner

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.2

Amends the Election Code. Provides that provisions concerning automatic voter registration and designated automatic voter registration agencies shall be implemented no later than 90 days after the federal Real ID database is certified by the Secretary of State (rather than July 1, 2019).

LRB100 19105 MJP 34363 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 5. The Election Code is amended by changing Section  
5 1A-16.2 as follows:

6 (10 ILCS 5/1A-16.2)

7 Sec. 1A-16.2. Automatic voter registration; designated  
8 automatic voter registration agencies.

9 (a) Each designated automatic voter registration agency  
10 shall, pursuant to an interagency contract and jointly-adopted  
11 rules with the State Board of Elections, agree to participate  
12 in an automatic voter registration program established by the  
13 State Board of Elections that satisfies the requirements of  
14 this Section and other applicable law. If the designated  
15 automatic voter registration agency provides applications,  
16 applications for renewal, change of address forms, or  
17 recertification forms to individuals for services offered by  
18 another agency, then the State Board of Elections and the  
19 designated automatic voter agency shall consult with the other  
20 agency. The State Board of Elections shall consider the current  
21 technological capabilities of the designated voter  
22 registration agency when drafting interagency contracts and  
23 jointly-adopted rules. The State Board of Elections and the

1 designated automatic voter registration agency shall amend  
2 these contracts and rules as the technological capabilities of  
3 the designated voter registration agencies improve.

4 (b) As provided in subsection (a) of this Section, each  
5 designated automatic voter registration agency that collects  
6 or cross-references reliable personal information indicating  
7 citizenship status may provide that an application for a  
8 license, permit, program, or service shall serve as a  
9 dual-purpose application. The dual-purpose application shall:

10 (1) also serve as an application to register to vote in  
11 Illinois;

12 (2) allow an applicant to change his or her registered  
13 residence address or name as it appears on the voter  
14 registration rolls;

15 (3) provide the applicant with an opportunity to  
16 affirmatively decline to register to vote or change his or  
17 her registered residence address or name by providing a  
18 check box on the application form without requiring the  
19 applicant to state the reason; and

20 (4) unless the applicant declines to register to vote  
21 or to change his or her registered residence address or  
22 name, require the applicant to attest, by signature under  
23 penalty of perjury, to meeting the qualifications to  
24 register to vote in Illinois at his or her residence  
25 address as indicated on his or her dual-purpose  
26 application.

1 (c) As provided in subsection (a) of this Section, each  
2 designated automatic voter registration agency that does not  
3 collect or cross-reference records containing reliable  
4 personal information indicating citizenship status may provide  
5 that an application, an application for renewal, a change of  
6 address form, or a recertification form for a license, permit,  
7 program, or service shall serve as a dual-purpose application.  
8 The dual-purpose application shall:

9 (1) also serve as an application to register to vote in  
10 Illinois;

11 (2) allow an applicant to change his or her registered  
12 residence address or name as it appears on the voter  
13 registration rolls; and

14 (3) if the applicant chooses to register to vote or to  
15 change his or her registered residence address or name,  
16 then require the applicant to attest, by a separate  
17 signature under penalty of perjury, to meeting the  
18 qualifications to register to vote in Illinois at his or  
19 her residence address as indicated on his or her  
20 dual-purpose application.

21 (c-5) The designated automatic voter registration agency  
22 shall clearly and conspicuously inform each applicant in  
23 writing: (i) of the qualifications to register to vote in  
24 Illinois, (ii) of the penalties provided by law for submission  
25 of a false voter registration application, (iii) that, unless  
26 the applicant declines to register to vote or update his or her

1 voter registration, his or her application shall also serve as  
2 both an application to register to vote and his or her  
3 attestation that he or she meets the eligibility requirements  
4 for voter registration, and that his or her application to  
5 register to vote or update his or her registration will be  
6 transmitted to the State Board of Elections for the purpose of  
7 registering the person to vote at the residence address to be  
8 indicated on the dual-purpose application, (iv) that  
9 information identifying the agency at which he or she applied  
10 to register to vote is confidential, (v) that declining to  
11 register to vote is confidential and will not affect any  
12 services the person may be seeking from the agency, and (vi)  
13 any additional information needed in order to comply with  
14 Section 7 of the federal National Voter Registration Act of  
15 1993.

16 (d) The designated automatic voter registration agency  
17 shall review information provided to the agency by the State  
18 Board of Elections to inform each applicant whether the  
19 applicant is currently registered to vote in Illinois and, if  
20 registered, at what address.

21 (e) The designated automatic voter registration agency  
22 shall not require an applicant for a dual-purpose application  
23 to provide duplicate identification or information in order to  
24 complete an application to register to vote or change his or  
25 her registered residence address or name. Before transmitting  
26 any personal information about an applicant to the State Board

1 of Elections, the agency shall review its records of the  
2 identification documents the applicant provided or that the  
3 agency cross-references in order to complete the dual-purpose  
4 application, to confirm that nothing in those documents  
5 indicates that the applicant does not satisfy the  
6 qualifications to register to vote in Illinois at his or her  
7 residence address. A completed and signed dual-purpose  
8 application, including a completed application under  
9 subsection (c) of this Section with a separate signature  
10 attesting that the applicant meets the qualifications to  
11 register to vote in Illinois at his or her residence address as  
12 indicated on his or her application, shall constitute an  
13 application to register to vote in Illinois at the residence  
14 address indicated in the application unless the person  
15 affirmatively declined in the application to register to vote  
16 or to change his or her registered residence address or name.  
17 If the identification documents provided to complete the  
18 dual-purpose application, or that the agency cross-references,  
19 indicate that he or she does not satisfy the qualifications to  
20 register to vote in Illinois at his or her residence address,  
21 the application shall be marked as incomplete.

22 (f) For each completed and signed dual-purpose application  
23 that constitutes an application to register to vote in Illinois  
24 or provides for a change in the applicant's registered  
25 residence address or name, the designated automatic voter  
26 registration agency shall electronically transmit to the State

1 Board of Elections personal information needed to complete the  
2 person's registration to vote in Illinois at his or her  
3 residence address. The application to register to vote shall be  
4 processed in accordance with Section 1A-16.7.

5 (g) As used in this Section:

6 "Designated automatic voter registration agency" or  
7 "agency" means the divisions of Family and Community  
8 Services and Rehabilitation Services of the Department of  
9 Human Services, the Department of Employment Security, the  
10 Department of Financial and Professional Regulation, the  
11 Department of Natural Resources, or an agency of the State  
12 or federal government that has been determined by the State  
13 Board of Elections to have access to reliable personal  
14 information and has entered into an interagency contract  
15 with the State Board of Elections to participate in the  
16 automatic voter registration program under this Section.

17 "Dual-purpose application" means an application, an  
18 application for renewal, a change of address form, or a  
19 recertification form for a license, permit, program, or  
20 service offered by a designated automatic voter  
21 registration agency that also serves as an application to  
22 register to vote in Illinois.

23 "Reliable personal information" means information  
24 about individuals obtained from government sources that  
25 may be used to verify whether an individual is eligible to  
26 register to vote.

1           (h) This Section shall be implemented no later than 90 days  
2 after the federal Real ID database is certified by the  
3 Secretary of State July 1, 2019.

4           (Source: P.A. 100-464, eff. 8-28-17.)