

ISACo POLICY BRIEF

Omnibus Election Law Trailer Bill

P.A. 102-0068

November 15, 2021

OVERVIEW

On November 15, 2021, Governor JB Pritzker signed SB 536 (President Harmon, D-Oak Park/Rep. K. Stuart, D-Edwardsville) into law as P.A. 102-0668. The legislation is a “trailer bill” intended to clean-up and modify several provisions within P.A. 102-0015. New provisions are included as well. The bill took effect immediately upon being signed into law. This *Policy Brief* includes the content of relevance to counties.

Precinct Size Increase

The bill requires counties other than Cook County to increase precinct sizes to 1,200 registered voters. Cook County may increase precinct sizes to include 1,800 registered voters. Current law establishes precinct sizes between 500 and 800 voters. The legislation **requires** election authorities to establish the new precinct boundaries within 60 days of the effective date should the bill be enacted into law.

County Re-Districting Date Correction

The bill establishes December 31, 2021, as the deadline for a county board to approve a re-districting plan while the third Wednesday in November is the deadline for the county board to present a plan. P.A. 102-0015 includes conflicting dates for when the plan must be approved and this provision resolves the conflict. The bill also moves the deadline for the backup commission from October 1, 2021, to February 1, 2022.

Clarification on Vote Centers

The bill includes language providing that there be “at least one” vote center so as to clarify that the requirement that counties establish a vote center is a floor and not a ceiling on the number of vote centers within a county. The language also clarifies that vote centers can be established for both the general and Primary elections.

Vote by Mail Notice and Registration Provisions

The bill clarifies that the requirement for election authorities to send out notice of vote by mail to all qualified voters not more than 90 days nor less than 45 days before an election applies to **both** the general and consolidated Elections. Current law only requires that the notice be sent out ahead of the general election.

QUICK FACTS

- Requires counties to increase precinct sizes within 60 days of effective date.
- Clarifies that December 31, 2021, is the date for submitting county re-districting plans.
- Provides county boards with additional time to complete county board reapportionment.
- Clarifies vote by mail notice and registration provisions and drop box ballot collection requirements.
- Extends deadline for re-districting judicial subcircuits to 2022.

The bill allows voters to register for the permanent vote by mail list at any time. Under current law this registration must occur between 90 and 5 days prior to the election. The bill provides clarification that a voter can only be removed from the roles for changing their registration if that change effects their registration status. Current language requires removal from the roles for any change.

The bill clarifies that a voter is removed from permanent vote by mail status if they register to vote in another election jurisdiction as opposed to another county.

Drop Box Clarification

The bill modifies a provision requiring clerks to pick-up ballots from a drop box at the close-of-business to simply require that ballots are collected each day. The bill further changes the requirement that clerks note which day the ballot was returned by instead requiring that clerks note what day the ballot was collected.

Enhanced Protections for Disabled Voters

The bill codifies federal law that each polling place must include at least one voting booth that is wheelchair accessible.

The bill creates the Access to Voting for Persons with Disabilities Advisory Task Force to review current laws and make recommendations to improve access. The Task Force must publish a report on its website by August 1, 2022, summarizing the laws and resources. By December 15, 2022, the Task Force must submit a report to the General Assembly and Governor. The Task Force expires on January 1, 2024.

Judicial Subcircuit Redistricting Deadline

The bill pushes back the requirement that judicial sub-circuits be remapped from 2021 to 2022.

DuPage Forest Preserve District Redistricting Authority

The bill provides that Commissioners of the DuPage County Forest Preserve District shall be elected from districts as determined by the Forest Preserve Board of Commissioners rather than from the same districts as the county board.

Gender Neutral Voter Registration Form

The bill requires the Illinois State Board of Elections (ISBE) to permit applicants to have a choice between female, male and non-binary options when designating sex on their voter registration form. This becomes effective 90 days after the 2022 general Election.

