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 Section

5   28-12 as follows:

6   (10 ILCS 5/28-12) (from Ch. 46, par. 28-12)

7   Sec. 28-12. Upon receipt of the certificates of the

8   election authorities showing the results of the sample

9   signature verification, the Board shall:

10   1. Based on the sample, calculate the ratio of invalid

11   or valid signatures in each election jurisdiction.

12   2. Apply the ratio of invalid to valid signatures in an

13   election jurisdiction sample to the total number of

14   petition signatures submitted from that election

15   jurisdiction.

16   3. Compute the degree of multiple signature

17   contamination in each election jurisdiction sample.

18   4. Adjust for multiple signature contamination and the

19   invalid signatures, project the total number of valid

20   petition signatures submitted from each election

21   jurisdiction.

22   5. Aggregate the total number of projected valid

23   signatures from each election jurisdiction and project the

1   total number of valid signatures on the petition statewide.

2   If such statewide projection establishes a total number of

3   valid petition signatures not greater than 95.0% of the minimum

4   number of signatures required to qualify the proposed statewide

5   advisory public question for the ballot, the petition shall be

6   presumed invalid; provided that, prior to the last day for

7   ballot certification for the general election, the Board shall

8   conduct a hearing for the purpose of allowing the proponents to

9   present competent evidence or an additional sample to rebut the

10   presumption of invalidity. At the conclusion of such hearing,

11   and after the resolution of any specific objection filed

12   pursuant to Section 10-8 of this Code, the Board shall issue a

13   final order declaring the petition to be valid or invalid and

14   shall, in accordance with its order, certify or not certify the

15   proposition for the ballot.

16   If such statewide projection establishes a total number of

17   valid petition signatures greater than 95.0% of the minimum

18   number of signatures required to qualify the proposed

19   ~~Constitutional amendment or~~ statewide advisory public question

20   for the ballot, the results of the sample shall be considered

21   inconclusive and, if no specific objections to the petition are

22   filed pursuant to Section 10-8 of this Code, the Board shall

23   issue a final order declaring the petition to be valid and

24   shall certify the proposition for the ballot.

25   In either event, the Board shall append to its final order

26   the detailed results of the sample from each election

1 jurisdiction which shall include: (a) specific page and line
2 numbers of signatures actually verified or determined to be
3 invalid by the respective election authorities, and (b) the
4 calculations and projections performed by the Board for each
5 election jurisdiction.
6 (Source: P.A. 97-81, eff. 7-5-11.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.