

1 AN ACT concerning voters' guides.

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
5 Article 12A as follows:

6 (10 ILCS 5/Art. 12A heading new)

7 ARTICLE 12A. COUNTY INTERNET VOTERS' GUIDE

8 (10 ILCS 5/12A-1 new)

9 Sec. 12A-1. Definitions. As used in this Article,
10 unless the context otherwise requires:

11 "Board" means the State Board of Elections.

12 "Election authority" means a county clerk or a Board of
13 Election Commissioners.

14 (10 ILCS 5/12A-5 new)

15 Sec. 12A-5. County voters' guide. When directed by
16 resolution of the county board, the election authority of any
17 county must post a county voters' guide on the county or
18 election authority's World Wide Web site for an election of
19 judicial candidates.

20 (10 ILCS 5/12A-10 new)

21 Sec. 12A-10. Information required to be included in
22 voters' guide.

23 (a) If a county produces a county voters' guide, the
24 county voters' guide must include, when applicable, at least
25 the following information:

26 (1) A sample ballot containing the names of
27 candidates for the office of judge of the Supreme,
28 Appellate, or Circuit Courts in the county.

1 (2) Requirements for a citizen to qualify as an
2 elector.

3 (3) Requirements for registration, transfer of
4 registration, and re-registration.

5 (4) Instructions as to how an elector may obtain and
6 use an absentee ballot.

7 (5) Elector instructions, including the right of an
8 elector to request a second ballot if the first ballot is
9 spoiled, the right of an elector to take into the voting
10 booth a sample ballot marked in advance, and the right of
11 an elector to seek assistance of the judges of election
12 or someone of the elector's own choosing, other than the
13 elector's employer or agent of that employer or officer
14 or agent of the elector's union, in marking the ballot.

15 (6) The hours that the polling places are open.

16 (7) Any portraits and statements relating to
17 candidates submitted under the provisions of this
18 Article.

19 (8) A listing of the polling places.

20 (9) Any other information that the election
21 authority considers to be appropriate or necessary to
22 inform the voters.

23 (10 ILCS 5/12A-15 new)

24 Sec. 12A-15. Schedule and procedures for producing
25 guide; fees.

26 (a) The State Board of Elections must, by rule, adopt a
27 schedule and procedures for producing county voters' guides.
28 The schedule and procedures must include, but not be limited
29 to, deadlines for filing material for the voters' guide and
30 except as otherwise provided by law, the format of material
31 to be submitted and the size and other requirements
32 applicable to candidate portraits.

33 (b) The Board must, by rule, adopt a schedule of fees to

1 be charged by the election authority for including portraits
2 of candidates and statements in the voters' guide. The fees
3 need not reflect the actual cost of producing the voters'
4 guide. The election authority must refund the filing fee to
5 any person who applies for the refund not later than the last
6 day for filing material for inclusion in the voters' guide.
7 When a refund is made, the material for which the fee was
8 paid may not be included in the guide.

9 (10 ILCS 5/12A-20 new)

10 Sec. 12A-20. Filing portrait and statement by or for
11 candidate. Not later than the date specified by the Board,
12 any candidate for election for the office of judge of the
13 Supreme, Appellate, or Circuit Courts within the county, or
14 an agent of the candidate, may file with the election
15 authority of a county that prepares a county voters' guide a
16 portrait of the candidate and a typewritten statement of the
17 reasons the candidate should be elected. The portrait and
18 statement must comply with the applicable rules of the Board.
19 The election authority may not accept the filing of a
20 statement or portrait of any candidate unless the filing is
21 accompanied by the appropriate fee as prescribed by the
22 Board.

23 (10 ILCS 5/12A-25 new)

24 Sec. 5/12A-25. Cost of posting. All fees collected by an
25 election authority under this Act must be transmitted to the
26 State Board of Elections, as provided by rule of the Board,
27 and deposited by the Board into the General Revenue Fund. The
28 State Board of Elections must reimburse the election
29 authority for the actual costs of posting the county voters'
30 guide from an appropriation made by the General Assembly.

31 (10 ILCS 5/12A-30 new)

1 Sec. 12A-30. Content of statements; notice of material
2 that may be excluded.

3 (a) Statements submitted for inclusion in a county
4 voters' guide by a candidate, political party, political
5 committee, or other person must consist only of words or
6 numbers.

7 (b) The election authority must specify on any
8 instructions for filing a statement in the voters' guide that
9 the statement may be excluded under Section 12A-40.

10 (10 ILCS 5/12A-35 new)

11 Sec. 12A-35. Names of persons or organizations excluded
12 from statements; exceptions.

13 (a) Except as provided in subsection (b) of this
14 Section, the election authority may not print the name of any
15 person or organization in any statement of any candidate,
16 filed for inclusion in a county voters' guide, if the name of
17 the person or organization is cited as supporting or
18 endorsing the statement.

19 (b) The election authority may print the name of a
20 person or organization in a statement submitted for inclusion
21 in a county voters' guide as supporting or endorsing the
22 statement if:

23 (1) not later than the deadline for filing a
24 statement with the election authority, the election
25 authority receives a statement signed by the person, or
26 by an authorized person on behalf of an organization,
27 stating that the person consents to the use of the name
28 of the person or organization; or

29 (2) the name of a person or organization is used
30 with a quotation made by the person on behalf of the
31 person or by an authorized person on behalf of an
32 organization, the quotation was disseminated to the
33 public prior to its inclusion in the argument or

1 statement, and the quotation is identified by its source
2 and date.

3 (c) A person may not submit a false signature under
4 subsection (b) of this Section.

5 (10 ILCS 5/12A-40 new)
6 Sec. 12A-40. Type of material to be excluded from guide;
7 liability for libel; procedure if material excluded.

8 (a) The election authority must reject any statement
9 offered for filing and posting in a county voters' guide
10 that:

11 (1) contains any obscene, profane, or defamatory
12 language;

13 (2) incites or advocates hatred, abuse, or violence
14 toward any person or group; or

15 (3) contains any language that may not legally be
16 circulated through the mails.

17 (b) Nothing in this Article makes the author of any
18 statement exempt from any civil or criminal action because of
19 any defamatory statements offered for posting or contained in
20 the voters' pamphlet. The persons writing, signing, or
21 offering a statement for filing are deemed its authors and
22 publishers.

23 (c) The Board must, by rule, establish a procedure to
24 notify a person who offered a statement that was rejected
25 under this Section. Subject to voters' guide deadlines, the
26 procedure must require the election authority to:

27 (1) make reasonable attempts to notify the person of
28 the rejection; and

29 (2) allow the person, if notified under paragraph
30 (1) of this subsection, to revise the statement so that
31 it does not violate the provisions of this Section.

32 (10 ILCS 5/12A-45 new)

1 Sec. 12A-45. Format of candidate's statement. The
2 candidate's statement in a county voters' guide must begin
3 with a summary of the following: occupation, educational and
4 occupational background, and prior governmental experience.

5 (10 ILCS 5/12A-50 new)

6 Sec. 12A-50. Exemption from public records law.
7 Notwithstanding any other provisions of law relating to
8 public records, materials filed by a candidate for inclusion
9 in a county voters' guide are exempt from public inspection
10 until the 4th business day after the final date for filing
11 the materials.

12 (10 ILCS 5/12A-55 new)

13 Sec. 12A-55. Statements inadmissible in action to enjoin
14 publication of guide. Material submitted for inclusion in any
15 county voters' guide may not be admitted as evidence in any
16 suit or action against the election authority to restrain or
17 enjoin the posting of the voters' guide.