



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3046

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-12	from Ch. 46, par. 7-12
10 ILCS 5/9-1.9	from Ch. 46, par. 9-1.9
10 ILCS 5/9-8.5	
10 ILCS 5/9-8.6	
10 ILCS 5/9-11	from Ch. 46, par. 9-11
10 ILCS 5/9-23.5	
10 ILCS 5/9-35	
10 ILCS 5/10-6.1	from Ch. 46, par. 10-6.1
10 ILCS 5/29B-10	from Ch. 46, par. 29B-10; formerly Ch. 46, par. 1103
10 ILCS 5/29B-15	from Ch. 46, par. 29B-15; formerly Ch. 46, par. 1104
10 ILCS 5/29B-20	from Ch. 46, par. 29B-20; formerly Ch. 46, par. 1105

Amends the Election Code. Changes the frequency of certain reports from semi-annual or annual to quarterly. Makes changes to the definitions of certain election cycles. Removes certain limitations on campaign contributions for political party committees during certain periods and removes provisions concerning statements of nonparticipation that became ineffective on July 1, 2013. Changes the threshold for reporting independent expenditures from an aggregate value of \$3,000 to an aggregate value of \$5,000 and makes related changes. Removes a reference to the now-repealed Task Force on Campaign Finance Reform. Provides that certain certificates of registration shall be electronic. In provisions concerning fair campaign practices, removes requirements that county clerks provide and track documentation for certain candidates and instead provides that the State Board of Elections shall provide and track documentation for all candidates. Effective immediately.

LRB100 06964 MLM 17015 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 7-12, 9-1.9, 9-8.5, 9-8.6, 9-11, 9-23.5, 9-35, 10-6.1,
6 29B-10, 29B-15, and 29B-20 as follows:

7 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

8 Sec. 7-12. All petitions for nomination shall be filed by
9 mail or in person as follows:

10 (1) Where the nomination is to be made for a State,
11 congressional, or judicial office, or for any office a
12 nomination for which is made for a territorial division or
13 district which comprises more than one county or is partly
14 in one county and partly in another county or counties,
15 then, except as otherwise provided in this Section, such
16 petition for nomination shall be filed in the principal
17 office of the State Board of Elections not more than 113
18 and not less than 106 days prior to the date of the
19 primary, but, in the case of petitions for nomination to
20 fill a vacancy by special election in the office of
21 representative in Congress from this State, such petition
22 for nomination shall be filed in the principal office of
23 the State Board of Elections not more than 85 days and not

1 less than 82 days prior to the date of the primary.

2 Where a vacancy occurs in the office of Supreme,
3 Appellate or Circuit Court Judge within the 3-week period
4 preceding the 106th day before a general primary election,
5 petitions for nomination for the office in which the
6 vacancy has occurred shall be filed in the principal office
7 of the State Board of Elections not more than 92 nor less
8 than 85 days prior to the date of the general primary
9 election.

10 Where the nomination is to be made for delegates or
11 alternate delegates to a national nominating convention,
12 then such petition for nomination shall be filed in the
13 principal office of the State Board of Elections not more
14 than 113 and not less than 106 days prior to the date of
15 the primary; provided, however, that if the rules or
16 policies of a national political party conflict with such
17 requirements for filing petitions for nomination for
18 delegates or alternate delegates to a national nominating
19 convention, the chairman of the State central committee of
20 such national political party shall notify the Board in
21 writing, citing by reference the rules or policies of the
22 national political party in conflict, and in such case the
23 Board shall direct such petitions to be filed in accordance
24 with the delegate selection plan adopted by the state
25 central committee of such national political party.

26 (2) Where the nomination is to be made for a county

1 office or trustee of a sanitary district then such petition
2 shall be filed in the office of the county clerk not more
3 than 113 nor less than 106 days prior to the date of the
4 primary.

5 (3) Where the nomination is to be made for a municipal
6 or township office, such petitions for nomination shall be
7 filed in the office of the local election official, not
8 more than 99 nor less than 92 days prior to the date of the
9 primary; provided, where a municipality's or township's
10 boundaries are coextensive with or are entirely within the
11 jurisdiction of a municipal board of election
12 commissioners, the petitions shall be filed in the office
13 of such board; and provided, that petitions for the office
14 of multi-township assessor shall be filed with the election
15 authority.

16 (4) The petitions of candidates for State central
17 committeeman shall be filed in the principal office of the
18 State Board of Elections not more than 113 nor less than
19 106 days prior to the date of the primary.

20 (5) Petitions of candidates for precinct, township or
21 ward committeemen shall be filed in the office of the
22 county clerk not more than 113 nor less than 106 days prior
23 to the date of the primary.

24 (6) The State Board of Elections and the various
25 election authorities and local election officials with
26 whom such petitions for nominations are filed shall specify

1 the place where filings shall be made and upon receipt
2 shall endorse thereon the day and hour on which each
3 petition was filed. All petitions filed by persons waiting
4 in line as of 8:00 a.m. on the first day for filing, or as
5 of the normal opening hour of the office involved on such
6 day, shall be deemed filed as of 8:00 a.m. or the normal
7 opening hour, as the case may be. Petitions filed by mail
8 and received after midnight of the first day for filing and
9 in the first mail delivery or pickup of that day shall be
10 deemed as filed as of 8:00 a.m. of that day or as of the
11 normal opening hour of such day, as the case may be. All
12 petitions received thereafter shall be deemed as filed in
13 the order of actual receipt. However, 2 or more petitions
14 filed within the last hour of the filing deadline shall be
15 deemed filed simultaneously. Where 2 or more petitions are
16 received simultaneously, the State Board of Elections or
17 the various election authorities or local election
18 officials with whom such petitions are filed shall break
19 ties and determine the order of filing, by means of a
20 lottery or other fair and impartial method of random
21 selection approved by the State Board of Elections. Such
22 lottery shall be conducted within 9 days following the last
23 day for petition filing and shall be open to the public.
24 Seven days written notice of the time and place of
25 conducting such random selection shall be given by the
26 State Board of Elections to the chairman of the State

1 central committee of each established political party, and
2 by each election authority or local election official, to
3 the County Chairman of each established political party,
4 and to each organization of citizens within the election
5 jurisdiction which was entitled, under this Article, at the
6 next preceding election, to have pollwatchers present on
7 the day of election. The State Board of Elections, election
8 authority or local election official shall post in a
9 conspicuous, open and public place, at the entrance of the
10 office, notice of the time and place of such lottery. The
11 State Board of Elections shall adopt rules and regulations
12 governing the procedures for the conduct of such lottery.
13 All candidates shall be certified in the order in which
14 their petitions have been filed. Where candidates have
15 filed simultaneously, they shall be certified in the order
16 determined by lot and prior to candidates who filed for the
17 same office at a later time.

18 (7) The State Board of Elections or the appropriate
19 election authority or local election official with whom
20 such a petition for nomination is filed shall notify the
21 person for whom a petition for nomination has been filed of
22 the obligation to file statements of organization, reports
23 of campaign contributions, and quarterly ~~annual~~ reports of
24 campaign contributions and expenditures under Article 9 of
25 this Act. Such notice shall be given in the manner
26 prescribed by paragraph (7) of Section 9-16 of this Code.

1 (8) Nomination papers filed under this Section are not
2 valid if the candidate named therein fails to file a
3 statement of economic interests as required by the Illinois
4 Governmental Ethics Act in relation to his candidacy with
5 the appropriate officer by the end of the period for the
6 filing of nomination papers unless he has filed a statement
7 of economic interests in relation to the same governmental
8 unit with that officer within a year preceding the date on
9 which such nomination papers were filed. If the nomination
10 papers of any candidate and the statement of economic
11 interest of that candidate are not required to be filed
12 with the same officer, the candidate must file with the
13 officer with whom the nomination papers are filed a receipt
14 from the officer with whom the statement of economic
15 interests is filed showing the date on which such statement
16 was filed. Such receipt shall be so filed not later than
17 the last day on which nomination papers may be filed.

18 (9) Any person for whom a petition for nomination, or
19 for committeeman or for delegate or alternate delegate to a
20 national nominating convention has been filed may cause his
21 name to be withdrawn by request in writing, signed by him
22 and duly acknowledged before an officer qualified to take
23 acknowledgments of deeds, and filed in the principal or
24 permanent branch office of the State Board of Elections or
25 with the appropriate election authority or local election
26 official, not later than the date of certification of

1 candidates for the consolidated primary or general primary
2 ballot. No names so withdrawn shall be certified or printed
3 on the primary ballot. If petitions for nomination have
4 been filed for the same person with respect to more than
5 one political party, his name shall not be certified nor
6 printed on the primary ballot of any party. If petitions
7 for nomination have been filed for the same person for 2 or
8 more offices which are incompatible so that the same person
9 could not serve in more than one of such offices if
10 elected, that person must withdraw as a candidate for all
11 but one of such offices within the 5 business days
12 following the last day for petition filing. A candidate in
13 a judicial election may file petitions for nomination for
14 only one vacancy in a subcircuit and only one vacancy in a
15 circuit in any one filing period, and if petitions for
16 nomination have been filed for the same person for 2 or
17 more vacancies in the same circuit or subcircuit in the
18 same filing period, his or her name shall be certified only
19 for the first vacancy for which the petitions for
20 nomination were filed. If he fails to withdraw as a
21 candidate for all but one of such offices within such time
22 his name shall not be certified, nor printed on the primary
23 ballot, for any office. For the purpose of the foregoing
24 provisions, an office in a political party is not
25 incompatible with any other office.

26 (10) (a) Notwithstanding the provisions of any other

1 statute, no primary shall be held for an established
2 political party in any township, municipality, or ward
3 thereof, where the nomination of such party for every
4 office to be voted upon by the electors of such township,
5 municipality, or ward thereof, is uncontested. Whenever a
6 political party's nomination of candidates is uncontested
7 as to one or more, but not all, of the offices to be voted
8 upon by the electors of a township, municipality, or ward
9 thereof, then a primary shall be held for that party in
10 such township, municipality, or ward thereof; provided
11 that the primary ballot shall not include those offices
12 within such township, municipality, or ward thereof, for
13 which the nomination is uncontested. For purposes of this
14 Article, the nomination of an established political party
15 of a candidate for election to an office shall be deemed to
16 be uncontested where not more than the number of persons to
17 be nominated have timely filed valid nomination papers
18 seeking the nomination of such party for election to such
19 office.

20 (b) Notwithstanding the provisions of any other
21 statute, no primary election shall be held for an
22 established political party for any special primary
23 election called for the purpose of filling a vacancy in the
24 office of representative in the United States Congress
25 where the nomination of such political party for said
26 office is uncontested. For the purposes of this Article,

1 the nomination of an established political party of a
2 candidate for election to said office shall be deemed to be
3 uncontested where not more than the number of persons to be
4 nominated have timely filed valid nomination papers
5 seeking the nomination of such established party for
6 election to said office. This subsection (b) shall not
7 apply if such primary election is conducted on a regularly
8 scheduled election day.

9 (c) Notwithstanding the provisions in subparagraph (a)
10 and (b) of this paragraph (10), whenever a person who has
11 not timely filed valid nomination papers and who intends to
12 become a write-in candidate for a political party's
13 nomination for any office for which the nomination is
14 uncontested files a written statement or notice of that
15 intent with the State Board of Elections or the local
16 election official with whom nomination papers for such
17 office are filed, a primary ballot shall be prepared and a
18 primary shall be held for that office. Such statement or
19 notice shall be filed on or before the date established in
20 this Article for certifying candidates for the primary
21 ballot. Such statement or notice shall contain (i) the name
22 and address of the person intending to become a write-in
23 candidate, (ii) a statement that the person is a qualified
24 primary elector of the political party from whom the
25 nomination is sought, (iii) a statement that the person
26 intends to become a write-in candidate for the party's

1 nomination, and (iv) the office the person is seeking as a
2 write-in candidate. An election authority shall have no
3 duty to conduct a primary and prepare a primary ballot for
4 any office for which the nomination is uncontested unless a
5 statement or notice meeting the requirements of this
6 Section is filed in a timely manner.

7 (11) If multiple sets of nomination papers are filed
8 for a candidate to the same office, the State Board of
9 Elections, appropriate election authority or local
10 election official where the petitions are filed shall
11 within 2 business days notify the candidate of his or her
12 multiple petition filings and that the candidate has 3
13 business days after receipt of the notice to notify the
14 State Board of Elections, appropriate election authority
15 or local election official that he or she may cancel prior
16 sets of petitions. If the candidate notifies the State
17 Board of Elections, appropriate election authority or
18 local election official, the last set of petitions filed
19 shall be the only petitions to be considered valid by the
20 State Board of Elections, election authority or local
21 election official. If the candidate fails to notify the
22 State Board of Elections, election authority or local
23 election official then only the first set of petitions
24 filed shall be valid and all subsequent petitions shall be
25 void.

26 (12) All nominating petitions shall be available for

1 public inspection and shall be preserved for a period of
2 not less than 6 months.

3 (Source: P.A. 99-221, eff. 7-31-15.)

4 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

5 Sec. 9-1.9. Election cycle. "Election cycle" means any of
6 the following:

7 (1) For a candidate political committee organized to
8 support a candidate to be elected at a general primary election
9 or general election, (i) the period beginning January 1
10 following the general election for the office to which a
11 candidate seeks nomination or election and ending on the day of
12 the general primary election for that office or (ii) the period
13 beginning the day after a general primary election for the
14 office to which the candidate seeks nomination or election and
15 through December 31 following the general election.

16 (2) Notwithstanding paragraph (1), for a candidate
17 political committee organized to support a candidate for the
18 General Assembly, (i) the period beginning January 1 following
19 a general election and ending on the day of the next general
20 primary election or (ii) the period beginning the day after the
21 general primary election and ending on December 31 following a
22 general election.

23 (3) For a candidate political committee organized to
24 support a candidate for a retention election, (i) the period
25 beginning January 1 following the general election at which the

1 candidate was elected through the day the candidate files a
2 declaration of intent to seek retention or (ii) the period
3 beginning the day after the candidate files a declaration of
4 intent to seek retention through December 31 following the
5 retention election.

6 (4) For a candidate political committee organized to
7 support a candidate to be elected at a consolidated primary
8 election or consolidated election, (i) the period beginning
9 July 1 following the a consolidated election for the office to
10 which a candidate seeks nomination or election and ending on
11 the day of the consolidated primary election for that office or
12 (ii) the period beginning the day after the consolidated
13 primary election for the office to which the candidate seeks
14 nomination or election and ending on June 30 following the a
15 consolidated election.

16 (5) For a political party committee, political action
17 committee, ballot initiative committee, or independent
18 expenditure committee, the period beginning on January 1 and
19 ending on December 31 of each calendar year.

20 (Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)

21 (10 ILCS 5/9-8.5)

22 Sec. 9-8.5. Limitations on campaign contributions.

23 (a) It is unlawful for a political committee to accept
24 contributions except as provided in this Section.

25 (b) During an election cycle, a candidate political

1 committee may not accept contributions with an aggregate value
2 over the following: (i) \$5,000 from any individual, (ii)
3 \$10,000 from any corporation, labor organization, or
4 association, or (iii) \$50,000 from a candidate political
5 committee or political action committee. A candidate political
6 committee may accept contributions in any amount from a
7 political party committee except during an election cycle in
8 which the candidate seeks nomination at a primary election.
9 During an election cycle in which the candidate seeks
10 nomination at a primary election, a candidate political
11 committee may not accept contributions from political party
12 committees with an aggregate value over the following: (i)
13 \$200,000 for a candidate political committee established to
14 support a candidate seeking nomination to statewide office,
15 (ii) \$125,000 for a candidate political committee established
16 to support a candidate seeking nomination to the Senate, the
17 Supreme Court or Appellate Court in the First Judicial
18 District, or an office elected by all voters in a county with
19 1,000,000 or more residents, (iii) \$75,000 for a candidate
20 political committee established to support a candidate seeking
21 nomination to the House of Representatives, the Supreme Court
22 or Appellate Court for a Judicial District other than the First
23 Judicial District, an office elected by all voters of a county
24 of fewer than 1,000,000 residents, and municipal and county
25 offices in Cook County other than those elected by all voters
26 of Cook County, and (iv) \$50,000 for a candidate political

1 committee established to support the nomination of a candidate
2 to any other office. A candidate political committee
3 established to elect a candidate to the General Assembly may
4 accept contributions from only one legislative caucus
5 committee. A candidate political committee may not accept
6 contributions from a ballot initiative committee or from an
7 independent expenditure committee.

8 (c) During an election cycle, a political party committee
9 may not accept contributions with an aggregate value over the
10 following: (i) \$10,000 from any individual, (ii) \$20,000 from
11 any corporation, labor organization, or association, or (iii)
12 \$50,000 from a political action committee. A political party
13 committee may accept contributions in any amount from another
14 political party committee or a candidate political committee,
15 ~~except as provided in subsection (c-5)~~. Nothing in this Section
16 shall limit the amounts that may be transferred between a
17 political party committee established under subsection (a) of
18 Section 7-8 of this Code and an affiliated federal political
19 committee established under the Federal Election Code by the
20 same political party. A political party committee may not
21 accept contributions from a ballot initiative committee or from
22 an independent expenditure committee. A political party
23 committee established by a legislative caucus may not accept
24 contributions from another political party committee
25 established by a legislative caucus.

26 (c-5) (Blank). ~~During the period beginning on the date~~

~~candidates may begin circulating petitions for a primary election and ending on the day of the primary election, a political party committee may not accept contributions with an aggregate value over \$50,000 from a candidate political committee or political party committee. A political party committee may accept contributions in any amount from a candidate political committee or political party committee if the political party committee receiving the contribution filed a statement of nonparticipation in the primary as provided in subsection (c 10). The Task Force on Campaign Finance Reform shall study and make recommendations on the provisions of this subsection to the Governor and General Assembly by September 30, 2012. This subsection becomes inoperative on July 1, 2013 and thereafter no longer applies.~~

~~(c-10) (Blank). A political party committee that does not intend to make contributions to candidates to be nominated at a general primary election or consolidated primary election may file a Statement of Nonparticipation in a Primary Election with the Board. The Statement of Nonparticipation shall include a verification signed by the chairperson and treasurer of the committee that (i) the committee will not make contributions or coordinated expenditures in support of or opposition to a candidate or candidates to be nominated at the general primary election or consolidated primary election (select one) to be held on (insert date), (ii) the political party committee may accept unlimited contributions from candidate political~~

1 ~~committees and political party committees, provided that the~~
2 ~~political party committee does not make contributions to a~~
3 ~~candidate or candidates to be nominated at the primary~~
4 ~~election, and (iii) failure to abide by these requirements~~
5 ~~shall deem the political party committee in violation of this~~
6 ~~Article and subject the committee to a fine of no more than~~
7 ~~150% of the total contributions or coordinated expenditures~~
8 ~~made by the committee in violation of this Article. This~~
9 ~~subsection becomes inoperative on July 1, 2013 and thereafter~~
10 ~~no longer applies.~~

11 (d) During an election cycle, a political action committee
12 may not accept contributions with an aggregate value over the
13 following: (i) \$10,000 from any individual, (ii) \$20,000 from
14 any corporation, labor organization, political party
15 committee, or association, or (iii) \$50,000 from a political
16 action committee or candidate political committee. A political
17 action committee may not accept contributions from a ballot
18 initiative committee or from an independent expenditure
19 committee.

20 (e) A ballot initiative committee may accept contributions
21 in any amount from any source, provided that the committee
22 files the document required by Section 9-3 of this Article and
23 files the disclosure reports required by the provisions of this
24 Article.

25 (e-5) An independent expenditure committee may accept
26 contributions in any amount from any source, provided that the

1 committee files the document required by Section 9-3 of this
2 Article and files the disclosure reports required by the
3 provisions of this Article.

4 (f) Nothing in this Section shall prohibit a political
5 committee from dividing the proceeds of joint fundraising
6 efforts; provided that no political committee may receive more
7 than the limit from any one contributor, and provided that an
8 independent expenditure committee may not conduct joint
9 fundraising efforts with a candidate political committee or a
10 political party committee.

11 (g) On January 1 of each odd-numbered year, the State Board
12 of Elections shall adjust the amounts of the contribution
13 limitations established in this Section for inflation as
14 determined by the Consumer Price Index for All Urban Consumers
15 as issued by the United States Department of Labor and rounded
16 to the nearest \$100. The State Board shall publish this
17 information on its official website.

18 (h) Self-funding candidates. If a public official, a
19 candidate, or the public official's or candidate's immediate
20 family contributes or loans to the public official's or
21 candidate's political committee or to other political
22 committees that transfer funds to the public official's or
23 candidate's political committee or makes independent
24 expenditures for the benefit of the public official's or
25 candidate's campaign during the 12 months prior to an election
26 in an aggregate amount of more than (i) \$250,000 for statewide

1 office or (ii) \$100,000 for all other elective offices, then
2 the public official or candidate shall file with the State
3 Board of Elections, within one day, a Notification of
4 Self-funding that shall detail each contribution or loan made
5 by the public official, the candidate, or the public official's
6 or candidate's immediate family. Within 2 business days after
7 the filing of a Notification of Self-funding, the notification
8 shall be posted on the Board's website and the Board shall give
9 official notice of the filing to each candidate for the same
10 office as the public official or candidate making the filing,
11 including the public official or candidate filing the
12 Notification of Self-funding. Notice shall be sent via first
13 class mail to the candidate and the treasurer of the
14 candidate's committee. Notice shall also be sent by e-mail to
15 the candidate and the treasurer of the candidate's committee if
16 the candidate and the treasurer, as applicable, have provided
17 the Board with an e-mail address. Upon posting of the notice on
18 the Board's website, all candidates for that office, including
19 the public official or candidate who filed a Notification of
20 Self-funding, shall be permitted to accept contributions in
21 excess of any contribution limits imposed by subsection (b). If
22 a public official or candidate filed a Notification of
23 Self-funding during an election cycle that includes a general
24 primary election or consolidated primary election and that
25 public official or candidate is nominated, all candidates for
26 that office, including the nominee who filed the notification

1 of self-funding, shall be permitted to accept contributions in
2 excess of any contribution limit imposed by subsection (b) for
3 the subsequent election cycle. For the purposes of this
4 subsection, "immediate family" means the spouse, parent, or
5 child of a public official or candidate.

6 (h-5) If a natural person or independent expenditure
7 committee makes independent expenditures in support of or in
8 opposition to the campaign of a particular public official or
9 candidate in an aggregate amount of more than (i) \$250,000 for
10 statewide office or (ii) \$100,000 for all other elective
11 offices in an election cycle, as reported in a written
12 disclosure filed under subsection (a) of Section 9-8.6 or
13 subsection (e-5) of Section 9-10, then the State Board of
14 Elections shall, within 2 business days after the filing of the
15 disclosure, post the disclosure on the Board's website and give
16 official notice of the disclosure to each candidate for the
17 same office as the public official or candidate for whose
18 benefit or detriment the natural person or independent
19 expenditure committee made independent expenditures. Upon
20 posting of the notice on the Board's website, all candidates
21 for that office in that election, including the public official
22 or candidate for whose benefit or detriment the natural person
23 or independent expenditure committee made independent
24 expenditures, shall be permitted to accept contributions in
25 excess of any contribution limits imposed by subsection (b).

26 (h-10) If the State Board of Elections receives

1 notification or determines that a natural person or persons, an
2 independent expenditure committee or committees, or
3 combination thereof has made independent expenditures in
4 support of or in opposition to the campaign of a particular
5 public official or candidate in an aggregate amount of more
6 than (i) \$250,000 for statewide office or (ii) \$100,000 for all
7 other elective offices in an election cycle, then the Board
8 shall, within 2 business days after discovering the independent
9 expenditures that, in the aggregate, exceed the threshold set
10 forth in (i) and (ii) of this subsection, post notice of this
11 fact on the Board's website and give official notice to each
12 candidate for the same office as the public official or
13 candidate for whose benefit or detriment the independent
14 expenditures were made. Notice shall be sent via first class
15 mail to the candidate and the treasurer of the candidate's
16 committee. Notice shall also be sent by e-mail to the candidate
17 and the treasurer of the candidate's committee if the candidate
18 and the treasurer, as applicable, have provided the Board with
19 an e-mail address. Upon posting of the notice on the Board's
20 website, all candidates of that office in that election,
21 including the public official or candidate for whose benefit or
22 detriment the independent expenditures were made, may accept
23 contributions in excess of any contribution limits imposed by
24 subsection (b).

25 (i) For the purposes of this Section, a corporation, labor
26 organization, association, or a political action committee

1 established by a corporation, labor organization, or
2 association may act as a conduit in facilitating the delivery
3 to a political action committee of contributions made through
4 dues, levies, or similar assessments and the political action
5 committee may report the contributions in the aggregate,
6 provided that: (i) contributions made through dues, levies, or
7 similar assessments paid by any natural person, corporation,
8 labor organization, or association in a calendar year may not
9 exceed the limits set forth in this Section; (ii) the
10 corporation, labor organization, association, or a political
11 action committee established by a corporation, labor
12 organization, or association facilitating the delivery of
13 contributions maintains a list of natural persons,
14 corporations, labor organizations, and associations that paid
15 the dues, levies, or similar assessments from which the
16 contributions comprising the aggregate amount derive; and
17 (iii) contributions made through dues, levies, or similar
18 assessments paid by any natural person, corporation, labor
19 organization, or association that exceed \$500 in a quarterly
20 reporting period shall be itemized on the committee's quarterly
21 report and may not be reported in the aggregate. A political
22 action committee facilitating the delivery of contributions or
23 receiving contributions shall disclose the amount of
24 contributions made through dues delivered or received and the
25 name of the corporation, labor organization, association, or
26 political action committee delivering the contributions, if

1 applicable. On January 1 of each odd-numbered year, the State
2 Board of Elections shall adjust the amounts of the contribution
3 limitations established in this subsection for inflation as
4 determined by the Consumer Price Index for All Urban Consumers
5 as issued by the United States Department of Labor and rounded
6 to the nearest \$100. The State Board shall publish this
7 information on its official website.

8 (j) A political committee that receives a contribution or
9 transfer in violation of this Section shall dispose of the
10 contribution or transfer by returning the contribution or
11 transfer, or an amount equal to the contribution or transfer,
12 to the contributor or transferor or donating the contribution
13 or transfer, or an amount equal to the contribution or
14 transfer, to a charity. A contribution or transfer received in
15 violation of this Section that is not disposed of as provided
16 in this subsection within 30 days after the Board sends
17 notification to the political committee of the excess
18 contribution by certified mail shall escheat to the General
19 Revenue Fund and the political committee shall be deemed in
20 violation of this Section and subject to a civil penalty not to
21 exceed 150% of the total amount of the contribution.

22 (k) For the purposes of this Section, "statewide office"
23 means the Governor, Lieutenant Governor, Attorney General,
24 Secretary of State, Comptroller, and Treasurer.

25 (l) This Section is repealed if and when the United States
26 Supreme Court invalidates contribution limits on committees

1 formed to assist candidates, political parties, corporations,
2 associations, or labor organizations established by or
3 pursuant to federal law.

4 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

5 (10 ILCS 5/9-8.6)

6 Sec. 9-8.6. Independent expenditures.

7 (a) An independent expenditure is not considered a
8 contribution to a political committee. An expenditure made by a
9 natural person or political committee for an electioneering
10 communication in connection, consultation, or concert with or
11 at the request or suggestion of the public official or
12 candidate, the public official's or candidate's candidate
13 political committee, or the agent or agents of the public
14 official, candidate, or political committee or campaign shall
15 not be considered an independent expenditure but rather shall
16 be considered a contribution to the public official's or
17 candidate's candidate political committee.

18 A natural person who makes an independent expenditure
19 supporting or opposing a public official or candidate that,
20 alone or in combination with any other independent expenditure
21 made by that natural person supporting or opposing that public
22 official or candidate during any 12-month period, equals an
23 aggregate value of at least \$5,000 ~~\$3,000~~ must file a written
24 disclosure with the State Board of Elections within 2 business
25 days after making any expenditure that results in the natural

1 person meeting or exceeding the \$5,000 ~~\$3,000~~ threshold. A
2 natural person who has made a written disclosure with the State
3 Board of Elections shall have a continuing obligation to report
4 further expenditures in relation to the same election, in
5 \$1,000 increments, to the State Board until the conclusion of
6 that election. A natural person who makes an independent
7 expenditure supporting or opposing a public official or
8 candidate that, alone or in combination with any other
9 independent expenditure made by that natural person supporting
10 or opposing that public official or candidate during the
11 election cycle, equals an aggregate value of more than (i)
12 \$250,000 for statewide office or (ii) \$100,000 for all other
13 elective offices must file a written disclosure with the State
14 Board of Elections within 2 business days after making any
15 expenditure that results in the natural person exceeding the
16 applicable threshold. Each disclosure must identify the
17 natural person, the public official or candidate supported or
18 opposed, the date, amount, and nature of each independent
19 expenditure, and the natural person's occupation and employer.

20 (b) Any entity other than a natural person that makes
21 independent expenditures ~~of any kind~~ in an aggregate amount
22 exceeding \$5,000 ~~\$3,000~~ during any 12-month period supporting
23 or opposing a public official or candidate must organize as a
24 political committee in accordance with this Article.

25 (c) Every political committee that makes independent
26 expenditures must report all such independent expenditures as

1 required under Section 9-10 of this Article.

2 (d) In the event that a political committee organized as an
3 independent expenditure committee makes a contribution to any
4 other political committee other than another independent
5 expenditure committee or a ballot initiative committee, the
6 State Board shall assess a fine equal to the amount of any
7 contribution received in the preceding 2 years by the
8 independent expenditure committee that exceeded the limits for
9 a political action committee set forth in subsection (d) of
10 Section 9-8.5.

11 (Source: P.A. 96-832, eff. 7-1-10; 97-766, eff. 7-6-12.)

12 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

13 Sec. 9-11. Financial reports.

14 (a) Each quarterly report of campaign contributions,
15 expenditures, and independent expenditures under Section 9-10
16 shall disclose the following:

17 (1) the name and address of the political committee;

18 (2) the name and address of the person submitting the
19 report on behalf of the committee, if other than the
20 chairman or treasurer;

21 (3) the amount of funds on hand at the beginning of the
22 reporting period;

23 (4) the full name and mailing address of each person
24 who has made one or more contributions to or for the
25 committee within the reporting period in an aggregate

1 amount or value in excess of \$150, together with the
2 amounts and dates of those contributions, and, if the
3 contributor is an individual who contributed more than
4 \$500, the occupation and employer of the contributor or, if
5 the occupation and employer of the contributor are unknown,
6 a statement that the committee has made a good faith effort
7 to ascertain this information;

8 (5) the total sum of individual contributions made to
9 or for the committee during the reporting period and not
10 reported under item (4);

11 (6) the name and address of each political committee
12 from which the reporting committee received, or to which
13 that committee made, any transfer of funds in the aggregate
14 amount or value in excess of \$150, together with the
15 amounts and dates of all transfers;

16 (7) the total sum of transfers made to or from the
17 committee during the reporting period and not reported
18 under item (6);

19 (8) each loan to or from any person, political
20 committee, or financial institution within the reporting
21 period by or to the committee in an aggregate amount or
22 value in excess of \$150, together with the full names and
23 mailing addresses of the lender and endorsers, if any; the
24 dates and amounts of the loans; and, if a lender or
25 endorser is an individual who loaned or endorsed a loan of
26 more than \$500, the occupation and employer of that

1 individual or, if the occupation and employer of the
2 individual are unknown, a statement that the committee has
3 made a good faith effort to ascertain this information;

4 (9) the total amount of proceeds received by the
5 committee from (i) the sale of tickets for each dinner,
6 luncheon, cocktail party, rally, and other fund-raising
7 events; (ii) mass collections made at those events; and
8 (iii) sales of items such as political campaign pins,
9 buttons, badges, flags, emblems, hats, banners,
10 literature, and similar materials;

11 (10) each contribution, rebate, refund, income from
12 investments, or other receipt in excess of \$150 received by
13 the committee not otherwise listed under items (4) through
14 (9) and, if the contributor is an individual who
15 contributed more than \$500, the occupation and employer of
16 the contributor or, if the occupation and employer of the
17 contributor are unknown, a statement that the committee has
18 made a good faith effort to ascertain this information;

19 (11) the total sum of all receipts by or for the
20 committee or candidate during the reporting period;

21 (12) the full name and mailing address of each person
22 to whom expenditures have been made by the committee or
23 candidate within the reporting period in an aggregate
24 amount or value in excess of \$150; the amount, date, and
25 purpose of each of those expenditures; and the question of
26 public policy or the name and address of, and the office

1 sought by, each candidate on whose behalf that expenditure
2 was made;

3 (13) the full name and mailing address of each person
4 to whom an expenditure for personal services, salaries, and
5 reimbursed expenses in excess of \$150 has been made and
6 that is not otherwise reported, including the amount, date,
7 and purpose of the expenditure;

8 (14) the value of each asset held as an investment, as
9 of the final day of the reporting period;

10 (15) the total sum of expenditures made by the
11 committee during the reporting period; and

12 (16) the full name and mailing address of each person
13 to whom the committee owes debts or obligations in excess
14 of \$150 and the amount of those debts or obligations.

15 For purposes of reporting campaign receipts and expenses,
16 income from investments shall be included as receipts during
17 the reporting period they are actually received. The gross
18 purchase price of each investment shall be reported as an
19 expenditure at time of purchase. Net proceeds from the sale of
20 an investment shall be reported as a receipt. During the period
21 investments are held they shall be identified by name and
22 quantity of security or instrument on each quarterly
23 ~~semi-annual~~ report during the period.

24 (b) Each report of a campaign contribution of \$1,000 or
25 more required under subsection (c) of Section 9-10 shall
26 disclose the following:

1 (1) the name and address of the political committee;
2 (2) the name and address of the person submitting the
3 report on behalf of the committee, if other than the
4 chairman or treasurer; and

5 (3) the full name and mailing address of each person
6 who has made a contribution of \$1,000 or more.

7 (c) Each quarterly report shall include the following
8 information regarding any independent expenditures made during
9 the reporting period: (1) the full name and mailing address of
10 each person to whom an expenditure in excess of \$150 has been
11 made in connection with an independent expenditure; (2) the
12 amount, date, and purpose of such expenditure; (3) a statement
13 whether the independent expenditure was in support of or in
14 opposition to a particular candidate; (4) the name of the
15 candidate; (5) the office and, when applicable, district,
16 sought by the candidate; and (6) a certification, under penalty
17 of perjury, that such expenditure was not made in cooperation,
18 consultation, or concert with, or at the request or suggestion
19 of, any candidate or any authorized committee or agent of such
20 committee. The report shall also include (I) the total of all
21 independent expenditures of \$150 or less made during the
22 reporting period and (II) the total amount of all independent
23 expenditures made during the reporting period.

24 (d) The Board shall by rule define a "good faith effort".

25 The reports of campaign contributions filed under this
26 Article shall be cumulative during the reporting period to

1 which they relate.

2 (e) Each report shall be verified, dated, and signed by
3 either the treasurer of the political committee or the
4 candidate on whose behalf the report is filed and shall contain
5 the following verification:

6 "I declare that this report (including any accompanying
7 schedules and statements) has been examined by me and, to the
8 best of my knowledge and belief, is a true, correct, and
9 complete report as required by Article 9 of the Election Code.
10 I understand that willfully filing a false or incomplete
11 statement is subject to a civil penalty of up to \$5,000."

12 (f) A political committee may amend a report filed under
13 subsection (a) or (b). The Board may reduce or waive a fine if
14 the amendment is due to a technical or inadvertent error and
15 the political committee files the amended report, except that a
16 report filed under subsection (b) must be amended within 5
17 business days. The State Board shall ensure that a description
18 of the amended information is available to the public. The
19 Board may promulgate rules to enforce this subsection.

20 (Source: P.A. 96-832, eff. 1-1-11.)

21 (10 ILCS 5/9-23.5)

22 Sec. 9-23.5. Public database of founded complaints. The
23 State Board of Elections shall establish and maintain on its
24 official website a searchable database, freely accessible to
25 the public, of each complaint filed with the Board under this

1 Article with respect to which Board action was taken, including
2 all Board actions and penalties imposed, if any. The Board must
3 update the database within 5 business days after an action is
4 taken or a penalty is imposed to include that complaint,
5 action, or penalty in the database. ~~The Task Force on Campaign
6 Finance Reform shall make recommendations on improving access
7 to information related to founded complaints.~~

8 (Source: P.A. 96-832, eff. 1-1-11.)

9 (10 ILCS 5/9-35)

10 Sec. 9-35. Registration of business entities.

11 (a) This Section governs the procedures for the
12 registration required under Section 20-160 of the Illinois
13 Procurement Code.

14 For the purposes of this Section, the terms "officeholder",
15 "State contract", "business entity", "State agency",
16 "affiliated entity", and "affiliated person" have the meanings
17 ascribed to those terms in Section 50-37 of the Illinois
18 Procurement Code.

19 (b) Registration under Section 20-160 of the Illinois
20 Procurement Code, and any changes to that registration, must be
21 made electronically, and the State Board of Elections by rule
22 shall provide for electronic registration; except that the
23 State Board may adopt emergency rules providing for a temporary
24 filing system, effective through August 1, 2009, under which
25 business entities must file the required registration forms

1 provided by the Board via e-mail attachment in a PDF file or
2 via another type of mail service and must receive from the
3 State Board registration certificates via e-mail or paper
4 registration certificates. The State Board shall retain the
5 registrations submitted by business entities via e-mail or
6 another type of mail service for at least 6 months following
7 the establishment of the electronic registration system
8 required by this subsection.

9 Each registration must contain substantially the
10 following:

11 (1) The name and address of the business entity.

12 (2) The name and address of any affiliated entity of
13 the business entity, including a description of the
14 affiliation.

15 (3) The name and address of any affiliated person of
16 the business entity, including a description of the
17 affiliation.

18 (c) The Board shall provide a certificate of registration
19 to the business entity. The certificate shall be electronic,
20 ~~except as otherwise provided in this Section,~~ and accessible to
21 the business entity through the State Board of Elections'
22 website and protected by a password. Within 60 days after
23 establishment of the electronic system, each business entity
24 that submitted a registration via e-mail attachment or paper
25 copy pursuant to this Section shall re-submit its registration
26 electronically. At the time of re-submission, the State Board

1 of Elections shall provide an electronic certificate of
2 registration to that business entity.

3 (d) Any business entity required to register under Section
4 20-160 of the Illinois Procurement Code shall provide a copy of
5 the registration certificate, by first class mail or hand
6 delivery within 10 days after registration, to each affiliated
7 entity or affiliated person whose identity is required to be
8 disclosed. Failure to provide notice to an affiliated entity or
9 affiliated person is a business offense for which the business
10 entity is subject to a fine not to exceed \$1,001.

11 (e) In addition to any penalty under Section 20-160 of the
12 Illinois Procurement Code, intentional, willful, or material
13 failure to disclose information required for registration is
14 subject to a civil penalty imposed by the State Board of
15 Elections. The State Board shall impose a civil penalty of
16 \$1,000 per business day for failure to update a registration.

17 (f) Any business entity required to register under Section
18 20-160 of the Illinois Procurement Code shall notify any
19 political committee to which it makes a contribution, at the
20 time of the contribution, that the business entity is
21 registered with the State Board of Elections under Section
22 20-160 of the Illinois Procurement Code. Any affiliated entity
23 or affiliated person of a business entity required to register
24 under Section 20-160 of the Illinois Procurement Code shall
25 notify any political committee to which it makes a contribution
26 that it is affiliated with a business entity registered with

1 the State Board of Elections under Section 20-160 of the
2 Illinois Procurement Code.

3 (g) The State Board of Elections on its official website
4 shall have a searchable database containing (i) all information
5 required to be submitted to the Board under Section 20-160 of
6 the Illinois Procurement Code and (ii) all reports filed under
7 this Article with the State Board of Elections by all political
8 committees. For the purposes of databases maintained by the
9 State Board of Elections, "searchable" means able to search by
10 "political committee", as defined in this Article, and by
11 "officeholder", "State agency", "business entity", "affiliated
12 entity", and "affiliated person". The Board shall not place the
13 name of a minor child on the website. However, the Board shall
14 provide a link to all contributions made by anyone reporting
15 the same residential address as any affiliated person. In
16 addition, the State Board of Elections on its official website
17 shall provide an electronic connection to any searchable
18 database of State contracts maintained by the Comptroller,
19 searchable by business entity.

20 (h) The State Board of Elections shall have rulemaking
21 authority to implement this Section.

22 (Source: P.A. 95-971, eff. 1-1-09; 95-1038, eff. 3-11-09.)

23 (10 ILCS 5/10-6.1) (from Ch. 46, par. 10-6.1)

24 Sec. 10-6.1. The board or clerk with whom a certificate of
25 nomination or nomination papers are filed shall notify the

1 person for whom such papers are filed of the obligation to file
2 statements of organization, reports of campaign contributions,
3 and quarterly ~~annual~~ reports of campaign contributions and
4 expenditures under Article 9 of this Act. Such notice shall be
5 given in the manner prescribed by paragraph (7) of Section 9-16
6 of this Code.

7 (Source: P.A. 81-1189.)

8 (10 ILCS 5/29B-10) (from Ch. 46, par. 29B-10; formerly Ch.
9 46, par. 1103)

10 Sec. 29B-10. Code of Fair Campaign Practices. At the time a
11 political committee, as defined in Article 9, files its
12 statements of organization, the State Board of Elections, ~~in~~
13 ~~the case of a state political committee or a political~~
14 ~~committee acting as both a state political committee and a~~
15 ~~local political committee, or the county clerk, in the case of~~
16 ~~a local political committee,~~ shall give the political committee
17 a blank form of the Code of Fair Campaign Practices and a copy
18 of the provisions of this Article. The State Board of Elections
19 ~~or county clerk~~ shall inform each political committee that
20 subscription to the Code is voluntary. The text of the Code
21 shall read as follows:

22 CODE OF FAIR CAMPAIGN PRACTICES

23 There are basic principles of decency, honesty, and fair
24 play that every candidate for public office in the State of
25 Illinois has a moral obligation to observe and uphold, in order

1 that, after vigorously contested but fairly conducted
2 campaigns, our citizens may exercise their constitutional
3 right to a free and untrammelled choice and the will of the
4 people may be fully and clearly expressed on the issues.

5 THEREFORE:

6 (1) I will conduct my campaign openly and publicly, and
7 limit attacks on my opponent to legitimate challenges to his
8 record.

9 (2) I will not use or permit the use of character
10 defamation, whispering campaigns, libel, slander, or
11 scurrilous attacks on any candidate or his personal or family
12 life.

13 (3) I will not use or permit any appeal to negative
14 prejudice based on race, sex, sexual orientation, religion or
15 national origin.

16 (4) I will not use campaign material of any sort that
17 misrepresents, distorts, or otherwise falsifies the facts, nor
18 will I use malicious or unfounded accusations that aim at
19 creating or exploiting doubts, without justification, as to the
20 personal integrity or patriotism of my opposition.

21 (5) I will not undertake or condone any dishonest or
22 unethical practice that tends to corrupt or undermine our
23 American system of free elections or that hampers or prevents
24 the full and free expression of the will of the voters.

25 (6) I will defend and uphold the right of every qualified
26 American voter to full and equal participation in the electoral

1 process.

2 (7) I will immediately and publicly repudiate methods and
 3 tactics that may come from others that I have pledged not to
 4 use or condone. I shall take firm action against any
 5 subordinate who violates any provision of this Code or the laws
 6 governing elections.

7 I, the undersigned, candidate for election to public office
 8 in the State of Illinois or chairman of a political committee
 9 in support of or opposition to a question of public policy,
 10 hereby voluntarily endorse, subscribe to, and solemnly pledge
 11 myself to conduct my campaign in accordance with the above
 12 principles and practices.

13 _____
 14 Date Signature

15 (Source: P.A. 86-873; 87-1052.)

16 (10 ILCS 5/29B-15) (from Ch. 46, par. 29B-15; formerly Ch.
 17 46, par. 1104)

18 Sec. 29B-15. Responsibility of State Board of Elections for
 19 printing and supplying of forms. The State Board of Elections
 20 shall print, or cause to be printed, copies of the Code of Fair
 21 Campaign Practices. ~~The State Board of Elections shall supply~~
 22 ~~the forms to the county clerks in quantities and at times~~
 23 ~~requested by the clerks.~~

24 (Source: P.A. 86-873; 87-1052.)

1 (10 ILCS 5/29B-20) (from Ch. 46, par. 29B-20; formerly Ch.
2 46, par. 1105)

3 Sec. 29B-20. Acceptance of completed forms; retentions for
4 public inspection. The State Board of Elections ~~and the county~~
5 ~~clerk~~ shall accept, at all times prior to an election, all
6 completed copies of the Code of Fair Campaign Practices that
7 are properly subscribed to by a candidate or the chairman of a
8 political committee in support of or opposition to a question
9 of public policy, and shall retain them for public inspection
10 until 30 days after the election.

11 (Source: P.A. 86-873; 87-1052.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.