**Section 100.185 Assessment of Civil Penalties**

a) The provisions of Code Sections 9-20 through 9-24 relating to complaints for violations of Article 9 of the Election Code shall apply to complaints for violations of Code Section 9-35(d) (failure to notify affiliated persons and entities of a business entity that the business entity is registered with the Board) and (e) (the intentional, willful or material failure to disclose required registration information and failure to update a registration), except that the complaint shall be directed to the registered agent of the business entity or its chief executive officer. In addition, the provision of Code Section 9-21 pertaining to the 60 day period prior to an election shall not apply to complaints filed under this Section. Willful or intentional failure to disclose material information on a business entity's registration shall subject that entity to a civil penalty assessed by the Board not to exceed $5,000 per occurrence. If the Board determines that a business entity has intentionally, willfully or materially failed to disclose required information on its registration, it shall refer that determination to the chief procurement officer of the agency or agencies that accepted a bid or entered into a contract with that business. Failure to provide notice under Code Section 9-35(d) is a business offense, the penalty for which shall not to exceed $1,001.

b) The provisions of 26 Ill. Adm. Code 125, Subparts A, B and C shall apply to complaints filed against business entities.

c) Failure to update a registration as required by Section 20-160(d) and (e) of the Procurement Code and Section 100.180(i)(1) and (2) of this Part (any change in information must be reported to SBEL within 10 business days following the last day of the quarterly period or within 5 business days following that change or no later than a day before the contract is awarded, whichever date is earlier), will result in a $1,000 per day penalty for each day the information remains unreported. For purposes of this Section, the information required to be updated is the information required of a business entity under Code Section 9-35(b), including name and address of the business entity and any affiliated person or entity.

d) Any penalty assessed against a business entity by SBEL for violation of Code Section 9-35 shall be paid within 30 days after the assessment of the penalty. The 30 day period shall commence on the date the letter is sent by SBEL to the business entity assessing the penalty. Any assessed penalty that remains unpaid more than 30 days after the issuance of the final order assessing the penalty shall be posted on the SBEL website, indicating the name of the business entity owing the penalty and stating that the penalty remains unpaid.

(Source: Amended at 39 Ill. Reg. 8060, effective May 19, 2015)