

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 changing
5 Sections 4-105, 5-105, 6-105, 12A-10, and 12A-35 as follows:

6 (10 ILCS 5/4-105)

7 Sec. 4-105. First time voting. A person must vote for the
8 first time in person and not by a mailed absentee ballot if the
9 person registered to vote by mail, unless the person first
10 provides the appropriate election authority with sufficient
11 proof of identity and the election authority verifies the
12 person's proof of identity. Sufficient proof of identity shall
13 be demonstrated by submission of the person's driver's license
14 number or State identification card number or, if the person
15 does not have either of those, verification by the last 4
16 digits of the person's social security number, a copy of a
17 current and valid photo identification, or a copy of a current
18 utility bill, bank statement, paycheck, government check, or
19 other government document that shows the person's name and
20 address. Persons who apply to register to vote by mail but
21 provide inadequate proof of identity to the election authority
22 shall be notified by the election authority that the
23 registration has not been fully completed and that the person

1 remains ineligible to vote by mail or in person until such
2 proof is presented. ~~If a person registered to vote by mail, the~~
3 ~~person must vote for the first time in person and not by an~~
4 ~~absentee ballot, except that the person may vote by absentee~~
5 ~~ballot in person if the person first provides the appropriate~~
6 ~~election authority with sufficient proof of identity by the~~
7 ~~person's driver's license number or State identification card~~
8 ~~number or, if the person does not have either of those, by the~~
9 ~~last 4 digits of the person's social security number, a copy of~~
10 ~~a current and valid photo identification, or a copy of any of~~
11 ~~the following current documents that show the person's name and~~
12 ~~address: utility bill, bank statement, paycheck, government~~
13 ~~check, or other government document.~~

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

15 (10 ILCS 5/5-105)

16 Sec. 5-105. First time voting. A person must vote for the
17 first time in person and not by a mailed absentee ballot if the
18 person registered to vote by mail, unless the person first
19 provides the appropriate election authority with sufficient
20 proof of identity and the election authority verifies the
21 person's proof of identity. Sufficient proof of identity shall
22 be demonstrated by submission of the person's driver's license
23 number or State identification card number or, if the person
24 does not have either of those, verification by the last 4
25 digits of the person's social security number, a copy of a

1 current and valid photo identification, or a copy of a current
2 utility bill, bank statement, paycheck, government check, or
3 other government document that shows the person's name and
4 address. Persons who apply to register to vote by mail but
5 provide inadequate proof of identity to the election authority
6 shall be notified by the election authority that the
7 registration has not been fully completed and that the person
8 remains ineligible to vote by mail or in person until such
9 proof is presented. ~~If a person registered to vote by mail, the~~
10 ~~person must vote for the first time in person and not by an~~
11 ~~absentee ballot, except that the person may vote by absentee~~
12 ~~ballot in person if the person first provides the appropriate~~
13 ~~election authority with sufficient proof of identity by the~~
14 ~~person's driver's license number or State identification card~~
15 ~~number or, if the person does not have either of those, by the~~
16 ~~last 4 digits of the person's social security number, a copy of~~
17 ~~a current and valid photo identification, or a copy of any of~~
18 ~~the following current documents that show the person's name and~~
19 ~~address: utility bill, bank statement, paycheck, government~~
20 ~~check, or other government document.~~

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

22 (10 ILCS 5/6-105)

23 Sec. 6-105. First time voting. A person must vote for the
24 first time in person and not by a mailed absentee ballot if the
25 person registered to vote by mail, unless the person first

1 provides the appropriate election authority with sufficient
2 proof of identity and the election authority verifies the
3 person's proof of identity. Sufficient proof of identity shall
4 be demonstrated by submission of the person's driver's license
5 number or State identification card number or, if the person
6 does not have either of those, verification by the last 4
7 digits of the person's social security number, a copy of a
8 current and valid photo identification, or a copy of a current
9 utility bill, bank statement, paycheck, government check, or
10 other government document that shows the person's name and
11 address. Persons who apply to register to vote by mail but
12 provide inadequate proof of identity to the election authority
13 shall be notified by the election authority that the
14 registration has not been fully completed and that the person
15 remains ineligible to vote by mail or in person until such
16 proof is presented. ~~If a person registered to vote by mail, the~~
17 ~~person must vote for the first time in person and not by an~~
18 ~~absentee ballot, except that the person may vote by absentee~~
19 ~~ballot in person if the person first provides the appropriate~~
20 ~~election authority with sufficient proof of identity by the~~
21 ~~person's driver's license number or State identification card~~
22 ~~number or, if the person does not have either of those, by the~~
23 ~~last 4 digits of the person's social security number, a copy of~~
24 ~~a current and valid photo identification, or a copy of any of~~
25 ~~the following current documents that show the person's name and~~
26 ~~address: utility bill, bank statement, paycheck, government~~

1 ~~check, or other government document.~~

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

3 (10 ILCS 5/12A-10)

4 Sec. 12A-10. Candidate statements and photographs in the
5 Internet Guide.

6 (a) Any candidate whose name appears in the Internet Guide
7 may submit a written statement and a photograph to appear in
8 the Internet Guide, provided that:

9 (1) No personal statement may exceed a brief biography
10 (name, age, education, and current employment) and an
11 additional 400 words.

12 (2) Personal statements may include contact
13 information for the candidate, including the address and
14 phone number of the campaign headquarters, and the
15 candidate's website.

16 (3) Personal statements may not mention a candidate's
17 opponents by name.

18 (4) No personal statement may include language that may
19 not be legally sent through the mail.

20 (5) The photograph shall be a conventional photograph
21 with a plain background and show only the face, or the
22 head, neck, and shoulders, of the candidate.

23 (6) The photograph shall not (i) show the candidate's
24 hands, anything in the candidate's hands, or the candidate
25 wearing a judicial robe, a hat, or a military, police, or

1 fraternal uniform or (ii) include the uniform or insignia
2 of any organization.

3 (b) The Board must note in the text of the Internet Guide
4 that personal statements were submitted by the candidate or his
5 or her designee and were not edited by the Board.

6 (c) Where a candidate declines to submit a statement, the
7 Board may note that the candidate declined to submit a
8 statement.

9 (d) (Blank.) ~~The candidate must pay \$600 for inclusion of
10 his or her personal statement and photograph, and the Board
11 shall not include photographs or statements from candidates who
12 do not pay the fee. The Board may adopt rules for refunding
13 that fee at the candidate's request, provided that the Board
14 may not include a statement or photograph from a candidate who
15 has requested a refund of a fee. Fees collected pursuant to
16 this subsection shall be deposited into the Voters' Guide Fund,
17 a special fund created in the State treasury. Moneys in the
18 Voters' Guide Fund shall be appropriated solely to the State
19 Board of Elections for use in the implementation and
20 administration of this Article 12A.~~

21 (e) Anyone other than the candidate submitting a statement
22 or photograph from a candidate must attest that he or she is
23 doing so on behalf and at the direction of the candidate. The
24 Board may assess a civil fine of no more than \$1,000 against a
25 person or entity who falsely submits a statement or photograph
26 not authorized by the candidate.

1 (f) Nothing in this Article makes the author of any
2 statement exempt from any civil or criminal action because of
3 any defamatory statements offered for posting or contained in
4 the Internet Guide. The persons writing, signing, or offering a
5 statement for inclusion in the Internet Guide are deemed to be
6 its authors and publishers, and the Board shall not be liable
7 in any case or action relating to the content of any material
8 submitted by any candidate.

9 (g) The Board may set reasonable deadlines for the
10 submission of personal statements and photographs, ~~provided~~
11 ~~that a deadline may not be less than 5 business days after the~~
12 ~~last day for filing new party petitions.~~

13 (h) The Board may set formats for the submission of
14 statements and photographs. The Board may require that
15 statements and photographs are submitted in an electronic
16 format.

17 (i) ~~Fines Fees and fines~~ collected pursuant to subsection
18 ~~subsections (d) and (e), respectively,~~ of this Section shall be
19 deposited into the Voters' Guide Fund, a special fund created
20 in the State treasury. Moneys in the Voters' Guide Fund shall
21 be appropriated solely to the State Board of Elections for use
22 in the implementation and administration of this Article 12A.

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

24 (10 ILCS 5/12A-35)

25 Sec. 12A-35. Board's review of candidate photograph and

1 statement; procedure for revision.

2 (a) If a candidate files a photograph and statement under
3 item (8) of Section 12A-5 in a voters' guide, the Board shall
4 review the photograph and statement to ensure that they comply
5 with the requirements of Section 12A-10. Review by the Board
6 under this Section shall be limited to determining whether the
7 photograph and statement comply with the requirements of
8 Section 12A-10 and may not include any determination relating
9 to the accuracy or truthfulness of the substance or contents of
10 the materials filed.

11 (b) The Board shall review each photograph and statement
12 ~~not later than 3 business days following the deadline for~~
13 ~~filing a photograph and statement.~~ If the Board determines that
14 the photograph or statement of a candidate must be revised in
15 order to comply with the requirements of Section 12A-10, the
16 Board shall attempt to contact the candidate ~~not later than the~~
17 ~~5th day after the deadline for filing a photograph and~~
18 ~~statement.~~ A candidate contacted by the Board under this
19 Section may file a revised photograph or statement no later
20 than the 5th ~~7th~~ business day following notification ~~the~~
21 ~~deadline for filing a photograph and statement.~~

22 (c) If the Board is required to attempt to contact a
23 candidate under subsection (b) of this Section, the Board shall
24 attempt to contact the candidate by telephone or by using an
25 electronic transmission facsimile machine, if such contact
26 information is provided by the candidate.

1 (d) If the Board is unable to contact a candidate, if the
2 candidate does not file a revised photograph or statement, or
3 if the revised filing under subsection (b) again fails to meet
4 the standards of review set by the Board:

5 (1) If a photograph does not comply with Section
6 12A-10, the Board may modify the photograph. The candidate
7 shall pay the expense of any modification before
8 publication of the photograph in the voters' guide. If the
9 photograph cannot be modified to comply with Section
10 12A-10, the photograph shall not be printed in the guide.

11 (2) If a statement does not comply with Section 12A-10,
12 the statement shall not be published in the voters' guide.

13 (e) If the photograph or statement of a candidate filed
14 under item (8) of Section 12A-5 does not comply with a
15 requirement of Section 12A-10 and the Board does not attempt to
16 contact the candidate by the deadline specified in subsection
17 (b) of this Section, then, for purposes of this Section only,
18 the photograph or statement shall be published as filed.

19 (f) A candidate revising a photograph or statement under
20 this Section shall make only those revisions necessary to
21 comply with Section 12A-10.

22 (g) The Board may by rule define the term "contact" as used
23 in this Section.

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