

SB2090 Enrolled

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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 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.

16 (a) In addition to permanent polling places for early
17 voting, the election authority may establish temporary branch
18 polling places for early voting.

19 (b) The provisions of subsection (b) of Section 19A-15 do
20 not apply to a temporary polling place. Voting at a temporary
21 branch polling place may be conducted on any one or more days
22 and during any hours within the period for early voting by

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1 personal appearance that are determined by the election
2 authority.

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

5 (d) The legal rights and remedies which inure to the owner
6 or lessor of private property are not impaired or otherwise
7 affected by the leasing of the property for use as a temporary
8 branch polling place for early voting, except to the extent

necessary to conduct early voting at that location.

(e) In a county with a population of 3,000,000 or more, the

election authority in the county shall establish a temporary

branch polling place under this Section in the county jail.

Only a resident of a county who is in custody at the county

jail and who has not been convicted of the offense for which

the resident is in custody is eligible to vote at a temporary

branch polling place established under this subsection. The

temporary branch polling place established under this

subsection shall allow a voter to vote in the same elections

that the voter would be entitled to vote in where the voter

resides. To the maximum extent feasible, voting booths or

screens shall be provided to ensure the privacy of the voter.

All provisions of this code applicable to pollwatchers

shall apply to a temporary branch polling place under this

subsection (e), subject to approval from the election authority

and the county jail, except that nonpartisan pollwatchers shall

be limited to one per division within the jail instead of one

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per precinct. A county that establishes a temporary branch

polling place inside a county jail in accordance with this

subsection (e) shall adhere to all requirements of this

Act of 1965 and Sections 203 and 208 of the Federal Americans

with Disabilities Act shall apply to this subsection (e).

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

Section 10. The Counties Code is amended by adding Sections

3-15003.3 and 3-15003.4 as follows:

(55 ILCS 5/3-15003.3 new)

Sec. 3-15003.3. Voter registration; county jails. Upon

discharge of a person who is eligible to vote from a county

jail, the county jail shall provide the person with a voter

registration application. Each election authority shall

collaborate with the county jail within the jurisdiction of the

election authority to facilitate voter registration for voters

eligible to vote in that county who are confined or detained in

the county jail. A county jail shall provide a voter

registration application to any person in custody at the jail

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20 who requests an application and is eligible to vote.

21 (55 ILCS 5/3-15003.4 new)

22 Sec. 3-15003.4. Voting rights; county jails; probation
 23 offices.

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1 (a) Each county jail and county probation office shall make
 2 available current resource materials, maintained by the
 3 Illinois State Board of Elections, containing detailed
 4 information regarding the voting rights of a person with a
 5 criminal conviction in print.

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6 (b) The current resource materials described under
 7 subsection (a) shall be provided:

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

9 (2) upon intake of a person by a county probation
 10 department.

11 Section 15. The Unified Code of Corrections is amended by
 12 adding Section 3-2-2.3 and by changing Section 3-14-1 as
 13 follows:

14 (730 ILCS 5/3-2-2.3 new)

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

16 (a) The Department shall make available to a person in its
 17 custody current resource materials, maintained by the Illinois
 18 State Board of Elections, containing detailed information
 19 regarding the voting rights of a person with a criminal
 20 conviction in the following formats:

21 (1) in print;

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

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

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1 (b) The current resource materials described under
 2 subsection (a) shall be provided upon release of a person on
 3 parole, mandatory supervised release, final discharge, or
 4 pardon from the Department.

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

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

(a) Upon release of a person on parole, mandatory release,

final discharge or pardon the Department shall return all

property held for him, provide him with suitable clothing and

procure necessary transportation for him to his designated

place of residence and employment. It may provide such person

with a grant of money for travel and expenses which may be paid

in installments. The amount of the money grant shall be

determined by the Department.

(a-1) The Department shall, before a wrongfully imprisoned

person, as defined in Section 3-1-2 of this Code, is discharged

from the Department, provide him or her with any documents

necessary after discharge.

(a-2) The Department of Corrections may establish and

maintain, in any institution it administers, revolving funds to

be known as "Travel and Allowances Revolving Funds". These

revolving funds shall be used for advancing travel and expense

allowances to committed, paroled, and discharged prisoners.

The moneys paid into such revolving funds shall be from

appropriations to the Department for committed, paroled, and

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Discharged Prisoners.

(a-3) Upon release of a person who is eligible to vote on

parole, mandatory release, final discharge, or pardon, the

Department shall provide the person with a form that informs

him or her that his or her voting rights have been restored and

a voter registration application. The Department shall have

available voter registration applications in the languages

provided by the Illinois State Board of Elections. The form

that informs the person that his or her rights have been

restored shall include the following information:

(1) All voting rights are restored upon release from

the Department's custody.

(2) A person who is eligible to vote must register in

order to be able to vote.

The Department of Corrections shall confirm that the person

received the voter registration application and has been

17 informed that his or her voting rights have been restored.

18 (b) (Blank).

19 (c) Except as otherwise provided in this Code, the
20 Department shall establish procedures to provide written
21 notification of any release of any person who has been
22 convicted of a felony to the State's Attorney and sheriff of
23 the county from which the offender was committed, and the
24 State's Attorney and sheriff of the county into which the
25 offender is to be paroled or released. Except as otherwise
26 provided in this Code, the Department shall establish

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

23 (c-1) (Blank).

24 (c-2) The Department shall establish procedures to provide
25 notice to the Department of State Police of the release or
26 discharge of persons convicted of violations of the

1 Methamphetamine Control and Community Protection Act or a
 2 violation of the Methamphetamine Precursor Control Act. The
 3 Department of State Police shall make this information
 4 available to local, state, or federal law enforcement agencies
 5 upon request.
 6 (c-5) If a person on parole or mandatory supervised release
 7 becomes a resident of a facility licensed or regulated by the
 8 Department of Public Health, the Illinois Department of Public
 9 Aid, or the Illinois Department of Human Services, the
 10 Department of Corrections shall provide copies of the following
 11 information to the appropriate licensing or regulating
 12 Department and the licensed or regulated facility where the
 13 person becomes a resident:
 14 (1) The mittimus and any pre-sentence investigation
 15 reports,
 16 (2) The social evaluation prepared pursuant to Section
 17 3-8-2.
 18 (3) Any pre-release evaluation conducted pursuant to
 19 subsection (j) of Section 3-6-2.
 20 (4) Reports of disciplinary infractions and
 21 dispositions.
 22 (5) Any parole plan, including orders issued by the
 23 Prisoner Review Board, and any violation reports and
 24 dispositions.
 25 (6) The name and contact information for the assigned
 26 parole agent and parole supervisor.

1 This information shall be provided within 3 days of the
 2 person becoming a resident of the facility.
 3 (c-10) If a person on parole or mandatory supervised

4 release becomes a resident of a facility licensed or regulated
 5 by the Department of Public Health, the Illinois Department of
 6 Public Aid, or the Illinois Department of Human Services, the
 7 Department of Corrections shall provide written notification
 8 of such residence to the following:
 9 (1) The Prisoner Review Board.
 10 (2) The chief of police and sheriff in the municipality

11 and county in which the licensed facility is located.

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

14 (d) Upon the release of a committed person on parole,
15 mandatory supervised release, final discharge or pardon, the
16 Department shall provide such person with information
17 concerning programs and services of the Illinois Department of
18 Public Health to ascertain whether such person has been exposed
19 to the human immunodeficiency virus (HIV) or any identified
20 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

21 (e) Upon the release of a committed person on parole,
22 mandatory supervised release, final discharge, pardon, or who
23 has been wrongfully imprisoned, the Department shall verify the
24 released person's full name, date of birth, and social security
25 number. If verification is made by the Department by obtaining
26 a certified copy of the released person's birth certificate and

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1 the released person's social security card or other documents
2 authorized by the Secretary, the Department shall provide the
3 birth certificate and social security card or other documents
4 authorized by the Secretary to the released person. If
5 verification by the Department is done by means other than
6 obtaining a certified copy of the released person's birth
7 certificate and the released person's social security card or
8 other documents authorized by the Secretary, the Department
9 shall complete a verification form, prescribed by the Secretary
10 of State, and shall provide that verification form to the
11 released person.

12 (f) Forty-five days prior to the scheduled discharge of a
13 person committed to the custody of the Department of
14 Corrections, the Department shall give the person who is
15 otherwise uninsured an opportunity to apply for health care
16 coverage including medical assistance under Article V of the
17 Illinois Public Aid Code in accordance with subsection (b) of
18 Section 1-8.5 of the Illinois Public Aid Code, and the
19 Department of Corrections shall provide assistance with
20 completion of the application for health care coverage
21 including medical assistance. The Department may adopt rules to
22 implement this Section.

Illinois General Assembly - Full Text of SB2090
23 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15;
24 99-907, eff. 7-1-17.)