



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4137

Introduced 9/3/2021, by Rep. Mark Batinick

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1A-16.1a new
10 ILCS 5/1A-16.2
10 ILCS 5/1A-16.7
430 ILCS 65/13.5 new
430 ILCS 66/57 new

Amends the Election Code. Provides that the Illinois State Police and State Board of Elections shall establish an automatic voter registration program that allows an application for, application for renewal of, or change of address form for a Firearm Owner's Identification Card or a concealed carry license to serve as a dual-purpose application to register to vote in Illinois, change his or her registered residence address or name as it appears on the voter registration rolls, affirmatively decline to register to vote, and attest to meeting the qualifications to register to vote. Provides that a completed, signed application for a Firearm Owner's Identification Card or concealed carry license shall constitute a signed application to register to vote in Illinois at the residence address indicated in the application unless the person affirmatively declined in the application to register to vote or to change his or her registered residence address or name. Requires the Illinois State Police to electronically transmit to the State Board of Elections personal information needed to complete the person's registration to vote in Illinois at his or her residence address. Makes conforming changes in the Election Code, Firearm Owners Identification Card Act, and the Firearm Concealed Carry Act.

LRB102 19179 SMS 27944 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 1A-16.2 and 1A-16.7 and by adding Section 1A-16.1a as
6 follows:

7 (10 ILCS 5/1A-16.1a new)

8 Sec. 1A-16.1a. Automatic voter registration; Illinois
9 State Police.

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

15 (b) An application, an application for renewal, or a
16 change of address form for a Firearm Owner's Identification
17 Card under the Firearm Owners Identification Card Act or a
18 concealed carry license under the Firearm Concealed Carry Act
19 shall serve as a dual-purpose application. The dual-purpose
20 application shall:

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

23 (2) allow an applicant to change his or her registered

1 residence address or name as it appears on the voter
2 registration rolls;

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

8 (4) unless the applicant declines to register to vote
9 or change his or her registered residence address or name,
10 require the applicant to attest, by signature under
11 penalty of perjury as described in subsection (e) of this
12 Section, to meeting the qualifications to register to vote
13 in Illinois at his or her residence address as indicated
14 on his or her Firearm Owner's Identification Card or
15 concealed carry license dual-purpose application.

16 (c) The Illinois State Police shall clearly and
17 conspicuously inform each applicant in writing: (i) of the
18 qualifications to register to vote in Illinois, (ii) of the
19 penalties provided by law for submission of a false voter
20 registration application, (iii) that, unless the applicant
21 declines to register to vote or update his or her voter
22 registration, his or her dual-purpose application shall also
23 serve as both an application to register to vote and his or her
24 attestation that he or she meets the eligibility requirements
25 for voter registration, and that his or her application to
26 register to vote or update his or her registration will be

1 transmitted to the State Board of Elections for the purpose of
2 registering the person to vote at the residence address to be
3 indicated on his or her Firearm Owner's Identification Card or
4 concealed carry license, and (iv) that declining to register
5 to vote is confidential and will not affect any services the
6 person may be seeking from the Office of the Secretary of
7 State.

8 The Illinois State Police shall review information
9 provided to the Illinois State Police by the State Board of
10 Elections to inform each applicant for a Firearm Owner's
11 Identification Card or concealed carry license whether the
12 applicant is currently registered to vote in Illinois and, if
13 registered, at what address.

14 (d) The Illinois State Police may not require an applicant
15 for a Firearm Owner's Identification Card or concealed carry
16 license to provide duplicate identification or information in
17 order to complete an application to register to vote or change
18 his or her registered residence address or name. Before
19 transmitting any personal information about an applicant to
20 the State Board of Elections, the Illinois State Police shall
21 review its records of the identification documents the
22 applicant provided in order to complete the application for a
23 Firearm Owner's Identification Card or concealed carry
24 license, to confirm that nothing in those documents indicates
25 that the applicant does not satisfy the qualifications to
26 register to vote in Illinois at his or her residence address.

1 (e) A completed, signed application for a Firearm Owner's
2 Identification Card or concealed carry license shall
3 constitute a signed application to register to vote in
4 Illinois at the residence address indicated in the application
5 unless the person affirmatively declined in the application to
6 register to vote or to change his or her registered residence
7 address or name. If the identification documents provided to
8 complete the dual-purpose application indicate that he or she
9 does not satisfy the qualifications to register to vote in
10 Illinois at his or her residence address, the application
11 shall be marked as incomplete.

12 (f) For each completed and signed application that
13 constitutes an application to register to vote in Illinois or
14 provides for a change in the applicant's registered residence
15 address or name, the Illinois State Police shall
16 electronically transmit to the State Board of Elections
17 personal information needed to complete the person's
18 registration to vote in Illinois at his or her residence
19 address. The application to register to vote shall be
20 processed in accordance with Section 1A-16.7.

21 (g) As used in this Section, "dual-purpose application"
22 means an application, an application for renewal, or a change
23 of address form for a Firearm Owner's Identification Card or
24 concealed carry license offered by the Illinois State Police
25 that also serves as an application to register to vote in
26 Illinois. "Dual-purpose application" does not mean an

1 application under subsection (c) of Section 6-109 of the
2 Illinois Vehicle Code.

3 (10 ILCS 5/1A-16.2)

4 Sec. 1A-16.2. Automatic voter registration; designated
5 automatic voter registration agencies.

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

24 (b) As provided in subsection (a) of this Section, each
25 designated automatic voter registration agency that collects

1 or cross-references reliable personal information indicating
2 citizenship status may provide that an application for a
3 license, permit, program, or service shall serve as a
4 dual-purpose application. The dual-purpose application shall:

5 (1) also serve as an application to register to vote
6 in Illinois;

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

10 (3) provide the applicant with an opportunity to
11 affirmatively decline to register to vote or change his or
12 her registered residence address or name by providing a
13 check box on the application form without requiring the
14 applicant to state the reason; and

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

22 (c) As provided in subsection (a) of this Section, each
23 designated automatic voter registration agency that does not
24 collect or cross-reference records containing reliable
25 personal information indicating citizenship status may provide
26 that an application, an application for renewal, a change of

1 address form, or a recertification form for a license, permit,
2 program, or service shall serve as a dual-purpose application.

3 The dual-purpose application shall:

4 (1) also serve as an application to register to vote
5 in Illinois;

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

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

16 (c-5) The designated automatic voter registration agency
17 shall clearly and conspicuously inform each applicant in
18 writing: (i) of the qualifications to register to vote in
19 Illinois, (ii) of the penalties provided by law for submission
20 of a false voter registration application, (iii) that, unless
21 the applicant declines to register to vote or update his or her
22 voter registration, his or her application shall also serve as
23 both an application to register to vote and his or her
24 attestation that he or she meets the eligibility requirements
25 for voter registration, and that his or her application to
26 register to vote or update his or her registration will be

1 transmitted to the State Board of Elections for the purpose of
2 registering the person to vote at the residence address to be
3 indicated on the dual-purpose application, (iv) that
4 information identifying the agency at which he or she applied
5 to register to vote is confidential, (v) that declining to
6 register to vote is confidential and will not affect any
7 services the person may be seeking from the agency, and (vi)
8 any additional information needed in order to comply with
9 Section 7 of the federal National Voter Registration Act of
10 1993.

11 (d) The designated automatic voter registration agency
12 shall review information provided to the agency by the State
13 Board of Elections to inform each applicant whether the
14 applicant is currently registered to vote in Illinois and, if
15 registered, at what address.

16 (e) The designated automatic voter registration agency
17 shall not require an applicant for a dual-purpose application
18 to provide duplicate identification or information in order to
19 complete an application to register to vote or change his or
20 her registered residence address or name. Before transmitting
21 any personal information about an applicant to the State Board
22 of Elections, the agency shall review its records of the
23 identification documents the applicant provided or that the
24 agency cross-references in order to complete the dual-purpose
25 application, to confirm that nothing in those documents
26 indicates that the applicant does not satisfy the

1 qualifications to register to vote in Illinois at his or her
2 residence address. A completed and signed dual-purpose
3 application, including a completed application under
4 subsection (c) of this Section with a separate signature
5 attesting that the applicant meets the qualifications to
6 register to vote in Illinois at his or her residence address as
7 indicated on his or her application, shall constitute an
8 application to register to vote in Illinois at the residence
9 address indicated in the application unless the person
10 affirmatively declined in the application to register to vote
11 or to change his or her registered residence address or name.
12 If the identification documents provided to complete the
13 dual-purpose application, or that the agency cross-references,
14 indicate that he or she does not satisfy the qualifications to
15 register to vote in Illinois at his or her residence address,
16 the application shall be marked as incomplete.

17 (f) For each completed and signed dual-purpose application
18 that constitutes an application to register to vote in
19 Illinois or provides for a change in the applicant's
20 registered residence address or name, the designated automatic
21 voter registration agency shall electronically transmit to the
22 State Board of Elections personal information needed to
23 complete the person's registration to vote in Illinois at his
24 or her residence address. The application to register to vote
25 shall be processed in accordance with Section 1A-16.7.

26 (g) As used in this Section:

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

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

19 "Reliable personal information" means information
20 about individuals obtained from government sources that
21 may be used to verify whether an individual is eligible to
22 register to vote.

23 (h) This Section shall be implemented no later than July
24 1, 2019.

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

1 (10 ILCS 5/1A-16.7)

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

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

22 (b) Voter registration data received from the Office of
23 the Secretary of State or a designated automatic voter
24 registration agency through the online registration
25 application system shall be processed as provided in Section
26 1A-16.5 of this Code.

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

10 (d) The State Board of Elections shall, by rule, establish
11 criteria and procedures for determining whether an agency of
12 the State or federal government seeking to become a designated
13 automatic voter registration agency has access to reliable
14 personal information, as defined under this subsection (d) and
15 subsection (f) of Section 1A-16.2 of this Code, and otherwise
16 meets the requirements to enter into an interagency contract
17 and to operate as a designated automatic voter registration
18 agency. The State Board of Elections shall approve each
19 interagency contract upon affirmative vote of a majority of
20 its members.

21 As used in this subsection (d), "reliable personal
22 information" means information about individuals obtained from
23 government sources that may be used to verify whether an
24 individual is eligible to register to vote.

25 (e) Whenever an applicant's data is transferred from the
26 Office of the Secretary of State or a designated automatic

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

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

24 (g) The appropriate election authority shall ensure that
25 any applicant who is registered to vote or whose existing
26 voter registration is updated under this Section is promptly

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

17 (h) The appropriate election authority shall ensure that
18 any applicant whose voter registration application is not
19 accepted or deemed incomplete is promptly sent written notice
20 of the application's status. The notice required by this
21 subsection may be sent or combined with other notices required
22 or permitted by law, including, but not limited to, any
23 notices sent pursuant to Section 1A-16.5 of this Code. Any
24 notice required by this subsection (h) shall contain, at a
25 minimum, the reason the application was not accepted or deemed
26 incomplete and contact information for the appropriate

1 election authority, including a phone number, address,
2 electronic mail address, and website address.

3 (i) If the Office of the Secretary of State or a designated
4 automatic voter registration agency transfers information, or
5 if the State Board of Elections creates and transmits a voter
6 registration application, for a person who does not qualify as
7 an eligible voter, then it shall not constitute a completed
8 voter registration form, and the person shall not be
9 considered to have registered to vote.

10 (j) If the registration is processed by any election
11 authority, then it shall be presumed to have been effected and
12 officially authorized by the State, and that person shall not
13 be found on that basis to have made a false claim to
14 citizenship or to have committed an act of moral turpitude,
15 nor shall that person be subject to penalty under any relevant
16 laws, including, but not limited to, Sections 29-10 and 29-19
17 of this Code. This subsection (j) does not apply to a person
18 who knows that he or she is not entitled to register to vote
19 and who willfully votes, registers to vote, or attests under
20 penalty of perjury that he or she is eligible to register to
21 vote or willfully attempts to vote or to register to vote.

22 (k) The State Board of Elections, the Office of the
23 Secretary of State, and each designated automatic voter
24 registration agency shall implement policies and procedures to
25 protect the privacy and security of voter information as it is
26 acquired, stored, and transmitted among agencies, including

1 policies for the retention and preservation of voter
2 information. Information designated as confidential under this
3 Section may be recorded and shared among the State Board of
4 Elections, election authorities, the Office of the Secretary
5 of State, and designated automatic voter registration
6 agencies, but shall be used only for voter registration
7 purposes, shall not be disclosed to the public except in the
8 aggregate as required by subsection (m) of this Section, and
9 shall not be subject to the Freedom of Information Act. The
10 following information shall be designated as confidential:

11 (1) any portion of an applicant's Social Security
12 number;

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

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

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

19 (5) the personal residence and contact information of
20 any applicant for whom notice has been given by an
21 appropriate legal authority.

22 This subsection (k) shall not apply to information the
23 State Board of Elections is required to share with the
24 Electronic Registration Information Center.

25 (1) The voter registration procedures implemented under
26 this Section shall comport with the federal National Voter

1 Registration Act of 1993, as amended, and shall specifically
2 require that the State Board of Elections track registration
3 data received through the online registration system that
4 originated from a designated automatic voter registration
5 agency for the purposes of maintaining statistics.

6 Nothing in this Code shall require designated voter
7 registration agencies to transmit information that is
8 confidential client information under State or federal law
9 without the consent of the applicant.

10 (m) The State Board of Elections, each election authority
11 that maintains a website, the Office of the Secretary of
12 State, and each designated automatic voter registration agency
13 that maintains a website shall provide information on their
14 websites informing the public about the new registration
15 procedures described in this Section. The Office of the
16 Secretary of State and each designated automatic voter
17 registration agency shall display signage or provide
18 literature for the public containing information about the new
19 registration procedures described in this Section.

20 (n) No later than 6 months after the effective date of this
21 amendatory Act of the 100th General Assembly, the State Board
22 of Elections shall hold at least one public hearing on
23 implementing this amendatory Act of the 100th General Assembly
24 at which the public may provide input.

25 (o) The State Board of Elections shall submit an annual
26 public report to the General Assembly and the Governor

1 detailing the progress made to implement this Section. The
2 report shall include all of the following: the number of
3 records transferred under this Section by agency, the number
4 of voters newly added to the statewide voter registration list
5 because of records transferred under this Section by agency,
6 the number of updated registrations under this Section by
7 agency, the number of persons who opted out of voter
8 registration, and the number of voters who submitted voter
9 registration forms using the online procedure described in
10 Section 1A-16.5 of this Code. The 2018 and 2019 annual reports
11 may include less detail if election authorities are not
12 equipped to provide complete information to the State Board of
13 Elections. Any report produced under this subsection (o) shall
14 exclude any information that identifies any individual
15 personally.

16 (p) The State Board of Elections, in consultation with
17 election authorities, the Office of the Secretary of State,
18 designated automatic voter registration agencies, and
19 community organizations, shall adopt rules as necessary to
20 implement the provisions of this Section.

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

22 Section 10. The Firearm Owners Identification Card Act is
23 amended by adding Section 13.5 as follows:

24 (430 ILCS 65/13.5 new)

1 Sec. 13.5. State Board of Elections; automatic voter
2 registration. Each person applying for a Firearm Owner's
3 Identification Card, renewal of a Firearm Owner's
4 Identification Card, or a change of address shall be notified,
5 under the procedures set forth in Sections 1A-16.1a and
6 1A-16.7 of the Election Code, that unless he or she
7 affirmatively declines, his or her personal information shall
8 be transferred to the State Board of Elections for the purpose
9 of creating an electronic voter registration application. Such
10 notification may be made in writing or verbally issued by an
11 employee or the Secretary of State.

12 The Illinois State Police shall adopt rules as may be
13 necessary for the efficient execution of duties required under
14 this Section.

15 Section 15. The Firearm Concealed Carry Act is amended by
16 adding Section 57 as follows:

17 (430 ILCS 66/57 new)

18 Sec. 57. State Board of Elections; automatic voter
19 registration. Each person applying for a concealed carry
20 license, renewal of a concealed carry license, or a change of
21 address shall be notified, under the procedures set forth in
22 Sections 1A-16.1a and 1A-16.7 of the Election Code, that
23 unless he or she affirmatively declines, his or her personal
24 information shall be transferred to the State Board of

1 Elections for the purpose of creating an electronic voter
2 registration application. Such notification may be made in
3 writing or verbally issued by an employee or the Secretary of
4 State.

5 The Illinois State Police shall adopt rules as may be
6 necessary for the efficient execution of duties required under
7 this Section.