

EDUCATING RESIDENTS & TIPS FOR EXPRESSING OPINIONS

THE TOWNSHIP OFFICIALS OF ILLINOIS MEMBER BRIEFING

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TWO RELEVANT STATUTES

1. The Illinois Election Code's "Interference Prohibition"
 - a. Bars the use of public funds for advocating for or against a candidate or referendum
 - b. Permits the use of public funds to disseminate factual data



TWO RELEVANT STATUTES

1. The Illinois State Officials and Employees Ethics Act
 - a. Prohibits **Township officials and staff** from engaging in certain **“political activities”** while **on duty** or using **public resources**.
 - b. Does **not** apply to the **support or opposition** of any executive, **legislative**, or administrative **action**



“GOVERNMENT SPEECH”

The U.S. Supreme Court has repeatedly affirmed that government entities have the right to express official positions on policy matters.

Recent Examples:

- *Shurtleff v. City of Boston* (2022) – display of flags and “flag-raising” ceremonies on public property
- *Pleasant Grove City v. Summum* (2009) – display of privately donated monuments on public property



BEFORE & AFTER

This session will provide guidance on:

1. How townships can properly educate and express opinions on the proposed legislation **before** it is adopted.
2. How townships can properly educate and express opinions on any referendum initiated under the amended Township Code **if and when** the bill becomes law.



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

What you can do:

- Take an Official Position on the Bill
- Inform Residents About its Impact
- Engage Impacted Residents & Service Providers
- Encourage Residents to Contact Legislators

What you cannot do:

- Use Public Funds or Resources for Advocacy
- Engage in Partisan Political Activity
- Endorse or Oppose Specific Legislators



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

Take an Official Position on the Bill

- Pass resolutions opposing the legislation and submit them to state legislators.
- Communicate directly with legislators to express concerns or support for the bill.
- Participate in coalition efforts with other townships, associations, and advocacy groups.



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

Inform Residents About the Bill's Impact

- Use public resources to distribute information about the bill's provisions and potential consequences.
- Recommended methods for informing residents:
 - Township newsletters and websites
 - Public meetings and town halls
 - Fact sheets and informational flyers
 - Social media updates



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

Engage Impacted Residents & Service Providers

- Focus on alerting residents who rely on township-funded programs should be made aware of potential disruptions
 - Senior citizens, low-income families, persons with disabilities
- Coordinate with governmental, nonprofit, and other community service providers that receive township funding



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

Encourage Stakeholders to Contact Legislators

- Give stakeholders the contact information for their state legislators and encourage them to express their opinions.
- Provide sample emails or letters that stakeholders can personalize when contacting elected officials.



EDUCATING & EXPRESSING OPINIONS ON LEGISLATION

Do not engage in partisan political activity

- Do not endorse or oppose specific lawmakers based on their position on the bill
- Officials may express personal opinions but cannot use their official position to campaign for or against a candidate.
- Do not use township staff or direct township resources toward a political campaign perceived as favorable to the bill



SOME EXAMPLES

- ✓ **Allowed:** “This bill eliminates township-funded senior transportation services.”
- ✓ **Allowed:** “Vote No on SB 2504 because it is bad for our community.”
- ✓ **Allowed:** “This legislation proposes eliminating townships. Here is how it may impact you.”
- ✗ **Not Allowed:** “Representative Smith supports eliminating townships. Vote him out!”
- ✗ **Not Allowed:** Circulating petitions or selling fundraiser tickets for any political candidate
- ✗ **Not Allowed:** Preparing, printing, or distributing campaign materials for any political candidate



EDUCATING & EXPRESSING OPINIONS ON A REFERENDUM

Explain the Referendum Process

- Educate residents on:
 - Who can initiate a referendum (petitioners, township boards, or county boards).
 - The required voter approval thresholds.
 - What happens if a referendum fails (e.g., a waiting period before reintroducing it).
- Prepare and distribute neutral educational materials.



EDUCATING & EXPRESSING OPINIONS ON A REFERENDUM

Engage Impacted Communities & Service Providers

- Hold public meetings and forums to explain how a referendum could affect local services.
- Invite community organizations and service providers to participate in discussions.
- Encourage residents to research how the referendum could impact their township.



EDUCATING & EXPRESSING OPINIONS ON A REFERENDUM

Do not advocate for or against a specific referendum outcomee using public resources

- Illinois law prohibits the use of township funds, resources, or staff time to advocate for or against a referendum.
- Townships can provide factual information but cannot tell residents how to vote.



EDUCATING & EXPRESSING OPINIONS ON A REFERENDUM

Do not use township meetings or communications for campaigning

- Township officials may not use public meetings to encourage a particular vote outcome.
- Campaigning for or against the referendum must take place outside of official township functions.



EDUCATING & EXPRESSING OPINIONS ON A REFERENDUM

Do not provide financial or material support to advocacy groups

- Townships cannot donate township funds or resources to groups campaigning for or against the referendum.



SOME EXAMPLES

- ✓ **Allowed:** “This referendum will dissolve our township and transfer all services to the county.”
- ✓ **Allowed:** “The county may adjust or eliminate programs and funding for senior services”
- ✓ **Allowed:** “The county will control your tax assessments and road and bridge maintenance”
- ✗ **Not Allowed:** “Vote NO on the referendum to save our township!”
- ✗ **Not Allowed:** Circulating petitions or soliciting votes for a referendum question
- ✗ **Not Allowed:** Preparing, printing, or distributing campaign materials for a referendum question



KEY TAKEAWAYS

Ensuring compliance with state law is critical

- Township resources must be used solely for public education, not political advocacy.
- Before the bill is passed, townships can advocate for or against it and educate residents on the impact.
- If the bill becomes law, townships may only provide factual, neutral information on referendum questions.



KEY TAKEAWAYS

Engage with Residents & Community Organizations

- Work with nonprofits, schools, and local service providers to inform impacted populations.
- Ensure that residents relying on township services understand what may change.
- Residents and private groups can organize efforts even with respect to referendum questions.



QUESTIONS?



THANK YOU!



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