

## 2015 Issues Briefing: Election Laws

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### LEGISLATIVE ACTIVITY:

Two relevant bills became laws. **HB 3199** provided that school districts be encouraged to close school or hold an institute day when a school building is used as a polling place; and **HB 3816** provided that the State Board of Elections place a statewide advisory question on the ballot to be submitted to the voters on November 4, 2014. It asked whether the Illinois Constitution should be amended to require that each school district receive additional revenue from an additional 3% tax on income greater than \$1,000,000.

Significant changes affecting election procedures in the Election Code were made by this session's Omnibus Elections bill. Some of the changes applied only to the November 2014 election: 1) extending early voting through the Sunday before the election; 2) longer early voting hours during the final week; 3) extending the grace period at limited sites to the Sunday and Monday before Election Day; and, 4) same day registration at limited sites on Election Day. It also covered other election related matters such as rules for filing nominating petitions and objector's petitions, distribution of precinct maps, and rules relating to provisional voting. The bill was signed by the governor on July first.

The General Assembly also passed legislation to place a proposed Constitutional Amendment on the ballot. It proposed adding a new section 8 to Article III, Suffrage and Elections, Titled Voter Discrimination: **No person shall be denied the right to register to vote or to cast a ballot in an election based on race, color, ethnicity, status as a member of a language minority, national origin, religion, sex, sexual orientation, or income.** The League supported the proposed amendment. On November 4<sup>th</sup>, the voters approved it with 71% voting in favor and 29% opposed.

In November legislators passed a major election bill (**SB172**) that makes permanent many changes adopted in July. The Brennan Center for Justice described it as "a sweeping reform that would make Illinois the largest state to replace its antiquated registration system with one more primed to the 21<sup>st</sup> century." Among the highlights are:

- Election Day registration is made permanent and available in all precincts.
- Allows Illinois to join ERIC (Electronic Registration Information Center). ERIC compares voter registration and driver's license information across state lines.
- Grants the state authority to use the National Change of Address data.
- Requires more state agencies to provide hyperlinks to SBE voter registration site.
- Extends postmark deadline for mail ballots to Election Day.
- Allows anyone, not just a relative, to deliver a voter's mail ballot.
- All references to absentee ballots, absentee voters, absentee registration, and absentee voting will be referred to as "vote by mail."

Also included are rules for ballot counting, public university voting and rules for counting and storing ballots.

The League issued a TFA in support of SB172. **SB172** became **PA 98-1171** in January, when Governor Quinn signed it. The State Board of Elections submitted several fiscal notes to the bill giving cost estimates to implement for FY15, FY16, FY17, and FY18. It is clear that time and money is needed to implement this legislation.

Partly in response to the sudden death of Judy Baar Topinka, who was reelected as state comptroller in November, the General Assembly also approved legislation that provides that if there are more than 28 months remaining in the term of the Secretary of State, State Comptroller, Treasurer, or Attorney General, the appointed office holder shall serve until the next general election, at which time the office shall be filled by special election for the remainder of the term. (It) provides for nominations for special elections to fill the unexpired term of a vacant office. It takes effect immediately. Governor Quinn also signed this bill on January 10, 2015.

**ELECTION ADMINISTRATION ACTIVITY:**

The State Board of Elections successfully launched the Paperless Online Voter application (POVA) on June 27, 2014 and by September 24 reported that 12,000 individuals had applied to register to vote using the POVA site. Working cooperatively with the local Election Authorities, SBE is cleaning up the Illinois Voter Registration database removing the duplicates and correcting other errors . It seems likely that the SBE staff will continue to seek legislation to clean up the Election Code.

There were a number of staff changes at the State Board of Elections at the end of the year. Some new employees have been hired in both the Springfield and Chicago offices while a number of longtime employees have retired.