

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. 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 "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 must pay
18 fees received under this Article into the Voters' Guide Fund.

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

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

21 (a) The Board must prepare and have posted on the
22 Board's World Wide Web site for the general primary election
23 and general election State voters' guide a statement
24 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 may include in the voters' guide the
4 following information:

5 (1) Voter registration forms.

6 (2) 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 the assistance of the judges of
11 election or someone of the elector's own choosing, other
12 than the elector's employer or agent of that employer or
13 officer or agent of the elector's union, in marking the
14 ballot.

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

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

17 (a) Statements submitted for inclusion in a voters'
18 guide by a candidate, political party, or political committee
19 must consist only of words or numbers.

20 (b) The Board must specify on any instructions for
21 filing a statement or other material in the voters' guide
22 that the statement or material may be excluded under 12A-25.

23 (10 ILCS 5/12A-20 new)

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

26 (a) Except as provided in subsection (b) of this
27 Section, the Board may not print the name of any person or
28 organization in any statement of any candidate, political
29 party, or political committee filed for inclusion in the
30 voters' guide, if the name of the person or organization is
31 cited as supporting or endorsing the statement.

32 (b) The Board may print the name of a person or

1 organization in a statement submitted for inclusion in the
2 voters' guide as supporting or endorsing the statement if:

3 (1) not later than the deadline for filing a
4 statement with the Board, the Board receives a statement
5 signed by the person, or by an authorized person on
6 behalf of an organization, stating that the person
7 consents to the use of the name of the person or
8 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 statement and the
14 quotation is identified by its source and date.

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

17 (10 ILCS 5/12A-25 new)

18 Sec. 12A-25. Type of material to be excluded from guide;
19 liability for libel; procedure of material excluded.

20 (a) The Board must reject any statement or other matter
21 offered for filing and posting in a voters' guide that:

22 (1) contains any obscene, profane, or defamatory
23 language;

24 (2) incites or advocates hatred, abuse, or violence
25 toward any person or group; or

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

28 (b) Nothing in this Article makes the author of any
29 statement or argument exempt from any civil or criminal
30 action because of any defamatory statements offered for
31 posting or contained in the voters' guide. The persons
32 writing, signing, or offering a statement for filing is
33 deemed to be its authors and publishers.

1 (c) The Board must, by rule, establish a procedure to
2 notify a person who offered a statement or other matter that
3 was rejected under this Section. Subject to voters' guide
4 deadlines, the procedure must require the Board to:

5 (1) make reasonable attempts to notify the person
6 of the rejection; and

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

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

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

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

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

28 (c) The Board must, 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 must be accompanied by a telephone or electronic facsimile
32 transmission machine number where the candidate may be
33 contacted for purposes of Section 12A-45.

1 (10 ILCS 5/12A-35 new)

2 Sec. 12A-35. Portrait requirements.

3 (a) A candidate may not submit for inclusion in the
4 voters' guide 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 guide 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 posting as
13 prescribed by the Board.

14 (c) A portrait submitted for inclusion in the voters'
15 guide may 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 (10 ILCS 5/12A-40 new)

23 Sec. 12A-40. Format of candidate's statement. The
24 candidate's statement shall begin with a summary of the
25 following: occupation, educational and occupational
26 background, and prior governmental experience.

27 (10 ILCS 5/12A-45 new)

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

30 (a) If a candidate files a portrait and statement under
31 Section 12A-30 for inclusion in the voters' guide, the Board
32 must review the portrait and statement to ensure that the

1 portrait complies with the requirements of Section 12A-35 and
2 that the statement complies with the requirements of Sections
3 12A-20 and 12A-40.

4 (b) Review by the Board under this Section is limited to
5 determining whether the portrait and statement comply with
6 the requirements of Sections 12A-25, 12A-35, and 12A-40 and
7 may not include any determination relating to the accuracy or
8 truthfulness of materials filed.

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

22 (d) If the Board is required to attempt to contact a
23 candidate under subsection (c) of this Section, the Board
24 must attempt to contact the candidate by telephone or by
25 using an electronic transmission facsimile machine.

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

28 (1) If a portrait does not comply with Section
29 12A-35, the Board may modify the portrait. The candidate
30 must pay the expense of any modification before the
31 posting of the portrait in the voters' guide. If the
32 portrait cannot be modified to comply with Section
33 12A-35, the portrait may not be posted with the voters'
34 guide.

1 (2) If a statement does not comply with Section
2 12A-40, the statement may not be posted with the voters'
3 guide.

4 (3) If a statement does not comply with Section
5 12A-25, the Board must edit the statement to remove
6 language that does not comply with Section 12A-25.

7 (f) If the portrait or statement of a candidate filed
8 under 12A-30 does not comply with a requirement of Sections
9 12A-25, 12A-35, or 12A-40 and the Board does not attempt to
10 contact the candidate by the deadline specified in subsection
11 (c) of this Section, for purposes of Sections 12A-25, 12A-35,
12 and 12A-40 only, the portrait or statement shall be posted as
13 filed.

14 (g) A candidate revising a portrait or statement under
15 this Section may make only those revisions necessary to
16 comply with Sections 12A-25, 12A-35, and 12A-40.

17 (h) The Board may, by rule, define the term "contact" as
18 used in this Section.

19 (10 ILCS 5/12A-50 new)
20 Sec. 12A-50. Fees for space in voters' guide

21 (a) At the time of filing materials under Section
22 12A-30, each candidate for nomination or election must pay to
23 the Board a fee of not more than \$300.

24 (b) The space allotted to each candidate must be used
25 for the portrait and statement filed under Section 12A-30.
26 If a portrait is not filed, the statement may cover the
27 entire allotted space. The length of the statement shall be
28 limited to not more than 900 words.

29 (10 ILCS 5/12A-55 new)
30 Sec. 12A-55. Identification of portrait or statement.
31 On each allotted space of the voters' guide containing a
32 portrait or statement filed by a candidate, political party,

1 political committee, or other person, the Board must indicate
2 who furnished the portrait or statement.

3 (10 ILCS 5/12A-60 new)

4 Sec. 12A-60. Refund of filing fee. No later than the
5 last day for filing material for inclusion in a voters'
6 guide, the person who paid the filing fee may receive a
7 refund from the Board. When a refund is made, the material
8 for which the fee was paid may not be included in the guide.

9 (10 ILCS 5/12A-65 new)

10 Sec. 12A-65. Exemption from public records laws; State
11 voters' guide. Notwithstanding any other provision of law,
12 materials filed by a candidate, political party, political
13 committee, or other person for inclusion in a State voters'
14 guide are exempt from public inspection until the 4th
15 business day after the final date for filing the materials.

16 (10 ILCS 5/12A-70 new)

17 Sec. 12A-70. Statements inadmissible in action to enjoin
18 posting of guide. Material submitted for inclusion in any
19 State voters' guide may not be admitted as evidence in any
20 suit or action against the Board to restrain or enjoin the
21 posting of the voters' guide.

22 (10 ILCS 5/12A-75 new)

23 Sec. 12A-75. Preparation of State voters' guide.

24 (a) The Secretary of State must prepare for posting:

25 (1) a list of the names of candidates for
26 nomination for election at the general primary election
27 to the offices of Governor, Lieutenant Governor, Attorney
28 General, Secretary of State, State Comptroller, or State
29 Treasurer or a list of names of candidates for election
30 at the general election to the offices of Governor,

1 Lieutenant Governor, Attorney General, Secretary of
 2 State, State Comptroller, or State Treasurer, along with
 3 a designation of the offices for which the candidates are
 4 competing; and

5 (2) all portraits and statements filed under
 6 Section 12A-30.

7 (b) In the general primary election guide, all
 8 candidates of one established political party must be grouped
 9 separately from all candidates of another established
 10 political party. The order in which the groups of candidates
 11 for the established political parties appear must be
 12 alternated for successive general primary elections.

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

15 (30 ILCS 105/8h new)

16 Sec. 8h. Voters' Guide Fund. There is hereby created
 17 outside of the State treasury a trust fund to be known as the
 18 Voters' Guide 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' guide under Article
 21 12A of the Election Code. The State Treasurer is be the
 22 custodian of the Voters' Guide 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 Code do not apply to the
 29 natural persons holding license plate numbers 1 through
 30 10,000, first letters A through Z, first letters AA through

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

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

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

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

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