

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 adding
5 Section 1A-16 and Article 12A as follows:

6 (10 ILCS 5/1A-16 new)

7 Sec. 1A-16. Voters' rights. The State Board of
8 Elections must post a list of voters' rights on its World
9 Wide Web site.

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

11 ARTICLE 12A. VOTERS' PAMPHLET

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

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

15 "Board" means the State Board of Elections.

16 "Election authority" means a county clerk or Board of
17 Election Commissioners.

18 "Electoral district" means a county, municipality, or
19 district as defined in Section 1-3 of this Code.

20 "Public question" or "question" means any question,
21 proposition, or measure submitted to the voters under Article
22 28 of this Code, except that "public question" shall not
23 include questions relating to the Constitution.

24 (10 ILCS 5/12A-5 new)

25 Sec. 12A-5. Joint production of State and county voters'
26 pamphlet. Notwithstanding any other law to the contrary, the
27 State Board of Elections and a county may enter into an

1 intergovernmental agreement as provided in the
 2 Intergovernmental Cooperation Act under which the Board and
 3 the election authority of the county may jointly produce a
 4 voters' pamphlet for any election as provided under this
 5 Article.

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

7 Sec. 12A-10. Disposition of fees. The Board shall pay
 8 fees received under this Article into the General Revenue
 9 Fund.

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

11 Sec. 12A-15. Statements included in voters' pamphlet.

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

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

17 (2) When an elector is required to register,
 18 re-register, or transfer a registration.

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

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

23 (c) The Board may include in the voters' pamphlet the
 24 following information:

25 (1) Voter registration forms.

26 (2) Elector instructions, including the right of an
 27 elector to request a second ballot if the first ballot is
 28 spoiled, the right of an elector to take into the voting
 29 booth a sample ballot marked in advance, and the right of
 30 an elector to seek the assistance of the judges of
 31 election or someone of the elector's own choosing, other
 32 than the elector's employer or agent of that employer or

1 officer or agent of the elector's union, in marking the
2 ballot.

3 (10 ILCS 5/12A-20 new)

4 Sec. 12A-20. Content of statements and arguments.

5 (a) Statements and arguments submitted for inclusion in
6 a voters' pamphlet by a candidate, political party, political
7 committee, or person supporting or opposing a public question
8 shall consist only of words or numbers.

9 (b) The Board shall specify on any instructions for
10 filing a statement, argument, or other material in the
11 voters' pamphlet that the statement, argument, or material
12 may be excluded under Section 12A-30.

13 (10 ILCS 5/12A-25 new)

14 Sec. 12A-25. Names of persons or organizations excluded
15 from arguments and statements; exceptions.

16 (a) Except as provided in subsection (b) of this
17 Section, the Board shall not print the name of any person or
18 organization in any argument supporting or opposing any
19 public question or any statement of any candidate, political
20 party, or political committee filed for inclusion in the
21 voters' pamphlet, if the name of the person or organization
22 is cited as supporting or endorsing the argument or
23 statement.

24 (b) The Board may print the name of a person or
25 organization in an argument or statement submitted for
26 inclusion in the voters' pamphlet as supporting or endorsing
27 the argument or statement if:

28 (1) not later than the deadline for filing an
29 argument or statement with the Board, the Board receives
30 a statement signed by the person, or by an authorized
31 person on behalf of an organization, stating that the
32 person consents to the use of the name of the person or

1 organization; or

2 (2) the name of a person or organization is used
3 with a quotation made by the person on behalf of the
4 person or by an authorized person on behalf of an
5 organization, the quotation was disseminated to the
6 public prior to its inclusion in the argument, or
7 statement and the quotation is identified by its source
8 and date.

9 (c) A person shall not submit a false signature under
10 subsection (b) of this Section.

11 (10 ILCS 5/12A-30 new)

12 Sec. 12A-30. Type of material to be excluded from
13 pamphlet; liability for libel; procedure of material
14 excluded.

15 (a) The Board shall reject any statement, argument, or
16 other matter offered for filing and printing in a voters'
17 pamphlet that:

18 (1) contains any obscene, profane, or defamatory
19 language;

20 (2) incites or advocates hatred, abuse, or violence
21 toward any person or group; or

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

24 (b) Nothing in this Article shall make the author of any
25 statement or argument exempt from any civil or criminal
26 action because of any defamatory statements offered for
27 printing or contained in the voters' pamphlet. The persons
28 writing, signing, or offering a statement or argument for
29 filing shall be deemed its authors and publishers.

30 (c) The Board shall by rule establish a procedure to
31 notify a person who offered a statement, argument, or other
32 matter that was rejected under this Section. Subject to
33 voters' pamphlet deadlines, the procedure shall require the

1 Board to:

2 (1) make reasonable attempts to notify the person
3 of the rejection; and

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

7 (10 ILCS 5/12A-35 new)

8 Sec. 12A-35. Filing portrait and statement by or for
9 candidate; format of statement.

10 (a) Not later than the 98th day before the general
11 primary election, any candidate for nomination for election
12 at the general primary election to the office of United
13 States Senator, United States Representative, Governor,
14 Lieutenant Governor, Attorney General, Secretary of State,
15 State Comptroller, or State Treasurer, or an agent on behalf
16 of the candidate, may file with the Board a portrait of the
17 candidate and a typewritten statement of the reasons the
18 candidate should be nominated or elected.

19 (b) Not later than the 68th day before the general
20 election, any candidate for election at the general election
21 to the office of President or Vice President of the United
22 States, United States Senator, United States Representative,
23 Governor, Lieutenant Governor, Attorney General, Secretary of
24 State, State Comptroller, or State Treasurer, or an agent on
25 behalf of the candidate, may file with the Board a portrait
26 of the candidate and a typewritten statement of the reasons
27 the candidate should be elected.

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

30 (d) A portrait or statement filed under this Section
31 shall be accompanied by a telephone or electronic facsimile
32 transmission machine number where the candidate may be
33 contacted for purposes of Section 12A-50.

1 (10 ILCS 5/12A-40 new)

2 Sec. 12A-40. Portrait requirements.

3 (a) A candidate shall not submit for inclusion in the
4 voters' pamphlet a portrait that was taken more than 2 years
5 before the date the portrait is filed with the Board.

6 (b) A portrait submitted for inclusion in the voters'
7 pamphlet shall:

8 (1) be a conventional photograph with a plain
9 background;

10 (2) show the face or the head, neck, and shoulders
11 of the candidate; and

12 (3) be prepared and processed for printing as
13 prescribed by the Board.

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

16 (1) include the hands or anything held in the hands
17 of the candidate;

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

20 (3) show the uniform or insignia of any
21 organization.

22 (d) The portrait of a candidate printed in the voters'
23 pamphlet shall be 3 inches high and 2 inches wide. Each
24 portrait shall be placed in the upper left corner of the
25 candidate's allotted space.

26 (10 ILCS 5/12A-45 new)

27 Sec. 12A-45. Format of candidate's statement. The
28 candidate's statement shall begin with a summary of the
29 following: occupation, educational and occupational
30 background, and prior governmental experience.

31 (10 ILCS 5/12A-50 new)

32 Sec. 12A-50. Board's review of candidate portrait and

1 statement; procedure for revision.

2 (a) If a candidate files a portrait and statement under
3 Section 12A-35 for inclusion in the voters' pamphlet, the
4 Board shall review the portrait and statement to ensure that
5 the portrait complies with the requirements of Section 12A-40
6 and that the statement complies with the requirements of
7 Sections 12A-25 and 12A-45.

8 (b) Review by the Board under this Section shall be
9 limited to determining whether the portrait and statement
10 comply with the requirements of Sections 12A-25, 12A-40, and
11 12A-45 and shall not include any determination relating to
12 the accuracy or truthfulness of materials filed.

13 (c) The Board shall review each portrait and statement
14 not later than 3 business days following the deadline for
15 filing a portrait and statement under Section 12A-35. If the
16 Board determines that the portrait or statement of a
17 candidate must be revised in order to comply with the
18 requirements of Sections 12A-25, 12A-40, or 12A-45, the Board
19 shall attempt to contact the candidate not later than the 5th
20 business day after the deadline for filing a portrait and
21 statement under Section 12A-35. A candidate contacted by the
22 Board under this Section may file a revised portrait or
23 statement no later than the 7th business day following the
24 deadline for filing a portrait and statement under Section
25 12A-35.

26 (d) If the Board is required to attempt to contact a
27 candidate under subsection (c) of this Section, the Board
28 shall attempt to contact the candidate by telephone or by
29 using an electronic transmission facsimile machine.

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

32 (1) If a portrait does not comply with Section
33 12A-40, the Board may modify the portrait. The candidate
34 shall pay the expense of any modification before

1 publication of the portrait in the voters' pamphlet. If
2 the portrait cannot be modified to comply with Section
3 12A-40, the portrait shall not be printed in the voters'
4 pamphlet.

5 (2) If a statement does not comply with Section
6 12A-40, the statement shall not be printed in the voters'
7 pamphlet.

8 (3) If a statement does not comply with Section
9 12A-25, the Board shall edit the statement to remove
10 language that does not comply with Section 12A-25.

11 (f) If the portrait or statement of a candidate filed
12 under Section 12A-35 does not comply with a requirement of
13 Sections 12A-25, 12A-40, or 12A-45 and the Board does not
14 attempt to contact the candidate by the deadline specified in
15 subsection (c) of this Section, for purposes of Sections
16 12A-25, 12A-40, and 12A-45 only, the portrait or statement
17 shall be printed as filed.

18 (g) A candidate revising a portrait or statement under
19 this Section shall make only those revisions necessary to
20 comply with Sections 12A-25, 12A-40, and 12A-45.

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

23 (10 ILCS 5/12A-55 new)

24 Sec. 12A-55. Fees for space in voters' pamphlet; use of
25 space.

26 (a) At the time of filing materials under Section
27 12A-35, each candidate for nomination or election to any of
28 the following offices shall pay to the Board the following
29 fee for space in the voters' pamphlet:

30 (1) President or Vice President of the United
31 States, United States Senator, or United States
32 Representative, \$500 for 59.6 square inches of space.

33 (2) Governor, Lieutenant Governor, Attorney

1 General, Secretary of State, State Comptroller, or State
2 Treasurer, \$300 for 59.6 square inches of space.

3 (b) The space allotted to each candidate shall be used
4 for the portrait and statement filed under Section 12A-35.
5 If a portrait is not filed, the statement may cover the
6 entire allotted space. The length of the statement shall be
7 limited to not more than 900 words for 59.6 square inches of
8 space.

9 (10 ILCS 5/12A-60 new)

10 Sec. 12A-60. Identification of portrait or statement.
11 On each allotted space of the voters' pamphlet containing a
12 portrait or statement filed by a candidate, political party,
13 political committee, or other person, the Board shall
14 indicate who furnished the portrait or statement.

15 (10 ILCS 5/12A-65 new)

16 Sec. 12A-65. Refund of filing fee. No later than the
17 last day for filing material for inclusion in a voters'
18 pamphlet, the person who paid the filing fee may receive a
19 refund from the Board. When a refund is made, the material
20 for which the fee was paid shall not be included in the
21 pamphlet.

22 (10 ILCS 5/12A-70 new)

23 Sec. 12A-70. Exemption from public records laws; State
24 voters' pamphlet. Notwithstanding any other provision of
25 law, materials filed by a candidate, political party,
26 political committee, or other person for inclusion in a State
27 voters' pamphlet and arguments supporting or opposing a
28 public question filed by any person for inclusion in a State
29 voter's pamphlet are exempt from public inspection until the
30 4th business day after the final date for filing the
31 materials.

(10 ILCS 5/12A-75 new)

Sec. 12A-75. Statements and arguments inadmissible in action to enjoin publication of pamphlet; State voters' pamphlet. Material submitted for inclusion in any State voters' pamphlet shall not be admitted as evidence in any suit or action against the Board to restrain or enjoin the publication of the voters' pamphlet.

(10 ILCS 5/12A-80 new)

Sec. 12A-80. Preparation of State voters' pamphlet.

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

(1) a list of the names of candidates for nomination for election at the general primary election to the offices of United States Senator, United States Representative, Governor, Lieutenant Governor, Attorney General, Secretary of State, State Comptroller, and State Treasurer or a list of names of candidates for election at the general election to the offices of President or Vice President of the United States, United States Senator, United States Representative, Governor, Lieutenant Governor, Attorney General, Secretary of State, State Comptroller, and State Treasurer along with a designation of the offices for which the candidates are competing;

(2) all portraits and statements filed under Section 12A-35; and

(3) the information specified in Section 12A-90 relating to public questions to be voted upon at the election for which the pamphlet is prepared.

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

(c) The voters' pamphlet shall be prepared so that

1 material relating to public questions appears first and
2 material of candidates for partisan offices appears last. In
3 the general primary election pamphlet, all candidates of one
4 established political party shall be grouped separately from
5 all candidates of another established political party. The
6 order in which the groups of candidates for the established
7 political parties appear shall be alternated for successive
8 general primary elections. If the pamphlet is printed on
9 pages of 8-1/2 inches by 11 inches, material relating to
10 candidates for different offices shall not appear on the same
11 page of the pamphlet. When material of a candidate for the
12 same office appears on a succeeding page, a statement shall
13 be placed in the top margin of the pamphlet page indicating
14 that material of additional candidates for the same office
15 continues on the next page.

16 (d) The Board shall have printed as many copies of the
17 voters' pamphlet that it estimates will be necessary for
18 distribution under Section 12A-85.

19 (10 ILCS 5/12A-85 new)

20 Sec. 12A-85. Distribution of pamphlet. Not later than
21 the 15th day before an election for which a voters' pamphlet
22 has been prepared, the Board shall cause the voters' pamphlet
23 to be mailed to each post office mailing address in the
24 State, and shall use any additional means of distribution
25 necessary to make the pamphlet available to electors.

26 (10 ILCS 5/12A-90 new)

27 Sec. 12A-90. Public questions, statements, and arguments
28 included in State voters' pamphlet. The Board shall have
29 printed in the voters' pamphlet for a regular election each
30 statewide public question as it will appear on the ballot to
31 be submitted to the People at the election for which the
32 pamphlet was prepared. Each public question shall be printed

1 with the explanatory statement and arguments relating to it.

2 (10 ILCS 5/12A-95 new)

3 Sec. 12A-95. Appointment of committee to draft
4 explanatory statement of measure proposed by referendum,
5 petition, resolution, or ordinance.

6 (a) For each statewide public question to be submitted
7 to the People at a general primary election or general
8 election, a committee of 5 citizens shall be selected to
9 prepare the explanatory statement under Section 12A-100.

10 (b) Not later than the 78th day before the election,
11 proponents of the measure shall appoint 2 members to the
12 committee and notify the Board in writing of the selections.
13 If the proponents do not appoint 2 members, the Board shall
14 appoint 2 members to the committee from among supporters, if
15 any, of the public question not later than the 76th day
16 before the election.

17 (c) Not later than the 76th day before the election, the
18 Board shall appoint 2 members to the committee from among the
19 opponents, if any, of the question.

20 (d) The 4 appointed members of the committee shall
21 select the 5th member and notify the Board in writing of the
22 selection. If the 4 members have not selected the 5th member
23 by the 69th day before the election, the 5th member shall be
24 appointed by the Board not later than the 67th day before the
25 election.

26 (e) A vacancy shall be filled not later than 2 business
27 days after the vacancy occurs by the person who made the
28 original appointment. Unless the Board fills a vacancy, the
29 person filling the vacancy shall notify the Board in writing
30 of the selection.

31 (f) As used in this Section, "proponents" means:

32 (1) With respect to a public question initiated by
33 a resolution or ordinance of a political subdivision, the

1 governing body of that political subdivision; and

2 (2) With respect to any other public question
3 initiated by a petition of the electors, the chief
4 petitioners.

5 (10 ILCS 5/12A-100 new)

6 Sec. 12A-100. Preparation and filing of explanatory
7 statement of public question.

8 (a) Not later than the 48th day before a general primary
9 election or general election at which any statewide public
10 question is to be submitted to the People, the committee
11 appointed under Section 12A-95 shall prepare and file with
12 the Board an impartial, simple, and understandable statement
13 explaining the measure. The statement shall not exceed 500
14 words.

15 (b) Not sooner than the 47th nor later than the 44th day
16 before the election, the Board shall hold a hearing in
17 Springfield upon reasonable statewide notice to receive
18 suggested changes or other information relating to any
19 explanatory statement. At the hearing any person may submit
20 suggested changes or other information relating to any
21 explanatory statement orally or in writing. Written
22 suggestions or other information also may be submitted at any
23 time before the hearing.

24 (c) The committee for each measure shall consider
25 suggestions and any other information submitted under
26 subsection (b) of this Section, and may file a revised
27 statement with the Board not later than the 35th day before
28 the election.

29 (d) The original statement and any revised statement
30 must be approved by at least 3 members of the committee. If
31 a member does not concur, the statement shall show only that
32 the member dissents.

1 (10 ILCS 5/12A-105 new)

2 Sec. 12A-105. Preparation and filing of explanatory
3 statement by Attorney General.

4 (a) The Attorney General shall prepare an impartial,
5 simple, and understandable statement of not more than 500
6 words explaining each statewide public question. The
7 statement shall be filed with the Board no later than the
8 last day for filing a statement prepared under Section
9 12A-100.

10 (b) If an explanatory statement is not filed by a
11 committee under Section 12A-100, the statement of the
12 Attorney General shall be the explanatory statement of the
13 question and shall be subject to the provisions of Section
14 12A-100.

15 (10 ILCS 5/12A-110 new)

16 Sec. 12A-110. Effect if explanatory statement not filed.
17 If an explanatory statement is not filed by a committee under
18 Section 12A-100 or by the Attorney General under Section
19 12A-105, the public question shall be printed in the voters'
20 pamphlet without the explanatory statement.

21 (10 ILCS 5/12A-115 new)

22 Sec. 12A-115. Court review of explanatory statement. Any
23 person dissatisfied with an explanatory statement for which
24 suggestions were offered at the Board's hearing under Section
25 12A-100, may petition the Supreme Court seeking a different
26 statement and stating the reasons the statement filed with
27 the Court is insufficient or unclear. If the petition is
28 filed not later than the 5th day after the deadline for
29 filing a revised statement with the Board, the court shall
30 review the statement, hear arguments, and certify an
31 explanatory statement to the Board. The review by the
32 Supreme Court shall be conducted expeditiously to ensure the

1 orderly and timely conduct of the election at which the
 2 measure is to be submitted to the electors. The statement
 3 certified by the court shall be the explanatory statement
 4 printed in the voters' pamphlet.

5 (10 ILCS 5/12A-120 new)

6 Sec. 12A-120. Filing arguments for or against public
 7 question; fee or petition; size of argument space. Not
 8 later than the 29th day before a general election or a
 9 general primary election at which a statewide public question
 10 is to be voted upon, any person may file with the Board a
 11 typewritten argument supporting or opposing the question. The
 12 argument shall be printed on 29.8 square inches of the
 13 voters' pamphlet if the argument is accompanied by either a
 14 payment of \$300 or a petition in a form prescribed by the
 15 Board containing the signatures of 1,000 electors eligible to
 16 vote on the question. Each person signing the petition shall
 17 subscribe to a statement that the person has read and agrees
 18 with the argument. The signatures on each petition shall be
 19 verified by the Board in the manner provided in Section 28-11
 20 of this Code. The petition shall be filed with the Board.

21 (10 ILCS 5/12A-125 new)

22 Sec. 12A-125. Author of argument, author's organization,
 23 and disclaimer to be included in voters' pamphlet. The Board
 24 shall include in the voters' pamphlet on the page of the
 25 printed argument on a public question the name of the person
 26 who submitted the argument, the name of the organization the
 27 person represents, if any, whether the argument supports or
 28 opposes the question, and a disclaimer in substantially the
 29 following form:

30 "THE PRINTING OF THIS ARGUMENT DOES NOT CONSTITUTE AN
 31 ENDORSEMENT BY THE STATE OF ILLINOIS, NOR DOES THE STATE
 32 WARRANT THE ACCURACY OR TRUTH OF ANY STATEMENT MADE IN

1 THE ARGUMENT."

2 (10 ILCS 5/12A-135 new)

3 Sec. 12A-135. Radio and television broadcasts to
4 supplement pamphlet. The Board may supplement the regular
5 election voters' pamphlet by broadcasting by radio or
6 television, material specified in this Section at times the
7 Board determines suitable during the 4 weeks immediately
8 preceding the election at which statewide public questions
9 are to be submitted to the People. The material provided by
10 broadcast shall include only the following:

11 (1) The public question as it will appear on the
12 ballot.

13 (2) A summary of the explanatory statements filed
14 relating to each statewide question.

15 (10 ILCS 5/12A-140 new)

16 Sec. 12A-140. County voters' pamphlet. When directed by
17 resolution of the county board, the election authority of any
18 county shall prepare, print, and distribute a county voters'
19 pamphlet for any regular election.

20 (10 ILCS 5/12A-145 new)

21 Sec. 12A-145. Information required to be included in
22 county voters' pamphlet; deadline for distribution.

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

26 (1) A sample ballot containing the names of
27 candidates for all offices and all public questions as
28 they will appear on the ballot in the county.

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

31 (3) Requirements for registration, transfer of

1 registration, and re-registration.

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

4 (5) A statement that the voters' pamphlet may be
5 used to assist electors at the polls.

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

14 (7) The hours that the polling places are open.

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

18 (9) Any public questions as they will appear on the
19 ballot, explanatory statements, and arguments submitted
20 under the provisions of this Article.

21 (10) A listing of the polling places.

22 (11) Any other information that the election
23 authority considers to be appropriate or necessary to
24 inform the voters.

25 (b) The election authority shall mail or otherwise
26 distribute the county voters' pamphlet not later than the 7th
27 day before the election.

28 (10 ILCS 5/12A-150 new)

29 Sec. 12A-150. Schedule and procedures for producing and
30 distributing county voters' pamphlet; fees.

31 (a) The State Board of Elections shall by rule adopt a
32 schedule and procedures for preparing, printing, and
33 distributing county voters' pamphlets. The schedule and

1 procedures shall include, but not be limited to, deadlines
2 for filing material for the voters' pamphlet and except as
3 otherwise provided by law, the format of material to be
4 submitted and the size and other requirements applicable to
5 candidate portraits.

6 (b) The Board shall by rule adopt a schedule of fees to
7 be charged by the election authority for including portraits
8 of candidates, statements, and arguments in the voters'
9 pamphlet. The fees need not reflect the actual cost of
10 producing the voters' pamphlet. The election authority shall
11 refund the filing fee to any person who applies for the
12 refund not later than the last day for filing material for
13 inclusion in the voters' pamphlet. When a refund is made, the
14 material for which the fee was paid shall not be included in
15 the pamphlet.

16 (10 ILCS 5/12A-155 new)

17 Sec. 12A-155. Filing portrait and statement by or for
18 candidate in county voters' pamphlet. Not later than the date
19 specified by the Board, any candidate for election at any
20 regular election within the county, or an agent of the
21 candidate, may file with the election authority of a county
22 that prepares a county voters' pamphlet a portrait of the
23 candidate and a typewritten statement of the reasons the
24 candidate should be elected. The portrait and statement must
25 comply with the applicable rules of the Board. The election
26 authority shall not accept the filing of a statement or
27 portrait of any candidate unless the filing is accompanied by
28 the appropriate fee as prescribed by the Board.

29 (10 ILCS 5/12A-160 new)

30 Sec. 12A-160. Explanatory statement in county voters'
31 pamphlet. Not later than the date specified by the Board, in
32 a county that prepares a county voters' pamphlet, the

1 proponents of a public question that will appear on the
2 ballot shall submit an impartial, simple, and understandable
3 statement explaining the public question and its effect.

4 (10 ILCS 5/12A-165 new)

5 Sec. 12A-165. Filing arguments for or against public
6 question in county voters' pamphlet.

7 (a) Not later than the date specified by the Board by
8 rule, in a county that prepares a county voters' pamphlet,
9 any person may file with the election authority a typewritten
10 argument supporting or opposing any public questions to be
11 submitted to the voters on the ballot. The election authority
12 shall not accept any arguments that are not accompanied by
13 the fee established by the Board or a petition in a form
14 prescribed by the Board. A petition shall contain the
15 signatures of at least 4% of the electors in the county
16 eligible to vote on the question to which the argument
17 refers, or the signatures of 1,000 electors in the county
18 eligible to vote on the question to which the argument
19 refers, whichever is less. The number of registered electors
20 in an electoral district, for the purposes of this Section,
21 shall be calculated on January 1 of each year. Each person
22 signing the petition shall subscribe to a statement that the
23 person has read and agrees with the argument. The petition
24 shall be filed with the election authority.

25 (b) The election authority shall include in the county
26 voters' pamphlet, on the page of the printed argument, the
27 name of the person who submitted the argument, the name of
28 the organization the person represents, if any, whether the
29 argument supports or opposes the measure, and a disclaimer
30 that the argument does not constitute an indorsement by the
31 county and that the county does not warrant the accuracy or
32 truth of any statement made in the argument.

1 (10 ILCS 5/12A-170 new)

2 Sec. 12A-170. Cost of pamphlet preparation. All fees
3 collected by an election authority under this Act shall be
4 transmitted to the State Board of Elections, as provided by
5 rule of the Board, and deposited by the Board into the
6 General Revenue Fund. The State Board of Elections shall
7 reimburse the election authority for the actual costs of
8 preparing, printing, and distributing the county voters'
9 pamphlet from an appropriation made by the General Assembly.

10 (10 ILCS 5/12A-175 new)

11 Sec. 12A-175. Content of statements and arguments;
12 notice of material that may be excluded.

13 (a) Statements and arguments submitted for inclusion in
14 a county voters' pamphlet by a candidate, political party,
15 political committee, or other person supporting or opposing a
16 measure shall consist only of words or numbers.

17 (b) The election authority shall specify on any
18 instructions for filing a statement, argument, or other
19 material in the county voters' pamphlet that the statement,
20 argument, or material may be excluded under Section 12A-50.

21 (10 ILCS 5/12A-180 new)

22 Sec. 12A-180. Names of persons or organizations excluded
23 from arguments and statements; exceptions.

24 (a) Except as provided in subsection (b) of this
25 Section, the election authority shall not print the name of
26 any person or organization in any argument supporting or
27 opposing any public question or any statement of any
28 candidate, filed for inclusion in a county voters' pamphlet,
29 if the name of the person or organization is cited as
30 supporting or endorsing the argument or statement.

31 (b) The election authority may print the name of a
32 person or organization in an argument or statement submitted

1 for inclusion in a county voters' pamphlet as supporting or
2 endorsing the argument or statement if:

3 (1) not later than the deadline for filing an
4 argument or statement with the election authority, the
5 election authority receives a statement signed by the
6 person, or by an authorized person on behalf of an
7 organization, stating that the person consents to the use
8 of the name of the person or organization; or

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

16 (c) A person shall not submit a false signature under
17 subsection (b) of this Section.

18 (10 ILCS 5/12A-185 new)

19 Sec. 12A-185. Type of material to be excluded from
20 county voters' pamphlet; liability for libel; procedure if
21 material excluded.

22 (a) The election authority shall reject any statement,
23 argument, or other matter offered for filing and printing in
24 a county voters' pamphlet that:

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

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

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

31 (b) Nothing in this Article shall make the author of any
32 statement or argument exempt from any civil or criminal
33 action because of any defamatory statements offered for

1 printing or contained in the voters' pamphlet. The persons
2 writing, signing, or offering a statement or argument for
3 filing shall be deemed its authors and publishers.

4 (c) The Board shall by rule establish a procedure to
5 notify a person who offered a statement, argument, or other
6 matter that was rejected under this Section. Subject to
7 voters' pamphlet deadlines, the procedure shall require the
8 election authority 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-190 new)

15 Sec. 12A-190. Format of candidate's statement in county
16 voters' pamphlet. The candidate's statement in a county
17 voters' pamphlet shall begin with a summary of the following:
18 occupation, educational and occupational background, and
19 prior governmental experience.

20 (10 ILCS 5/12A-195 new)

21 Sec. 12A-195. Exemption from public records law; county
22 voters' pamphlet. Notwithstanding any other provisions of law
23 relating to public records, materials filed by a candidate
24 for inclusion in a county voters' pamphlet and arguments
25 supporting or opposing a public question filed by any person
26 for inclusion in a county voters' pamphlet are exempt from
27 public inspection until the 4th business day after the final
28 date for filing the materials.

29 (10 ILCS 5/12A-200 new)

30 Sec. 12A-200. Statements and arguments inadmissible in
31 action to enjoin publication of county voters' pamphlet.

1 Material submitted for inclusion in any county voters'
2 pamphlet shall not be admitted as evidence in any suit or
3 action against the election authority to restrain or enjoin
4 the publication of the voters' pamphlet.

1 INDEX

2 Statutes amended in order of appearance

3 10 ILCS 5/1A-16 new

4 10 ILCS 5/Art. 12A heading new

5 10 ILCS 5/12A-1 new

6 10 ILCS 5/12A-5 new

7 10 ILCS 5/12A-10 new

8 10 ILCS 5/12A-15 new

9 10 ILCS 5/12A-20 new

10 10 ILCS 5/12A-25 new

11 10 ILCS 5/12A-30 new

12 10 ILCS 5/12A-35 new

13 10 ILCS 5/12A-40 new

14 10 ILCS 5/12A-45 new

15 10 ILCS 5/12A-50 new

16 10 ILCS 5/12A-55 new

17 10 ILCS 5/12A-60 new

18 10 ILCS 5/12A-65 new

19 10 ILCS 5/12A-70 new

20 10 ILCS 5/12A-75 new

21 10 ILCS 5/12A-80 new

22 10 ILCS 5/12A-85 new

23 10 ILCS 5/12A-90 new

24 10 ILCS 5/12A-95 new

25 10 ILCS 5/12A-100 new

26 10 ILCS 5/12A-105 new

27 10 ILCS 5/12A-110 new

28 10 ILCS 5/12A-115 new

29 10 ILCS 5/12A-120 new

30 10 ILCS 5/12A-125 new

31 10 ILCS 5/12A-135 new

32 10 ILCS 5/12A-140 new

33 10 ILCS 5/12A-145 new

34 10 ILCS 5/12A-150 new

- 1 10 ILCS 5/12A-155 new
- 2 10 ILCS 5/12A-160 new
- 3 10 ILCS 5/12A-165 new
- 4 10 ILCS 5/12A-170 new
- 5 10 ILCS 5/12A-175 new
- 6 10 ILCS 5/12A-180 new
- 7 10 ILCS 5/12A-185 new
- 8 10 ILCS 5/12A-190 new
- 9 10 ILCS 5/12A-195 new
- 10 10 ILCS 5/12A-200 new