

Election Laws

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The 2009 session of the General Assembly passed a number of pieces of legislation dealing with elections. The following bills and the resulting public laws address issues of interest to the League. These bills eased the election process for voters:

HB 1131, now **PA 96-0512**, permits the spouse and dependents of military personnel to vote military absentee ballots.

HB 4077, now **PA 96-0317**, prescribes the forms of ID required for those voting for the first time if they registered at the SOS offices or by mail. It also adds other acceptable forms of proof of a voter's residence such as a lease or contract and photo identification cards issued by a college or university and mail addressed to the voter at the address of residence.

HB 0567, now **PA 96-0563**, recognizes that community integrated living arrangements may be considered as a residence for voting purposes.

HB 3972, now **PA 96-0312**, requires that absentee ballots returned by mail must be postmarked by midnight preceding Election Day for counting no later than during the period for counting provisional ballots.

SB 2022, now **PA 96-0553**, permits voters to request an absentee ballot without giving a reason for the absence.

HB 267, now **PA 96-0441**, extends the Grace Period Registration an additional week to the seventh day before the election. Persons who register during the Grace Period wishing to vote must vote in the same office, or by mail, at the discretion of the election authority. They are not allowed to vote at an Early Voting Center or at a polling place on Election Day.

SB1801, now **PA 96-0637**, requires that early voting centers must remain open additional hours on holidays during the Early Voting period and on the final weekend of the Early Voting period.

These two bills made changes affecting elections or governmental ethics provisos.

HB 0723, now **PA 96-0809**, makes changes to the vacancy in nomination process.

SB 0054, now **PA 96-0555**, amends the governmental ethics act making changes relating to Statements of Economic Interest and changes in the state officers and state employees ethics act. (This bill was 114 pages long).

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The League watched two other bills that did not pass. **SB 1666** that would have created an Open Primary reached the Senate floor but lacked the votes to pass. The League does not have a position on an open primary; and,

SB 2079 that would require voters to present a photo ID in order to cast a ballot in the polling place did not get out of committee. The League has opposed similar bills in previous sessions and would have taken action on this bill had it moved.

Campaign Finance laws are part of the Illinois Election Code. Recent legislative changes are covered in the Campaign Finance Report found elsewhere in this Briefing folder.

News from the Illinois State Board of Elections

1. It was reported in the spring of 2009 that all local election authorities had loaded their data into the Illinois Voter Registration System (IVRS) thus finalizing the creation of a statewide voter registration database. A public component allows individuals to check their own voter registration by going to the State Board of Elections website and clicking on “Am I registered to vote in Illinois?” The SBE staff continues to remove duplicate registrations as they are identified by the local election authorities.
2. **PA 95 0971** enacted in 2008 requires Illinois businesses wishing to do work for the state register with the Campaign Disclosure Office of the State Board of Elections. Initially this legislation was implemented using a paper-based system. In the summer of 2009 the SBE moved to an electronically-based system and by September it became accessible to the public. This activity is referred to as Business Entity Registration for Procurement (BEREP).
3. All eight members of the State Board of Elections continue to serve although terms for all have expired. Four members’ terms ended in 2007 and four in 2009. All are appointed by the governor and require Senate approval.
4. SBE staff continues to test the various types of voting equipment used by the local election authorities to assure they meet both Illinois and federal standards.

Outlook for the 2010 legislative session

It is expected that this session will only deal with emergency matters. If election-related problems occur during the Primary, it may be necessary to introduce corrective legislation. SBE has indicated it will introduce wording to clarify some legislation passed in the last session. The requirement that a voter be advised when s/he has under-voted has raised questions about ballot privacy. There is the possibility of a legal challenge. The League will monitor this issue.

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