



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Patricia Reid Lindner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/12-5

from Ch. 46, par. 12-5

Amends the Election Code. Requires that the notice of a question of public policy that will appear on an election ballot must include an explanation of the question and its purposes in plain language. Effective immediately.

LRB093 20869 JAM 46814 b

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 changing Section
5 12-5 as follows:

6 (10 ILCS 5/12-5) (from Ch. 46, par. 12-5)

7 Sec. 12-5. Notice for public questions. For all elections
8 held after July 1, 1999, notice of public questions shall be
9 required only as set forth in this Section or as set forth in
10 Section 17-3 or 19-3 of the School Code. Not more than 30 days
11 nor less than 10 days before the date of a regular election at
12 which a public question is to be submitted to the voters of a
13 political or governmental subdivision, and at least 20 days
14 before an emergency referendum, the election authority shall
15 publish notice of the referendum. The notice shall be published
16 once in a local, community newspaper having general circulation
17 in the political or governmental subdivision. The notice shall
18 also be given at least 10 days before the date of the election
19 by posting a copy of the notice at the principal office of the
20 election authority. The local election official shall also post
21 a copy of the notice at the principal office of the political
22 or governmental subdivision, or if there is no principal office
23 at the building in which the governing body of the political or
24 governmental subdivision held its first meeting of the calendar
25 year in which the referendum is being held. The election
26 authority and the political or governmental subdivision may,
27 but are not required to, post the notice electronically on
28 their World Wide Web pages. The notice, which shall appear over
29 the name or title of the election authority, shall be
30 substantially in the following form:

31 NOTICE IS HEREBY GIVEN that at the election to be held
32 on (insert day of the week), (insert date of election), the

1 following proposition will be submitted to the voters of
2 (name of political or governmental subdivision):
3 (insert the public question as it will appear on the
4 ballot)

5 The polls at the election will be open at 6:00 o'clock
6 A.M. and will continue to be open until 7:00 o'clock P.M.
7 of that day.

8 Dated (date of notice)

9 (Name or title of the election authority)

10 The notice shall also include any additional information
11 required by the statute authorizing the public question. The
12 notice shall include an explanation in plain language of the
13 question and its purposes. The notice shall set forth the
14 precincts and polling places at which the referendum will be
15 conducted only in the case of emergency referenda.

16 (Source: P.A. 91-57, eff. 6-30-99; 92-6, eff. 6-7-01.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.