

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

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

16 "Public question" or "question" means any question,
17 proposition, or measure submitted to the voters under Article
18 28 of this Code, except that "public question" does not
19 include questions relating to the Constitution.

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

21 Sec. 12A-5. Joint production of State and county voters'
22 pamphlet. Notwithstanding any other law to the contrary, the
23 State Board of Elections and a county may enter into an
24 intergovernmental agreement as provided in the
25 Intergovernmental Cooperation Act under which the Board and
26 the election authority of the county may jointly produce a
27 voters' pamphlet for any election as provided under this
28 Article.

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

2 Sec. 12A-10. Disposition of fees. The Board shall pay
3 fees received under this Article into the General Revenue
4 Fund.

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

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

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

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

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

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

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

18 (c) The Board may include in the voters' pamphlet the
19 following information:

20 (1) Voter registration forms.

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

30 (10 ILCS 5/12A-20 new)

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

32 (a) Statements and arguments submitted for inclusion in

1 a voters' pamphlet by a candidate, political party, political
2 committee, or person supporting or opposing a public question
3 shall consist only of words or numbers.

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

8 (10 ILCS 5/12A-25 new)

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

11 (a) Except as provided in subsection (b) of this
12 Section, the Board may not print the name of any person or
13 organization in any argument supporting or opposing any
14 public question or any statement of any candidate, political
15 party, or political committee filed for inclusion in the
16 voters' pamphlet, if the name of the person or organization
17 is cited as supporting or endorsing the argument or
18 statement.

19 (b) The Board may print the name of a person or
20 organization in an argument or statement submitted for
21 inclusion in the voters' pamphlet as supporting or endorsing
22 the argument or statement if:

23 (1) not later than the deadline for filing an
24 argument or statement with the Board, the Board receives
25 a statement signed by the person, or by an authorized
26 person on behalf of an organization, stating that the
27 person consents to the use of the name of the person or
28 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-30 new)

6 Sec. 12A-30. Type of material to be excluded from
7 pamphlet; liability for libel; procedure of material
8 excluded.

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

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

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

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

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

24 (c) The Board shall by rule establish a procedure to
25 notify a person who offered a statement, argument, or other
26 matter that was rejected under this Section. Subject to
27 voters' pamphlet deadlines, the procedure shall require the
28 Board to:

29 (1) make reasonable attempts to notify the person
30 of the rejection; and

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

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

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

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

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

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

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

28 (10 ILCS 5/12A-40 new)

29 Sec. 12A-40. Portrait requirements.

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

33 (b) A portrait submitted for inclusion in the voters'

1 pamphlet shall:

2 (1) be a conventional photograph with a plain
3 background;

4 (2) show the face or the head, neck, and shoulders
5 of the candidate; and

6 (3) be prepared and processed for printing as
7 prescribed by the Board.

8 (c) A portrait submitted for inclusion in the voters'
9 pamphlet may not:

10 (1) include the hands or anything held in the hands
11 of the candidate;

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

14 (3) show the uniform or insignia of any
15 organization.

16 (d) The portrait of a candidate printed in the voters'
17 pamphlet shall be 3 inches high and 2 inches wide. Each
18 portrait shall be placed in the upper left corner of the
19 candidate's allotted space.

20 (10 ILCS 5/12A-45 new)

21 Sec. 12A-45. Format of candidate's statement. The
22 candidate's statement shall begin with a summary of the
23 following: occupation, educational and occupational
24 background, and prior governmental experience.

25 (10 ILCS 5/12A-50 new)

26 Sec. 12A-50. Board's review of candidate portrait and
27 statement; procedure for revision.

28 (a) If a candidate files a portrait and statement under
29 Section 12A-35 for inclusion in the voters' pamphlet, the
30 Board shall review the portrait and statement to ensure that
31 the portrait complies with the requirements of Section 12A-40
32 and that the statement complies with the requirements of

1 Sections 12A-25 and 12A-45.

2 (b) Review by the Board under this Section shall be
3 limited to determining whether the portrait and statement
4 comply with the requirements of Sections 12A-25, 12A-40, and
5 12A-45 and may not include any determination relating to the
6 accuracy or truthfulness of materials filed.

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

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

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

26 (1) If a portrait does not comply with Section
27 12A-40, the Board may modify the portrait. The candidate
28 shall pay the expense of any modification before
29 publication of the portrait in the voters' pamphlet. If
30 the portrait cannot be modified to comply with Section
31 12A-40, the portrait may not be printed in the voters'
32 pamphlet.

33 (2) If a statement does not comply with Section
34 12A-40, the statement may not be printed in the voters'

1 pamphlet.

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

5 (f) If the portrait or statement of a candidate filed
6 under Section 12A-35 does not comply with a requirement of
7 Sections 12A-25, 12A-40, or 12A-45 and the Board does not
8 attempt to contact the candidate by the deadline specified in
9 subsection (c) of this Section, for purposes of Sections
10 12A-25, 12A-40, and 12A-45 only, the portrait or statement
11 shall be printed as filed.

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

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

17 (10 ILCS 5/12A-55 new)
18 Sec. 12A-55. Fees for space in voters' pamphlet; use of
19 space.

20 (a) At the time of filing materials under Section
21 12A-35, each candidate for nomination or election to any of
22 the following offices shall pay to the Board the following
23 fee for space in the voters' pamphlet:

24 (1) President or Vice President of the United
25 States, United States Senator, or United States
26 Representative, \$500 for 59.6 square inches of space.

27 (2) Governor, Lieutenant Governor, Attorney
28 General, Secretary of State, State Comptroller, or State
29 Treasurer, \$300 for 59.6 square inches of space.

30 (b) The space allotted to each candidate shall be used
31 for the portrait and statement filed under Section 12A-35.
32 If a portrait is not filed, the statement may cover the
33 entire allotted space. The length of the statement shall be

1 limited to not more than 900 words for 59.6 square inches of
2 space.

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

4 Sec. 12A-60. Identification of portrait or statement.
5 On each allotted space of the voters' pamphlet containing a
6 portrait or statement filed by a candidate, political party,
7 political committee, or other person, the Board shall
8 indicate who furnished the portrait or statement.

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

10 Sec. 12A-65. Refund of filing fee. No later than the
11 last day for filing material for inclusion in a voters'
12 pamphlet, the person who paid the filing fee may receive a
13 refund from the Board. When a refund is made, the material
14 for which the fee was paid may not be included in the
15 pamphlet.

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

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

26 (10 ILCS 5/12A-75 new)

27 Sec. 12A-75. Statements and arguments inadmissible in
28 action to enjoin publication of pamphlet; State voters'
29 pamphlet. Material submitted for inclusion in any State
30 voters' pamphlet may not be admitted as evidence in any suit

1 or action against the Board to restrain or enjoin the
2 publication of the voters' pamphlet.

3 (10 ILCS 5/12A-80 new)

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

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

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

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

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

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

28 (c) The voters' pamphlet shall be prepared so that
29 material relating to public questions appears first and
30 material of candidates for partisan offices appears last. In
31 the general primary election pamphlet, all candidates of one
32 established political party shall be grouped separately from
33 all candidates of another established political party. The

1 order in which the groups of candidates for the established
2 political parties appear shall be alternated for successive
3 general primary elections. If the pamphlet is printed on
4 pages of 8-1/2 inches by 11 inches, material relating to
5 candidates for different offices may not appear on the same
6 page of the pamphlet. When material of a candidate for the
7 same office appears on a succeeding page, a statement shall
8 be placed in the top margin of the pamphlet page indicating
9 that material of additional candidates for the same office
10 continues on the next page.

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

14 (10 ILCS 5/12A-85 new)

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

21 (10 ILCS 5/12A-90 new)

22 Sec. 12A-90. Public questions, statements, and arguments
23 included in State voters' pamphlet. The Board shall have
24 printed in the voters' pamphlet for a regular election each
25 statewide public question as it will appear on the ballot to
26 be submitted to the People at the election for which the
27 pamphlet was prepared. Each public question shall be printed
28 with the explanatory statement and arguments relating to it.

29 (10 ILCS 5/12A-95 new)

30 Sec. 12A-95. Appointment of committee to draft
31 explanatory statement of measure proposed by referendum,

1 petition, resolution, or ordinance.

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

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

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

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

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

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

28 (1) With respect to a public question initiated by
29 a resolution or ordinance of a political subdivision, the
30 governing body of that political subdivision; and

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

1 (10 ILCS 5/12A-100 new)

2 Sec. 12A-100. Preparation and filing of explanatory
3 statement of public question.

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

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

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

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

29 (10 ILCS 5/12A-105 new)

30 Sec. 12A-105. Preparation and filing of explanatory
31 statement by Attorney General.

32 (a) The Attorney General shall prepare an impartial,
33 simple, and understandable statement of not more than 500

1 words explaining each statewide public question. The
2 statement shall be filed with the Board no later than the
3 last day for filing a statement prepared under Section
4 12A-100.

5 (b) If an explanatory statement is not filed by a
6 committee under Section 12A-100, the statement of the
7 Attorney General shall be the explanatory statement of the
8 question and shall be subject to the provisions of Section
9 12A-100.

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

11 Sec. 12A-110. Effect if explanatory statement not filed.
12 If an explanatory statement is not filed by a committee under
13 Section 12A-100 or by the Attorney General under Section
14 12A-105, the public question shall be printed in the voters'
15 pamphlet without the explanatory statement.

16 (10 ILCS 5/12A-115 new)

17 Sec. 12A-115. Court review of explanatory statement. Any
18 person dissatisfied with an explanatory statement for which
19 suggestions were offered at the Board's hearing under Section
20 12A-100, may petition the Supreme Court seeking a different
21 statement and stating the reasons the statement filed with
22 the Court is insufficient or unclear. If the petition is
23 filed not later than the 5th day after the deadline for
24 filing a revised statement with the Board, the court shall
25 review the statement, hear arguments, and certify an
26 explanatory statement to the Board. The review by the
27 Supreme Court shall be conducted expeditiously to ensure the
28 orderly and timely conduct of the election at which the
29 measure is to be submitted to the electors. The statement
30 certified by the court shall be the explanatory statement
31 printed in the voters' pamphlet.

1 (10 ILCS 5/12A-120 new)
2 Sec. 12A-120. Filing arguments for or against public
3 question; fee or petition; size of argument space. Not
4 later than the 29th day before a general election or a
5 general primary election at which a statewide public question
6 is to be voted upon, any person may file with the Board a
7 typewritten argument supporting or opposing the question. The
8 argument shall be printed on 29.8 square inches of the
9 voters' pamphlet if the argument is accompanied by either a
10 payment of \$300 or a petition in a form prescribed by the
11 Board containing the signatures of 1,000 electors eligible to
12 vote on the question. Each person signing the petition shall
13 subscribe to a statement that the person has read and agrees
14 with the argument. The signatures on each petition shall be
15 verified by the Board in the manner provided in Section 28-11
16 of this Code. The petition shall be filed with the Board.

17 (10 ILCS 5/12A-125 new)
18 Sec. 12A-125. Author of argument, author's organization,
19 and disclaimer to be included in voters' pamphlet. The Board
20 shall include in the voters' pamphlet on the page of the
21 printed argument on a public question the name of the person
22 who submitted the argument, the name of the organization the
23 person represents, if any, whether the argument supports or
24 opposes the question, and a disclaimer in substantially the
25 following form:

26 "THE PRINTING OF THIS ARGUMENT DOES NOT CONSTITUTE AN
27 ENDORSEMENT BY THE STATE OF ILLINOIS, NOR DOES THE STATE
28 WARRANT THE ACCURACY OR TRUTH OF ANY STATEMENT MADE IN
29 THE ARGUMENT."

30 (10 ILCS 5/12A-135 new)
31 Sec. 12A-135. Radio and television broadcasts to
32 supplement pamphlet. The Board may supplement the regular

1 election voters' pamphlet by broadcasting, by radio or
 2 television, material specified in this Section at times the
 3 Board determines suitable during the 4 weeks immediately
 4 preceding the election at which statewide public questions
 5 are to be submitted to the People. The material provided by
 6 broadcast shall include only the following:

7 (1) The public question as it will appear on the
 8 ballot.

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

11 (10 ILCS 5/12A-140 new)

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

16 (10 ILCS 5/12A-145 new)

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

19 (a) If a county produces a county voters' pamphlet, the
 20 county voters' pamphlet shall include, when applicable, at
 21 least the following information:

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

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

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

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

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

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

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

10 (8) Any portraits and statements relating to
 11 candidates submitted under the provisions of this
 12 Article.

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

16 (10) A listing of the polling places.

17 (11) Any other information that the election
 18 authority considers to be appropriate or necessary to
 19 inform the voters.

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

23 (10 ILCS 5/12A-150 new)

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

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

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

11 (10 ILCS 5/12A-155 new)

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

24 (10 ILCS 5/12A-160 new)

25 Sec. 12A-160. Explanatory statement in county voters'
 26 pamphlet. Not later than the date specified by the Board, in
 27 a county that prepares a county voters' pamphlet, the
 28 proponents of a public question that will appear on the
 29 ballot shall submit an impartial, simple, and understandable
 30 statement explaining the public question and its effect.

31 (10 ILCS 5/12A-165 new)

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

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

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

29 (10 ILCS 5/12A-170 new)

30 Sec. 12A-170. Cost of pamphlet preparation. All fees
31 collected by an election authority under this Article may be
32 transmitted to the State Board of Elections, as provided by
33 rule of the Board, and deposited by the Board into the

1 General Revenue Fund. The State Board of Elections shall
 2 reimburse the election authority for the actual costs of
 3 preparing, printing, and distributing the county voters'
 4 pamphlet from an appropriation made by the General Assembly.

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

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

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

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

16 (10 ILCS 5/12A-180 new)

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

19 (a) Except as provided in subsection (b) of this
 20 Section, the election authority may not print the name of any
 21 person or organization in any argument supporting or opposing
 22 any public question or any statement of any candidate, filed
 23 for inclusion in a county voters' pamphlet, if the name of
 24 the person or organization is cited as supporting or
 25 endorsing the argument or statement.

26 (b) The election authority may print the name of a
 27 person or organization in an argument or statement submitted
 28 for inclusion in a county voters' pamphlet as supporting or
 29 endorsing the argument or statement if:

30 (1) not later than the deadline for filing an
 31 argument or statement with the election authority, the
 32 election authority receives a statement signed by the

1 person, or by an authorized person on behalf of an
2 organization, stating that the person consents to the use
3 of the name of the person or organization; or

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

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

13 (10 ILCS 5/12A-185 new)

14 Sec. 12A-185. Type of material to be excluded from
15 county voters' pamphlet; liability for libel; procedure if
16 material excluded.

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

20 (1) contains any obscene, profane, or defamatory
21 language;

22 (2) incites or advocates hatred, abuse, or violence
23 toward any person or group; or

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

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

32 (c) The Board shall by rule establish a procedure to
33 notify a person who offered a statement, argument, or other

1 matter that was rejected under this Section. Subject to
2 voters' pamphlet deadlines, the procedure shall require the
3 election authority to:

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

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

9 (10 ILCS 5/12A-190 new)

10 Sec. 12A-190. Format of candidate's statement in county
11 voters' pamphlet. The candidate's statement in a county
12 voters' pamphlet shall begin with a summary of the following:
13 occupation, educational and occupational background, and
14 prior governmental experience.

15 (10 ILCS 5/12A-195 new)

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

24 (10 ILCS 5/12A-200 new)

25 Sec. 12A-200. Statements and arguments inadmissible in
26 action to enjoin publication of county voters' pamphlet.
27 Material submitted for inclusion in any county voters'
28 pamphlet may not be admitted as evidence in any suit or
29 action against the election authority to restrain or enjoin
30 the publication of the voters' pamphlet.

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- 10 ILCS 5/Art. 12A heading new
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- 10 ILCS 5/12A-5 new
- 10 ILCS 5/12A-10 new
- 10 ILCS 5/12A-15 new
- 10 ILCS 5/12A-20 new
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