

# HB4875



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4875

by Rep. Tim Butler

### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-3

from Ch. 46, par. 9-3

Amends the Election Code. Modifies the requirements for political committee statements of organization to include the phone number and email address of a political committee and specified persons. Effective immediately.

LRB100 17075 RJF 32226 b

A BILL FOR

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 Section  
5 9-3 as follows:

6 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

7 Sec. 9-3. Political committee statement of organization.

8 (a) Every political committee shall file with the State  
9 Board of Elections a statement of organization within 10  
10 business days of the creation of such committee, except any  
11 political committee created within the 30 days before an  
12 election shall file a statement of organization within 2  
13 business days in person, by facsimile transmission, or by  
14 electronic mail. Any change in information previously  
15 submitted in a statement of organization shall be reported, as  
16 required for the original statement of organization by this  
17 Section, within 10 days following that change. The Board shall  
18 impose a civil penalty of \$50 per business day upon political  
19 committees for failing to file or late filing of a statement of  
20 organization. Such penalties shall not exceed \$5,000, and shall  
21 not exceed \$10,000 for statewide office political committees.  
22 There shall be no fine if the statement is mailed and  
23 postmarked at least 72 hours prior to the filing deadline.

1           In addition to the civil penalties authorized by this  
2 Section, the State Board of Elections or any other political  
3 committee may apply to the circuit court for a temporary  
4 restraining order or a preliminary or permanent injunction  
5 against the political committee to cease the expenditure of  
6 funds and to cease operations until the statement of  
7 organization is filed.

8           For the purpose of this Section, "statewide office" means  
9 the Governor, Lieutenant Governor, Secretary of State,  
10 Attorney General, State Treasurer, and State Comptroller.

11           (b) The statement of organization shall include:

12                 (1) the name, ~~and~~ address, and email address of the  
13 political committee and the designation required by  
14 Section 9-2;

15                 (2) the scope, area of activity, party affiliation, and  
16 purposes of the political committee;

17                 (3) the name, address, phone number, email address, and  
18 position of each custodian of the committee's books and  
19 accounts;

20                 (4) the name, address, phone number, email address, and  
21 position of the committee's principal officers, including  
22 the chairman, treasurer, and officers and members of its  
23 finance committee, if any;

24                 (5) the name and address of any sponsoring entity;

25                 (6) a statement of what specific disposition of  
26 residual fund will be made in the event of the dissolution

1 or termination of the committee;

2 (7) a listing of all banks or other financial  
3 institutions, safety deposit boxes, and any other  
4 repositories or custodians of funds used by the committee;  
5 and

6 (8) the amount of funds available for campaign  
7 expenditures as of the filing date of the committee's  
8 statement of organization.

9 For purposes of this Section, a "sponsoring entity" is (i)  
10 any person, organization, corporation, or association that  
11 contributes at least 33% of the total funding of the political  
12 committee or (ii) any person or other entity that is registered  
13 or is required to register under the Lobbyist Registration Act  
14 and contributes at least 33% of the total funding of the  
15 political committee.

16 (c) Each statement of organization required to be filed in  
17 accordance with this Section shall be verified, dated, and  
18 signed by either the treasurer of the political committee  
19 making the statement or the candidate on whose behalf the  
20 statement is made and shall contain substantially the following  
21 verification:

22 "VERIFICATION:

23 I declare that this statement of organization (including  
24 any accompanying schedules and statements) has been examined by  
25 me and, to the best of my knowledge and belief, is a true,  
26 correct, and complete statement of organization as required by

1 Article 9 of the Election Code. I understand that willfully  
 2 filing a false or incomplete statement is subject to a civil  
 3 penalty of at least \$1,001 and up to \$5,000.

4 .....

5 (date of filing) (signature of person making the statement)".

6 (d) The statement of organization for a ballot initiative  
 7 committee also shall include a verification signed by the  
 8 chairperson of the committee that (i) the committee is formed  
 9 for the purpose of supporting or opposing a question of public  
 10 policy, (ii) all contributions and expenditures of the  
 11 committee will be used for the purpose described in the  
 12 statement of organization, (iii) the committee may accept  
 13 unlimited contributions from any source, provided that the  
 14 ballot initiative committee does not make contributions or  
 15 expenditures in support of or opposition to a candidate or  
 16 candidates for nomination for election, election, or  
 17 retention, and (iv) failure to abide by these requirements  
 18 shall deem the committee in violation of this Article.

19 (d-5) The statement of organization for an independent  
 20 expenditure committee also shall include a verification signed  
 21 by the chairperson of the committee that (i) the committee is  
 22 formed for the exclusive purpose of making independent  
 23 expenditures, (ii) all contributions and expenditures of the  
 24 committee will be used for the purpose described in the  
 25 statement of organization, (iii) the committee may accept  
 26 unlimited contributions from any source, provided that the

1 independent expenditure committee does not make contributions  
2 to any candidate political committee, political party  
3 committee, or political action committee, and (iv) failure to  
4 abide by these requirements shall deem the committee in  
5 violation of this Article.

6 (e) For purposes of implementing the changes made by this  
7 amendatory Act of the 96th General Assembly, every political  
8 committee in existence on the effective date of this amendatory  
9 Act of the 96th General Assembly shall file the statement  
10 required by this Section with the Board by December 31, 2010.

11 (Source: P.A. 99-522, eff. 6-30-16.)

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