

MEMORANDUM

PUBLIC QUESTION DEADLINES FOR GENERAL PRIMARY ELECTION TUESDAY, MARCH 20, 2018

1. Not later than Monday, December 18, 2017 (92 days before the election (10 ILCS 5/28-2)):
 - (a) Petition to submit a public question to referendum must be filed with the appropriate officer or board.
 - (b) “Back door” petition filing limit.
 - (c) If either of the petitions in (a) or (b) above is filed by December 18, 2017, and fails to specify an election, the question will be placed on the ballot at the general primary election (10 ILCS 5/28-2(e)).
2. Not later than Tuesday, January 2, 2018 (79 days before the election (10 ILCS 5/28-2)):
 - (a) Adoption of resolution or ordinance by the governing board of a political subdivision initiating a public question.
 - (b) If the resolution or ordinance in (a) above is adopted by January 2, 2018, and fails to specify an election, the question will be placed on the ballot at the general primary election (10 ILCS 5/28-2(e)).
 - (c) NOTE: Sunday, December 31, 2017, is actually the 79th day before the election, but 10 ILCS 5/1-6 permits the adoption of the resolution or ordinance to extend through the first business day next following a State holiday, Saturday or Sunday. Monday, January 1, 2018, New Year’s Day, is considered a State holiday for purposes of this Section.
3. Not later than Thursday, January 11, 2018 (68 days before the election (10 ILCS 5/28-5)):
 - (a) Local election official certifies public questions initiated by petition or by action of the governing board of a political subdivision.
 - (b) Clerk of circuit court certifies public questions ordered by such circuit court.
4. Not before Sunday, February 18, 2018 and not after Saturday, March 10, 2018 (not more than 30 nor less than 10 days before the election (10 ILCS 5/12-5)):

(a) Election authority publishes election notice once in a local, community newspaper having general circulation in the political or governmental subdivision.

5. Not after Saturday, March 10, 2018 (not less than 10 days before the election (10 ILCS 5/12-5)):

(a) Election authority posts copy of election notice at the principal office of the election authority.

(b) Local election official posts copy of election notice at

(i) the principal office of the political or governmental subdivision, or

(ii) if there is no principal office, at the building in which the governing body of the political or governmental subdivision held its first meeting in calendar year 2018.

In addition, in preparing publications for proceedings that are subject to back door referendum petitions, please bear in mind that unless the petition period ends on or before December 18, 2017, it may be possible for petitioners to delay a referendum until at least the November 6, 2018 general election. In accordance with the provisions of Section 28-1 of the Election Code, no public questions may be submitted to the voters of a political subdivision at any regularly scheduled election unless at least a portion of such voters are scheduled to cast votes for any candidates for nomination for, election to or retention in public office. Because the voters of each political subdivision will be nominating candidates for election to the United States Congress and the Illinois General Assembly at the general election, public questions will be eligible for submission to the voters of all political subdivisions at the general election on November 6, 2018.

These are the dates by which back door referendum proceedings must be published in order to assure that the petition period will end on or before December 18, 2017:

(a) 30 day period: Saturday, November 18, 2017

(b) 21 day period: Monday, November 27, 2017

(c) 10 day period: Friday, December 8, 2017

Please note that the minority language assistance provisions of the federal Voting Rights Act require certain Illinois counties to provide election materials in languages other than English. As of October 13, 2011, in addition to English language election materials, The County of Cook must provide election materials in Spanish, Chinese and Asian Indian. The Counties of Kane, Lake and DuPage must provide election materials in Spanish. 76 Fed. Reg. 63602 (October 13, 2011).