



Sen. Omar Aquino

**Filed: 3/5/2019**

10100SB2090sam001

LRB101 11140 SMS 57125 a

1 AMENDMENT TO SENATE BILL 2090

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2090 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by adding Sections  
5 19-2.3 and by changing Section 19A-20 as follows:

6 (10 ILCS 5/19-2.3 new)

7 Sec. 19-2.3. Vote by mail; jails. Each election authority  
8 in a county with a population under 3,000,000 shall collaborate  
9 with the primary county jail where eligible voters are confined  
10 or detained who are within the jurisdiction of the election  
11 authority to facilitate an opportunity for voting by mail for  
12 voters eligible to vote in the election jurisdiction who are  
13 confined or detained in the county jail.

14 (10 ILCS 5/19A-20)

15 Sec. 19A-20. Temporary branch polling places.

1 (a) In addition to permanent polling places for early  
2 voting, the election authority may establish temporary branch  
3 polling places for early voting.

4 (b) The provisions of subsection (b) of Section 19A-15 do  
5 not apply to a temporary polling place. Voting at a temporary  
6 branch polling place may be conducted on any one or more days  
7 and during any hours within the period for early voting by  
8 personal appearance that are determined by the election  
9 authority.

10 (c) The schedules for conducting voting do not need to be  
11 uniform among the temporary branch polling places.

12 (d) The legal rights and remedies which inure to the owner  
13 or lessor of private property are not impaired or otherwise  
14 affected by the leasing of the property for use as a temporary  
15 branch polling place for early voting, except to the extent  
16 necessary to conduct early voting at that location.

17 (e) In a county with a population of 3,000,000 or more, the  
18 election authority in the county shall establish a temporary  
19 branch polling place under this Section in the county jail.  
20 Only a resident of a county who is in custody at the county  
21 jail and who has not been convicted of the offense for which  
22 the resident is in custody is eligible to vote at a temporary  
23 branch polling place established under this subsection. The  
24 temporary branch polling place established under this  
25 subsection shall allow a voter to vote in the same elections  
26 that the voter would be entitled to vote in where the voter

1 resides. To the maximum extent feasible, voting booths or  
2 screens shall be provided to ensure the privacy of the voter.

3 All provisions of this Code applicable to pollwatchers  
4 shall apply to a temporary branch polling place under this  
5 subsection (e), subject to approval from the election authority  
6 and the county jail, except that nonpartisan pollwatchers shall  
7 be limited to one per division within the jail instead of one  
8 per precinct. A county that establishes a temporary branch  
9 polling place inside a county jail in accordance with this  
10 subsection (e) shall adhere to all requirements of this  
11 subsection (e). All requirements of the federal Voting Rights  
12 Act of 1965 and Sections 203 and 208 of the federal Americans  
13 with Disabilities Act shall apply to this subsection (e).

14 (Source: P.A. 94-645, eff. 8-22-05.)

15 Section 10. The Counties Code is amended by adding Sections  
16 3-15003.3 and 3-15003.4 as follows:

17 (55 ILCS 5/3-15003.3 new)

18 Sec. 3-15003.3. Voter registration; county jails. Upon  
19 discharge of a person who is eligible to vote from a county  
20 jail, the county jail shall provide the person with a voter  
21 registration application. Each election authority shall  
22 collaborate with the county jail within the jurisdiction of the  
23 election authority to facilitate voter registration for voters  
24 eligible to vote in that county who are confined or detained in

1 the county jail. A county jail shall provide a voter  
2 registration application to any person in custody at the jail  
3 who requests an application and is eligible to vote.

4 (55 ILCS 5/3-15003.4 new)

5 Sec. 3-15003.4. Voting rights; county jails; probation  
6 offices.

7 (a) Each county jail and county probation office shall make  
8 available current resource materials, maintained by the  
9 Illinois State Board of Elections, containing detailed  
10 information regarding the voting rights of a person with a  
11 criminal conviction in print.

12 (b) The current resource materials described under  
13 subsection (a) shall be provided:

14 (1) upon discharge of a person from a county jail; and

15 (2) upon intake of a person by a county probation  
16 department.

17 Section 15. The Unified Code of Corrections is amended by  
18 adding Sections 3-2-2.3 and by changing Section 3-14-1 as  
19 follows:

20 (730 ILCS 5/3-2-2.3 new)

21 Sec. 3-2-2.3. Voting rights information.

22 (a) The Department shall make available to a person in its  
23 custody current resource materials, maintained by the Illinois

1 State Board of Elections, containing detailed information  
2 regarding the voting rights of a person with a criminal  
3 conviction in the following formats:

4 (1) in print;

5 (2) on the Department's website; and

6 (3) in a visible location on the premises of each  
7 Department facility where notices are customarily posted.

8 (b) The current resource materials described under  
9 subsection (a) shall be provided upon release of a person on  
10 parole, mandatory supervised release, final discharge, or  
11 pardon from the Department.

12 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

13 Sec. 3-14-1. Release from the institution.

14 (a) Upon release of a person on parole, mandatory release,  
15 final discharge or pardon the Department shall return all  
16 property held for him, provide him with suitable clothing and  
17 procure necessary transportation for him to his designated  
18 place of residence and employment. It may provide such person  
19 with a grant of money for travel and expenses which may be paid  
20 in installments. The amount of the money grant shall be  
21 determined by the Department.

22 (a-1) The Department shall, before a wrongfully imprisoned  
23 person, as defined in Section 3-1-2 of this Code, is discharged  
24 from the Department, provide him or her with any documents  
25 necessary after discharge.

1 (a-2) The Department of Corrections may establish and  
2 maintain, in any institution it administers, revolving funds to  
3 be known as "Travel and Allowances Revolving Funds". These  
4 revolving funds shall be used for advancing travel and expense  
5 allowances to committed, paroled, and discharged prisoners.  
6 The moneys paid into such revolving funds shall be from  
7 appropriations to the Department for Committed, Paroled, and  
8 Discharged Prisoners.

9 (a-3) Upon release of a person who is eligible to vote on  
10 parole, mandatory release, final discharge, or pardon, the  
11 Department shall provide the person with a form that informs  
12 him or her that his or her voting rights have been restored and  
13 a voter registration application. The Department shall have  
14 available voter registration applications in the languages  
15 provided by the Illinois State Board of Elections. The form  
16 that informs the person that his or her rights have been  
17 restored shall include the following information:

18 (1) All voting rights are restored upon release from  
19 the Department's custody.

20 (2) A person who is eligible to vote must register in  
21 order to be able to vote.

22 The Department of Corrections shall confirm that the person  
23 received the voter registration application and has been  
24 informed that his or her voting rights have been restored.

25 (b) (Blank).

26 (c) Except as otherwise provided in this Code, the

1 Department shall establish procedures to provide written  
2 notification of any release of any person who has been  
3 convicted of a felony to the State's Attorney and sheriff of  
4 the county from which the offender was committed, and the  
5 State's Attorney and sheriff of the county into which the  
6 offender is to be paroled or released. Except as otherwise  
7 provided in this Code, the Department shall establish  
8 procedures to provide written notification to the proper law  
9 enforcement agency for any municipality of any release of any  
10 person who has been convicted of a felony if the arrest of the  
11 offender or the commission of the offense took place in the  
12 municipality, if the offender is to be paroled or released into  
13 the municipality, or if the offender resided in the  
14 municipality at the time of the commission of the offense. If a  
15 person convicted of a felony who is in the custody of the  
16 Department of Corrections or on parole or mandatory supervised  
17 release informs the Department that he or she has resided,  
18 resides, or will reside at an address that is a housing  
19 facility owned, managed, operated, or leased by a public  
20 housing agency, the Department must send written notification  
21 of that information to the public housing agency that owns,  
22 manages, operates, or leases the housing facility. The written  
23 notification shall, when possible, be given at least 14 days  
24 before release of the person from custody, or as soon  
25 thereafter as possible. The written notification shall be  
26 provided electronically if the State's Attorney, sheriff,

1 proper law enforcement agency, or public housing agency has  
2 provided the Department with an accurate and up to date email  
3 address.

4 (c-1) (Blank).

5 (c-2) The Department shall establish procedures to provide  
6 notice to the Department of State Police of the release or  
7 discharge of persons convicted of violations of the  
8 Methamphetamine Control and Community Protection Act or a  
9 violation of the Methamphetamine Precursor Control Act. The  
10 Department of State Police shall make this information  
11 available to local, State, or federal law enforcement agencies  
12 upon request.

13 (c-5) If a person on parole or mandatory supervised release  
14 becomes a resident of a facility licensed or regulated by the  
15 Department of Public Health, the Illinois Department of Public  
16 Aid, or the Illinois Department of Human Services, the  
17 Department of Corrections shall provide copies of the following  
18 information to the appropriate licensing or regulating  
19 Department and the licensed or regulated facility where the  
20 person becomes a resident:

21 (1) The mittimus and any pre-sentence investigation  
22 reports.

23 (2) The social evaluation prepared pursuant to Section  
24 3-8-2.

25 (3) Any pre-release evaluation conducted pursuant to  
26 subsection (j) of Section 3-6-2.



1           (4) Reports of disciplinary infractions and  
2           dispositions.

3           (5) Any parole plan, including orders issued by the  
4           Prisoner Review Board, and any violation reports and  
5           dispositions.

6           (6) The name and contact information for the assigned  
7           parole agent and parole supervisor.

8           This information shall be provided within 3 days of the  
9           person becoming a resident of the facility.

10          (c-10) If a person on parole or mandatory supervised  
11          release becomes a resident of a facility licensed or regulated  
12          by the Department of Public Health, the Illinois Department of  
13          Public Aid, or the Illinois Department of Human Services, the  
14          Department of Corrections shall provide written notification  
15          of such residence to the following:

16                 (1) The Prisoner Review Board.

17                 (2) The chief of police and sheriff in the municipality  
18                 and county in which the licensed facility is located.

19          The notification shall be provided within 3 days of the  
20          person becoming a resident of the facility.

21          (d) Upon the release of a committed person on parole,  
22          mandatory supervised release, final discharge or pardon, the  
23          Department shall provide such person with information  
24          concerning programs and services of the Illinois Department of  
25          Public Health to ascertain whether such person has been exposed  
26          to the human immunodeficiency virus (HIV) or any identified

1 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

2 (e) Upon the release of a committed person on parole,  
3 mandatory supervised release, final discharge, pardon, or who  
4 has been wrongfully imprisoned, the Department shall verify the  
5 released person's full name, date of birth, and social security  
6 number. If verification is made by the Department by obtaining  
7 a certified copy of the released person's birth certificate and  
8 the released person's social security card or other documents  
9 authorized by the Secretary, the Department shall provide the  
10 birth certificate and social security card or other documents  
11 authorized by the Secretary to the released person. If  
12 verification by the Department is done by means other than  
13 obtaining a certified copy of the released person's birth  
14 certificate and the released person's social security card or  
15 other documents authorized by the Secretary, the Department  
16 shall complete a verification form, prescribed by the Secretary  
17 of State, and shall provide that verification form to the  
18 released person.

19 (f) Forty-five days prior to the scheduled discharge of a  
20 person committed to the custody of the Department of  
21 Corrections, the Department shall give the person who is  
22 otherwise uninsured an opportunity to apply for health care  
23 coverage including medical assistance under Article V of the  
24 Illinois Public Aid Code in accordance with subsection (b) of  
25 Section 1-8.5 of the Illinois Public Aid Code, and the  
26 Department of Corrections shall provide assistance with

1 completion of the application for health care coverage  
2 including medical assistance. The Department may adopt rules to  
3 implement this Section.

4 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;  
5 99-907, eff. 7-1-17.)".