

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 "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 posting of State and county voters'
22 guide. 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 post a
27 voters' guide 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 must 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' guide.

7 (a) The Board must prepare and post on its World Wide
8 Web site for the general primary election and general
9 election State voters' guide a statement containing the
10 following information:

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

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

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

16 (b) The Board may include with the voters' guide the
17 following information:

18 (1) Voter registration forms.

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

28 (10 ILCS 5/12A-20 new)

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

30 (a) Statements and arguments submitted for inclusion in
31 a voters' guide by a candidate, political party, political
32 committee, or person supporting or opposing a public question

1 must consist only of words or numbers.

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

6 (10 ILCS 5/12A-25 new)

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

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

16 (b) The Board may post the name of a person or
17 organization in an argument or statement submitted for
18 inclusion in the voters' guide as supporting or endorsing the
19 argument or statement if:

20 (1) not later than the deadline for filing an
21 argument or statement with the Board, the Board receives
22 a statement signed by the person, or by an authorized
23 person on behalf of an organization, stating that the
24 person consents to the use of the name of the person or
25 organization; or

26 (2) the name of a person or organization is used
27 with a quotation made by the person on behalf of the
28 person or by an authorized person on behalf of an
29 organization, the quotation was disseminated to the
30 public prior to its inclusion in the argument, or
31 statement and the quotation is identified by its source
32 and date.

33 (c) A person may not submit a false signature under

1 subsection (b) of this Section.

2 (10 ILCS 5/12A-30 new)

3 Sec. 12A-30. Type of material to be excluded from guide;
4 liability for libel; procedure of material excluded.

5 (a) The Board must reject any statement, argument, or
6 other matter offered for filing and posting in a voters'
7 guide that:

8 (1) contains any obscene, profane, or defamatory
9 language;

10 (2) incites or advocates hatred, abuse, or violence
11 toward any person or group; or

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

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

20 (c) The Board must, by rule, establish a procedure to
21 notify a person who offered a statement, argument, or other
22 matter that was rejected under this Section. Subject to
23 voters' guide deadlines, the procedure must require the Board
24 to:

25 (1) make reasonable attempts to notify the person
26 of the rejection; and

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

30 (10 ILCS 5/12A-35 new)

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

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

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

19 (c) The Board must, by rule, establish the format and
20 length of the statement permitted under this Section.

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

25 (10 ILCS 5/12A-40 new)

26 Sec. 12A-40. Portrait requirements.

27 (a) A candidate may not submit for inclusion in the
28 voters' guide a portrait that was taken more than 2 years
29 before the date the portrait is filed with the Board.

30 (b) A portrait submitted for inclusion in the voters'
31 guide must:

32 (1) be a conventional photograph with a plain
33 background;

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

3 (3) be prepared and processed for posting as
4 prescribed by the Board.

5 (c) A portrait submitted for inclusion in the voters'
6 guide may not:

7 (1) include the hands or anything held in the hands
8 of the candidate;

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

11 (3) show the uniform or insignia of any
12 organization.

13 (10 ILCS 5/12A-45 new)

14 Sec. 12A-45. Format of candidate's statement. The
15 candidate's statement must begin with a summary of the
16 following: occupation, educational and occupational
17 background, and prior governmental experience.

18 (10 ILCS 5/12A-50 new)

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

21 (a) If a candidate files a portrait and statement under
22 Section 12A-35 for inclusion in the voters' guide, the Board
23 must review the portrait and statement to ensure that the
24 portrait complies with the requirements of Section 12A-40 and
25 that the statement complies with the requirements of Sections
26 12A-30 and 12A-45.

27 (b) Review by the Board under this Section is limited to
28 determining whether the portrait and statement comply with
29 the requirements of Sections 12A-30, 12A-40, and 12A-45 and
30 may not include any determination relating to the accuracy or
31 truthfulness of materials filed.

32 (c) The Board must review each portrait and statement

1 not later than 3 business days following the deadline for
2 filing a portrait and statement under Section 12A-35. If the
3 Board determines that the portrait or statement of a
4 candidate must be revised in order to comply with the
5 requirements of Sections 12A-30, 12A-40, or 12A-45, the Board
6 must attempt to contact the candidate not later than the 5th
7 business day after the deadline for filing a portrait and
8 statement under Section 12A-35. A candidate contacted by the
9 Board under this Section may file a revised portrait or
10 statement no later than the 7th business day following the
11 deadline for filing a portrait and statement under Section
12 12A-35.

13 (d) If the Board is required to attempt to contact a
14 candidate under subsection (c) of this Section, the Board
15 must attempt to contact the candidate by telephone or by
16 using an electronic transmission facsimile machine.

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

19 (1) If a portrait does not comply with Section
20 12A-40, the Board may modify the portrait. The candidate
21 shall pay the expense of any modification before
22 publication of the portrait in the voters' guide. If the
23 portrait cannot be modified to comply with Section
24 12A-40, the portrait may not be printed in the voters'
25 guide.

26 (2) If a statement does not comply with Section
27 12A-45, the statement may not be printed in the voters'
28 guide.

29 (3) If a statement does not comply with Section
30 12A-30, the Board must edit the statement to remove
31 language that does not comply with Section 12A-30.

32 (f) If the portrait or statement of a candidate filed
33 under Section 12A-35 does not comply with a requirement of
34 Sections 12A-30, 12A-40, or 12A-45 and the Board does not

1 attempt to contact the candidate by the deadline specified in
2 subsection (c) of this Section, for purposes of Sections
3 12A-30, 12A-40, and 12A-45 only, the portrait or statement
4 shall be printed as filed.

5 (g) A candidate revising a portrait or statement under
6 this Section may make only those revisions necessary to
7 comply with Sections 12A-30, 12A-40, and 12A-45.

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

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

11 Sec. 12A-55. Fees for space in voters' guide; use of
12 space.

13 (a) At the time of filing materials under Section
14 12A-35, each candidate for nomination or election to any of
15 the following offices must pay to the Board the following fee
16 for inclusion in the voters' guide:

17 (1) President or Vice President of the United
18 States, United States Senator, or United States
19 Representative, \$500.

20 (2) Governor, Lieutenant Governor, Attorney
21 General, Secretary of State, State Comptroller, or State
22 Treasurer, \$300.

23 (b) The space allotted to each candidate must be used
24 for the portrait and statement filed under Section 12A-35.
25 If a portrait is not filed, the statement may cover the
26 entire allotted space. The length of the statement is
27 limited to not more than 900 words.

28 (10 ILCS 5/12A-60 new)

29 Sec. 12A-60. Identification of portrait or statement.
30 On each allotted space of the voters' guide containing a
31 portrait or statement filed by a candidate, political party,
32 political committee, or other person, the Board must indicate

1 who furnished the portrait or statement.

2 (10 ILCS 5/12A-65 new)

3 Sec. 12A-65. Refund of filing fee. No later than the
4 last day for filing material for inclusion in a voters'
5 guide, the person who paid the filing fee may receive a
6 refund from the Board. When a refund is made, the material
7 for which the fee was paid may not be included in the guide.

8 (10 ILCS 5/12A-70 new)

9 Sec. 12A-70. Exemption from public records laws; State
10 voters' guide. Notwithstanding any other provision of law,
11 materials filed by a candidate, political party, political
12 committee, or other person for inclusion in a State voters'
13 guide and arguments supporting or opposing a public question
14 filed by any person for inclusion in a State voter's guide
15 are exempt from public inspection until the 4th business day
16 after the final date for filing the materials.

17 (10 ILCS 5/12A-75 new)

18 Sec. 12A-75. Statements and arguments inadmissible in
19 action to enjoin publication of guide; State voters' guide.
20 Material submitted for inclusion in any State voters' guide
21 may not be admitted as evidence in any suit or action against
22 the Board to restrain or enjoin the posting of the voters'
23 guide.

24 (10 ILCS 5/12A-80 new)

25 Sec. 12A-80. Preparation of State voters' guide.

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

27 (1) a list of the names of candidates for
28 nomination for election at the general primary election
29 to the offices of United States Senator, United States
30 Representative, Governor, Lieutenant Governor, Attorney

1 General, Secretary of State, State Comptroller, and State
2 Treasurer or a list of names of candidates for election
3 at the general election to the offices of President or
4 Vice President of the United States, United States
5 Senator, United States Representative, Governor,
6 Lieutenant Governor, Attorney General, Secretary of
7 State, State Comptroller, and State Treasurer along with
8 a designation of the offices for which the candidates are
9 competing;

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

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

15 (b) The voters' guide must be posted so that material
16 relating to public questions appears first and material of
17 candidates for partisan offices appears last. In the general
18 primary election guide, all candidates of one established
19 political party must be grouped separately from all
20 candidates of another established political party. The order
21 in which the groups of candidates for the established
22 political parties appear must be alternated for successive
23 general primary elections.

24 (10 ILCS 5/12A-90 new)

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

32 (10 ILCS 5/12A-95 new)

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

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

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

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

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

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

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

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

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

1 petitioners.

2 (10 ILCS 5/12A-100 new)

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

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

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

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

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

30 (10 ILCS 5/12A-105 new)

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

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

6 (b) If an explanatory statement is not filed by a
7 committee under Section 12A-100, the statement of the
8 Attorney General shall be the explanatory statement of the
9 question and is subject to the provisions of Section 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 must be posted in the voters'
15 guide 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 must
25 review the statement, hear arguments, and certify an
26 explanatory statement to the Board. The review by the
27 Supreme Court must 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 must be the explanatory statement
31 printed in the voters' guide.

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 must be posted in the voters' guide if the argument
9 is accompanied by either a payment of \$300 or a petition in a
10 form prescribed by the Board containing the signatures of
11 1,000 electors eligible to vote on the question. Each person
12 signing the petition must subscribe to a statement that the
13 person has read and agrees with the argument. The signatures
14 on each petition must be verified by the Board in the manner
15 provided in Section 28-11 of this Code. The petition must
16 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' guide. The Board
20 must include in the voters' guide with the argument on a
21 public question the name of the person who submitted the
22 argument, the name of the organization the person represents,
23 if any, whether the argument supports or opposes the
24 question, and a disclaimer in substantially the following
25 form:

26 "THE POSTING 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 guide. The Board may supplement the internet

1 voters' guide by broadcasting, by radio or television,
2 material specified in this Section at times the Board
3 determines suitable during the 4 weeks immediately preceding
4 the election at which statewide public questions are to be
5 submitted to the People. The material provided by broadcast
6 must 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' guide. When directed by
13 resolution of the county board, the election authority of any
14 county must post a county voters' guide for any regular
15 election on the county or election authority's World Wide Web
16 site.

17 (10 ILCS 5/12A-145 new)

18 Sec. 12A-145. Information required to be included in
19 county voters' guide.

20 If a county posts a county voters' guide, the county
21 voters' guide must include, when applicable, at least the
22 following information:

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

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

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

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

32 (5) A statement that the voters' guide may be used

1 to assist electors at the polls.

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

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

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

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

17 (10) A listing of the polling places.

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

21 (10 ILCS 5/12A-150 new)

22 Sec. 12A-150. Schedule and procedures for posting county
23 voters' guide; fees.

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

31 (b) The Board must, by rule, adopt a schedule of fees to
32 be charged by the election authority for including portraits
33 of candidates, statements, and arguments in the voters'

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

7 (10 ILCS 5/12A-155 new)

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

20 (10 ILCS 5/12A-160 new)

21 Sec. 12A-160. Explanatory statement in county voters'
22 guide. Not later than the date specified by the Board, in a
23 county that prepares a county voters' guide, the proponents
24 of a public question that will appear on the ballot must
25 submit an impartial, simple, and understandable statement
26 explaining the public question and its effect.

27 (10 ILCS 5/12A-165 new)

28 Sec. 12A-165. Filing arguments for or against public
29 question in county voters' guide.

30 (a) Not later than the date specified by the Board by
31 rule, in a county that prepares a county voters' guide, any

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

17 (b) The election authority must include in the county
18 voters' guide the name of the person who submitted the
19 argument, the name of the organization the person represents,
20 if any, whether the argument supports or opposes the measure,
21 and a disclaimer that the argument does not constitute an
22 indorsement by the county and that the county does not
23 warrant the accuracy or truth of any statement made in the
24 argument.

25 (10 ILCS 5/12A-170 new)

26 Sec. 12A-170. Cost of guide preparation. All fees
27 collected by an election authority under this Act must be
28 transmitted to the State Board of Elections, as provided by
29 rule of the Board, and deposited by the Board into the
30 General Revenue Fund. The State Board of Elections must
31 reimburse the election authority for the actual costs of
32 posting the county voters' guide from an appropriation made
33 by the General Assembly.

1 (10 ILCS 5/12A-175 new)

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

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

8 (b) The election authority must specify on any
9 instructions for filing a statement, argument, or other
10 material in the county voters' guide that the statement,
11 argument, or material may be excluded under Section 12A-50.

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

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

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

22 (b) The election authority may print the name of a
23 person or organization in an argument or statement submitted
24 for inclusion in a county voters' guide as supporting or
25 endorsing the argument or statement if:

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

32 (2) the name of a person or organization is used
33 with a quotation made by the person on behalf of the

1 person or by an authorized person on behalf of an
2 organization, the quotation was disseminated to the
3 public prior to its inclusion in the argument or
4 statement, and the quotation is identified by its source
5 and date.

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

8 (10 ILCS 5/12A-185 new)

9 Sec. 12A-185. Type of material to be excluded from
10 county voters' guide; liability for libel; procedure if
11 material excluded.

12 (a) The election authority must reject any statement,
13 argument, or other matter offered for filing and printing in
14 a county voters' guide that:

15 (1) contains any obscene, profane, or defamatory
16 language;

17 (2) incites or advocates hatred, abuse, or violence
18 toward any person or group; or

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

21 (b) Nothing in this Article makes the author of any
22 statement or argument exempt from any civil or criminal
23 action because of any defamatory statements offered for
24 printing or contained in the voters' guide. The persons
25 writing, signing, or offering a statement or argument for
26 filing are deemed its authors and publishers.

27 (c) The Board must, by rule, establish a procedure to
28 notify a person who offered a statement, argument, or other
29 matter that was rejected under this Section. Subject to
30 voters' guide deadlines, the procedure must require the
31 election authority to:

32 (1) make reasonable attempts to notify the person
33 of the rejection; and

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

4 (10 ILCS 5/12A-190 new)

5 Sec. 12A-190. Format of candidate's statement in county
6 voters' guide. The candidate's statement in a county voters'
7 guide must begin with a summary of the following: occupation,
8 educational and occupational background, and prior
9 governmental experience.

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

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

19 (10 ILCS 5/12A-200 new)

20 Sec. 12A-200. Statements and arguments inadmissible in
21 action to enjoin posting of county voters' guide. Material
22 submitted for inclusion in any county voters' guide may not
23 be admitted as evidence in any suit or action against the
24 election authority to restrain or enjoin the posting of the
25 voters' guide.

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- 7 10 ILCS 5/12A-15 new
- 8 10 ILCS 5/12A-20 new
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