

1 AN ACT concerning voters' pamphlets.

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. VOTERS' PAMPHLET

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 "Candidate" means any person seeking nomination for
13 election to or election to the office of Governor, Lieutenant
14 Governor, Attorney General, Secretary of State, Comptroller,
15 or Treasurer.

16 (10 ILCS 5/12A-5 new)

17 Sec. 12A-5. Disposition of fees. The Board shall pay
18 fees received under this Article into the Voters' Pamphlet
19 Fund.

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

21 Sec. 12A-10. Statements included in voters' pamphlet.

22 (a) The Board shall prepare and have printed in the
23 general primary election and general election State voters'
24 pamphlet a statement containing the following information:

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

27 (2) When an elector is required to register,

1 re-register, or transfer a registration.

2 (3) How an elector may obtain an absentee ballot.

3 (b) The Board shall include a statement on the cover of
4 the voters' pamphlet that the pamphlet may be used to assist
5 electors at the polls.

6 (c) The Board may include in the voters' pamphlet the
7 following information:

8 (1) Voter registration forms.

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

18 (10 ILCS 5/12A-15 new)

19 Sec. 12A-15. Content of statements.

20 (a) Statements submitted for inclusion in a voters'
21 pamphlet by a candidate, political party, or political
22 committee shall consist only of words or numbers.

23 (b) The Board shall specify on any instructions for
24 filing a statement or other material in the voters' pamphlet
25 that the statement or material may be excluded under 12A-30.

26 (10 ILCS 5/12A-20 new)

27 Sec. 12A-20. Names of persons or organizations excluded
28 from statements; exceptions.

29 (a) Except as provided in subsection (b) of this
30 Section, the Board may not print the name of any person or
31 organization in any statement of any candidate, political
32 party, or political committee filed for inclusion in the

1 voters' pamphlet, if the name of the person or organization
2 is cited as supporting or endorsing the statement.

3 (b) The Board may print the name of a person or
4 organization in a statement submitted for inclusion in the
5 voters' pamphlet as supporting or endorsing the statement if:

6 (1) not later than the deadline for filing a
7 statement with the Board, the Board receives a statement
8 signed by the person, or by an authorized person on
9 behalf of an organization, stating that the person
10 consents to the use of the name of the person or
11 organization; or

12 (2) the name of a person or organization is used
13 with a quotation made by the person on behalf of the
14 person or by an authorized person on behalf of an
15 organization, the quotation was disseminated to the
16 public prior to its inclusion in the statement, and the
17 quotation is identified by its source and date.

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

20 (10 ILCS 5/12A-25 new)

21 Sec. 12A-25. Type of material to be excluded from
22 pamphlet; liability for libel; procedure of material
23 excluded.

24 (a) The Board shall reject any statement or other matter
25 offered for filing and printing in a voters' pamphlet that:

26 (1) contains any obscene, profane, or defamatory
27 language;

28 (2) incites or advocates hatred, abuse, or violence
29 toward any person or group; or

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

32 (b) Nothing in this Article shall make the author of any
33 statement or argument exempt from any civil or criminal

1 action because of any defamatory statements offered for
2 printing or contained in the voters' pamphlet. The persons
3 writing, signing, or offering a statement for filing shall be
4 deemed its authors and publishers.

5 (c) The Board shall by rule establish a procedure to
6 notify a person who offered a statement or other matter that
7 was rejected under this Section. Subject to voters' pamphlet
8 deadlines, the procedure shall require the Board to:

9 (1) make reasonable attempts to notify the person
10 of the rejection; and

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

14 (10 ILCS 5/12A-30 new)

15 Sec. 12A-30. Filing portrait and statement by or for
16 candidate; format of statement.

17 (a) Not later than the 98th day before the general
18 primary election, any candidate for nomination for election
19 at the general primary election to the office of Governor,
20 Lieutenant Governor, Attorney General, Secretary of State,
21 State Comptroller, or State Treasurer, or an agent on behalf
22 of the candidate, may file with the Board a portrait of the
23 candidate and a typewritten statement of the reasons the
24 candidate should be nominated or elected.

25 (b) Not later than the 68th day before the general
26 election, any candidate for election at the general election
27 to the office of Governor, Lieutenant Governor, Attorney
28 General, Secretary of State, State Comptroller, or State
29 Treasurer or an agent on behalf of the candidate, may file
30 with the Board a portrait of the candidate and a typewritten
31 statement of the reasons the candidate should be elected.

32 (c) The Board shall by rule establish the format and
33 length of the statement permitted under this Section.

1 (d) A portrait or statement filed under this Section
 2 shall be accompanied by a telephone or electronic facsimile
 3 transmission machine number where the candidate may be
 4 contacted for purposes of Section 12A-45.

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

6 Sec. 12A-35. Portrait requirements.

7 (a) A candidate may not submit for inclusion in the
 8 voters' pamphlet a portrait that was taken more than 2 years
 9 before the date the portrait is filed with the Board.

10 (b) A portrait submitted for inclusion in the voters'
 11 pamphlet shall:

12 (1) be a conventional photograph with a plain
 13 background;

14 (2) show the face or the head, neck, and shoulders
 15 of the candidate; and

16 (3) be prepared and processed for printing as
 17 prescribed by the Board.

18 (c) A portrait submitted for inclusion in the voters'
 19 pamphlet shall not:

20 (1) include the hands or anything held in the hands
 21 of the candidate;

22 (2) show the candidate wearing a judicial robe, a
 23 hat, or a military, police, or fraternal uniform; and

24 (3) show the uniform or insignia of any
 25 organization.

26 (d) The portrait of a candidate printed in the voters'
 27 pamphlet shall be 3 inches high and 2 inches wide. Each
 28 portrait shall be placed in the upper left corner of the
 29 candidate's allotted space.

30 (10 ILCS 5/12A-40 new)

31 Sec. 12A-40. Format of candidate's statement. The
 32 candidate's statement shall begin with a summary of the

1 following: occupation, educational and occupational
2 background, and prior governmental experience.

3 (10 ILCS 5/12A-45 new)

4 Sec. 12A-45. Board's review of candidate portrait and
5 statement; procedure for revision.

6 (a) If a candidate files a portrait and statement under
7 Section 12A-30 for inclusion in the voters' pamphlet, the
8 Board shall review the portrait and statement to ensure that
9 the portrait complies with the requirements of Section 12A-35
10 and that the statement complies with the requirements of
11 Sections 12A-20 and 12A-40.

12 (b) Review by the Board under this Section shall be
13 limited to determining whether the portrait and statement
14 comply with the requirements of Sections 12A-20, 12A-35, and
15 12A-40 and shall not include any determination relating to
16 the accuracy or truthfulness of materials filed.

17 (c) The Board shall review each portrait and statement
18 not later than 3 business days following the deadline for
19 filing a portrait and statement under Section 12A-30. If the
20 Board determines that the portrait or statement of a
21 candidate must be revised in order to comply with the
22 requirements of Sections 12A-20, 12A-35, or 12A-40, the Board
23 shall attempt to contact the candidate not later than the 5th
24 business day after the deadline for filing a portrait and
25 statement under Section 12A-30. A candidate contacted by the
26 Board under this Section may file a revised portrait or
27 statement no later than the 7th business day following the
28 deadline for filing a portrait and statement under Section
29 12A-30.

30 (d) If the Board is required to attempt to contact a
31 candidate under subsection (c) of this Section, the Board
32 shall attempt to contact the candidate by telephone or by
33 using an electronic transmission facsimile machine.

1 (e) If the Board is unable to contact a candidate or if
2 the candidate does not file a revised portrait or statement:

3 (1) If a portrait does not comply with Section
4 12A-35, the Board may modify the portrait. The candidate
5 shall pay the expense of any modification before
6 publication of the portrait in the voters' pamphlet. If
7 the portrait cannot be modified to comply with Section
8 12A-35, the portrait may not be printed in the voters'
9 pamphlet.

10 (2) If a statement does not comply with Section
11 12A-40, the statement may not be printed in the voters'
12 pamphlet.

13 (3) If a statement does not comply with Section
14 12A-20, the Board shall edit the statement to remove
15 language that does not comply with Section 12A-20.

16 (f) If the portrait or statement of a candidate filed
17 under 12A-30 does not comply with a requirement of Sections
18 12A-20, 12A-35, or 12A-40 and the Board does not attempt to
19 contact the candidate by the deadline specified in subsection
20 (c) of this Section, for purposes of Sections 12A-20, 12A-35,
21 and 12A-40 only, the portrait or statement shall be printed
22 as filed.

23 (g) A candidate revising a portrait or statement under
24 this Section shall make only those revisions necessary to
25 comply with Sections 12A-20, 12A-35, and 12A-40.

26 (h) The Board may by rule define the term "contact" as
27 used in this Section.

28 (10 ILCS 5/12A-50 new)

29 Sec. 12A-50. Fees for space in voters' pamphlet

30 (a) At the time of filing materials under Section
31 12A-30, each candidate for nomination or election shall pay
32 to the Board a fee of not more than \$300 for 59.6 square
33 inches of space in the voters' pamphlet.

1 (b) The space allotted to each candidate shall be used
2 for the portrait and statement filed under Section 12A-30.
3 If a portrait is not filed, the statement may cover the
4 entire allotted space. The length of the statement shall be
5 limited to not more than 900 words for 59.6 square inches of
6 space.

7 (10 ILCS 5/12A-55 new)

8 Sec. 12A-55. Identification of portrait or statement.
9 On each allotted space of the voters' pamphlet containing a
10 portrait or statement filed by a candidate, political party,
11 political committee, or other person, the Board shall
12 indicate who furnished the portrait or statement.

13 (10 ILCS 5/12A-60 new)

14 Sec. 12A-60. Refund of filing fee. No later than the
15 last day for filing material for inclusion in a voters'
16 pamphlet, the person who paid the filing fee may receive a
17 refund from the Board. When a refund is made, the material
18 for which the fee was paid may not be included in the
19 pamphlet.

20 (10 ILCS 5/12A-65 new)

21 Sec. 12A-65. Exemption from public records laws; State
22 voters' pamphlet. Notwithstanding any other provision of
23 law, materials filed by a candidate, political party,
24 political committee, or other person for inclusion in a State
25 voters' pamphlet are exempt from public inspection until the
26 4th business day after the final date for filing the
27 materials.

28 (10 ILCS 5/12A-70 new)

29 Sec. 12A-70. Statements inadmissible in action to enjoin
30 publication of pamphlet. Material submitted for inclusion in

1 any State voters' pamphlet may not be admitted as evidence in
2 any suit or action against the Board to restrain or enjoin
3 the publication of the voters' pamphlet.

4 (10 ILCS 5/12A-75 new)

5 Sec. 12A-75. Preparation of State voters' pamphlet.

6 (a) The Secretary of State shall prepare for printing:

7 (1) a list of the names of candidates for
8 nomination for election at the general primary election
9 to the offices of Governor, Lieutenant Governor, Attorney
10 General, Secretary of State, State Comptroller, or State
11 Treasurer or a list of names of candidates for election
12 at the general election to the offices of Governor,
13 Lieutenant Governor, Attorney General, Secretary of
14 State, State Comptroller, or State Treasurer, along with
15 a designation of the offices for which the candidates are
16 competing; and

17 (2) all portraits and statements filed under
18 Section 12A-30.

19 (b) The items specified in subsection (a) of this
20 Section shall be properly compiled, edited, prepared, and
21 indexed for printing by the Board before delivery to the
22 printer.

23 (c) In the general primary election pamphlet, all
24 candidates of one established political party shall be
25 grouped separately from all candidates of another established
26 political party. The order in which the groups of candidates
27 for the established political parties appear shall be
28 alternated for successive general primary elections. If the
29 pamphlet is printed on pages of 8-1/2 inches by 11 inches,
30 material relating to candidates for different offices may not
31 appear on the same page of the pamphlet. When material of a
32 candidate for the same office appears on a succeeding page, a
33 statement shall be placed in the top margin of the pamphlet

1 page indicating that material of additional candidates for
2 the same office continues on the next page.

3 (d) The Board shall have printed as many copies of the
4 voters' pamphlet that it estimates will be necessary for
5 distribution under Section 12A-80.

6 (10 ILCS 5/12A-80 new)

7 Sec. 12A-80. Distribution of pamphlet. Not later than
8 the 15th day before an election for which a voters' pamphlet
9 has been prepared, the Board shall cause the voters' pamphlet
10 to be mailed to each post office mailing address in the
11 State, and shall use any additional means of distribution
12 necessary to make the pamphlet available to electors.

13 Section 10. The State Finance Act is amended by adding
14 Section 8g as follows:

15 (30 ILCS 105/8h new)

16 Sec. 8h. Voters' Pamphlet Fund. There is created
17 outside of the State treasury a trust fund to be known as the
18 Voters' Pamphlet Fund. Moneys in the Fund may be used by the
19 State Board of Elections, subject to appropriation, for the
20 costs associated with producing voters' pamphlets under
21 Article 12A of the Election Code. The State Treasurer shall
22 be the custodian of the Voters' Pamphlet Fund.

23 Section 15. The Illinois Vehicle Code is amended by
24 adding Section 3-421.1 as follows:

25 (625 ILCS 5/3-421.1 new)

26 Sec. 3-421.1. Sealed bids.

27 (a) The right of reassignment of a license plate
28 provided by Section 3-421 of this Act shall not apply to the
29 natural persons holding license plate numbers 1 through

1 10,000, first letters A through Z, first Letters AA through
2 ZZ, and first letters AAA through ZZZ. Reassignment of those
3 license numbers and letters shall be made on a sealed bid
4 basis as follows:

5 (1) The Secretary of State shall establish and
6 maintain a database for reception and recordation of bids
7 on the plates;

8 (2) Natural persons wishing to be assigned one of
9 the license plate numbers 1 through 10,000, first letters
10 A through Z, first letters AA through ZZ, or first
11 letters AAA through ZZZ, including the natural person to
12 whom the number or letter is currently assigned, shall
13 submit a sealed bid for that plate to the Secretary of
14 State, who shall record it;

15 (3) When the current registration plate term for a
16 particular license number expires, the Secretary of State
17 shall examine the data base established by paragraph (1)
18 of this subsection, determine the highest bid for the
19 particular license number, and assign the license plate
20 number to the natural person who submitted the highest
21 bid upon receipt of the amount stated in the sealed bid.

22 (b) The fees established in Section 3-806 of this Act
23 shall be required in addition to the sealed bid. Money
24 generated by the procedure established by this Section, other
25 than those fees required by Section 3-806 of this Code, shall
26 be transferred to the Voters' Pamphlet Fund.

1 INDEX

2 Statutes amended in order of appearance

- 3 10 ILCS 5/Art. 12A heading new
- 4 10 ILCS 5/12A-1 new
- 5 10 ILCS 5/12A-5 new
- 6 10 ILCS 5/12A-10 new
- 7 10 ILCS 5/12A-15 new
- 8 10 ILCS 5/12A-20 new
- 9 10 ILCS 5/12A-25 new
- 10 10 ILCS 5/12A-30 new
- 11 10 ILCS 5/12A-35 new
- 12 10 ILCS 5/12A-40 new
- 13 10 ILCS 5/12A-45 new
- 14 10 ILCS 5/12A-50 new
- 15 10 ILCS 5/12A-55 new
- 16 10 ILCS 5/12A-60 new
- 17 10 ILCS 5/12A-65 new
- 18 10 ILCS 5/12A-70 new
- 19 10 ILCS 5/12A-75 new
- 20 10 ILCS 5/12A-80 new
- 21 30 ILCS 105/8g new
- 22 625 ILCS 5/3-421.1 new