97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1586

Introduced 2/9/2011, by Sen. M. Maggie Crotty

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-6.2	from Ch.	46,	par.	4-6.2
10 ILCS 5/5-16.2	from Ch.	46,	par.	5-16.2
10 ILCS 5/6-50.2	from Ch.	46,	par.	6-50.2

Amends the Election Code. Removes provisions requiring the election authority to appoint as deputy registrars certain employees of the Secretary of State located at driver's license examination stations. Effective immediately.

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FISCAL NOTE ACT MAY APPLY

A BILL FOR

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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 4-6.2, 5-16.2, and 6-50.2 as follows:

6 (10 ILCS 5/4-6.2) (from Ch. 46, par. 4-6.2)

Sec. 4-6.2. (a) The county clerk shall appoint all municipal and township or road district clerks or their duly authorized deputies as deputy registrars who may accept the registration of all qualified residents of the State.

11 The county clerk shall appoint all precinct 12 committeepersons in the county as deputy registrars who may 13 accept the registration of any qualified resident of the State, 14 except during the 27 days preceding an election.

15 The election authority shall appoint as deputy registrars a 16 reasonable number of employees of the Secretary of State 17 at driver's license examination stations located and designated to the election authority by the Secretary of State 18 19 who may accept the registration of any qualified residents of the State at any such driver's license examination stations. 20 21 The appointment of employees of the Secretary of State as 22 deputy registrars shall be made in the manner provided in Section 2-105 of the Illinois Vehicle Code-23

1 The county clerk shall appoint each of the following named 2 persons as deputy registrars upon the written request of such 3 persons:

1. The chief librarian, or a qualified person
designated by the chief librarian, of any public library
situated within the election jurisdiction, who may accept
the registrations of any qualified resident of the State,
at such library.

9 2. The principal, or a qualified person designated by 10 the principal, of any high school, elementary school, or 11 vocational school situated within the election 12 jurisdiction, who may accept the registrations of any qualified resident of the State, at such school. The county 13 clerk shall notify every principal and vice-principal of 14 15 each high school, elementary school, and vocational school 16 situated within the election jurisdiction of their 17 eligibility to serve as deputy registrars and offer training courses for service as deputy registrars at 18 19 conveniently located facilities at least 4 months prior to 20 every election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the election jurisdiction, who may accept the registrations of any resident of the State, at such university, college, community college, academy or

1 institution.

4. A duly elected or appointed official of a bona fide
labor organization, or a reasonable number of qualified
members designated by such official, who may accept the
registrations of any qualified resident of the State.

5. A duly elected or appointed official of a bonafide 6 7 State civic organization, as defined and determined by rule 8 of the State Board of Elections, or qualified members 9 designated by such official, who may accept the 10 registration of any qualified resident of the State. In 11 determining the number of deputy registrars that shall be 12 appointed, the county clerk shall consider the population 13 of the jurisdiction, the size of the organization, the 14 geographic size of the jurisdiction, convenience for the 15 public, the existing number of deputy registrars in the 16 jurisdiction and their location, the registration 17 activities of the organization and the need to appoint facilitate 18 deputy registrars to assist and the 19 registration of non-English speaking individuals. In no 20 event shall a county clerk fix an arbitrary number organization 21 applicable to every civic requesting 22 appointment of its members as deputy registrars. The State 23 Board of Elections shall by rule provide for certification of bonafide State civic organizations. Such appointments 24 25 shall be made for a period not to exceed 2 years, 26 terminating on the first business day of the month

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this Code during the terms of such appointments.
6. The Director of Healthcare and Family Services, or a
reasonable number of employees designated by the Director
and located at public aid offices, who may accept the
registration of any qualified resident of the county at any

following the month of the general election, and shall be

valid for all periods of voter registration as provided by

8 such public aid office.

9 7. The Director of the Illinois Department of 10 Employment Security, or a reasonable number of employees 11 designated by the Director and located at unemployment 12 offices, who may accept the registration of any qualified 13 resident of the county at any such unemployment office.

14 8. The president of any corporation as defined by the 15 Business Corporation Act of 1983, or a reasonable number of 16 employees designated by such president, who may accept the 17 registrations of any qualified resident of the State.

18 If the request to be appointed as deputy registrar is 19 denied, the county clerk shall, within 10 days after the date 20 the request is submitted, provide the affected individual or 21 organization with written notice setting forth the specific 22 reasons or criteria relied upon to deny the request to be 23 appointed as deputy registrar.

The county clerk may appoint as many additional deputy registrars as he considers necessary. The county clerk shall appoint such additional deputy registrars in such manner that

1 convenience of the public is the served, giving due 2 consideration to both population concentration and area. Some of the additional deputy registrars shall be selected so that 3 there are an equal number from each of the 2 major political 4 5 parties in the election jurisdiction. The county clerk, in 6 appointing an additional deputy registrar, shall make the 7 appointment from a list of applicants submitted by the Chairman of the County Central Committee of the applicant's political 8 9 party. A Chairman of a County Central Committee shall submit a 10 list of applicants to the county clerk by November 30 of each 11 year. The county clerk may require a Chairman of a County 12 Central Committee to furnish a supplemental list of applicants.

Deputy registrars may accept registrations at any time other than the 27 day period preceding an election. All persons appointed as deputy registrars shall be registered voters within the county and shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of deputy registrar to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

25.....26(Signature Deputy Registrar)"

1 This oath shall be administered by the county clerk, or by 2 one of his deputies, or by any person qualified to take 3 acknowledgement of deeds and shall immediately thereafter be 4 filed with the county clerk.

5 Appointments of deputy registrars under this Section, 6 except precinct committeemen, shall be for 2-year terms, 7 commencing on December 1 following the general election of each 8 even-numbered year; except that the terms of the initial 9 appointments shall be until December 1st following the next 10 general election. Appointments of precinct committeemen shall 11 be for 2-year terms commencing on the date of the county 12 convention following the general primary at which they were 13 elected. The county clerk shall issue a certificate of 14 appointment to each deputy registrar, and shall maintain in his office for public inspection a list of the names of all 15 16 appointees.

17 (b) The county clerk shall be responsible for training all deputy registrars appointed pursuant to subsection (a), at 18 times and locations reasonably convenient for both the county 19 20 clerk and such appointees. The county clerk shall be 21 responsible for certifying and supervising all deputy 22 registrars appointed pursuant to subsection (a). Deputy 23 registrars appointed under subsection (a) shall be subject to removal for cause. 24

(c) Completed registration materials under the control of
 deputy registrars, appointed pursuant to subsection (a), shall

be returned to the appointing election authority within 7 days, 1 2 except that completed registration materials received by the deputy registrars during the period between the 35th and 28th 3 day preceding an election shall be returned by the deputy 4 5 registrars to the appointing election authority within 48 hours 6 after receipt thereof. The completed registration materials 7 received by the deputy registrars on the 28th day preceding an election shall be returned by the deputy registrars within 24 8 9 hours after receipt thereof. Unused materials shall be returned 10 by deputy registrars appointed pursuant to paragraph 4 of 11 subsection (a), not later than the next working day following 12 the close of registration.

(d) The county clerk or board of election commissioners, as the case may be, must provide any additional forms requested by any deputy registrar regardless of the number of unaccounted registration forms the deputy registrar may have in his or her possession.

(e) No deputy registrar shall engage in any electioneering
or the promotion of any cause during the performance of his or
her duties.

(f) The county clerk shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registrars shall not be deemed to be employees of the county clerk.

(g) Completed registration materials returned by deputy
 registrars for persons residing outside the county shall be

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1 transmitted by the county clerk within 2 days after receipt to 2 the election authority of the person's election jurisdiction of 3 residence.

4 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

5 (10 ILCS 5/5-16.2) (from Ch. 46, par. 5-16.2)

6 Sec. 5-16.2. (a) The county clerk shall appoint all 7 municipal and township clerks or their duly authorized deputies 8 as deputy registrars who may accept the registration of all 9 qualified residents of the State.

10 The county clerk shall appoint all precinct 11 committeepersons in the county as deputy registrars who may 12 accept the registration of any qualified resident of the State, 13 except during the 27 days preceding an election.

The election authority shall appoint as deputy registrars a 14 15 reasonable number of employees of the Secretary of State 16 located at driver's license examination stations and designated to the election authority by the Secretary of State 17 18 who may accept the registration of any qualified residents of the State at any such driver's license examination stations. 19 20 The appointment of employees of the Secretary of State as 21 deputy registrars shall be made in the manner provided in Section 2-105 of the Illinois Vehicle Code. 22

The county clerk shall appoint each of the following named persons as deputy registrars upon the written request of such persons:

a qualified person

1. The chief librarian, or designated by the chief librarian,

designated by the chief librarian, of any public library situated within the election jurisdiction, who may accept the registrations of any qualified resident of the State, at such library.

2. The principal, or a qualified person designated by 6 7 the principal, of any high school, elementary school, or school situated 8 vocational within the election 9 jurisdiction, who may accept the registrations of any 10 resident of the State, at such school. The county clerk 11 shall notify every principal and vice-principal of each 12 high school, elementary school, and vocational school situated within the election jurisdiction 13 of their 14 eligibility to serve as deputy registrars and offer 15 training courses for service as deputy registrars at 16 conveniently located facilities at least 4 months prior to 17 every election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the election jurisdiction, who may accept the registrations of any resident of the State, at such university, college, community college, academy or institution.

4. A duly elected or appointed official of a bona fide
labor organization, or a reasonable number of qualified

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1 2 members designated by such official, who may accept the registrations of any qualified resident of the State.

3 5. A duly elected or appointed official of a bona fide State civic organization, as defined and determined by rule 4 5 of the State Board of Elections, or qualified members such official, accept 6 designated by who may the 7 registration of any qualified resident of the State. In 8 determining the number of deputy registrars that shall be 9 appointed, the county clerk shall consider the population 10 of the jurisdiction, the size of the organization, the 11 geographic size of the jurisdiction, convenience for the 12 public, the existing number of deputy registrars in the 13 their location, the jurisdiction and registration 14 activities of the organization and the need to appoint 15 deputy registrars to assist and facilitate the 16 registration of non-English speaking individuals. In no 17 event shall a county clerk fix an arbitrary number 18 applicable to every civic organization requesting 19 appointment of its members as deputy registrars. The State 20 Board of Elections shall by rule provide for certification 21 of bona fide State civic organizations. Such appointments 22 shall be made for a period not to exceed 2 years, 23 terminating on the first business day of the month 24 following the month of the general election, and shall be 25 valid for all periods of voter registration as provided by 26 this Code during the terms of such appointments.

6. The Director of Healthcare and Family Services, or a reasonable number of employees designated by the Director and located at public aid offices, who may accept the registration of any qualified resident of the county at any such public aid office.

6 7. The Director of the Illinois Department of 7 Employment Security, or a reasonable number of employees 8 designated by the Director and located at unemployment 9 offices, who may accept the registration of any qualified 10 resident of the county at any such unemployment office.

8. The president of any corporation as defined by the Business Corporation Act of 1983, or a reasonable number of employees designated by such president, who may accept the registrations of any qualified resident of the State.

15 If the request to be appointed as deputy registrar is 16 denied, the county clerk shall, within 10 days after the date 17 the request is submitted, provide the affected individual or 18 organization with written notice setting forth the specific 19 reasons or criteria relied upon to deny the request to be 20 appointed as deputy registrar.

The county clerk may appoint as many additional deputy 21 22 registrars as he considers necessary. The county clerk shall 23 appoint such additional deputy registrars in such manner that 24 the convenience of the public is served, giving due 25 consideration to both population concentration and area. Some 26 of the additional deputy registrars shall be selected so that

there are an equal number from each of the 2 major political 1 2 parties in the election jurisdiction. The county clerk, in 3 appointing an additional deputy registrar, shall make the appointment from a list of applicants submitted by the Chairman 4 5 of the County Central Committee of the applicant's political party. A Chairman of a County Central Committee shall submit a 6 7 list of applicants to the county clerk by November 30 of each 8 year. The county clerk may require a Chairman of a County 9 Central Committee to furnish a supplemental list of applicants.

Deputy registrars may accept registrations at any time other than the 27 day period preceding an election. All persons appointed as deputy registrars shall be registered voters within the county and shall take and subscribe to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of deputy registrar to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

 1 filed with the county clerk.

2 Appointments of deputy registrars under this Section, 3 except precinct committeemen, shall be for 2-year terms, commencing on December 1 following the general election of each 4 5 even-numbered year, except that the terms of the initial appointments shall be until December 1st following the next 6 7 general election. Appointments of precinct committeemen shall 8 be for 2-year terms commencing on the date of the county 9 convention following the general primary at which they were 10 elected. The county clerk shall issue a certificate of 11 appointment to each deputy registrar, and shall maintain in his 12 office for public inspection a list of the names of all 13 appointees.

(b) The county clerk shall be responsible for training all 14 15 deputy registrars appointed pursuant to subsection (a), at 16 times and locations reasonably convenient for both the county 17 clerk and such appointees. The county clerk shall be for certifying and 18 responsible supervising all deputy 19 registrars appointed pursuant to subsection (a). Deputy 20 registrars appointed under subsection (a) shall be subject to 21 removal for cause.

(c) Completed registration materials under the control of deputy registrars, appointed pursuant to subsection (a), shall be returned to the appointing election authority within 7 days, except that completed registration materials received by the deputy registrars during the period between the 35th and 28th

day preceding an election shall be returned by the deputy 1 2 registrars to the appointing election authority within 48 hours after receipt thereof. The completed registration materials 3 received by the deputy registrars on the 28th day preceding an 4 5 election shall be returned by the deputy registrars within 24 hours after receipt thereof. Unused materials shall be returned 6 7 by deputy registrars appointed pursuant to paragraph 4 of 8 subsection (a), not later than the next working day following 9 the close of registration.

10 (d) The county clerk or board of election commissioners, as 11 the case may be, must provide any additional forms requested by 12 any deputy registrar regardless of the number of unaccounted 13 registration forms the deputy registrar may have in his or her 14 possession.

15 (e) No deputy registrar shall engage in any electioneering 16 or the promotion of any cause during the performance of his or 17 her duties.

(f) The county clerk shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registers shall not be deemed to be employees of the county clerk.

(g) Completed registration materials returned by deputy registrars for persons residing outside the county shall be transmitted by the county clerk within 2 days after receipt to the election authority of the person's election jurisdiction of residence.

1 (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

(10 ILCS 5/6-50.2) (from Ch. 46, par. 6-50.2) 2 Sec. 6-50.2. (a) The board of election commissioners shall 3 4 appoint all precinct committeepersons in the election 5 deputy registrars who accept jurisdiction as may the 6 registration of any qualified resident of the State, except during the 27 days preceding an election. 7

8 The election authority shall appoint as deputy registrars a 9 reasonable number of employees of the Secretary of State 10 located at driver's license examination stations and 11 designated to the election authority by the Secretary of State 12 who may accept the registration of any gualified residents of the State at any such driver's license examination stations. 13 14 The appointment of employees of the Secretary of State 15 deputy registrars shall be made in the manner provided 16 Section 2 105 of the Illinois Vehicle Code.

17 The board of election commissioners shall appoint each of 18 the following named persons as deputy registrars upon the 19 written request of such persons:

The chief librarian, or a qualified person
 designated by the chief librarian, of any public library
 situated within the election jurisdiction, who may accept
 the registrations of any qualified resident of the State,
 at such library.

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2. The principal, or a qualified person designated by

the principal, of any high school, elementary school, or 1 2 vocational school situated within the election 3 jurisdiction, who may accept the registrations of any resident of the State, at such school. The board of 4 5 election commissioners shall notify every principal and vice-principal of each high school, elementary school, and 6 7 vocational school situated in the election jurisdiction of 8 their eligibility to serve as deputy registrars and offer 9 training courses for service as deputy registrars at 10 conveniently located facilities at least 4 months prior to 11 every election.

3. The president, or a qualified person designated by the president, of any university, college, community college, academy or other institution of learning situated within the State, who may accept the registrations of any resident of the election jurisdiction, at such university, college, community college, academy or institution.

4. A duly elected or appointed official of a bona fide
labor organization, or a reasonable number of qualified
members designated by such official, who may accept the
registrations of any qualified resident of the State.

5. A duly elected or appointed official of a bona fide State civic organization, as defined and determined by rule of the State Board of Elections, or qualified members designated by such official, who may accept the registration of any qualified resident of the State. In

determining the number of deputy registrars that shall be 1 2 appointed, the board of election commissioners shall 3 consider the population of the jurisdiction, the size of the organization, the geographic size of the jurisdiction, 4 5 convenience for the public, the existing number of deputy registrars in the jurisdiction and their location, the 6 7 registration activities of the organization and the need to 8 appoint deputy registrars to assist and facilitate the 9 registration of non-English speaking individuals. In no event shall a board of election commissioners fix an 10 11 arbitrary number applicable to every civic organization 12 appointment of requesting its members deputy as 13 registrars. The State Board of Elections shall by rule 14 provide for certification of bona fide State civic 15 organizations. Such appointments shall be made for a period 16 not to exceed 2 years, terminating on the first business 17 day of the month following the month of the general election, and shall be valid for all periods of voter 18 19 registration as provided by this Code during the terms of 20 such appointments.

6. The Director of Healthcare and Family Services, or a reasonable number of employees designated by the Director and located at public aid offices, who may accept the registration of any qualified resident of the election jurisdiction at any such public aid office.

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7. The Director of the Illinois Department of

Employment Security, or a reasonable number of employees 1 2 designated by the Director and located at unemployment offices, who may accept the registration of any qualified 3 resident of the election jurisdiction at 4 anv such 5 unemployment office. If the request to be appointed as deputy registrar is denied, the 6 board of election commissioners shall, within 10 days after the date the 7 8 request is submitted, provide the affected individual or 9 organization with written notice setting forth the 10 specific reasons or criteria relied upon to deny the 11 request to be appointed as deputy registrar.

12 8. The president of any corporation, as defined by the 13 Business Corporation Act of 1983, or a reasonable number of 14 employees designated by such president, who may accept the 15 registrations of any qualified resident of the State.

16 The board of election commissioners may appoint as many 17 additional deputy registrars as it considers necessary. The board of election commissioners shall appoint such additional 18 deputy registrars in such manner that the convenience of the 19 20 public is served, giving due consideration to both population 21 concentration and area. Some of the additional deputy 22 registrars shall be selected so that there are an equal number 23 from each of the 2 major political parties in the election 24 jurisdiction. The board of election commissioners, in 25 appointing an additional deputy registrar, shall make the 26 appointment from a list of applicants submitted by the Chairman of the County Central Committee of the applicant's political party. A Chairman of a County Central Committee shall submit a list of applicants to the board by November 30 of each year. The board may require a Chairman of a County Central Committee to furnish a supplemental list of applicants.

6 Deputy registrars may accept registrations at any time 7 other than the 27 day period preceding an election. All persons 8 appointed as deputy registrars shall be registered voters 9 within the election jurisdiction and shall take and subscribe 10 to the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of registration officer to the best of my ability and that I will register no person nor cause the registration of any person except upon his personal application before me.

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19 (Signature of Registration Officer)" 20 This oath shall be administered and certified to by one of the commissioners or by the executive director or by some 21 22 person designated by the board of election commissioners, and 23 shall immediately thereafter be filed with the board of election commissioners. The members of the board of election 24 25 commissioners and all persons authorized by them under the provisions of this Article to take registrations, after 26

1 themselves taking and subscribing to the above oath, are 2 authorized to take or administer such oaths and execute such 3 affidavits as are required by this Article.

Appointments of deputy registrars under this Section, 4 5 except precinct committeemen, shall be for 2-year terms, 6 commencing on December 1 following the general election of each 7 even-numbered year, except that the terms of the initial appointments shall be until December 1st following the next 8 9 general election. Appointments of precinct committeemen shall 10 be for 2-year terms commencing on the date of the county 11 convention following the general primary at which they were 12 elected. The county clerk shall issue a certificate of 13 appointment to each deputy registrar, and shall maintain in his office for public inspection a list of the names of all 14 15 appointees.

16 (b) The board of election commissioners shall be 17 responsible for training all deputy registrars appointed pursuant to subsection (a), at times and locations reasonably 18 convenient for both the board of election commissioners and 19 20 such appointees. The board of election commissioners shall be 21 responsible for certifying and supervising all deputy 22 registrars appointed pursuant to subsection (a). Deputy 23 registrars appointed under subsection (a) shall be subject to removal for cause. 24

(c) Completed registration materials under the control of
 deputy registrars appointed pursuant to subsection (a) shall be

returned to the appointing election authority within 7 days, 1 2 except that completed registration materials received by the deputy registrars during the period between the 35th and 28th 3 day preceding an election shall be returned by the deputy 4 5 registrars to the appointing election authority within 48 hours 6 after receipt thereof. The completed registration materials 7 received by the deputy registrars on the 28th day preceding an election shall be returned by the deputy registrars within 24 8 9 hours after receipt thereof. Unused materials shall be returned 10 by deputy registrars appointed pursuant to paragraph 4 of 11 subsection (a), not later than the next working day following 12 the close of registration.

(d) The county clerk or board of election commissioners, as the case may be, must provide any additional forms requested by any deputy registrar regardless of the number of unaccounted registration forms the deputy registrar may have in his or her possession.

(e) No deputy registrar shall engage in any electioneering
or the promotion of any cause during the performance of his or
her duties.

(f) The board of election commissioners shall not be criminally or civilly liable for the acts or omissions of any deputy registrar. Such deputy registrars shall not be deemed to be employees of the board of election commissioners.

25 (g) Completed registration materials returned by deputy 26 registrars for persons residing outside the election

SB1586 - 22 - LRB097 07064 HLH 47157 b jurisdiction shall be transmitted by the board of election commissioners within 2 days after receipt to the election authority of the person's election jurisdiction of residence. (Source: P.A. 94-645, eff. 8-22-05; 95-331, eff. 8-21-07.)

5 Section 99. Effective date. This Act takes effect upon6 becoming law.