STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Springfield, Illinois 62708
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James R. Thompson Center
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Chicago, Illinois 60601
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BOARD MEMBERS
Albert S. Porter, Chairman
Bryan A. Schneider, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Wanda L. Rednour
Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Daniel W. White

AGENDA
STATE BOARD OF ELECTIONS
BOARD MEETING

Thursday, December 6, 2007
James R. Thompson Center – Room 9-040
Chicago, Illinois
10:30 a.m.

Call State Board of Elections to order.

Recess as the State Board of Elections and convene as the State Officers Electoral Board (material sent under separate cover).

Recess as the State Officers Electoral Board and reconvene as the State Board of Elections.

1. Approval of the minutes from the November 14 special meeting. (pg.1)

2. Report of the Executive Director
   a. Preparations for the February 5, 2008 Primary Election;
      1) Certification of the February primary ballot; (pg.2)
      2) Petition/objection filing period update; (pg.3)
      3) Military/overseas voting; (pgs.4-7)
   b. Legislative update; (pgs.8-63)
   c. Fiscal status reports; (pg.64)
   d. Two year plan of staff activity for the month of December – informational. (pgs.65-67)

3. Report of the General Counsel
   a. Campaign Disclosure;
      Appeal of campaign disclosure fines – carryover from November – hearing officer recommendation appeal be denied
      1) *SBE v. Frankfort Township Democratic Organization,* S8789, 07JS052; (pgs.68-73)
      Appeal of campaign disclosure fines – new appeals – hearing officer recommendation appeal be granted
      2) *SBE v. Citizens for Dwight Welch,* L3237, 07AE031; (pgs.74-79)
      Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied
      3) *SBE v. Cunningham Campaign Committee,* L9059, 07AE032; (pgs.80-85)
      4) *SBE v. Citizens Action Party,* L14011, 07JS093; (pgs.86-90)
      5) *SBE v. Citizens for Sycamore Education,* L14019, 07JS094; (pgs.91-94)
      Other campaign disclosure items
      6) Assessments/Final Orders; (pgs.95-96)
      7) Potential ballot forfeiture for 2008 – informational; (pgs.97-98)
      8) Payment of civil penalties – informational; (pg.99)

4. Other business. (pg.100)

5. Comments from the Chairman and Vice Chairman. (pg.100)

6. Comments from the general public. (pg.100)

7. Next Board meeting Tuesday, January 22, 2008 at 10:30 a.m. in Springfield. (pg.100)

8. Executive Session. (pgs.101-108)

STATE BOARD OF ELECTIONS
Special Board Meeting Via Videoconference
Wednesday, November 14, 2007

MINUTES

PRESENT:	Albert S. Porter, Chairman Bryan A. Schneider, Vice Chairman Patrick A. Brady, Member John R. Keith, Member William M. McGuffage, Member Wanda L. Rednour, Member Robert J. Walters, Member
ABSENT:	Jesse R. Smart, Member
ALSO PRESENT:	Daniel W. White, Executive Director Steve Sandvoss, General Counsel Amy Calvin, Administrative Specialist II

The special meeting of the State Board of Elections was called to order via videoconference means at 10:05 a.m. with seven members present. Members Keith and Walters were present in the Springfield office and Chairman Porter, Vice Chairman Schneider and Member McGuffage present in the Chicago office. Members Brady and Rednour were connected via teleconference and Member Smart was absent. Vice Chairman Schneider held Member Smart's proxy.

Chairman Porter opened the meeting by leading everyone in the pledge of allegiance.

The Chairman asked for a motion to recess the State Board of Elections and reconvene as the State Officers Electoral Board. Vice Chairman Schneider made the motion, seconded by Member Brady which passed unanimously. The meeting recessed at 10:06 a.m. and reconvened at 10:22 a.m.

In a response to a question, the General Counsel indicated the Hearing Examiners would be meeting with the parties after the meeting for case management.

With there being no further business before the Board, Vice Chairman Schneider moved to adjourn until Monday, November 19, 2007 at 10:30 a.m. Member McGuffage seconded the motion which passed unanimously. The meeting adjourned at 10:23 a.m.

Respectfully submitted,

Amy Calvin

Amy Calvin, Administrative Specialist II

Daniel W. White, Executive Director

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Certification of the Primary Election Ballot

DATE: November 27, 2007

We meet Thursday, December 6 in Chicago to satisfy the statutory requirement for certification of the February 5, 2008 General Primary Election ballot. At the Board meeting I will provide an actual certification of one county for your signature and request a motion to certify ballots for all Illinois jurisdictions. Staff will then forward certifications to all counties that same day.

Any candidate with an unresolved objection will be certified with a notation of "objection pending." As these objections are resolved staff will forward amended certifications to appropriate jurisdictions.

I bring one additional certification item to the Board's attention. Current policy provides for the Board to meet to accept any subsequent candidate withdrawals. Each time a withdrawal is submitted a Board videoconference will be required.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Petition/Objection Filing Period Update

DATE: November 28, 2007

By the time we meet on December 6, we will have completed three candidate petition filing periods for the February 5 Primary Election, the October 29 – November 5 candidate filing, the Special Judicial filing which ended November 26 and the Republican Presidential filing that will conclude December 5.

There was only one vacancy to be filled in the Special Judicial Filing Period, a county judgeship in Massac County. Five candidates filed, three Republicans and two Democrats. If an objection if filed, the Board would meet on Monday, December 10 at 10:30 a.m. via videoconference call.

The Republican Presidential and Delegate Filing Period is November 28 – December 5. If any objections are filed the Board will meet on Tuesday, December 18 at 10:30 a.m. via videoconference call.

Also, the Board will meet on Friday, December 21 at 10:30 a.m. via videoconference call to certify Republican Presidential and Delegate candidates.

Lastly, Congressman Hastert announced his resignation effective November 26. This action triggers a Special Election to fill the vacancy which may be held in conjunction with the February 5 primary. If the Governor designates February 5, a special filing period will be conducted December 10-17.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Military/Overseas Voting

DATE: November 28, 2007

The Department of Defense's Federal Voting Assistance Program (FVAP) has requested our assistance in facilitating military and overseas voting for the Presidential elections.

Attached are FVAP materials regarding the program and a cover letter from FVAP coordinator Cris Cray recommending that the SBE encourage local election officials to utilize the FVAP feature to electronically complete the Federal Postcard Application (FPCA) to register to vote and request an absentee ballot.

I am requesting that the Board direct staff to notify election authorities of the program and encourage their participation.

Attachments

Memorandum

From the desk of....Cristina Cray, Director of Legislation
Phone: 217-782-1577
Email address: ccray@elections.state.il.us

To: Dan White, Executive Director
Subject: Military/Overseas Voters
Date: November 26, 2007

With the Primary Election being moved to February, the military and overseas voting communities have started their blitz to encourage all of their citizens to vote. In doing so, the Federal Voting Assistance Program (FVAP) has asked for our help.

The FVAP is adding a new feature to their website which they would like us to promote and encourage our local election authorities to use. They will begin to provide citizens with the ability to electronically complete the Federal Post Card Application (FPCA) to register to vote and/or request an absentee ballot.

This feature, being made available in December, is an automated version of the FPCA which will be tailored to state specific requirements and guide users through the process of completing and submitting the form. In addition, this feature will allow voters to securely transmit the completed form to their local election office though a Department of Defense server.

Next spring, the FVAP will be adding two additional features; the first will allow the local official to provide a blank ballot to the voter through the secure Department of Defense server and the second will allow citizens to digitally sign their FPCA.

My suggestion would be that we should encourage our local election authorities to offer this first feature to their voters. As we must have a signature on file, I believe the authorities could request (mandate) that the original, signed FPCA, be mailed back with the completed ballot. This will ensure that ballots are sent out in a timely manner and if the original FPCA (without signature) is not included, the authorities would not be under a directive to count that ballot.

As the Election Code does not currently allow for Internet Voting/Registration, I don't believe the election authorities in the State of Illinois will be able to partake in the second and third features that the FVAP will be unveiling in the spring. Perhaps this is an issue we can discuss at a Clerk's Advisory Committee meeting.

State Board of Elections
1020 South Spring Street
Springfield, IL 62704

FEDERAL VOTING ASSISTANCE PROGRAM
DEPARTMENT OF DEFENSE
WASHINGTON, DC 20301-1155

October 22, 2007

Mr. Daniel White
Executive Director
State Board of Elections
1020 S Spring Street
Springfield, IL 62708

Dear Mr. White,

For the past 17 years, the Federal Voting Assistance Program (FVAP) has worked with state and local election officials to provide electronic alternatives to the by-mail absentee voting process for Uniformed Service members, their families, and overseas citizens. We are continuing these efforts by adding a ballot request and delivery feature to our website to make it easier for these citizens to complete and submit the Federal Post Card Application (FPCA) form for voter registration and absentee ballot request.

The main component of this feature, available this December, is an automated version of the FPCA that will be tailored to state-specific requirements and guide voters through the process of completing and submitting their form. Additionally, the capability will be provided for citizens to securely transmit the completed form to their local election office through a secure Department of Defense server.

Two additional components will be added next year. The first will allow the local official to provide a blank ballot to the voter through the secure Department of Defense server, and the second will allow citizens to digitally sign their FPCA.

Additional information about the ballot request and delivery feature is enclosed with this letter. In the coming weeks, representatives from the FVAP will be contacting you to discuss the benefits this feature will provide to Illinois' military and overseas voters and the minimal impact this process will have on local election offices. We look forward to working with you and your office throughout the upcoming election year on this and any other matters relating to the *Uniformed and Overseas Citizens Absentee Voting Act*. Feel free to contact me at 703-588-1584 if you have any questions.

Sincerely,

J. Scott Wiedmann
Deputy Director

Enclosure:
Ballot Request and Delivery Feature Summary Sheet

FVAP Ballot Request and Delivery Feature

The Federal Voting Assistance Program (FVAP) is adding a feature to the FVAP website. This feature will include a state-specific automated registration and ballot request form and additional capabilities for blank ballot transmission and user identification and verification.

Automated FPCA for Registration and Ballot Request– December 2007

The automated registration and ballot request form will be available to all voters covered under the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).* These citizens will be guided through the completion of the Federal Post Card Application (FPCA) form based on the requirements of their state of legal residence. To use this feature, citizens create an account on a secure server hosted by the Department of Defense. When the FPCA has been completed, a PDF version will be generated and users will be provided with the submission options that are allowed in their state or jurisdiction, including via postal mail, fax, email, or the secure server process.

Through the secure server process, users from participating jurisdictions can upload a printed, signed, and scanned FPCA onto the secure Department of Defense server. Their local election official, after receiving a notification email, can then log onto the secure server, download the FPCA, and provide status information that will allow the citizen to find out whether their FPCA has been approved or rejected.

Blank Ballot Delivery – March 2008

When ballots are ready for transmission to voters, local election officials in participating jurisdictions will be able to login and upload a specific blank ballot for an individual voter onto the secure server. After receiving an email notification to login to the secure server, the *UOCAVA* citizen can print, mark, and sign the blank ballot, prior to submitting it in accordance with state law.

Identification/Authentication - June 2008

Two levels of *UOCAVA* citizen identification and verification to the state/local election officials will be provided.

The first provides low-level verification of the individual through the use of their presence in the Defense Enrollment Eligibility Reporting System (DEERS) database. Through this checkpoint, the Department of Defense can assure the state that an individual matching the name, date of birth, and password exists in the database.

The second provides a high-level of identity authentication and verification through the use of commercially available digital certificates or Department of Defense Common Access Cards (smart cards). Through these credentials, the Department of Defense can assure state/local election officials that the individual is who they say they are as they digitally sign and electronically forward the FPCA through the secure Department of Defense server.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: SBE Legislative Proposals for the 2008 Spring Session of the Illinois General Assembly

DATE: November 27, 2007

Please consider the following legislative proposals as a beginning point for discussion of the SBE's legislative program for 2008. They are not presented for adoption at this time.

Please review the proposals and any other initiatives that you may want to raise and at the January meeting I will place this matter on the agenda for final action. This will allow for input from the Board, staff, election authorities and interested parties.

Cris Cray will be at the meeting to review proposals and respond to questions.

Attachments

Election Legislative Issues 2008

1. Per a request from Steve Sandvoss; modify Section 10-8, 28-11 and 28-12; these changes deal with petitions for constitutional amendments and statewide advisory questions.

2. Requests from Member McGuffage:
   a. reintroduce House Bill 4672, first introduced in 2006; outlines Board remedies for campaign finance issues
   b. require that the Chairman and Treasurer of Illinois Political Action Committees to be different people
   c. eliminate in-person absentee voting – extend early voting to the Monday before the election (delete 19-2.1 and amend 19A-15(a))

3. Per a request from Steve Sturm; getting objections to candidates within 2 days of the end of the objection filing period (10 ILCS 5/10-8). Remove the "registered mail" requirement, and give the SBE flexibility as to how we send the objections and call to the candidate. In addition, amending 10-10 to change the 3-5 day period for the first meeting of the SOEB to 3-5 days following the last day to object. This would eliminate the need for an additional "initial" meeting of the SOEB (similar to the meeting held on Wednesday, November 14).

4. Per a request from Kyle Thomas, amend (and perhaps delete) language that refers to the Voter Information System (VIS). This legislation is not yet drafted; Kyle is awaiting some programming changes.

5. Per the Legal Department, amend 7A-1 to clarify declarations of candidacy for judges.

6. Per a request from Rupert Borgsmiller, close the loophole in Section 9-10(b) - the Dave Sullivan amendment.

7. Per a request from the Disclosure Department, amend Sections 9-1.7 and 1.8 to mirror the definition used for candidates ("take action necessary") so it applies to referendum/advisory questions, etc. committees.

8. Per a request from Dianne Felts, amend Sections 24C-2 and 24C-15 to allow for the SBE to develop a scanner for use in redundant counts and retabs.

9. Per the Legal Department, add language to 24B-20 specifying that undervotes be identified for statewide constitutional offices only. This will make Section 24B consistent with the rest of the Election Code.

10. Per the Legal Department, remove language which dictates that the SBE must establish guidelines for the placement of signs at polling places.

11. Per a request from the Legal Department, clean up ballot preparation language. If no candidate files or no write-ins are declared, under the office title, the Clerk should list "no candidate."

12. Per a request from the Board, seek legislation (rather than administrative rulemaking) regarding imposition of a deadline for submission of amended canvasses.

LRB09503983JAM24016b

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

INTRODUCED _____, BY

SYNOPSIS AS INTRODUCED:

10 ILCS 5/10-8	from Ch. 46, par. 10-8
10 ILCS 5/28-11	from Ch. 46, par. 28-11
10 ILCS 5/28-12	from Ch. 46, par. 28-12

Amends the Election Code. With respect to nomination certificates, papers, and petitions for constitutional amendments and statewide advisory questions of public policy: (i) permits objections to be filed within 5 business days (now, 35 business days) after the last day for filing the certificates, papers, and petitions; (ii) requires that petition signature verification criteria must determine that the person who signed was registered at the address shown in the election jurisdiction on the date of signing (now, is, or was on the date of signing, registered in the election jurisdiction); (iii) presumes a petition's invalidity if the statewide random signature verification sampling projects a total of valid signatures not greater than 100% (now, not greater than 95.0%) of the minimum number of signatures required; and (iv) requires the State Board of Elections to conduct a hearing to permit proponents to overcome the presumption of invalidity within 20 business days after the random sampling (now, before the last day for certifying the amendment or question).

LRB095 03983 JAM 24016 b

A 011 FOR

AN ACT concerning elections.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Election Code is amended by changing Sections 10-8, 28-11, and 28-12 as follows:

(10 ILCS 5/10-8) (from Ch. 46, par. 10-8)

Sec. 10-8. Certificates of nomination and nomination papers, and petitions to submit public questions to a referendum, being filed as required by this Code, and being in apparent conformity with the provisions of this Act, shall be deemed to be valid unless objection thereto is duly made in writing within 5 business days after the last day for filing the certificate of nomination or nomination papers or petition for a public question. ~~, with the following exceptions:~~

~~A. In the case of petitions to amend Article IV of the Constitution of the State of Illinois, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.~~

~~B. In the case of petitions for advisory questions of public policy to be submitted to the voters of the entire State, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.~~

Any legal voter of the political subdivision or district in which the candidate or public question is to be voted on, or any legal voter in the State in the case of a proposed amendment to Article IV of the Constitution or an advisory public question to be submitted to the voters of the entire State, having objections to any certificate of nomination or nomination papers or petitions filed, shall file an objector's petition together with a copy thereof in the principal office or the permanent branch office of the State Board of Elections, or in the office of the election authority or local election official with whom the certificate of nomination, nomination papers or petitions are on file. In the case of nomination papers or certificates of nomination, the State Board of Elections, election authority or local election official shall note the day and hour upon which such objector's petition is filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit by registered mail or receipted personal delivery the certificate of nomination or nomination papers and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy by registered mail or receipted personal delivery of the objector's petition, to the candidate whose certificate of nomination or nomination papers are objected to, addressed to the place of residence designated in said certificate of nomination or nomination papers. In the case of

objections to a petition for a proposed amendment to Article IV of the Constitution or for an advisory public question to be submitted to the voters of the entire State, the State Board of Elections shall note the day and hour upon which such objector's petition is filed and shall transmit a copy of the objector's petition by registered mail or receipted personal delivery to the person designated on a certificate attached to the petition as the principal proponent of such proposed amendment or public question, or as the proponents' attorney, for the purpose of receiving notice of objections. In the case of objections to a petition for a public question, to be submitted to the voters of a political subdivision, or district thereof, the election authority or local election official with whom such petition is filed shall note the day and hour upon which such objector's petition was filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit by registered mail or receipted personal delivery the petition for the public question and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy by registered mail or receipted personal delivery, of the objector's petition to the person designated on a certificate attached to the petition as the principal proponent of the public question, or as the proponent's attorney, for the purposes of receiving notice of objections.

The objector's petition shall give the objector's name and residence address, and shall state fully the nature of the objections to the certificate of nomination or nomination papers or petitions in question, and shall state the interest of the objector and shall state what relief is requested of the electoral board.

The provisions of this Section and of Sections 10-9, 10-10 and 10-10.1 shall also apply to and govern objections to petitions for nomination filed under Article 7 or Article 8, except as otherwise provided in Section 7-13 for cases to which it is applicable, and also apply to and govern petitions for the submission of public questions under Article 28.

(Source: P.A. 86-1348.)

(10 ILCS 5/28-11) (from Ch. 46, par. 28-11)

Sec. 28-11. The Board shall design a standard and scientific random sampling method for the verification of petition signatures and shall conduct a public test to prove the validity of its sampling method. Notice of the time and place for such test shall be given at least 10 days before the date on which such test is to be conducted and in the manner prescribed for notice of regular Board meetings.

Within 14 business days following the last day for the filing of the original petition as prescribed in Section 28-9, the Board shall apply its proven random sampling method to the petition sheets in each election jurisdiction section for the

purpose of selecting and identifying the petition signatures to be included in the sample signature verification for the respective jurisdictions and shall prepare and transmit to each proper election authority a list by page and line number of the signatures from its election jurisdiction selected for verification.

For each election jurisdiction, the sample verification shall include an examination of either (a) 10% of the signatures if 5,010 or more signatures are involved; or (b) 500 signatures if more than 500 but less than 5,010 signatures are involved; or (c) all signatures if 500 or less signatures are involved.

Each election authority with whom jurisdictional copies of petition sheets were filed shall use the proven random sampling method designed and furnished by the Board for the verification of signatures shown on the list supplied by the Board and in accordance with the following criteria for determination of petition signature validity:

1. Determine if the person who signed the petition was ~~is~~ a registered voter at the address shown on the petition in that election jurisdiction ~~or was a registered voter therein~~ on the date the petition was signed;

2. Determine if the signature of the person who signed the petition reasonably compares with the signature shown on that person's registration record card.

Within 14 business days following receipt from the Board of

the list of signatures for verification, each election authority shall transmit a properly dated certificate to the Board which shall indicate; (a) the page and line number of petition signatures examined, (b) the validity or invalidity of such signatures, and (c) the reasons for invalidity, based on the criteria heretofore prescribed. The Board shall prepare and adopt a standard form of certificate for use by the election authorities which shall be transmitted with the list of signatures for verification.

Upon written request of the election authority that, due to the volume of signatures in the sample for its jurisdiction, additional time is needed to properly perform the signature verification, the Board may grant the election authority additional days to complete the verification and transmit the certificate of results. These certificates of random sample verification results shall be available for public inspection within 24 hours after receipt by the State Board of Elections. (Source: P.A. 83-999.)

(10 ILCS 5/28-12) (from Ch. 46, par. 28-12)

Sec. 28-12. Upon receipt of the certificates of the election authorities showing the results of the sample signature verification, the Board shall:

1. Based on the sample, calculate the ratio of invalid or valid signatures in each election jurisdiction.

2. Apply the ratio of invalid to valid signatures in an

election jurisdiction sample to the total number of petition signatures submitted from that election jurisdiction.

3. Compute the degree of multiple signature contamination in each election jurisdiction sample.

4. Adjust for multiple signature contamination and the invalid signatures, project the total number of valid petition signatures submitted from each election jurisdiction.

5. Aggregate the total number of projected valid signatures from each election jurisdiction and project the total number of valid signatures on the petition statewide.

If such statewide projection establishes a total number of valid petition signatures not greater than 100% ~~95.0%~~ of the minimum number of signatures required to qualify the proposed Constitutional amendment or statewide advisory public question for the ballot, the petition shall be presumed invalid; provided that, within 20 business days after the final results of the random sample are determined by the Board, the Board shall conduct a hearing ~~prior to the last day for ballot certification for the general election, the Board shall conduct a hearing~~ for the purpose of allowing the proponents to present competent evidence or an additional sample to rebut the presumption of invalidity. At the conclusion of such hearing, if the Board determines that the proponents were successful in overcoming the presumption of invalidity, the Board shall issue a final order declaring the petition to be valid and the Board shall certify the proposition for the ballot subject to any

objection that may be filed pursuant to Section 28-4. If the proponents are not successful in rebutting the presumption of invalidity, the Board shall issue a final order declaring the petition to be invalid and shall not certify the proposition for the ballot regardless of whether an objection was filed pursuant to Section 28-4 of this Code ~~or invalid and shall, in accordance with its order, certify or not certify the proposition for the ballot~~. The hearing required by this Section shall be limited to representatives of the proponents and representatives of the Board. Any specific findings made by the Board pursuant to the hearing shall be presumed correct in any further proceedings on the petition, including any hearing of any objection filed pursuant to Section 28-4.

If such statewide projection establishes a total number of valid petition signatures greater than 100% ~~95.0%~~ of the minimum number of signatures required to qualify the proposed Constitutional amendment or statewide advisory public question for the ballot, ~~the results of the sample shall be considered inconclusive and, if no specific objections to the petition are filed pursuant to Section 10-8 of this Code,~~ the Board shall issue a final order declaring the petition to be valid and shall certify the proposition for the ballot subject to any objection that may be filed pursuant to Section 28-4 of this Code.

In either event, the Board shall append to its final order the detailed results of the sample from each election

jurisdiction which shall include: (a) specific page and line numbers of signatures actually verified or determined to be invalid by the respective election authorities, and (b) the calculations and projections performed by the Board for each election jurisdiction.

(Source: P.A. 82-750.)

LRB094 16580 JAM 51841 b

2a

94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4672

Introduced 1/12/2006, by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-30

Amends the Election Code. Authorizes the State Board of Elections to seek judicial enforcement and injunctive relief against a political committee for unpaid civil penalties imposed by the Board with respect to campaign finance reporting violations. Prohibits certification of candidates whose committees have outstanding civil penalties (now, prohibits the name of a candidate with unpaid penalties from appearing on the ballot).

LRB094 16580 JAM 51841 b

A BILL FOR

AN ACT concerning elections.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Election Code is amended by changing Section 9-30 as follows:

(10 ILCS 5/9-30)

Sec. 9-30. Remedies. ~~Ballot forfeiture.~~

(a) Civil penalties imposed by a final order of the Board under this Article shall be enforceable in the circuit court if the penalty is not paid within 30 days after entry of the Board's order. The Board shall petition the court for an order to enforce collection of the penalty and if the court finds that it has jurisdiction over the political committee, as defined in Sections 9-1.7 and 9-1.8 of this Article, against whom the penalty was imposed, the court shall issue the appropriate order.

(b) The Board may seek injunctive relief against a committee, as defined in Sections 9-1.7 and 9-1.8 of this Article, for failure or refusal to pay any civil penalty imposed pursuant to a final order of the Board for violation of this Article. If the court finds it has jurisdiction over the committee it may grant the relief it deems appropriate and proper, which may include an order restraining or enjoining the committee from accepting contributions, making expenditures, or transferring funds while any penalty remains unpaid. This subsection shall not apply to committees of candidates who may be subject to ballot forfeiture under subsection (c).

The Board may not proceed under this subsection until it has exhausted its remedy under subsection (a) and the penalty remains unpaid.

(c) No candidate for public office shall be certified by the Board or any election authority to appear on the ballot at

any election if that candidate's political committee or committees have not paid the civil penalty or penalties imposed on the committee by a final order of the Board for violation of this Article. For purposes of this subsection, the term "political committee" shall not include (1) any State or local political party organization or (2) any organization, association, society, or group also required to file reports with the Secretary of State under the Lobbyist Registration Act.

The Board may not proceed under this subsection until it has exhausted its remedy under subsection (a) and the penalty remains unpaid.

(d) Any civil penalties collected pursuant to subsection (a), (b), or (c) shall be forwarded to the State Treasurer. ~~The name of a person who has not paid a civil penalty imposed against him or her under this Article shall not appear upon any ballot for any office in any election while the penalty is unpaid.~~

(Source: P.A. 93-615, eff. 11-19-03.)

2b

LRB095 03985 JAM 24018 b

95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

INTRODUCED _____, BY

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-2 from Ch. 46, par. 9-2

Amends the Election Code. Prohibits (now, permits) the same person from serving as both the chairman and the treasurer of a political committee. When a candidate is deemed to be a political committee, permits the candidate to designate himself or herself as either chairman or treasurer (now, either or both).

LRB095 03985 JAM 24018 b

A 024 - FOR

AN ACT concerning elections.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Election Code is amended by changing Section 9-2 as follows:

(10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

Sec. 9-2. Every political committee shall designate a chairman and a treasurer. The same person may not serve as both chairman and treasurer of any political committee. A candidate who administers his own campaign contributions and expenditures shall be deemed a political committee for purposes of this Article and shall designate himself as either chairman or ~~,~~ treasurer~~, or both chairman and treasurer~~ of such political committee. The treasurer of a political committee shall be responsible for keeping the records and filing the statements and reports required by this Article.

No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(Source: P.A. 80-756.)

2c

(10 ILCS 5/4-105)

Sec. 4-105. First time voting. If a person registered to vote by mail, the person must vote for the first time in person and not by an absentee ballot, except that the person may vote by ~~absentee ballot in person~~ early voting if the person first provides the appropriate election authority with sufficient proof of identity by the person's driver's license number or State identification card number or, if the person does not have either of those, by the last 4 digits of the person's social security number, a copy of a current and valid photo identification, or a copy of any of the following current documents that show the person's name and address: utility bill, bank statement, paycheck, government check, or other government document.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/5-105)

Sec. 5-105. First time voting. If a person registered to vote by mail, the person must vote for the first time in person and not by an absentee ballot, except that the person may vote by ~~absentee ballot in person~~ early voting if the person first provides the appropriate election authority with sufficient proof of identity by the person's driver's license number or State identification card number or, if the person does not have either of those, by the last 4 digits of the person's social security number, a copy of a current and valid photo identification, or a copy of any of the following current documents that show the person's name and address: utility bill, bank statement, paycheck, government check, or other government document.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/6-105)

Sec. 6-105. First time voting. If a person registered to vote by mail, the person must vote for the first time in person and not by an absentee ballot, except that the person may vote by ~~absentee ballot in person~~ early voting if the person first provides the appropriate election authority with sufficient proof of identity by the person's driver's license number or State identification card number or, if the person does not have either of those, by the last 4 digits of the person's social security number, a copy of a current and valid photo identification, or a copy of any of the following current documents that show the person's name and address: utility bill, bank statement, paycheck, government check, or other government document.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/19-2.1) (from Ch. 46, par. 19-2.1)

Sec. 19-2.1. At the consolidated primary, general primary, consolidated, and general elections, electors entitled to vote by absentee ballot under the provisions of Section 19-1 may vote in person at the office of the municipal clerk, if the elector is a resident of a municipality not having a board of election commissioners, or at the office of the township clerk or, in counties not under township organization, at the office of the road district clerk if the elector is not a resident of a municipality; provided, in each case that the

municipal, township or road district clerk, as the case may be, is authorized to conduct in-person absentee voting pursuant to this Section. Absentee voting in such municipal and township clerk's offices under this Section shall be conducted from the 22nd day through the day before the election.

Municipal and township clerks (or road district clerks) who have regularly scheduled working hours at regularly designated offices other than a place of residence and whose offices are open for business during the same hours as the office of the election authority shall conduct in-person absentee voting for said elections. Municipal and township clerks (or road district clerks) who have no regularly scheduled working hours but who have regularly designated offices other than a place of residence shall conduct in-person absentee voting for said elections during the hours of 8:30 a.m. to 4:30 p.m. or 9:00 a.m. to 5:00 p.m., weekdays, and 9:00 a.m. to 12:00 noon on Saturdays, but not during such hours as the office of the election authority is closed, unless the clerk files a written waiver with the election authority not later than July 1 of each year stating that he or she is unable to conduct such voting and the reasons therefor. Such clerks who conduct in-person absentee voting may extend their hours for that purpose to include any hours in which the election authority's office is open. Municipal and township clerks (or road district clerks) who have no regularly scheduled office hours and no regularly designated offices other than a place of residence may not conduct in-person absentee voting for said elections. The election authority may devise alternative methods for in-person absentee voting before said elections for those precincts located within the territorial area of a municipality or township (or road district) wherein the clerk of such municipality or township (or road district) has waived or is not entitled to conduct such voting. In addition, electors may vote by absentee ballot under the provisions of Section 19-1 at the office of the election authority having jurisdiction over their residence. Unless specifically authorized by the election authority, municipal, township, and road district clerks shall not conduct in-person absentee voting. No less than 45 days before the date of an election, the election authority shall notify the municipal, township, and road district clerks within its jurisdiction if they are to conduct in-person absentee voting. ~~Election authorities, however, may conduct in-person absentee voting in one or more designated appropriate public buildings from the fourth day before the election through the day before the election.~~

In conducting in-person absentee voting under this Section, the respective clerks shall be required to verify the signature of the absentee voter by comparison with the signature on the official registration record card. The clerk also shall reasonably ascertain the identity of such applicant, shall verify that each such applicant is a registered voter, and shall verify the precinct in which he or she is registered and the proper ballots of the political subdivisions in which the applicant resides and is entitled to vote, prior to providing any absentee ballot to such applicant. The clerk shall verify the applicant's registration and from the most recent poll list provided by the county clerk, and if the applicant is not listed on that poll list then by

telephoning the office of the county clerk.

Absentee voting procedures in the office of the municipal, township and road district clerks shall be subject to all of the applicable provisions of this Article 19. Pollwatchers may be appointed to observe in-person absentee voting procedures and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged, at the office of the municipal, township or road district clerks' offices where such absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted. Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials. All requirements in this Article applicable to election authorities shall apply to the respective local clerks, except where inconsistent with this Section.

The sealed absentee ballots in their carrier envelope shall be delivered by the respective clerks, or by the election authority on behalf of a clerk if the clerk and the election authority agree, to the election authority's central ballot counting location before the close of the polls on the day of the general primary, consolidated primary, consolidated, or general election.

Not more than 23 days before the general and consolidated elections, the county clerk shall make available to those municipal, township and road district clerks conducting in-person absentee voting within such county, a sufficient number of applications, absentee ballots, envelopes, and printed voting instruction slips for use by absentee voters in the offices of such clerks. The respective clerks shall receipt for all ballots received, shall return all unused or spoiled ballots to the county clerk on the day of the election and shall strictly account for all ballots received.

The ballots delivered to the respective clerks shall include absentee ballots for each precinct in the municipality, township or road district, or shall include such separate ballots for each political subdivision conducting an election of officers or a referendum on that election day as will permit any resident of the municipality, township or road district to vote absentee in the office of the proper clerk.

The clerks of all municipalities, townships and road districts may distribute applications for absentee ballot for the use of voters who wish to mail such applications to the appropriate election authority. Such applications for absentee ballots shall be made on forms provided by the election authority. Duplication of such forms by the municipal, township or road district clerk is prohibited.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

(10 ILCS 5/19-8) (from Ch. 46, par. 19-8)

Sec. 19-8. Time and place of counting ballots.

(a) (Blank.)

(b) Each absent voter's ballot returned to an election authority, by any means authorized by this Article, and received by that election authority before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted in the central ballot counting location of the election authority on the day of the election after 7:00 p.m., except as provided in subsections (g) and (g-5).

(c) Each absent voter's ballot that is mailed to an election authority and postmarked by the midnight preceding the opening of the polls on election day, but that is received by the election authority after the polls close on election day and before the close of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the period for counting provisional ballots.

(d) Special write-in absentee voter's blank ballots returned to an election authority, by any means authorized by this Article, and received by the election authority at any time before the closing of the polls on election day shall be endorsed by the receiving election authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same period provided for counting absent voters' ballots under subsections (b), (g), and (g-5). Special write-in absentee voter's blank ballots that are mailed to an election authority and postmarked by the midnight preceding the opening of the polls on election day, but that are received by the election authority after the polls close on election day and before the closing of the period for counting provisional ballots cast at that election, shall be endorsed by the receiving authority with the day and hour of receipt and shall be counted at the central ballot counting location of the election authority during the same periods provided for counting absent voters' ballots under subsection (c).

(e) Except as otherwise provided in this Section, absent voters' ballots and special write-in absentee voter's blank ballots received by the election authority after the closing of the polls on an election day shall be endorsed by the election authority receiving them with the day and hour of receipt and shall be safely kept unopened by the election authority for the period of time required for the preservation of ballots used at the election, and shall then, without being opened, be destroyed in like manner as the used ballots of that election.

(f) Counting required under this Section to begin on election day after the closing of the polls shall commence no later than 8:00 p.m. and shall be conducted by a panel or panels of election judges appointed in the manner provided by law. The counting shall continue until all absent voters' ballots and special write-in absentee voter's blank ballots required to be counted on election day have been counted.

(g) The procedures set forth in Articles 17 and 18 of this Code shall apply to all ballots counted under this Section. In addition, within 2 days after an

absentee ballot, other than an in-person absentee ballot, is received, but in all cases before the close of the period for counting provisional ballots, the election judge or official shall compare the voter's signature on the certification envelope of that absentee ballot with the signature of the voter on file in the office of the election authority. If the election judge or official determines that the 2 signatures match, and that the absentee voter is otherwise qualified to cast an absentee ballot, the election authority shall cast and count the ballot on election day or the day the ballot is determined to be valid, whichever is later, adding the results to the precinct in which the voter is registered. If the election judge or official determines that the signatures do not match, or that the absentee voter is not qualified to cast an absentee ballot, then without opening the certification envelope, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

In addition to the voter's signatures not matching, an absentee ballot may be rejected by the election judge or official:

(1) if the ballot envelope is open or has been opened and resealed;

(2) if the voter has already cast an early or grace period ballot;

(3) if the voter voted in person on election day or the voter is not a duly registered voter in the precinct; or

(4) on any other basis set forth in this Code.

If the election judge or official determines that any of these reasons apply, the judge or official shall mark across the face of the certification envelope the word "Rejected" and shall not cast or count the ballot.

(g-5) If an absentee ballot~~, other than an in-person absentee ballot,~~ is rejected by the election judge or official for any reason, the election authority shall, within 2 days after the rejection but in all cases before the close of the period for counting provisional ballots, notify the absentee voter that his or her ballot was rejected. The notice shall inform the voter of the reason or reasons the ballot was rejected and shall state that the voter may appear before the election authority, on or before the 14th day after the election, to show cause as to why the ballot should not be rejected. The voter may present evidence to the election authority supporting his or her contention that the ballot should be counted. The election authority shall appoint a panel of 3 election judges to review the contested ballot, application, and certification envelope, as well as any evidence submitted by the absentee voter. No more than 2 election judges on the reviewing panel shall be of the same political party. The reviewing panel of election judges shall make a final determination as to the validity of the contested absentee ballot. The judges' determination shall not be reviewable either administratively or judicially.

An absentee ballot subject to this subsection that is determined to be valid shall be counted before the close of the period for counting provisional ballots.

(g-10) All absentee ballots determined to be valid shall be added to the vote totals for the precincts for which they were cast in the order in which the ballots were opened.

(h) Each political party, candidate, and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

(Source: P.A. 94-557, eff. 8-12-05; 94-1000, eff. 7-3-06.)

(10 ILCS 5/19-10) (from Ch. 46, par. 19-10)

Sec. 19-10. Pollwatchers may be appointed to observe ~~in-person absentee voting procedures~~ and view all reasonably requested records relating to the conduct of the election, provided the secrecy of the ballot is not impinged~~, at the office of the election authority as well as at municipal, township or road district clerks' offices where such absentee voting is conducted. Such pollwatchers shall qualify and be appointed in the same manner as provided in Sections 7-34 and 17-23, except each candidate, political party or organization of citizens may appoint only one pollwatcher for each location where in-person absentee voting is conducted.~~ Pollwatchers must be registered to vote in Illinois and possess valid pollwatcher credentials.

~~In the polling place on election day, pollwatchers shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of such ballot; Provided, however, that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.~~

Where ~~certain~~ absent voters' ballots are counted on the ~~day~~ night of the election in the office of the election authority as provided in Section 19-8 of this Act, each political party, candidate and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned. Such pollwatchers shall be subject to the same provisions as are provided for pollwatchers in Sections 7-34 and 17-23 of this Code, and shall be permitted to observe the election judges making the signature comparison between that which is on the ballot envelope and that which is on the permanent voter registration record card taken from the master file.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/19-20)

Sec. 19-20. Report on absentee ballots. This Section applies to absentee ballots ~~other than in-person absentee ballots~~.

On or before the 21st day after an election, each election authority shall transmit to the State Board of Elections the following information with respect to that election:

(1) The number, by precinct, of absentee ballots

requested, provided, and counted.

(2) The number of rejected absentee ballots.

(3) The number of voters seeking review of rejected absentee ballots pursuant to subsection (g-5) of Section 19-8.

(4) The number of absentee ballots counted following review pursuant to subsection (g-5) of Section 19-8.

On or before the 28th day after an election, the State Board of Elections shall compile the information received under this Section with respect to that election and make that information available to the public.

(Source: P.A. 94-1000, eff. 7-3-06.)

(10 ILCS 5/19A-15)

Sec. 19A-15. Period for early voting; hours.

(a) The period for early voting by personal appearance begins the 22nd day preceding a general primary, consolidated primary, consolidated, or general election and extends through the Monday ~~5th day~~ before election day.

(b) A permanent polling place for early voting must remain open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m. to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on Saturdays, Sundays, and holidays.

(Source: P.A. 94-645, eff. 8-22-05.)

(10 ILCS 5/24-15) (from Ch. 46, par. 24-15)

Sec. 24-15. As soon as the polls are closed, the voting machine or machines shall be locked in order to prevent further voting and each machine shall be sealed against voting and tampering, with a numbered metal seal, and the number of such metal seal shall be recorded at once on the certificate provided for that purpose, and the number on the protective counter of each voting machine shall also be recorded on the certificate in the space provided for that purpose, and the number on the public counter shall be recorded in the space provided for that purpose. The counting compartment shall then be opened in the presence of all the precinct election officials and all watchers and other persons who may be lawfully within the room, giving full view of the numbers announcing the votes cast for each candidate, and the vote for and against each of the questions or other propositions. Provided, however, when a machine is equipped with a device which will automatically record the number on the registering columns for each candidate, question or proposition on the back of the machine to a paper recording sheet then the recording sheet shall be removed and the vote cast shall be announced from the recording sheet for each candidate and the vote for and against each question or proposition. When voting machines are used in an election precinct, the watchers provided by law to be present in the polling place on election day shall be permitted to make a record of the number on the metal seal with which each voting machine is sealed, and to also record the number shown on the protective counter of each voting machine, and such watchers shall also be permitted to examine the counters of the voting machines as the totals are being announced for transcription to the return sheets or from the recording sheets and also to examine the return sheets or the recording sheets as the totals are being recorded or checked thereon. In voting machine precincts where the voting machine is not equipped

with the automatic recording sheet the officer, officers board or boards charged by law to furnish the ballot labels for the voting machines shall also furnish for each election precinct in which a voting machine is to be used, at least two duplicate return sheets which shall be used by the precinct election board of such election precinct for recording the results of the election. Such return sheets shall be printed in the form of a diagram exactly corresponding, in arrangement, with the face of the voting machine, and such return sheets shall also correspond, in as far as arrangement is concerned, with the sample ballots, and each return sheet shall provide printed instructions for the exact procedure which the precinct election board shall follow when making the canvass of the results of the election, and such return sheets shall also provide the office titles, party names, candidates' names and code letters and number, arranged in the same manner as on the ballot labels, and there shall be provided a space for inserting the serial number of each voting machine, so that the totals recorded from each voting machine may be identified as being from a certain voting machine, and there shall be provided a space for recording such separate total for each candidate and constitutional amendment, or other question or proposition, from each separate voting machine, and a space for recording the total of the mail ~~and~~ absentee votes in the same manner, so that the final total for each candidate, constitutional amendment, question or other proposition, may be totaled by adding all the figures in a column. Totals on the return sheets shall be recorded in figures only, in ink. The same authorities shall also furnish to each such election precinct suitable printed forms for use by the precinct election board, in making out the certificates provided for in this Article. Such certificates shall be made a part of the return sheets if practicable, or may be on separate sheets.
(Source: Laws 1961, p. 2492.)

(10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

Sec. 24A-6. The ballot information, whether placed on the ballot or on the marking device, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that such information may be in vertical or horizontal rows, or in a number of separate pages. Ballots for all questions or propositions to be voted on must be provided in the same manner and must be arranged on or in the marking device or on the ballot sheet in the places provided for such purposes.

When an electronic voting system utilizes a ballot label booklet and ballot card, ballots for candidates, ballots calling for a constitutional convention, constitutional amendment ballots, judicial retention ballots, public measures, and all propositions to be voted upon may be placed on the electronic voting device by providing in the ballot booklet separate ballot label pages or series of pages distinguished by differing colors as provided below. When an electronic voting system utilizes a ballot sheet, ballots calling for a constitutional convention, constitutional amendment ballots and judicial retention ballots shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot which shall be printed in ink of a color distinct from the color of ink used in printing any other portion of the ballot sheet. Ballots for candidates, public measures and all other propositions to be voted upon shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot. Below the name of the last candidate listed for an office shall be printed a line on which the name of a candidate may be written by the voter, and immediately to the left of such line an area

shall be provided for marking a vote for such write-in candidate. More than one amendment to the constitution may be placed on the same ballot page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for constitutional conventions or constitutional amendments shall be on paper of blue color and shall precede all other ballot label pages in the ballot label booklet. More than one public measure or proposition may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. More than one proposition for retention of judges in office may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for candidates shall be on paper of white color, except that in primary elections the ballot label page or pages for the candidates of each respective political party shall be of the color designated by the election official in charge of the election for that political party's candidates; provided that the ballot label pages or pages for candidates for use at the nonpartisan and consolidated elections may be on paper of different colors, except blue, whenever necessary or desirable to facilitate distinguishing between the pages for different political subdivisions. On each page of the candidate booklet, where the election is made to list ballot information vertically, the party affiliation of each candidate or the word "independent" shall appear immediately to the left of the candidate's name, and the name of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of such nonpartisan candidates shall not include any party or "independent" designation. Ballot label pages for judicial retention ballots shall be on paper of green color, and ballot label pages for all public measures and other propositions shall be on paper of some other distinct and different color. In primary elections, a separate ballot label booklet, marking device and voting booth shall be used for each political party holding a primary, with the ballot label booklet arranged to include ballot label pages of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot card may be used for recording the voter's vote or choice on all such ballots, proposals, public measures or propositions, and such ballot card shall be arranged so as to record the voter's vote or choice in a separate column or columns for each such kind of ballot, proposal, public measure or proposition.

If the ballot label booklet includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages, and printing on such tabs "Candidates" and "Propositions".

The ballot card and all of its columns and the ballot card envelope shall be of the color prescribed for candidate's ballots at the general or primary election, whichever is being held. At an election where no candidates are being nominated or elected, the ballot card, its columns, and the ballot card envelope shall be of a color designated by the election official in charge of the election.

The ballot cards, ballot card envelopes and ballot sheets may, at the discretion of the election authority, be printed on white paper and then striped with the appropriate colors.

When ballot sheets are used, the various portions thereof shall be arranged to conform to the foregoing format.

Absentee ballots may consist of ballot cards, envelopes, paper ballots or ballot sheets voted ~~in person in the office of the election official in charge of the election or voted~~ by mail. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each party, candidate, proposal, public measure or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

Any voter who spoils his ballot or makes an error may return the ballot to the judges of election and secure another. However, the protruding identifying tab for proposals for a constitutional convention or constitutional amendments shall have printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label booklet.
(Source: P.A. 89-700, eff. 1-17-97.)

(10 ILCS 5/24B-6)

Sec. 24B-6. Ballot Information; Arrangement; Electronic Precinct Tabulation Optical Scan Technology Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or displays on the marking device. Ballots for all questions or propositions to be voted on should be provided in a similar manner and must be arranged on the ballot sheet or marking device in the places provided for such purposes. Ballots shall be of white paper unless provided otherwise by administrative rule of the State Board of Elections or otherwise specified.

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet or marking device by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet or marking device by utilizing borders or grey screens. Below the name of the last candidate listed for an office shall be printed or displayed a line or lines on which the voter may select a write-in candidate. Such line or lines shall be proximate to an area provided for marking votes for the write-in candidate or candidates. The number of write-in lines for an office shall equal the number of candidates for which a voter may vote. More than one amendment to the constitution may be placed on the same portion of the ballot sheet or marking device. Constitutional convention or constitutional amendment propositions shall be printed or displayed on a separate portion of the ballot sheet or marking device and designated by borders or grey screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public measure or proposition may be placed on the same portion of the ballot sheet or marking device. More than one proposition for retention of judges in office may be placed on the same portion of the ballot sheet or marking device. Names of candidates shall be printed in black. The party affiliation of each candidate or the word "independent" shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office, on separate pages of the marking device, or as otherwise approved by the State Board of Elections. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted

pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. Judicial retention questions and ballot questions for all public measures and other propositions shall be designated by borders or grey screens on the ballot or marking device. In primary elections, a separate ballot, or displays on the marking device, shall be used for each political party holding a primary, with the ballot or marking device arranged to include names of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the ballot or displays on the marking device in sections for "Candidates" and "Propositions", or separate ballots may be used.

Absentee ballots may consist of envelopes, paper ballots or ballot sheets voted ~~in person in the office of the election official in charge of the election or voted~~ by mail. Where a Precinct Tabulation Optical Scan Technology ballot is used for voting by mail it must be accompanied by voter instructions.

Any voter who spoils his or her ballot, makes an error, or has a ballot returned by the automatic tabulating equipment may return the ballot to the judges of election and get another ballot.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-1)

Sec. 24C-1. Purpose. The purpose of this Article is to authorize the use of Direct Recording Electronic Voting Systems approved by the State Board of Elections. In a Direct Recording Electronic Voting System, voters cast votes by means of a ballot display provided with mechanical or electro-optical devices that can be activated by the voters to mark their choices for the candidates of their preference and for or against public questions. Such voting devices shall be capable of instantaneously recording such votes, storing such votes, producing a permanent paper record and tabulating such votes at the precinct or at one or more counting stations. This Article authorizes the use of Direct Recording Electronic Voting Systems for in-precinct counting applications and for ~~in-person absentee~~ voting in the ~~office of the election authority and in the~~ offices of local officials authorized by the election authority to conduct such absentee voting. All other absentee ballots must be counted at the office of the election authority.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-6)

Sec. 24C-6. Ballot Information; Arrangement; Direct Recording Electronic Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or display screens.

Ballots for all public questions to be voted on should be provided in a similar manner and must be arranged on the ballot in the places provided for such purposes. All public questions, including but not limited to public questions calling for a constitutional convention, constitutional amendment, or judicial retention, shall be placed on the ballot

separate and apart from candidates. Ballots for all public questions shall be clearly designated by borders or different color screens. More than one amendment to the constitution may be placed on the same portion of the ballot sheet. Constitutional convention or constitutional amendment propositions shall be placed on a separate portion of the ballot and designated by borders or unique color screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public question may be placed on the same portion of the ballot. More than one proposition for retention of judges in office may be placed on the same portion of the ballot.

The party affiliation, if any, of each candidate or the word "independent", where applicable, shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. In primary elections, a separate ballot shall be used for each political party holding a primary, with the ballot arranged to include names of the candidates of the party and public questions and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public questions or propositions to be voted on, the election official in charge of the election shall divide the ballot in sections for "Candidates" and "Public Questions", or separate ballots may be used.

Any voter who spoils his or her ballot, makes an error, or has a ballot rejected by the automatic tabulating equipment shall be provided a means of correcting the ballot or obtaining a new ballot prior to casting his or her ballot.

Any election authority using a Direct Recording Electronic Voting System may use voting systems approved for use under Articles 24A or 24B of this Code in conducting absentee voting ~~in the office of the election authority or voted~~ by mail.
(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-13)

Sec. 24C-13. Absentee ballots; Early voting ballots; Proceedings at Location for Central Counting; Employees; Approval of List.

(a) All jurisdictions using Direct Recording Electronic Voting Systems shall use paper ballots or paper ballot sheets approved for use under Articles 16, 24A or 24B of this Code when conducting absentee voting ~~except that Direct Recording Electronic Voting Systems may be used for in-person absentee voting conducted pursuant to Section 19-2.1 of this Code~~. All absentee ballots shall be counted at the central ballot counting location of the election authority. The provisions of Section 24A-9, 24B-9 and 24C-9 of this Code shall apply to the testing and notice requirements for central count tabulation equipment, including comparing the signature on the ballot envelope with the signature of the voter on the permanent voter registration record card taken from the master file. Vote results shall be recorded by precinct and shall be added to the vote results for the precinct in which the absent voter was eligible to vote prior to completion of the official canvass.

(b) All proceedings at the location for central counting shall be under the direction of the county clerk or board of election commissioners. Except for any specially trained technicians required for the operation of the Direct Recording Electronic Voting System,

the employees at the counting station shall be equally divided between members of the 2 leading political parties and all duties performed by the employees shall be by teams consisting of an equal number of members of each political party. Thirty days before an election the county clerk or board of election commissioners shall submit to the chairman of each political party, for his or her approval or disapproval, a list of persons of his or her party proposed to be employed. If a chairman fails to notify the election authority of his or her disapproval of any proposed employee within a period of 10 days thereafter the list shall be deemed approved.
(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

3

(10 ILCS 5/10-8) (from Ch. 46, par. 10-8)

Sec. 10-8. Certificates of nomination and nomination papers, and petitions to submit public questions to a referendum, being filed as required by this Code, and being in apparent conformity with the provisions of this Act, shall be deemed to be valid unless objection thereto is duly made in writing within 5 business days after the last day for filing the certificate of nomination or nomination papers or petition for a public question, with the following exceptions:

A. In the case of petitions to amend Article IV of the Constitution of the State of Illinois, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.

B. In the case of petitions for advisory questions of public policy to be submitted to the voters of the entire State, there shall be a period of 35 business days after the last day for the filing of such petitions in which objections can be filed.

Any legal voter of the political subdivision or district in which the candidate or public question is to be voted on, or any legal voter in the State in the case of a proposed amendment to Article IV of the Constitution or an advisory public question to be submitted to the voters of the entire State, having objections to any certificate of nomination or nomination papers or petitions filed, shall file an objector's petition together with a copy thereof in the principal office or the permanent branch office of the State Board of Elections, or in the office of the election authority or local election official with whom the certificate of nomination, nomination papers or petitions are on file. In the case of nomination papers or certificates of nomination, the State Board of Elections, election authority or local election official shall note the day and hour upon which such objector's petition is filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit ~~by registered mail or receipted personal delivery~~ the certificate of nomination or nomination papers and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy ~~by registered mail or receipted personal delivery of the objector's petition,~~ to the candidate whose certificate of nomination or nomination papers are objected to, addressed to the place of residence designated in said certificate of nomination or nomination papers. In the case of objections to a petition for a proposed amendment to Article IV of the Constitution or for an advisory public question to be submitted to the voters of the entire State, the State Board of Elections shall note the day and hour upon which such objector's petition is filed and shall transmit a copy of the objector's petition ~~by registered mail or receipted personal delivery~~ to the person designated on a certificate attached to the petition as the principal proponent of such proposed amendment or public question, or as the proponents' attorney, for the purpose of receiving notice of objections. In the case of objections to a petition for a public question, to be submitted to the voters of a political subdivision, or district thereof, the election authority or

local election official with whom such petition is filed shall note the day and hour upon which such objector's petition was filed, and shall, not later than 12:00 noon on the second business day after receipt of the petition, transmit ~~by registered mail or receipted personal delivery~~ the petition for the public question and the original objector's petition to the chairman of the proper electoral board designated in Section 10-9 hereof, or his authorized agent, and shall transmit a copy ~~by registered mail or receipted personal delivery,~~ of the objector's petition to the person designated on a certificate attached to the petition as the principal proponent of the public question, or as the proponent's attorney, for the purposes of receiving notice of objections.

The objector's petition shall give the objector's name and residence address, and shall state fully the nature of the objections to the certificate of nomination or nomination papers or petitions in question, and shall state the interest of the objector and shall state what relief is requested of the electoral board.

The provisions of this Section and of Sections 10-9, 10-10 and 10-10.1 shall also apply to and govern objections to petitions for nomination filed under Article 7 or Article 8, except as otherwise provided in Section 7-13 for cases to which it is applicable, and also apply to and govern petitions for the submission of public questions under Article 28. (Source: P.A. 86-1348.)

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

Sec. 10-10. Within 24 hours after the receipt of the certificate of nomination or nomination papers or proposed question of public policy, as the case may be, and the objector's petition, the chairman of the electoral board other than the State Board of Elections shall send a call ~~by registered or certified mail~~ to each of the members of the electoral board, and to the objector who filed the objector's petition, and either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of a question of public policy, as the case may be, whose petitions are objected to, and shall also cause the sheriff of the county or counties in which such officers and persons reside to serve a copy of such call upon each of such officers and persons, which call shall set out the fact that the electoral board is required to meet to hear and pass upon the objections to nominations made for the office, designating it, and shall state the day, hour and place at which the electoral board shall meet for the purpose, which place shall be in the county court house in the county in the case of the County Officers Electoral Board, the Municipal Officers Electoral Board, the Township Officers Electoral Board or the Education Officers Electoral Board. The Township Officers Electoral Board may meet in the township offices, if they are available, rather than the county courthouse. In those cases where the State Board of Elections is the electoral board designated under Section 10-9, the chairman of the State Board of Elections shall, within 24 hours after the receipt of the certificate of nomination or nomination papers or petitions for a proposed amendment to Article IV of the Constitution or proposed statewide question of public policy, send a call ~~by registered or certified mail~~

to the objector who files the objector's petition, and either to the candidate whose certificate of nomination or nomination papers are objected to or to the principal proponent or attorney for proponents of the proposed Constitutional amendment or statewide question of public policy and shall state the day, hour and place at which the electoral board shall meet for the purpose, which place may be in the Capitol Building or in the principal or permanent branch office of the State Board. The day of the meeting shall not be less than 3 nor more than 5 days after the ~~receipt of the certificate of nomination or nomination papers and the objector's petition by the chairman of the electoral board~~ last day of the objection period.

The electoral board shall have the power to administer oaths and to subpoena and examine witnesses and at the request of either party the chairman may issue subpoenas requiring the attendance of witnesses and subpoenas duces tecum requiring the production of such books, papers, records and documents as may be evidence of any matter under inquiry before the electoral board, in the same manner as witnesses are subpoenaed in the Circuit Court.

Service of such subpoenas shall be made by any sheriff or other person in the same manner as in cases in such court and the fees of such sheriff shall be the same as is provided by law, and shall be paid by the objector or candidate who causes the issuance of the subpoena. In case any person so served shall knowingly neglect or refuse to obey any such subpoena, or to testify, the electoral board shall at once file a petition in the circuit court of the county in which such hearing is to be heard, or has been attempted to be heard, setting forth the facts, of such knowing refusal or neglect, and accompanying the petition with a copy of the citation and the answer, if one has been filed, together with a copy of the subpoena and the return of service thereon, and shall apply for an order of court requiring such person to attend and testify, and forthwith produce books and papers, before the electoral board. Any circuit court of the state, excluding the judge who is sitting on the electoral board, upon such showing shall order such person to appear and testify, and to forthwith produce such books and papers, before the electoral board at a place to be fixed by the court. If such person shall knowingly fail or refuse to obey such order of the court without lawful excuse, the court shall punish him or her by fine and imprisonment, as the nature of the case may require and may be lawful in cases of contempt of court.

The electoral board on the first day of its meeting shall adopt rules of procedure for the introduction of evidence and the presentation of arguments and may, in its discretion, provide for the filing of briefs by the parties to the objection or by other interested persons.

In the event of a State Electoral Board hearing on objections to a petition for an amendment to Article IV of the Constitution pursuant to Section 3 of Article XIV of the Constitution, or to a petition for a question of public policy to be submitted to the voters of the entire State, the certificates of the county clerks and boards of election commissioners showing the results of the random sample of signatures on the petition shall be prima facie valid and accurate, and shall be presumed to establish the number of valid and invalid signatures on the petition sheets reviewed in the random sample, as prescribed in Section 28-11 and 28-12 of this Code. Either party, however, may introduce evidence at such hearing to dispute the findings as to particular signatures. In addition to the foregoing, in the absence of competent evidence presented at such hearing by a party substantially challenging

the results of a random sample, or showing a different result obtained by an additional sample, this certificate of a county clerk or board of election commissioners shall be presumed to establish the ratio of valid to invalid signatures within the particular election jurisdiction.

The electoral board shall take up the question as to whether or not the certificate of nomination or nomination papers or petitions are in proper form, and whether or not they were filed within the time and under the conditions required by law, and whether or not they are the genuine certificate of nomination or nomination papers or petitions which they purport to be, and whether or not in the case of the certificate of nomination in question it represents accurately the decision of the caucus or convention issuing it, and in general shall decide whether or not the certificate of nomination or nominating papers or petitions on file are valid or whether the objections thereto should be sustained and the decision of a majority of the electoral board shall be final subject to judicial review as provided in Section 10-10.1. The electoral board must state its findings in writing and must state in writing which objections, if any, it has sustained.

Upon the expiration of the period within which a proceeding for judicial review must be commenced under Section 10--10.1, the electoral board shall, unless a proceeding for judicial review has been commenced within such period, transmit, by registered or certified mail, a certified copy of its ruling, together with the original certificate of nomination or nomination papers or petitions and the original objector's petition, to the officer or board with whom the certificate of nomination or nomination papers or petitions, as objected to, were on file, and such officer or board shall abide by and comply with the ruling so made to all intents and purposes.

(Source: P.A. 91-285, eff. 1-1-00.)

Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has been elected to that office and who seeks to be retained in that office under subsection (d) of Section 12 of Article VI of the Constitution shall file a declaration of candidacy to succeed himself in the office of the Secretary of State ~~on or before the first Monday in December before the~~ six months prior to the next scheduled general election preceding the expiration of his term of office. Within 3 business days thereafter, the Secretary of State shall certify to the State Board of Elections the names of all incumbent judges who were eligible to stand for retention at the next general election but failed to timely file a declaration of candidacy to succeed themselves in office or, having ~~timely filed such a declaration, withdrew it. The State Board of~~ Elections may rely upon the certification from the Secretary of State. (a) to determine when vacancies in judicial office exist and (b) to determine the judicial positions for which elections will be held. The Secretary of State, not less than 63 days before the election, shall certify the Judge's candidacy to the proper election officials. The names of Judges seeking retention shall be submitted to the electors, separately and without party designation, on the sole question whether each Judge shall be retained in office for another term. The retention elections shall be conducted at general elections in the appropriate Judicial District, for Supreme and Appellate Judges, and in the circuit for Circuit Judges. The affirmative vote of three-fifths of the electors voting on the question shall elect the Judge to the office for a term commencing on the first Monday in December following his election.
(Source: P.A. 86-1348.)

9-10 (b) Reports of campaign contributions shall be filed no later than the 15th day next preceding each election including a primary election in connection with which the political committee has accepted or is accepting contributions or has made or is making expenditures. Such reports shall be complete as of the 30th day next preceding each election including a primary election. The Board shall assess a civil penalty not to exceed $5,000 for a violation of this subsection, except that for State officers and candidates and political committees formed for statewide office, the civil penalty may not exceed $10,000. The fine, however, shall not exceed $500 for a first filing violation for filing less than 10 days after the deadline. There shall be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline. For the purpose of this subsection, "statewide office" and "State officer" means the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. However, a continuing political committee that does not make an expenditure or expenditure(s) in an aggregate ~~excess~~ of more than $500 on behalf of or in opposition to any candidate(s) and/or public question(s) on the ballot at an election shall not be required to file the reports heretofore prescribed but may file in lieu thereof a Statement of Nonparticipation in the Election with the Board or the Board and the county clerk; except that if the political committee, by the terms of its statement of organization filed in accordance with this Article, is organized to support or oppose a candidate or public question on the ballot at the next election or primary, that committee must file reports required by this subsection (b) and by subsection (b-5).

(10 ILCS 5/9-1.7) (from Ch. 46, par. 9-1.7)
Sec. 9-1.7. "Local political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or other organization or group of persons which:

(a) takes the action necessary under the laws of this State to attempt to qualify for placement on the ballot;

~~(a)~~ (b) accepts contribution or grants or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interests with the county clerk, or on behalf of or in opposition to a candidate or candidates for election to the office of ward or township committeeman in counties of 3,000,000 or more population;

~~(b)~~ (c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing no more than one county;

~~(c)~~ (d) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interest with the County Clerk or a candidate or candidates for the office of ward or township committeeman in counties of 3,000,000 or more population; or

~~(d)~~ (e) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 for electioneering communications relating to any candidate or candidates described in paragraph (a) or any question of public policy described in paragraph (b).

(Source: P.A. 93-847, eff. 7-30-04.)

(10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)
Sec. 9-1.8. "State political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or any other organization or group of persons which—

(a) takes the action necessary under the laws of this State to attempt to qualify for placement on the ballot;

~~(a)~~ (b) accepts contributions or grants or makes

expenditures during any 12-month period in an aggregate amount exceeding $3,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interests with the Secretary of State,

~~(b)~~ (c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing more than one county,

~~(c)~~ (d) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interest with the Secretary of State, or

~~(d)~~ (e) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding $3,000 for electioneering communications relating to any candidate or candidates described in paragraph (a) or any question of public policy described in paragraph (b).

(Source: P.A. 93-847, eff. 7-30-04.)

(10 ILCS 5/24C-2)

Sec. 24C-2. Definitions. As used in this Article:

"Audit trail" or "audit capacity" means a continuous trail of evidence linking individual transactions related to the casting of a vote, the vote count and the summary record of vote totals, but which shall not allow for the identification of the voter. It shall permit verification of the accuracy of the count and detection and correction of problems and shall provide a record of each step taken in: defining and producing ballots and generating related software for specific elections; installing ballots and software; testing system readiness; casting and tabulating ballots; and producing images of votes cast and reports of vote totals. The record shall incorporate system status and error messages generated during election processing, including a log of machine activities and routine and unusual intervention by authorized and unauthorized individuals. Also part of an audit trail is the documentation of such items as ballots delivered and collected, administrative procedures for system security, pre-election testing of voting systems, and maintenance performed on voting equipment. All test plans, test results, documentation, and other records used to plan, execute, and record the results of the testing and verification, including all material prepared or used by independent testing authorities or other third parties, shall be made part of the public record and shall be freely available via the Internet and paper copy to anyone. "Audit trail" or "audit capacity" also means that the voting system is capable of producing and shall produce immediately after a ballot is cast a permanent paper record of each ballot cast that shall be available as an official record for any recount, redundant count, or verification or retabulation of the vote count conducted with respect to any election in which the voting system is used.

"Ballot" means an electronic audio or video display or any other medium, including paper, used to record a voter's choices for the candidates of their preference and for or against public questions.

"Ballot configuration" means the particular combination of political subdivision or district ballots including, for each political subdivision or district, the particular combination of offices, candidate names and public questions as it appears for each group of voters who may cast the same ballot.

"Ballot image" means a corresponding representation in electronic or paper form of the mark or vote position of a ballot.

"Ballot label" or "ballot screen" means the display of material containing the names of offices and candidates and public questions to be voted on.

"Central counting" means the counting of ballots in one or more locations selected by the election authority for the processing or counting, or both, of ballots. A location for central counting shall be within the territorial jurisdiction of the election authority unless there is no suitable tabulating equipment available within his territorial jurisdiction. However, in any event a counting location shall be within this State.

"Computer", "automatic tabulating equipment" or "equipment" includes apparatus necessary to automatically examine and count votes as designated on ballots, and data processing machines which can be used for counting ballots and tabulating results.

"Computer operator" means any person or persons designated by the election authority to operate the automatic tabulating equipment during any portion of the vote tallying process in an election, but shall not include judges of election operating vote tabulating equipment in the

precinct.

"Computer program" or "program" means the set of operating instructions for the automatic tabulating equipment that examines, records, displays, counts, tabulates, canvasses, or prints votes recorded by a voter on a ballot or that displays any and all information, graphics, or other visual or audio information or images used in presenting voting information, instructions, or voter choices.

"Direct recording electronic voting system", "voting system" or "system" means the total combination of mechanical, electromechanical or electronic equipment, programs and practices used to define ballots, cast and count votes, report or display election results, maintain or produce any audit trail information, identify all system components, test the system during development, maintenance and operation, maintain records of system errors and defects, determine specific system changes to be made to a system after initial qualification, and make available any materials to the voter such as notices, instructions, forms or paper ballots.

"Edit listing" means a computer generated listing of the names of each candidate and public question as they appear in the program for each precinct.

"In-precinct counting" means the recording and counting of ballots on automatic tabulating equipment provided by the election authority in the same precinct polling place in which those ballots have been cast.

"Marking device" means any device approved by the State Board of Elections for marking a ballot so as to enable the ballot to be recorded, counted and tabulated by automatic tabulating equipment.

"Permanent paper record" means a paper record upon which shall be printed in human readable form the votes cast for each candidate and for or against each public question on each ballot recorded in the voting system. Each permanent paper record shall be printed by the voting device upon activation of the marking device by the voter and shall contain a unique, randomly assigned identifying number that shall correspond to the number randomly assigned by the voting system to each ballot as it is electronically recorded.

"Redundant count" means a verification of the original computer count of ballots by another count using compatible equipment or other means as part of a discovery recount, including a count of the permanent paper record of each ballot cast by using ~~compatible equipment, different~~ automatic tabulating equipment developed and approved by the State Board of Elections for that purpose, or by hand.

"Separate ballot" means a separate page or display screen of the ballot that is clearly defined and distinguishable from other portions of the ballot.

"Voting device" or "voting machine" means an apparatus that contains the ballot label or ballot screen and allows the voter to record his or her vote.

(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05.)

(10 ILCS 5/24C-15)

Sec. 24C-15. Official Return of Precinct; Check of Totals; Audit. The precinct return printed by the Direct Recording Electronic Voting System tabulating equipment shall include the number of ballots cast and votes cast for each candidate and public question and shall constitute the official return of each precinct. In addition to the precinct return, the election authority shall provide the number of

applications for ballots in each precinct, the total number of ballots and absentee ballots counted in each precinct for each political subdivision and district and the number of registered voters in each precinct. However, the election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct audited to correct the return. The procedures for this audit shall apply prior to and after the proclamation is completed; however, after the proclamation of results, the election authority must obtain a court order to unseal voted ballots or voting devices except for election contests and discovery recounts. The certificate of results, which has been prepared and signed by the judges of election in the polling place after the ballots have been tabulated, shall be the document used for the canvass of votes for such precinct. Whenever a discrepancy exists during the canvass of votes between the unofficial results and the certificate of results, or whenever a discrepancy exists during the canvass of votes between the certificate of results and the set of totals reflected on the certificate of results, the ballots for that precinct shall be audited to correct the return.

Prior to the proclamation, the election authority shall test the voting devices and equipment in 5% of the precincts within the election jurisdiction. The precincts to be tested shall be selected after election day on a random basis by the State Board of Elections, so that every precinct in the election jurisdiction has an equal mathematical chance of being selected. The State Board of Elections shall design a standard and scientific random method of selecting the precincts that are to be tested. The State central committee chairman of each established political party shall be given prior written notice of the time and place of the random selection procedure and may be represented at the procedure.

The test shall be conducted by counting the votes marked on the permanent paper record of each ballot cast in the tested precinct printed by the voting system at the time that each ballot was cast and comparing the results of this count with the results shown by the certificate of results prepared by the Direct Recording Electronic Voting System in the test precinct. The election authority shall test count these votes either by hand or by using an automatic tabulating device ~~other than a Direct Recording Electronic voting device~~ that has been developed and approved by the State Board of Elections for that purpose and tested pursuant to State Board of Elections rules, before use to ensure accuracy. The election authority shall print the results of each test count. If any error is detected, the cause shall be determined and corrected, and an errorless count shall be made prior to the official canvass and proclamation of election results. If an errorless count cannot be conducted and there continues to be difference in vote results between the certificate of results produced by the Direct Recording Electronic Voting System and the count of the permanent paper records or if an error was detected and corrected, the election authority shall immediately prepare and forward to the appropriate canvassing board a written report explaining the results of the test and any errors encountered and the report shall be made available for public inspection.

The State Board of Elections, the State's Attorney and other appropriate law enforcement agencies, the county chairman of each established political party and qualified civic organizations shall be given prior written notice of the time and place of the test and may be

represented at the test.

The results of this post-election test shall be treated in the same manner and have the same effect as the results of the discovery procedures set forth in Section 22-9.1 of this Code.
(Source: P.A. 93-574, eff. 8-21-03; 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06.)

9

(10 ILCS 5/24B-20)

Sec. 24B-20. Voting Defect Identification Capabilities. An election authority is required to use the Voting Defect Identification capabilities of the automatic tabulating equipment when used in-precinct, including both the capability of identifying an under-vote for statewide constitutional offices only ~~and the capability of identifying an over-vote~~.

(Source: P.A. 89-394, eff. 1-1-97.)

(10 ILCS 5/7-41) (from Ch. 46, par. 7-41)
Sec. 7-41. (a) All officers upon whom is imposed by law the duty of designating and providing polling places for general elections, shall provide in each such polling place so designated and provided, a sufficient number of booths for such primary election, which booths shall be provided with shelves, such supplies and pencils as will enable the voter to prepare his ballot for voting and in which voters may prepare their ballots screened from all observation as to the manner in which they do so. Such booths shall be within plain view of the election officers and both they and the ballot boxes shall be within plain view of those within the proximity of the voting booths. No person other than election officers and the challengers allowed by law and those admitted for the purpose of voting, as hereinafter provided, shall be permitted within the proximity of the voting booths, except by authority of the primary officers to keep order and enforce the law.
(b) The number of such voting booths shall not be less than one to every seventy-five voters or fraction thereof, who voted at the last preceding election in the precinct or election district.
(c) No person shall do any electioneering or soliciting of votes on primary day within any polling place or within one hundred feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place. Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located. The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. ~~The State Board of Elections shall establish guidelines for the placement of polling place signage.~~ The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must be made available for use as a polling place. A person shall

have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day.
(d) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State. A home rule unit may not regulate electioneering and any ordinance or local law contrary to subsection (c) is declared void. This is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.
(Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04.)

(10 ILCS 5/17-29) (from Ch. 46, par. 17-29)
Sec. 17-29. (a) No judge of election, pollwatcher, or other person shall, at any primary or election, do any electioneering or soliciting of votes or engage in any political discussion within any polling place, within 100 feet of any polling place, or, at the option of a church or private school, on any of the property of that church or private school that is a polling place; no person shall interrupt, hinder or oppose any voter while approaching within those areas for the purpose of voting. Judges of election shall enforce the provisions of this Section.
(b) Election officers shall place 2 or more cones, small United States national flags, or some other marker a distance of 100 horizontal feet from each entrance to the room used by voters to engage in voting, which shall be known as the polling room. If the polling room is located within a building that is a private business, a public or private school, or a church or other organization founded for the purpose of religious worship and the distance of 100 horizontal feet ends within the interior of the building, then the markers shall be placed outside of the building at each entrance used by voters to enter that building on the grounds adjacent to the thoroughfare or walkway. If the polling room is located within a public or private building with 2 or more floors and the polling room is located on the ground floor, then the markers shall be placed 100 horizontal feet from each entrance to the polling room used by voters to engage in voting. If the polling room is located in a public or private building with 2 or more floors and the polling room is located on a floor above or below the ground floor, then the markers shall be placed a distance of 100 feet from the nearest elevator or staircase used by voters on the ground floor to access the floor where the polling room is located. The area within where the markers are placed shall be known as a campaign free zone, and electioneering is prohibited pursuant to this subsection. Notwithstanding any other provision of this Section, a church or private school may choose to apply the campaign free zone to its entire property, and, if so, the markers shall be placed near the boundaries on the grounds adjacent to the thoroughfares or walkways leading to the entrances used by the voters. The area on polling place property beyond the campaign free zone, whether publicly or privately owned, is a public forum for the time that the polls are open on an election day. At the request of election officers any publicly owned building must

be made available for use as a polling place. A person shall have the right to congregate and engage in electioneering on any polling place property while the polls are open beyond the campaign free zone, including but not limited to, the placement of temporary signs. This subsection shall be construed liberally in favor of persons engaging in electioneering on all polling place property beyond the campaign free zone for the time that the polls are open on an election day. At or near the door of each polling place, the election judges shall place signage indicating the proper entrance to the polling place. In addition, the election judges shall ensure that a sign identifying the location of the polling place is placed on a nearby public roadway. ~~The State Board of Elections shall establish guidelines for the placement of polling place signage.~~

(c) The regulation of electioneering on polling place property on an election day, including but not limited to the placement of temporary signs, is an exclusive power and function of the State. A home rule unit may not regulate electioneering and any ordinance or local law contrary to subsection (c) is declared void. This is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 93-574, eff. 8-21-03; 93-847, eff. 7-30-04.)

(10 ILCS 5/7-19) (from Ch. 46, par. 7-19)

Sec. 7-19. The primary ballot of each political party for each precinct shall be arranged and printed substantially in the manner following:

1. Designating words. At the top of the ballot shall be printed in large capital letters, words designating the ballot, if a Republican ballot, the designating words shall be: "REPUBLICAN PRIMARY BALLOT"; if a Democratic ballot the designating words shall be: "DEMOCRATIC PRIMARY BALLOT"; and in like manner for each political party.

2. Order of Names, Directions to Voters, etc. Beginning not less than one inch below designating words, the name of each office to be filled shall be printed in capital letters. Such names may be printed on the ballot either in a single column or in 2 or more columns and in the following order, to-wit:

President of the United States, State offices, congressional offices, delegates and alternate delegates to be elected from the State at large to National nominating conventions, delegates and alternate delegates to be elected from congressional districts to National nominating conventions, member or members of the State central committee, trustees of sanitary districts, county offices, judicial officers, city, village and incorporated town offices, town offices, or of such of the said offices as candidates are to be nominated for at such primary, and precinct, township or ward committeemen. If two or more columns are used, the foregoing offices to and including member of the State central committee shall be listed in the left-hand column and Senatorial offices, as defined in Section 8-3, shall be the first offices listed in the second column.

Below the name of each office shall be printed in small letters the directions to voters: "Vote for one"; "Vote for two"; "Vote for three"; or a spelled number designating how many persons under that head are to be voted for. However, if no candidate(s) file for the respective office and if no person(s) files a declaration as a write-in candidate, then below the name of each office, the election authority shall print, "No Candidate".

Next to the name of each candidate for delegate or alternate delegate to a national nominating convention shall appear either (a) the name of the candidate's preference for President of the United States or the word "uncommitted" or (b) no official designation, depending upon the action taken by the State central committee pursuant to Section 7-10.3 of this Act.

Below the name of each office shall be printed in capital letters the names of all candidates, arranged in the order in which their petitions for nominations were filed, except as otherwise provided in Sections 7-14 and 7-17 of this Article. Opposite and in front of the name of each candidate shall be printed a square and all squares upon the primary ballot shall be of uniform size. Spaces between the names of candidates under each office shall be uniform and sufficient spaces shall separate the names of candidates for one office from the names of candidates for another office, to avoid confusion and to permit the writing in of the names of other candidates.

Where voting machines or electronic voting systems are used, the provisions of this Section may be modified as required or authorized by Article 24 or Article 24A, whichever is applicable.

(Source: P.A. 83-33.)

(10 ILCS 5/16-3) (from Ch. 46, par. 16-3)

(Text of Section before amendment by P.A. 94-1090)

Sec. 16-3. (a) The names of all candidates to be voted for in each election district or precinct shall be printed on one ballot, except as is provided in Sections 16-6.1 and 21-1.01 of this Act and except as otherwise provided in this Act with respect to the odd year regular elections and the emergency referenda; all nominations of any political party being placed under the party appellation or title of such party as designated in the certificates of nomination or petitions. The names of all independent candidates shall be printed upon the ballot in a column or columns under the heading "independent" arranged under the names or titles of the respective offices for which such independent candidates shall have been nominated and so far as practicable, the name or names of any independent candidate or candidates for any office shall be printed upon the ballot opposite the name or names of any candidate or candidates for the same office contained in any party column or columns upon said ballot. The ballot shall contain no other names, except that in cases of electors for President and Vice-President of the United States, the names of the candidates for President and Vice-President may be added to the party designation and words calculated to aid the voter in his choice of candidates may be added, such as "Vote for one," "Vote for three." However, if no candidate(s) file for a respective office and if no person(s) files a declaration as a write-in candidate, then below the name of each office, the election authority shall print, "No Candidate". When an electronic voting system is used which utilizes a ballot label booklet, the candidates and questions shall appear on the pages of such booklet in the order provided by this Code; and, in any case where candidates for an office appear on a page which does not contain the name of any candidate for another office, and where less than 50% of the page is utilized, the name of no candidate shall be printed on the lowest 25% of such page. On the back or outside of the ballot, so as to appear when folded, shall be printed the words "Official Ballot", followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The ballots shall be of plain white paper, through which the printing or writing cannot be read. However, ballots for use at the nonpartisan and consolidated elections may be printed on different color paper, except blue paper, whenever necessary or desirable to facilitate distinguishing between ballots for different political subdivisions. In the case of nonpartisan elections for officers of a political subdivision, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution providing the form of government therefor requires otherwise, the column listing such nonpartisan candidates shall be printed with no appellation or circle at its head. The party appellation or title, or the word "independent" at the head of any column provided for independent candidates, shall be printed in letters not less than one-fourth of an inch in height and a circle one-half inch in diameter shall be printed at the beginning of the line in which such appellation or title is printed, provided, however, that no such circle shall be printed at the head of any column or columns provided for such independent candidates. The names of candidates shall be printed in letters not less than one-eighth nor more than one-fourth of an inch in height, and at the beginning of each line in which a name of a candidate is printed a square shall be printed, the sides of which shall be not less than one-fourth of an inch in length. However, the

names of the candidates for Governor and Lieutenant Governor on the same ticket shall be printed within a bracket and a single square shall be printed in front of the bracket. The list of candidates of the several parties and any such list of independent candidates shall be placed in separate columns on the ballot in such order as the election authorities charged with the printing of the ballots shall decide; provided, that the names of the candidates of the several political parties, certified by the State Board of Elections to the several county clerks shall be printed by the county clerk of the proper county on the official ballot in the order certified by the State Board of Elections. Any county clerk refusing, neglecting or failing to print on the official ballot the names of candidates of the several political parties in the order certified by the State Board of Elections, and any county clerk who prints or causes to be printed upon the official ballot the name of a candidate, for an office to be filled by the Electors of the entire State, whose name has not been duly certified to him upon a certificate signed by the State Board of Elections shall be guilty of a Class C misdemeanor.

(b) When an electronic voting system is used which utilizes a ballot card, on the inside flap of each ballot card envelope there shall be printed a form for write-in voting which shall be substantially as follows:

WRITE-IN VOTES

(See card of instructions for specific information. Duplicate form below by hand for additional write-in votes.)

_____
Title of Office

( ) _____
Name of Candidate

(c) When an electronic voting system is used which uses a ballot sheet, the instructions to voters on the ballot sheet shall refer the voter to the card of instructions for specific information on write-in voting. Below each office appearing on such ballot sheet there shall be a provision for the casting of a write-in vote.

(d) When such electronic system is used, there shall be printed on the back of each ballot card, each ballot card envelope, and the first page of the ballot label when a ballot label is used, the words "Official Ballot," followed by the number of the precinct or other precinct identification, which may be stamped, in lieu thereof and, as applicable, the number and name of the township, ward or other election district for which the ballot card, ballot card envelope, and ballot label are prepared, the date of the election and a facsimile of the signature of the election authority who has caused the ballots to be printed. The back of the ballot card shall also include a method of identifying the ballot configuration such as a listing of the political subdivisions and districts for which votes may be cast on that ballot, or a number code identifying the ballot configuration or color coded ballots, except that where there is only one ballot configuration in a precinct, the precinct identification, and any applicable ward identification, shall be sufficient. Ballot card envelopes used in punch card systems shall be of paper through which no writing or punches may be discerned and shall be of sufficient length to enclose all voting positions. However, the election authority may provide ballot card envelopes on which no precinct number or township, ward or other election district designation, or election date are preprinted, if space and a preprinted form are provided below the space provided for the names of write-in candidates where such information may be

entered by the judges of election. Whenever an election authority utilizes ballot card envelopes on which the election date and precinct is not preprinted, a judge of election shall mark such information for the particular precinct and election on the envelope in ink before tallying and counting any write-in vote written thereon. If some method of insuring ballot secrecy other than an envelope is used, such information must be provided on the ballot itself.

(e) In the designation of the name of a candidate on the ballot, the candidate's given name or names, initial or initials, a nickname by which the candidate is commonly known, or a combination thereof, may be used in addition to the candidate's surname. No other designation such as a political slogan, title, or degree or nickname suggesting or implying possession of a title, degree or professional status, or similar information may be used in connection with the candidate's surname, except that the title "Mrs." may be used in the case of a married woman. For purposes of this Section, a "political slogan" is defined as any word or words expressing or connoting a position, opinion, or belief that the candidate may espouse, including but not limited to, any word or words conveying any meaning other than that of the personal identity of the candidate. A candidate may not use a political slogan as part of his or her name on the ballot, notwithstanding that the political slogan may be part of the candidate's name.

(f) The State Board of Elections, a local election official, or an election authority shall remove any candidate's name designation from a ballot that is inconsistent with subsection (e) of this Section. In addition, the State Board of Elections, a local election official, or an election authority shall not certify to any election authority any candidate name designation that is inconsistent with subsection (e) of this Section.

(g) If the State Board of Elections, a local election official, or an election authority removes a candidate's name designation from a ballot under subsection (f) of this Section, then the aggrieved candidate may seek appropriate relief in circuit court.

Where voting machines or electronic voting systems are used, the provisions of this Section may be modified as required or authorized by Article 24 or Article 24A, whichever is applicable.

Nothing in this Section shall prohibit election authorities from using or reusing ballot card envelopes which were printed before the effective date of this amendatory Act of 1985.
(Source: P.A. 92-178, eff. 1-1-02; 93-574, eff. 8-21-03.)

(10 ILCS 5/24A-6) (from Ch. 46, par. 24A-6)

Sec. 24A-6. The ballot information, whether placed on the ballot or on the marking device, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that such information may be in vertical or horizontal rows, or in a number of separate pages. Ballots for all questions or propositions to be voted on must be provided in the same manner and must be arranged on or in the marking device or on the ballot sheet in the places provided for such purposes.

When an electronic voting system utilizes a ballot label booklet and ballot card, ballots for candidates, ballots calling for a constitutional convention, constitutional amendment ballots, judicial retention ballots, public measures, and all propositions to be voted upon may be placed on the electronic voting device by providing in the ballot booklet separate ballot label pages or series of pages distinguished by differing colors as provided below. When an electronic

voting system utilizes a ballot sheet, ballots calling for a constitutional convention, constitutional amendment ballots and judicial retention ballots shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot which shall be printed in ink of a color distinct from the color of ink used in printing any other portion of the ballot sheet. Ballots for candidates, public measures and all other propositions to be voted upon shall be placed on the ballot sheet by providing a separate portion of the ballot sheet for each such kind of ballot. Below the name of the last candidate listed for an office shall be printed a line on which the name of a candidate may be written by the voter, and immediately to the left of such line an area shall be provided for marking a vote for such write-in candidate. More than one amendment to the constitution may be placed on the same ballot page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for constitutional conventions or constitutional amendments shall be on paper of blue color and shall precede all other ballot label pages in the ballot label booklet. More than one public measure or proposition may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. More than one proposition for retention of judges in office may be placed on the same ballot label page or series of pages or on the same portion of the ballot sheet, as the case may be. Ballot label pages for candidates shall be on paper of white color, except that in primary elections the ballot label page or pages for the candidates of each respective political party shall be of the color designated by the election official in charge of the election for that political party's candidates; provided that the ballot label pages or pages for candidates for use at the nonpartisan and consolidated elections may be on paper of different colors, except blue, whenever necessary or desirable to facilitate distinguishing between the pages for different political subdivisions. On each page of the candidate booklet, where the election is made to list ballot information vertically, the party affiliation of each candidate or the word "independent" shall appear immediately to the left of the candidate's name, and the name of candidates for the same office shall be listed vertically under the title of that office. However, if no candidate(s) file for a respective office and if no person(s) files a declaration as a write-in candidate, then below the name of each office, the election authority shall print, "No Candidate".

In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of such nonpartisan candidates shall not include any party or "independent" designation. Ballot label pages for judicial retention ballots shall be on paper of green color, and ballot label pages for all public measures and other propositions shall be on paper of some other distinct and different color. In primary elections, a separate ballot label booklet, marking device and voting booth shall be used for each political party holding a primary, with the ballot label booklet arranged to include ballot label pages of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election. One ballot card may be used for recording the voter's vote or choice on all such ballots, proposals, public measures or propositions, and such ballot card shall be arranged so as to record the voter's vote or choice in a separate column or columns for each such kind of ballot, proposal, public measure or proposition.

If the ballot label booklet includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the pages by protruding tabs identifying the division of the pages, and printing on such tabs "Candidates" and "Propositions".

The ballot card and all of its columns and the ballot card envelope shall be of the color prescribed for candidate's ballots at the general or primary election, whichever is being held. At an election where no candidates are being nominated or elected, the ballot card, its columns, and the ballot card envelope shall be of a color designated by the election official in charge of the election.

The ballot cards, ballot card envelopes and ballot sheets may, at the discretion of the election authority, be printed on white paper and then striped with the appropriate colors.

When ballot sheets are used, the various portions thereof shall be arranged to conform to the foregoing format.

Absentee ballots may consist of ballot cards, envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a ballot card is used for voting by mail it must be accompanied by a punching tool or other appropriate marking device, voter instructions and a specimen ballot showing the proper positions to vote on the ballot card or ballot sheet for each party, candidate, proposal, public measure or proposition, and in the case of a ballot card must be mounted on a suitable material to receive the punched out chip.

Any voter who spoils his ballot or makes an error may return the ballot to the judges of election and secure another. However, the protruding identifying tab for proposals for a constitutional convention or constitutional amendments shall have printed thereon "Constitutional Ballot", and the ballot label page or pages for such proposals shall precede the ballot label pages for candidates in the ballot label booklet.

(Source: P.A. 89-700, eff. 1-17-97.)

(10 ILCS 5/24B-6)

Sec. 24B-6. Ballot Information; Arrangement; Electronic Precinct Tabulation Optical Scan Technology Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or displays on the marking device. Ballots for all questions or propositions to be voted on should be provided in a similar manner and must be arranged on the ballot sheet or marking device in the places provided for such purposes. Ballots shall be of white paper unless provided otherwise by administrative rule of the State Board of Elections or otherwise specified.

All propositions, including but not limited to propositions calling for a constitutional convention, constitutional amendment, judicial retention, and public measures to be voted upon shall be placed on separate portions of the ballot sheet or marking device by utilizing borders or grey screens. Candidates shall be listed on a separate portion of the ballot sheet or marking device by utilizing borders or grey screens. Below the name of the last candidate listed for an office shall be printed or displayed a line or lines on which the voter may select a write-in candidate. Such line or lines shall be proximate to an area provided for marking votes for the write-in candidate or candidates. The number of write-in lines for an office shall equal the

number of candidates for which a voter may vote. More than one amendment to the constitution may be placed on the same portion of the ballot sheet or marking device. Constitutional convention or constitutional amendment propositions shall be printed or displayed on a separate portion of the ballot sheet or marking device and designated by borders or grey screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public measure or proposition may be placed on the same portion of the ballot sheet or marking device. More than one proposition for retention of judges in office may be placed on the same portion of the ballot sheet or marking device. Names of candidates shall be printed in black. The party affiliation of each candidate or the word "independent" shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office, on separate pages of the marking device, or as otherwise approved by the State Board of Elections. However, if no candidate(s) file for a respective office and if no person(s) files a declaration as a write-in candidate, then below the name of each office, the election authority shall print, "No Candidate".

In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. Judicial retention questions and ballot questions for all public measures and other propositions shall be designated by borders or grey screens on the ballot or marking device. In primary elections, a separate ballot, or displays on the marking device, shall be used for each political party holding a primary, with the ballot or marking device arranged to include names of the candidates of the party and public measures and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public measures or propositions to be voted on, the election official in charge of the election shall divide the ballot or displays on the marking device in sections for "Candidates" and "Propositions", or separate ballots may be used.

Absentee ballots may consist of envelopes, paper ballots or ballot sheets voted in person in the office of the election official in charge of the election or voted by mail. Where a Precinct Tabulation Optical Scan Technology ballot is used for voting by mail it must be accompanied by voter instructions.

Any voter who spoils his or her ballot, makes an error, or has a ballot returned by the automatic tabulating equipment may return the ballot to the judges of election and get another ballot.

(Source: P.A. 93-574, eff. 8-21-03.)

(10 ILCS 5/24C-6)

Sec. 24C-6. Ballot Information; Arrangement; Direct Recording Electronic Voting System; Absentee Ballots; Spoiled Ballots. The ballot information, shall, as far as practicable, be in the order of arrangement provided for paper ballots, except that the information may be in vertical or horizontal rows, or on a number of separate pages or display screens.

Ballots for all public questions to be voted on should be provided in a similar manner and must be arranged on the ballot in the places provided for such purposes. All public questions, including but not limited to public questions calling for a constitutional convention,

constitutional amendment, or judicial retention, shall be placed on the ballot separate and apart from candidates. Ballots for all public questions shall be clearly designated by borders or different color screens. More than one amendment to the constitution may be placed on the same portion of the ballot sheet. Constitutional convention or constitutional amendment propositions shall be placed on a separate portion of the ballot and designated by borders or unique color screens, unless otherwise provided by administrative rule of the State Board of Elections. More than one public question may be placed on the same portion of the ballot. More than one proposition for retention of judges in office may be placed on the same portion of the ballot.

The party affiliation, if any, of each candidate or the word "independent", where applicable, shall appear near or under the candidate's name, and the names of candidates for the same office shall be listed vertically under the title of that office. In the case of nonpartisan elections for officers of political subdivisions, unless the statute or an ordinance adopted pursuant to Article VII of the Constitution requires otherwise, the listing of nonpartisan candidates shall not include any party or "independent" designation. If no candidate(s) file for a respective office and if no person(s) files a declaration as a write-in candidate, then below the name of each office, the election authority shall print, "No Candidate".

In primary elections, a separate ballot shall be used for each political party holding a primary, with the ballot arranged to include names of the candidates of the party and public questions and other propositions to be voted upon on the day of the primary election.

If the ballot includes both candidates for office and public questions or propositions to be voted on, the election official in charge of the election shall divide the ballot in sections for "Candidates" and "Public Questions", or separate ballots may be used.

Any voter who spoils his or her ballot, makes an error, or has a ballot rejected by the automatic tabulating equipment shall be provided a means of correcting the ballot or obtaining a new ballot prior to casting his or her ballot.

Any election authority using a Direct Recording Electronic Voting System may use voting systems approved for use under Articles 24A or 24B of this Code in conducting absentee voting in the office of the election authority or voted by mail.

(10 ILCS 5/22-7) (from Ch. 46, par. 22-7)

Sec. 22-7. Canvass of votes; declaration and proclamation of result. The State Board of Elections, shall proceed within 31 days after the election, and sooner if all the returns are received, to canvass the votes given for United States Senators and Representatives to Congress, State executive officers, judges of the Supreme Court, judges of the Appellate Court, judges of the Circuit Court, Senators, Representatives to the General Assembly, State's Attorneys and Regional Superintendents of Schools elected from 2 or more counties, respectively, and the persons having the highest number of votes for the respective offices shall be declared duly elected, but if it appears that more than the number of persons to be elected have the highest and an equal number of votes for the same office, the electoral board shall decide by lot which of such persons shall be elected; and to each person duly elected, the Governor shall give a certificate of election or commission, as the case may require, and shall cause proclamation to be made of the result of the canvass, and they shall at the same time and in the same manner, canvass the vote cast upon amendments to the Constitution, and upon other propositions submitted to the electors of the entire State; and the Governor shall cause to be made such proclamation of the result of the canvass as the statutes elsewhere provide. The State Board of Elections shall transmit to the State Comptroller a list of the persons elected to the various offices. The State Board of Elections shall also transmit to the Supreme Court the names of persons elected to judgeships in adversary elections and the names of judges who fail to win retention in office.

No person who is shown by the canvassing board's proclamation to have been elected at the consolidated election or general election as a write-in candidate shall take office unless that person has first filed with the certifying office or board a statement of candidacy pursuant to Section 7-10 or Section 10-5, a statement pursuant to Section 7-10.1, and a receipt for filing a statement of economic interests in relation to the unit of government to which he or she has been elected. For officers elected at the consolidated election, the certifying officer shall notify the election authority of the receipt of those documents, and the county clerk shall issue the certification of election under the provisions of Section 22-18.

Any amendment to the tabulated statement of returns prepared by an election authority pursuant to Section 7-56 of the Code, or any amendment to the abstracts of votes prepared by an election authority pursuant to Section 22-1 of the Code, in order to be incorporated into the official canvass and proclamation of the Board, must be submitted to the Board no later than 30 days following the official proclamation of he Board following the election.

Amendments to the tabulated statement of returns or to the abstracts of votes submitted beyond the 30-day deadline established in this Section shall not be considered by the Board.

Nothing in this Section shall be construed as an authorization to or a requirement on an election authority to extend the deadline for filing a petition for a discovery recount beyond the 5 day period following the official proclamation of the results of any canvass as provided in Section 22-9.1 of this Code. The official proclamation referred to in this Section is the one that occurs no later than 31 days following the election and not an official proclamation made by the Board following the timely submission of an amended canvass.

(Source: P.A. 93-847, eff. 7-30-04; 94-645, eff. 8-22-05.)

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Fiscal Status Reports

DATE: November 27, 2007

Given the short time period between meetings, fiscal reports were not yet available. They will be sent under separate cover.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Two Year Plan of Activity

DATE: November 28, 2007

Attached is the two-year plan of staff activity for the month of December for your review and information.

Attachment

Start Date	End Date	Activity	Division
11/5 /2007		Submit FEDERAL AND STATE OFFICERS book for printing. Books should be printed by December 3. 10 ILCS 5/1A-8 (1, 2, 3, 11)	ET&RD
11/5 /2007		Begin preparation of packet material for Semi-Annual Reports. (Packets to be mailed December 1, 2007.) 10 ILCS 5/9-10	CAMP DISC
11/6 /2007	11/8 /2007	(date subject to change) Veto Session	LEG
11/7 /2007		Civic Organization certification cutoff date prior to the February 5, 2008 General Primary Election. 10 ILCS 5/1A-8 (1, 2, 12) (Board Rule)	ET&RD
11/13/2007	11/15/2007	(date subject to change) Veto Session	LEG
11/13/2007		Deadline for filing objections to petitions of candidates who filed during December 9 - 16, 2007. 10 ILCS 5/10-8	EL INFO
11/16/2007		Notify election authorities of requirement to submit computerized voter registration information in a form prescribed by the SBE.	VRS
11/19/2007		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
11/29/2007		Submit Military/Overseas booklet to printers. Project started Nov 1. 10 ILCS 5/1A-8 (1,2,3,7,11)	ET&RD
12/1 /2007		The last date that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-16	CAMP DISC
12/3 /2007		Distribute ELECTION JUDGES' MANUALS OF INSTRUCTION to all the election authorities. (Project began March 7, 2007.) 10 ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD
12/3 /2007		Present to the Board a list of legislative proposals for introduction in the next session.	LEG
12/6 /2007		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
12/7 /2007		Begin developing the LIST OF CANDIDATES for the February 5, 2008 Primary Election. 10	EL INFO

Start Date	End Date	Activity	Division
12/17/2007		First day for election authorities to submit computerized voter registration information. (No submission will be accepted that is produced more than 15 calendar days prior to the beginning of the statutory submission period.) 10 ILCS 5/4-8, 5-7, 6-35	VRS
12/27/2007		Last day for election authorities to submit VIS tapes. 10 ILCS 5/4-8, 5-7, 6-35	VRS
12/27/2007		Last day an election authority may request extension of VIS submission deadline.	VRS

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs. **07 JS 052**

Frankfort Township Democratic Organization S8789
Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment for Delinquently Filing a
June 30th, 2007 Semi-Annual Report

The political committee's June 2007 Semi-Annual Report was received by the State Board of Elections (herein referred to as SBE) on August 6th, 2007, four (4) days late. As such, the political committee has been assessed a penalty of $200.00. In addition, the committee was previously assessed a penalty of $275.00 for the delinquent filing of the December 2006 Semi-annual report. The total assessment is $475.00.

Mr. Donald G. Keane Jr., Treasurer, filed a Request for Hearing and Appeal Affidavit, on September 26th, 2007, indicating; "This committee had not received the 2007 Campaign Disclosure Electronic IDIS Filing Calendar until the treasurer of the organization had a conversation with a Mr. Cloonan; There was a major change in our committee, in that our chairman dropped out of the organization without giving notice; the chairman had the only key for our Post Office Box so information was not being received. As a relatively new treasurer, I do not have all the procedures and reporting dates committed to memory. Our committee is relative new and very small and we are very inexperienced. We have a very difficult time maintaining the position of treasurer, and, we do not have enough money to cover the fines".

Hearing in this matter was set for Wednesday, October 24th, 2007, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 9:30 a.m.

Mr. Donald G. Keane, Treasurer, appeared on behalf of the political committee. Mr. Keane indicated that the political committee has been in existence for approximately three (3) years, with no significant fundraising activity. Mr. Keane stated the former Chairman, Mr. Edward Rooney, allowed the political committee to share his P.O. Box, but once he resigned, no committee member had a key to access their mail. Mr. Keane indicated that the political committee presently has a funds balance of $189.30, and offered $100.00 as settlement to resolve this matter.

I feel based upon a review of the documents presented in this matter, and consideration of a prior filing delinquency, it is the recommendation of the Hearing Examiner that the appeal in this matter be denied, and the total assessed fine of $475.00 is due and owing.

Tony Morgando Jr. – Hearing Examiner
October 26th, 2007

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

September 4, 2007

Frankfort Township Democratic Org
Donald Keane Jr
10986 Pioneer Trail
Frankfurt, IL 60423

S8789

Dear Frankfort Township Democratic Org;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 6, 2007, 4 day(s) late. As such, this committee has been assessed a fine of $200.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 – 12/31/2006	Semi-annual	$275.00
TOTAL AMOUNT NOW DUE		**$475.00**

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

CHICAGO
'07 SEP 26 AM 11: 18
STATE BOARD OF ELECTIONS

State of Illinois)
)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07 IS 052
)
FRANKFORT TOWNSHIP DEMOCRATIC ORG)
Respondent(s).)

APPEAL AFFIDAVIT

I, DONALD G. KEANE JR, the TREASURER of the
(Name) (Chairman/Treasurer)

FRANKFORT TOWNSHIP DEMOCRATIC ORG.
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THIS COMMITTEE (FRANKFORT TOWNSHIP DEMOCRATIC ORGANIZATION) FAILED TO REPORT "THE SEMIANNUAL REPORT OF CAMPAIGN CONTRIBUTION AND EXPENDITURES FOR THE REPORTING PERIOD JANUARY 1, 2007 THROUGH JUNE 20, 2007 DURING THE FILING PERIOD OF JULY 2, 2007 THROUGH JULY 20, 2007 FOR SEVERAL REASON SEE ATTACHED

Signed and Sworn to by:
DONALD G. KEANE JR.
before me this 26TH Day of
SEPTEMBER, 2007
Patricia Mihalko
Notary Public

Donald G. Keane, TREASURER
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
PATRICIA MIHALKO
Notary Public, State of Illinois 070
My Commission Expires 10/29/10

CHICAGO

'07 SEP 26 AM 11:18

STATE BOARD OF ELECTIONS

State of Illinois)
)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No._____
)
FRANKFORT TOWNSHIP DEMOCRATIC ORG)
)
Respondent(s).)

REQUEST FOR HEARING

I, DONALD G. KEANE JR (Name), the TREASURER (Chairman/Treasurer)

FRANKFORT TOWNSHIP DEMOCRATIC ORG. (Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a public hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.

Donald G. Keane, TREASURER
(Signature of Chairman/Treasurer)

State Board Of Elections

This committee (Frankfort Township Democratic Organization) failed to report The Semiannual Report of Campaign Contribution and Expenditures for the reporting period January 1, 2007 through June 20, 2007 during the filing period of July 2,2007 through July 20, 2007 for several reasons:

This committee had not received the 2007 Campaign Disclosure Electronic IDIS Filing Calendar until the treasurer of the organization had a conversation with a Mr.Cloonan From the State Board Of Elections after the due date.

There was a major change in our committee, in that our chairman dropped out of the organization without giving notice.

The chairman had the only key for our Post Office Box so information was not being received in any fashion for some time.

As a relatively new treasurer, I do not have all the procedures and reporting dates committed to memory. I did not realize that a report would be necessary if there was no activity to report on.

Our committee is relatively new and very small and we are very inexperienced. We do not have big fund raisers and have few expenditures.

We have a very difficult time maintaining the position of treasurer. I took over a little over a year ago and I am still learning.

We do not have enough money to cover the fines imposed.

FORM	REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (CHECK APPROPRIATE BOXES) (PLEASE TYPE OR PRINT IN BLACK INK)	FOR OFFICE USE ONLY
D-2	☐ Pre-Election Report - Election Date: ~~JANUARY~~ 4, 2007 ☒ Semi-Annual Report ☐ Non-Participation - Election Date: JUNE 30, 2007 ☐ Final Report ☐ Amendment of Report Indicated Above	

Full name and complete mailing address of Political Committee:

Frankfort Township Democratic Org
PO Box 317
Mokena, IL 60448-0317

FILE

POLITICAL COMMITTEE
S 8789 03
L 12372

☐ CHECK IF ADDRESS CHANGE

IDENTIFICATION NO.

REPORTING PERIOD	CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD:	STATE POLITICAL COMMITTEES RETURN TO:	LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES RETURN ORIGINAL TO
01/01 FROM THRU	$ 189.30	STATE BOARD OF ELECTIONS PO BOX 4187 SPRINGFIELD, IL 62708-4187	STATE BOARD OF ELECTIONS AND A COPY TO EACH APPROPRIATE COUNTY CLERK.

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

COMPLETE 1-7 FOR PRE-ELECTION REPORTS.

COMPLETE ALL SECTIONS FOR SEMI-ANNUAL AND FINAL REPORTS.

SECTION A – RECEIPTS

1 Individual Contributions:
- a Itemized (from Schedule A) $ 0 (1a)
- b Not-Itemized $ 0 (1b)

2 Transfers In:
- a. Itemized (from Schedule A) $ 0 (2a)
- b. Not-Itemized $ 0 (2b)

3 Loans Received:
- a Itemized (from Schedule A) $ 0 (3a)
- b Not-Itemized $ 0 (3b)

4 Other Receipts:
- a Itemized (from Schedule A) $ 0 (4a)
- b Not-Itemized $ 0 (4b)
- TOTAL RECEIPTS (1-4) $ 0

****

5 In-Kind Contributions:
- a Itemized (from Schedule I) $ 0 (5a)
- b. Not-Itemized $ 0 (5b)
- TOTAL IN-KIND $ 0

SECTION B – EXPENDITURES

6. Transfers Out:
- a. Itemized (from Schedule B) $ 0 (6a)
- b. Not-Itemized $ 0 (6b)

7. Loans made:
- a. Itemized (from Schedule B) $ 0 (7a)
- b. Not-Itemized $ 0 (7b)

8. Expenditures:
- Itemized (from Schedule B) $ 0 (8a)
- Not-Itemized $ 0 (8b)
- TOTAL EXPENDITURES (6-8) $ 0

SECTION C - DEBTS AND OBLIGATIONS

(Include previously reported unpaid debts)

9. a. Itemized (from Schedule C) $ 0 (9a)
- b. Not-Itemized $ 0 (9b)
- TOTAL DEBTS & OBLIGATIONS $ 0

SECTION D - CASH BALANCE

Funds available at the beginning of the reporting period:	$ 189 30	(A)
Total Receipts (Section A)	$ 0	(B)
Subtotal	$ 189 30	(C)
Total Expenditures (Section B)	$ 0	(D)
Funds available at the close of the reporting period:	$ 189.30	(E)

****

INVESTMENT TOTAL $ 0 (F)

VERIFICATION

I DECLARE THAT THIS REPORT OF CAMPAIGN CONTRIBUTIONS OR THIS SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO $5000.

Donald H. Beard
SIGNATURE OF TREASURER OR CANDIDATE

7/30/07
DATE

(THIS FORM MAY BE REPRODUCED)

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **07 AE 031**

Citizens for Dwight Welch L 3237

Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment for Failure to File a
Schedule A-1 for the 2007 Consolidated Election

This Committee received one contribution of $2500 on 3/29/07, but failed to list it on a Schedule A-1. The total assessed penalty is $2500. In addition, the Committee had previously been assessed civil penalties for failure to file 30 Schedule A-1s for the 2002 General Election. These were paid in full. The total assessment is $2500.

Thomas Comein, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Comein stated that the error was made on the entry date of the check. The correct date of the check is 5/29/07, not 3/29/07. He attached a copy of the check from The Prime Group, Inc.

I recommend that the appeal be granted. The 2007 Semi-Annual Report shows only one contribution from The Prime Group, Inc, and the copy of the check clearly indicates that the date of the check was May 29, 2007. A note attached to the copy of the check indicates that this was for a 'Golf Invitational'. I also note that a review of the semi-annual report shows seven expenditures to the Green Garden Golf Course between May 1st and June 19th, all reporting the purpose as 'golf outing'. In addition, this Committee has filed an amended 2007 Semi-Annual Report on 11/5/07, with the corrected receipt date of 5/29/07. All of this supports Mr. Comein's defense that the error occurred when the date was entered incorrectly on the Committee's 2007 Semi-Annual Report.

Sharon Steward – Hearing Officer
November 19, 2007

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

October 25, 2007

Citizens for Dwight Welch
Duncan Guild
4625 W 167th St.
Country Club Hills, IL 60478

L3237

Dear Citizens for Dwight Welch;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than $500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
The Prime Group Inc	3/29/07	$2500.00	$2500.00	*not filed	

The committee is fined a **total** of $2500.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total ***does not*** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to $250.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be ***stayed*** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
cc: Officer(s), Candidate(s)

* This contribution was reported on the June 2007 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than $500.00, within 2 business days of receipt.

** This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than $500.00" threshold and was used as the basis for the fine assessment.

State of Illinois)
)
County of Cook)

STATE BOARD OF ELECTIONS
07 NOV 13 PM 2:09

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07AE031
)
Citizens For Dwight Welch)
Respondent(s).)

APPEAL AFFIDAVIT

I, Thomas Comein, the Treasurer of the
(Name) (Chairman/Treasurer)

Citizens For Dwight Welch
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Error made on entry date of check, Correct date of check is 5/29/07 not 3/29/07. See attached copy of check for the Prime Group, Inc Attached

Signed and Sworn to by:
Thomas Comein
before me this 8 Day of
November, 2007
Linda C Braun
Notary Public

Thomas Comein
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
LINDA A BRAUN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/17/09

The Prime Group, Inc.
321 North Clark Street
Suite 2500
Chicago, IL 60610

LaSalle Bank N.A.
135 S. LaSalle Street
Chicago, IL 60603

2-50
710

DATE	CHECK NO.	AMOUNT
May 29, 2007	20641	$******2,500.00

Pay: **********Two thousand five hundred dollars and no cents

PAY TO THE ORDER OF
CITIZENS FOR WELCH
4200 W. 183RD STREET
COUNTRY CLUB HILLS, IL 60478

Michael W. Reschke

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈0000 20641⑈ ⑆071000505⑆ 58000 2888 7⑈

Golf invitational

FOR YOUR INFORMATION

MICHAEL W. RESCHKE
Chairman of the Board
and Chief Executive Officer

THE PRIME GROUP, INC.

(312) 917-4201

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
)
Vs.) Case No._____
Citizens For Dwight Welch)
Respondent(s).)

WAIVER OF APPEARANCE

I, Thomas Comein, the Treasurer of the
(Name) (Chairman/Treasurer)

Citizens For Dwight Welch
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee waives personal appearance before the State Board of Elections for hearing on this appeal and agrees that the State Board of Elections may enter its order with respect to this appeal in the absence of a representative of the committee.

Thomas Comein
(Signature of Chairman/Treasurer)

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **07 AE 032**

Cunningham Campaign Committee L 9059

Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment for Failure to File a
Schedule A-1 for the 2007 Consolidated Election

This Committee received one contribution of $1000 on 4/15/07, but failed to list it on a Schedule A-1. The assessed penalty is $1000.

Sheila J. Fort, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Fort stated that this violation occurred because her business, January Accounting Service, was in the midst of tax season when they neglected to fulfill the requirements for contributions in excess of $500 and the filing of the A-1 report within the required filing period prior to the general election. This was an oversight and strict adherence to the policy will be practiced in the future.

I recommend that the appeal be denied for lack of an adequate defense. However, since there is no indication that this violation was anything other than inadvertent and unintentional, and since this was the first such violation, I also recommend that the penalty be reduced to 10% of the original assessment, or $100. As a first violation, the penalty is stayed.

Sharon Steward – Hearing Officer
November 19, 2007

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

October 25, 2007

Cunningham Campaign Committee
Samuel Cunningham Jr
411 McKinley
Waukegan, IL 60085

L9059

Dear Cunningham Campaign Committee;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than $500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
Pete's Fruit Market Inc	4/15/07	$1000.00	$1000.00	*not filed	

The committee is fined a **total** of $1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total ***does not*** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to $100.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be ***stayed*** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
cc: Officer(s), Candidate(s)

* This contribution was reported on the June 2007 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than $500.00, within 2 business days of receipt.

** This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than $500.00" threshold and was used as the basis for the fine assessment.

State of Illinois)
)
County of Lake)

STATE BOARD OF ELECTIONS
07 NOV 13 PM 2:09

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07AE032
)
Cunningham Campaign)
Respondent(s).)

APPEAL AFFIDAVIT

I, Sheila J. Fort (Name), the Treasurer (Chairman/Treasurer) of the Cunningham Campaign (Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Because my business, January Accounting Service, was in the midst of our tax season when we neglected to fulfill the requirements for contributions in excess of $500 and the filing of the A1 report within the required filing period prior to the general election. This was an oversight and strict adherence to the policy will be practiced in the futu

Signed and Sworn to by:

Sheila J. Fort
(Signature of Chairman/Treasurer)

before me this 7th Day of November, 2007
Rebeca Jasso
Notary Public

OFFICIAL SEAL
REBECA A JASSO
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/02/11

SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS
OF
MORE THAN $500

FOR OFFICE USE ONLY

Full name and complete mailing address of Political Committee:

Cunningham Campaign
1101 Chestnut St.
Waukegan, IL 60085

POLITICAL COMMITTEE IDENTIFICATION NO.
L9059

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

This form must be on file within **TWO** business days of receipt of a contribution in an aggregate of more than $500 received: a) in the period from January 1st up through and including the day before a General Primary Election or b) in the 30 day period preceding any other election, **(up through and including the day before any election)** by either:

1. **HAND DELIVERY** - to a state board of elections office (see bottom of form for addresses),
2. **FACSIMILE** - to (217)-557-5630 or (217)-782-5959. Please retain a confirmation transmission for your records, or
3. **ELECTRONIC TRANSMISSION**

Postal service or other mail services may be used. **CAUTION**; such services do not guarantee that the A-1 form will be received by our office prior to the deadline. **A POSTMARK IS NOT USED TO DETERMINE WHETHER AN A-1 FORM HAS BEEN TIMELY FILED.**

This form must be on file with the State Board of Elections within two business days of receipt of a contribution of more than $500 or penalties will be levied for late filings. Report may be hand delivered or faxed to (217)-557-5630 or (217)-782-5959.

THESE CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULARLY SCHEDULED FORM D-2 REPORT, SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE	AMOUNT
Pete's Fruit Market 1400 S Union Milwaukee, WI 53204	04/15/2007	$ 1,000.00
		$
		$
		$
		$

Sheila J. Tost — Sheila J. Tost — 11/7/07

SIGNATURE OF TREASURER OR CANDIDATE — **DATE**

THE ILLINOIS STATE BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO $5,000. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT

STATE POLITICAL COMMITTEES RETURN TO:
STATE BOARD OF ELECTIONS OR
1020 S SPRING ST
PO BOX 4187
SPRINGFIELD, IL 62708-4187
(217) 557-5630 FAX, (217) 782-5959 FAX

STATE BOARD OF ELECTIONS
JAMES R. THOMPSON CENTER
100 W RANDOLPH ST, STE 14-100
CHICAGO, IL. 60601-3232

LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES SHALL FILE WITH THE STATE BOARD OF ELECTIONS AND EACH APPROPRIATE COUNTY CLERK.

(THIS FORM MAY BE REPRODUCED)

SEE INSTRUCTIONS ON REVERSE SIDE

Revised 6/07

State of Illinois)
)
County of Lake)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
)
Vs.) Case No._____
Cunningham Campaign)
Respondent(s).)

WAIVER OF APPEARANCE

I, Sheila J Fort, the Treasurer of the
(Name) (Chairman/Treasurer)

Cunningham Campaign
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee waives personal appearance before the State Board of Elections for hearing on this appeal and agrees that the State Board of Elections may enter its order with respect to this appeal in the absence of a representative of the committee.

Sheila J. Fort
(Signature of Chairman/Treasurer)

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **07 JS 093**

Citizens Action Party L 14011

Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment For Delinquently Filing the
2007 June Semi-Annual Report

The Report was received on October 15, 2007, 52 days late, resulting in a penalty assessment of $2600. In addition, this Committee had previously been assessed an $1100 civil penalty (not appealed) for delinquently filing a pre-election report for the 2007 Consolidated Election. The total assessment is $3700.

Michael Pilarczyk, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Pilarczyk stated that the Committee's Treasurer, Joshua Cole, has resigned from this position. It is the Committee's understanding that Mr. Cole made numerous calls to the Board about the filings and had stated that he thought he was in compliance with all the filings. Mr. Cole told the Committee that he mailed the documentation, but the Board never received it. The Committee apologizes and states that it is a young political party, which entrusted its younger treasurer with following the Board of Elections calendar. It ensures future documentation will be provided in accordance with the established calendar. The Committee does not currently have the funds to pay the fines and does not foresee the funds being available anytime soon. Mr. Pilarczyk is asking that the fines be waived or lowered to an amount it could pay. The current balance is $89.51.

I recommend that the Appeal be denied for lack of an adequate defense. I sympathize with the Committee as it is a new organization, but that does not excuse it from abiding by the Act. Two disclosure reports have been filed by this Committee and both have been delinquent. In addition, Board records indicate that Joshua Cole is still listed as Treasurer of this Committee; no documentation has been filed with the Board changing his status. If this recommendation is accepted by the Board, the stay will be lifted from the initial $1100 penalty, and the total amount of $3700 will be due and owing.

Sharon Steward – Hearing Officer
November 27, 2007

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

October 25, 2007

Citizens Action Party
c/o Richard Gage
4031 Gage Ave
Lyons, IL 60534

L14011

Dear Citizens Action Party;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 15, 2007, 52 day(s) late. As such, this committee has been assessed a fine of $2600.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
1/1/2007 – 1/28/2007	Pre-election	$1100.00
TOTAL AMOUNT NOW DUE		**$3700.00**

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

State of Illinois)
)
County of COOK)

PRINCIPAL OFFICE
STATE BOARD OF ELECTIONS
07 NOV 26 PM 2:47

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07 JS 023
)
CITIZENS ACTION PARTY)
Respondent(s).)

APPEAL AFFIDAVIT

I, MICHAEL PILARCZYK, the CHAIRMAN of the
(Name) (Chairman/Treasurer)

CITIZENS ACTION PARTY
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SEE ATTACHED LETTER

Signed and Sworn to by:
Michael Pilarczyk
before me this 24 Day of
November, 2007
Donna J. Meegan
Notary Public

"OFFICIAL SEAL"
DONNA J. MEEGAN
Notary Public, State of Illinois
My Commission Expires Nov. 29, 2008

Michael Pilarczyk
(Signature of Chairman/Treasurer)

November 23, 2007

To The State Board of Elections,

The Treasurer for the Citizens Action Party Joshua Cole has resigned from this position. Our understanding is that Joshua had made numerous calls to the State Election Board about the filings. He stated he thought he was in compliance with all the filings. He did say he mailed the documentation, but the board never received the documentation.

We apologize for any inconvenience. We are a young political party, which intrusted our younger treasurer with following the State Board of Elections calendar.

We, also, realize that this is no excuse. We will ensure future documentation is provided in accordance with the established calendar. We currently do not have the funds to pay the listed fines and we do not foresee the funds being available anytime soon.

We are requesting of the board to waiver the fines set against The Citizen Action Party, or lower the fines to an amount that could be paid by The Citizens Action Party. Our current available funds consist of $89.51.

Thank you for your consideration in the matter.

Sincerely,
Michael Pilarczyk

Michael Pilarczyk
Chairman of The Citizens Action Party

H 708-442-0936
C 708-417-7531

State of Illinois)
)
County of COOK)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
)
Vs.) Case No._____
CITIZENS ACTION PARTY)
Respondent(s).)

WAIVER OF APPEARANCE

I, MICHAEL PILARCZYK, the CHAIRMAN of the
(Name) (Chairman/Treasurer)

CITIZENS ACTION PARTY
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee waives personal appearance before the State Board of Elections for hearing on this appeal and agrees that the State Board of Elections may enter its order with respect to this appeal in the absence of a representative of the committee.

Michael Pilarczyk
(Signature of Chairman/Treasurer)

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **07 JS 094**

Citizens for Sycamore Education L 14019

Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment For Delinquently Filing the
2007 June Semi-Annual Report

The Report was received on September 5, 2007, 24 days late, resulting in a civil penalty assessment of $600. In addition, the Committee had previously been assessed a $200 civil penalty (not appealed) for delinquently filing the pre-election report for the 2007 Consolidated Election. The total assessment is $800.

Maggie Peck, the Co-Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Peck stated that they filed the report on time with the Clerk's office. Their Treasurer has not done the duties, so they filed and did not realize they needed to send it to the State. When the Clerk took the form, they were under the assumption she would be forwarding the document.

Section 5/9-10 of the Illinois Campaign Financing Act clearly states that a local political committee must file its semi-annual reports with both the county clerk and the Board of Elections. Section 5/9-2 clearly states that the treasurer is responsible for filing the reports required by law. The fact that the Treasurer did not fulfill her obligations leaving it to other members of the Committee is not a valid defense. I therefore recommend that the appeal be denied. If this recommendation is accepted by the Board the stay will be lifted from the previous assessment, and the total amount of $800 will be due and owing.

Sharon Steward – Hearing Officer
November 27, 2007

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

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Chicago Illinois 60601
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BOARD MEMBERS
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John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

October 25, 2007

Citizens for Sycamore Education
Maggie Peck
1905 National St
Sycamore, IL 60178

L14019

Dear Citizens for Sycamore Education;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on September 5, 2007, 24 day(s) late. As such, this committee has been assessed a fine of $600.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
1/29/2007 – 3/18/2007	Pre-election	$200.00
TOTAL AMOUNT NOW DUE		**$800.00**

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

State of Illinois)
)
County of DeKalb)

STATE BOARD OF ELECTIONS
07 NOV 21 PM 3:29

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. LOIJS094
)
Citizens for Sycamore Education)
Respondent(s).)

APPEAL AFFIDAVIT

I, Maggie Peck (Name), the Co-Chairman (Chairman/Treasurer) of the Citizens for Sycamore Education (Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

We filed the report on time with the Clerk's office. Our Treasurer has not done the duties, so we filed & did not realize we needed to send it to the State. When the Clerk took the form we were under the assumption she would be forwarding.

Signed and Sworn to by:
Maggie Peck
before me this 16th Day of
November, 2007.
Kathleen L. Sloniker
Notary Public

Maggie Peck
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
KATHLEEN L. SLONIKER
Notary Public, State of Illinois
My Commission Expires: 07/16/2010

State of Illinois)
)
County of DeKalb)

STATE BOARD OF ELECTIONS
07 NOV 21 PM 3:29

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
)
Vs. Citizens for Sycamore Educ.) Case No._____
Respondent(s).)

WAIVER OF APPEARANCE

I, Maggie Peck (Name), the Co-Chairman (Chairman/Treasurer) of the Citizens for Sycamore Education (Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee waives personal appearance before the State Board of Elections for hearing on this appeal and agrees that the State Board of Elections may enter its order with respect to this appeal in the absence of a representative of the committee.

Maggie Peck
(Signature of Chairman/Treasurer)

STATE BOARD OF ELECTIONS
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141

Rupert T. Borgsmiller **Director, Campaign Disclosure**

To: Members of the Board, Daniel W. White, Executive Director, Steve Sandvoss, General Counsel

Re: Civil Penalty Assessments Necessitating a Final Board Order

Date: 11/28/2007

Listed below are committees that have been assessed a civil penalty for delinquent filing of the December 2006 & June 2007 Semi-annual reports, Schedule A-1's in conjunction with the February 2007 & April 2007 elections and "multiple assessments". These violations were not appealed & should be issued a Final Board Order.

December 2006 Semi-annual Report			
Cmte Name	**Cmte No**	**Amt of Fine**	**Previous Violations**
Citizens for Tatum	S9205	$1025.00	None
Schedule A-1 (February '07 election)			
Cmte Name	**Cmte No**	**Amt of Fine**	**Previous Violations**
Citizens for Troutman**	L2917	$3300.00	None
Citizens for Lyle	L8937	$500.00	None
Matlak 2007 Campaign	L13425	$1400.00	1 A-1
Citizens for Waguespack	L13611	$1000.00	9 A-1's (all pd)
Friends of "Bill Dock" Walls/Walls for Mayor	S9009	$1000.00	4 semi
Schedule A-1 (April '07 election)			
Cmte Name	**Cmte No**	**Amt of Fine**	**Previous Violations**
Citizens for Claar	L1267	$1000.00	None
Friends of Montelongo	L10533	$2000.00	1 pre
Matlak 2007 Campaign	L13425	$1419.42	(see above)
Vision Community Action Party	L14040	$1000.00	None
Neighbors for Naisy Dolar	S9134	$400.00	3 A-1 (all pd)
Southland Hispanic Democratic Org.	S9176	$5000.00	none
June 2007 Semi-annual Report			
Cmte Name	**Cmte No**	**Amt of Fine**	**Previous Violations**
Cuba Township Republican Club	L1336	$925.00	None
Citizens for Goleman	L5854	$600.00	None
Community to Elect Hal Baskin**	L6206	$2600.00	None
Friends for John Wassinger**	L12599	$2400.00	2 semi
Citizens for Joe LoVerde**	L13020	$1700.00	None
Palos Township Regular Republican Org.**	L13570	$2200.00	1 semi
Citizens to Elect Chris Lawrence	L13612	$1350.00	None
Friends of James McTeague	L13708	$700.00	None
Friends for Del Valle	L13711	$1200.00	1 pre
Citizens to Elect Edward Chaney**	L13734	$2600.00	1 semi, 1 pre
Friends for Juan Soliz	L13841	$5000.00	1 semi, 1 A1 (all pd)
Robert K Travis	L13879	$875.00	none

June 2007 Semi-annual Report			
Cmte Name	**Cmte No**	**Amt of Fine**	**Previous Violations**
Citizens for Beagles**	L13880	$1350.00	None
Friends of Jim Nesbitt**	L13988	$1250.00	None
Friends for Michael Chiras	L14156	$1025.00	None
LaSalle County Community PAC**	L14184	$800.00	None
Citizens to Elect Robert Eastern III	L14197	$2500.00	None
Citizens to Elect Evie Lynck Hakeem	L14198	$1075.00	None
New Spirit of Centreville Party**	L14204	$1300.00	None
Pingree Grove Unified Party**	L14218	$1950.00	None
Friends of John O'Sullivan **	L14226	$1350.00	None
Kankakee Federation of Labor AFLCIO	S5607	$2350.00	1 pre
Friends of John Somerville	S8710	$2600.00	None
Central IL Business Alliance**	S8994	$1300.00	None
Ginderske 2007**	S9246	$2600.00	1 pre
Citizens to Elect Shawn Monroe	S9293	$1050.00	None
People for Stewart	S9330	$2850.00	1 semi
Friends of Denise Dixon**	S9353	$775.00	None
Goleman for LLCC Trustee	S8260	$1200.00	None
Taxpayers United for Fairness	S9370	$775.00	None
Multiple Assessments (MA)			
Cmte Name	**Cmte No**	**Total Amt of Fines**	**Previous Violations**
20th Ward Regular Democratic Org. **	L7387	$101250.00	None
Citizens for Gaughan	L9904	$15000.00	2 semi
Citizens for Vision 81	L13326	$11375.00	1 semi
Citizens to Elect Alvin Parks Jr	L13483	$17800.00	none

(- DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)**

STATE BOARD OF ELECTIONS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141

Rupert T. Borgsmiller **Director, Campaign Disclosure**

To: Members of the Board, Dan White

Re: For your information – candidates that face potential Ballot Forfeiture for 2008

Date: November 28, 2007

The candidates listed below still have unpaid fines as of today's date and have filed nominating papers with our office.

Candidate	Office Sought	Fine Due
Derrick Prince	33rd Representative	$4175.00
William Davis	30th Representative	$6000.00
William Walls III	1st Congressional	$1675.00
Michael Mayden	28th Representative	$150.00

Ballot Forfeiture Fines Due

Cmte No	Cmte Name	Candidate	Last Office Sought	Fine due
L01345	Citizens for Hansen	Bruce Hansen	County Board Member/Lake	$3,825.00
L07542	Citizens for Olszewski	Michael Olszewski	County Board Member/Cook	$1,800.00
L08526	Gonzalez for Commissioner	James Gonzalez	Water Reclamation Dist/Chicago	$1,525.00
L09291	Citizens for Cole	Brad Cole	Mayor/Carbondale	$764.00
L09904	Citizens for Gaughan	David Gaughan	State's Attorney/Cook	$1,550.00
L11495	Friends of Kevin Quinlan	Kevin Quinlan	Villlage President/Oak Park	$2,600.00
L11593	Citizens for Brenda Rodgers	Brenda Rodgers	City Councilman/Elgin	$325.00
L12986	Phillips for Mayor	Chuck Phillips	Mayor/Alton	$287.50
L13481	Friends of David Askew	David Askew	Alderman/Chicago	$2,100.00
L13544	Fioretti for Alderman	Robert Fioretti	Alderman/Chicago	$2,625.00
L13550	Friends of Paul Stewart	Paul Stewart	Alderman/Chicago	$350.00
L13650	Citizens for Felicia Simmons Stovall	Felicia Stovall	Alderman/Chicago	$7,450.00
L13698	Citizens for Marius "Mark" Jackson	Marius Jackson	Mayor/Centreville	$575.00
L13722	*Friends of Derrick Prince	Derrick Prince/33rd Representative	Alderman/Chicago	$4,175.00
L13749	Friends of Don Patterson	Don Patterson	Alderman/Chicago	$525.00
L13770	Citizens for Catherine Zaryczny	Catherine Zaryczny	Alderman/Chicago	$1,550.00
L13821	Elect Jesse Granato	Jesse Granato	Alderman/Chicago	$10,540.00
L13849	Citizens to Elect Dennis Allen	Dennis Allen	Alderman/Chicago	$7,950.00
L14243	Jeanelle Norman Campaign	Jeanelle Norman	Board of Trustees/Richland CC	$613.00
S1022	Citizens for Barkhausen	David Barkhausen	State Senator 30th Dist	$1,200.00
S2271	Citizens for Judy Baar Topinka	Judy Baar Topinka	Governor & Township Cmteman/Riverside Twp	$34,865.00
S3424	Richards for Circuit Judge Cmte	J William Richards		$650.00
S5774	Citizens for Munoz	Ricardo Munoz	Alderman/Chicago	$2,500.00
S7515	Dunn for Judge Cmte	Thomas Dunn	Appellate Court Judge/3rd Dist	$450.00
S7868	Citizens for Leys	Eric Leys	School Board Member/Dist 207	$1,650.00
S8040	*William Davis for State Representative	William Davis/30th Representative	State Rep/30th Dist	$6,000.00
S8063	Citizens to Elect Kevin Gallaher	Kevin Gallaher	Forest Preserve Commissioner	$1,050.00
S8642	Friends for David J Haynes	David Haynes	Ward Committeeman/Chicago	$225.00
S8828	Citizens for Jim Rowe	Jim Rowe	State Senator 39th Dist	$5,000.00
S8936	Friends for Michelle Chavez	Michelle Chavez	State Representative 24th Dist	$150.00
S9009	*Friends of "Bill Dock" Walls/Walls for Mayor	William Walls III/1st Congress	Mayor/Chicago	$1,675.00
S9018	Friends of Dart	Thomas Dart	Cook County Sheriff	$138.00
S9027	*Citizens to Elect Michael Mayden	Michael Mayden/28th Representative	Alderman/Chicago	$150.00
S9273	Friends of Ron David	Ron David	Alderman/Chicago	$1,200.00
S9283	Friends of Todd H Stroger Pres.	Todd Stroger	County Board President/Cook Co	$26,756.64
S9311	Friends of Michelle Harris	Michelle Harris	Alderman/Chicago	$150.00
S9329	Citizens to Elect Anthony McCaskill	Anthony McCaskill	Mayor/Harvey	$825.00
S9378	Friends of Joseph Bertrand Jr	Joseph Bertrand	School Board Trustee	$575.00

STATE BOARD OF ELECTIONS
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141

Rupert T. Borgsmiller **Director, Campaign Disclosure**

To: Daniel W. White, Executive Director, Members of the Board

Re: Payment of Civil Penalties

Date: November 28, 2007

The following committees have made payment of outstanding civil penalties for the period of 11/8/2007 - 11/28/2007:

- DeKalb County Democrats - $637.50
- Citizens for Fred Crespo - $125.00
- United Peoples Party - $175.00
- Citizens for Dale Vollmer - $150.00
- Citizens for Lightford - $200.00
- Committee to Elect Rickey Hendon - $1900.00

Total Amount Paid for this Period- $3187.50

RTB:sm

4. **Other business.**

5. **Comments from the Chairman and Vice Chairman.**

6. **Comments from the general public.**

7. **The next Board meeting is scheduled for Tuesday, January 22, 2008 at 10:30 a.m. in Springfield.**

8. **Executive Session.**