**Section 100.150 Electronic Filing of Reports**

a) The State Board of Elections will make electronic filing available to committees required to report electronically under Code Section 9-28 using a platform provided by the Board. Mandatory electronic filers may not send reports via U.S. mail, e-mail, or facsimile transmission in lieu of using the Board’s platform under Code Section 9-28 except as provided in subsection (c).

b) Once a committee exceeds the threshold that requires it to report electronically, it must continue to report electronically until it dissolves, whether or not its accumulation, receipts or expenditures fall beneath the levels set by statute for mandatory electronic filing.

c) Once a committee is required to file its reports electronically under Code Section 9-28, it must continue to file all reports electronically, except as follows:

1) A paper report shall be considered a timely filing if it is received by the Board on or before the filing deadline, provided that it covers the initial reporting period during which the mandatory electronic filing threshold is exceeded and that the report is filed electronically within 30 days after receipt of notice from the Board that this report was required to have been filed electronically. If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue from the date of the filing deadline.

2) A paper report shall be considered a non-filing if the committee has previously received the notification referred to in subsection (c)(1). If the report is not filed electronically by the filing deadline, it shall be considered as having never been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue until such time as it is filed electronically.

3) A paper report shall be considered a timely filing if at least one previous report was required to have been filed electronically and the committee had never been notified by the Board that it was required to electronically file its reports, provided that the report is filed electronically within 30 days after the notification referred to in subsection (c)(1). If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue from the date of the filing deadline.

4) A paper report shall be considered a timely filing if it is received on or before the filing deadline, or if it is postmarked no later than 3 days before the filing deadline, and the committee has never exceeded the $10,000 threshold requiring the electronic filing of its reports, regardless of whether the committee filed previous reports electronically.

5) If a committee is assessed a civil penalty for delinquently filing a report electronically and, in the course of its appeal, raises the defense that computer related issues prohibited the timely filing of an electronic report, the Board may consider the following when determining the final outcome of the appeal:

A) Whether the committee has raised any electronic filing issue as a defense in a prior appeal. An electronic filing defense may be taken into consideration only once during the lifetime of a committee, barring extenuating circumstances.

B) The length of time the committee has been filing electronically, regardless of whether the committee officers or the persons actually filing the reports have changed.

C) Whether the committee had established an electronic filing account (user name and password) prior to 4:30 pm on the filing deadline date. Failure to contact the Board to establish or verify this information during normal business hours shall not constitute a valid electronic filing defense. Misplacing, forgetting or simply not knowing a user name or password shall not constitute a valid electronic filing defense.

D) If a committee misses a filing deadline due to an electronic filing issue that was known or should have been known at the time of an attempted filing, it must contact, and discuss the issue with, Board staff. The contact must be initiated within three business days after the deadline to qualify for an electronic filing defense, unless the Board determines that the committee was reasonably unaware of the electronic filing issue until a later date, in which case, the committee must have initiated contact with the Board within three business days after discovering the report was not successfully filed. The contact must be confirmed in writing by Board staff. Following this contact, the committee must make a reasonable attempt to resolve the issue and file the report as quickly as possible.

6) The electronic filing requirement established in this Section shall not apply to Reports of Independent Expenditures required to be filed by natural persons pursuant to Code Section 9-8.6, as those persons are not necessarily political committees.

(Source: Amended at 47 Ill. Reg. 5468, effective March 30, 2023)