



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### HB4363

Introduced 1/16/2024, by Rep. Maurice A. West, II

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-12	from Ch. 46, par. 7-12
10 ILCS 5/9-8.5	
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
10 ILCS 5/9-45 rep.	
30 ILCS 500/50-37	

Amends the Election Code. Replaces some instances of annual or semi-annual reports with quarterly reports. In provisions relating to limitations on campaign contributions, removes provisions inoperative beginning July 1, 2013. Removes a reference to the dissolved Task Force on Campaign Finance Reform. Removes references to a temporary filing system effective through August 1, 2009. Removes references to specified committees and the county clerk in the Code of Fair Campaign Practices. Repeals provisions relating to contributions by a medical cannabis cultivation center or medical cannabis dispensary organization to any political action committee created by any medical cannabis cultivation center or dispensary organization to make a campaign contribution to any political committee established to promote the candidacy of a candidate or public official. Amends the Illinois Procurement Code. Modifies the definition of "affiliated entity" and removes the definition of "sponsoring entity".

LRB103 35662 AWJ 65737 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, 9-8.5, 9-11, 9-23.5, 9-35, 10-6.1, 29B-10,  
6 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) Except as otherwise provided in this Code, where  
11 the nomination is to be made for a State, congressional,  
12 or judicial office, or for any office a nomination for  
13 which is made for a territorial division or district which  
14 comprises more than one county or is partly in one county  
15 and partly in another county or counties (including the  
16 Fox Metro Water Reclamation District), then, except as  
17 otherwise provided in this Section, such petition for  
18 nomination shall be filed in the principal office of the  
19 State Board of Elections not more than 113 and not less  
20 than 106 days prior to the date of the primary, but, in the  
21 case of petitions for nomination to fill a vacancy by  
22 special election in the office of representative in  
23 Congress from this State, such petition for nomination

1 shall be filed in the principal office of the State Board  
2 of Elections not more than 85 days and not less than 82  
3 days prior to the date of the primary.

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

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

1 state central committee of such national political party.

2 (2) Where the nomination is to be made for a county  
3 office or trustee of a sanitary district then such  
4 petition shall be filed in the office of the county clerk  
5 not more than 113 nor less than 106 days prior to the date  
6 of the primary.

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

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

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

26 (6) The State Board of Elections and the various

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

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

20 (7) The State Board of Elections or the appropriate  
21 election authority or local election official with whom  
22 such a petition for nomination is filed shall notify the  
23 person for whom a petition for nomination has been filed  
24 of the obligation to file statements of organization,  
25 reports of campaign contributions, and quarterly ~~annual~~  
26 reports of campaign contributions and expenditures under

1 Article 9 of this Code. Such notice shall be given in the  
2 manner prescribed by paragraph (7) of Section 9-16 of this  
3 Code.

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

22 (9) Except as otherwise provided in this Code, any  
23 person for whom a petition for nomination, or for  
24 committeeperson or for delegate or alternate delegate to a  
25 national nominating convention has been filed may cause  
26 his name to be withdrawn by request in writing, signed by

1 him and duly acknowledged before an officer qualified to  
2 take acknowledgments of deeds, and filed in the principal  
3 or permanent branch office of the State Board of Elections  
4 or with the appropriate election authority or local  
5 election official, not later than the date of  
6 certification of candidates for the consolidated primary  
7 or general primary ballot. No names so withdrawn shall be  
8 certified or printed on the primary ballot. If petitions  
9 for nomination have been filed for the same person with  
10 respect to more than one political party, his name shall  
11 not be certified nor printed on the primary ballot of any  
12 party. If petitions for nomination have been filed for the  
13 same person for 2 or more offices which are incompatible  
14 so that the same person could not serve in more than one of  
15 such offices if elected, that person must withdraw as a  
16 candidate for all but one of such offices within the 5  
17 business days following the last day for petition filing.  
18 A candidate in a judicial election may file petitions for  
19 nomination for only one vacancy in a subcircuit and only  
20 one vacancy in a circuit in any one filing period, and if  
21 petitions for nomination have been filed for the same  
22 person for 2 or more vacancies in the same circuit or  
23 subcircuit in the same filing period, his or her name  
24 shall be certified only for the first vacancy for which  
25 the petitions for nomination were filed. If he fails to  
26 withdraw as a candidate for all but one of such offices



1           within such time his name shall not be certified, nor  
2           printed on the primary ballot, for any office. For the  
3           purpose of the foregoing provisions, an office in a  
4           political party is not incompatible with any other office.

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

25          (b) Notwithstanding the provisions of any other  
26          statute, no primary election shall be held for an

1 established political party for any special primary  
2 election called for the purpose of filling a vacancy in  
3 the office of representative in the United States Congress  
4 where the nomination of such political party for said  
5 office is uncontested. For the purposes of this Article,  
6 the nomination of an established political party of a  
7 candidate for election to said office shall be deemed to  
8 be uncontested where not more than the number of persons  
9 to be nominated have timely filed valid nomination papers  
10 seeking the nomination of such established party for  
11 election to said office. This subsection (b) shall not  
12 apply if such primary election is conducted on a regularly  
13 scheduled election day.

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

1 name and address of the person intending to become a  
2 write-in candidate, (ii) a statement that the person is a  
3 qualified primary elector of the political party from whom  
4 the nomination is sought, (iii) a statement that the  
5 person intends to become a write-in candidate for the  
6 party's nomination, and (iv) the office the person is  
7 seeking as a write-in candidate. An election authority  
8 shall have no duty to conduct a primary and prepare a  
9 primary ballot for any office for which the nomination is  
10 uncontested unless a statement or notice meeting the  
11 requirements of this Section is filed in a timely manner.

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

1 State Board of Elections, election authority or local  
2 election official then only the first set of petitions  
3 filed shall be valid and all subsequent petitions shall be  
4 void.

5 (12) All nominating petitions shall be available for  
6 public inspection and shall be preserved for a period of  
7 not less than 6 months.

8 (Source: P.A. 101-523, eff. 8-23-19; 102-15, eff. 6-17-21;  
9 102-687, eff. 12-17-21.)

10 (10 ILCS 5/9-8.5)

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

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

14 (b) During an election cycle, a candidate political  
15 committee may not accept contributions with an aggregate value  
16 over the following: (i) \$5,000 from any individual, (ii)  
17 \$10,000 from any corporation, labor organization, or  
18 association, or (iii) \$50,000 from a candidate political  
19 committee or political action committee. A candidate political  
20 committee may accept contributions in any amount from a  
21 political party committee except during an election cycle in  
22 which the candidate seeks nomination at a primary election.  
23 During an election cycle in which the candidate seeks  
24 nomination at a primary election, a candidate political  
25 committee may not accept contributions from political party

1 committees with an aggregate value over the following: (i)  
2 \$200,000 for a candidate political committee established to  
3 support a candidate seeking nomination to statewide office,  
4 (ii) \$125,000 for a candidate political committee established  
5 to support a candidate seeking nomination to the Senate, the  
6 Supreme Court or Appellate Court in the First Judicial  
7 District, or an office elected by all voters in a county with  
8 1,000,000 or more residents, (iii) \$75,000 for a candidate  
9 political committee established to support a candidate seeking  
10 nomination to the House of Representatives, the Supreme Court  
11 or Appellate Court for a Judicial District other than the  
12 First Judicial District, an office elected by all voters of a  
13 county of fewer than 1,000,000 residents, and municipal and  
14 county offices in Cook County other than those elected by all  
15 voters of Cook County, and (iv) \$50,000 for a candidate  
16 political committee established to support the nomination of a  
17 candidate to any other office. A candidate political committee  
18 established to elect a candidate to the General Assembly may  
19 accept contributions from only one legislative caucus  
20 committee. A candidate political committee may not accept  
21 contributions from a ballot initiative committee or from an  
22 independent expenditure committee.

23 (b-5) Judicial elections.

24 (1) In addition to any other provision of this  
25 Section, a candidate political committee established to  
26 support or oppose a candidate seeking nomination to the

1 Supreme Court, Appellate Court, or Circuit Court may not:

2 (A) accept contributions from any entity that does  
3 not disclose the identity of those who make  
4 contributions to the entity, except for contributions  
5 that are not required to be itemized by this Code; or

6 (B) accept contributions from any out-of-state  
7 person, as defined in this Article.

8 (1.1) In addition to any other provision of this  
9 Section, a political committee that is self-funding, as  
10 described in subsection (h) of this Section, and is  
11 established to support or oppose a candidate seeking  
12 nomination, election, or retention to the Supreme Court,  
13 the Appellate Court, or the Circuit Court may not accept  
14 contributions from any single person, other than the  
15 judicial candidate or the candidate's immediate family, in  
16 a cumulative amount that exceeds \$500,000 in any election  
17 cycle. Any contribution in excess of the limits in this  
18 paragraph (1.1) shall escheat to the State of Illinois.  
19 Any political committee that receives such a contribution  
20 shall immediately forward the amount that exceeds \$500,000  
21 to the State Treasurer who shall deposit the funds into  
22 the State Treasury.

23 (1.2) In addition to any other provision of this  
24 Section, an independent expenditure committee established  
25 to support or oppose a candidate seeking nomination,  
26 election, or retention to the Supreme Court, the Appellate

1 Court, or the Circuit Court may not accept contributions  
2 from any single person in a cumulative amount that exceeds  
3 \$500,000 in any election cycle. Any contribution in excess  
4 of the limits in this paragraph (1.2) shall escheat to the  
5 State of Illinois. Any independent expenditure committee  
6 that receives such a contribution shall immediately  
7 forward the amount that exceeds \$500,000 to the State  
8 Treasurer who shall deposit the funds into the State  
9 Treasury.

10 (1.3) In addition to any other provision of this  
11 Section, if a political committee established to support  
12 or oppose a candidate seeking nomination, election, or  
13 retention to the Supreme Court, the Appellate Court, or  
14 the Circuit Court receives a contribution in excess of  
15 \$500 from: (i) any committee that is not required to  
16 disclose its contributors under this Act; (ii) any  
17 association that is not required to disclose its  
18 contributors under this Act; or (iii) any other  
19 organization or group of persons that is not required to  
20 disclose its contributors under this Act, then that  
21 contribution shall be considered an anonymous contribution  
22 that shall escheat to the State, unless the political  
23 committee reports to the State Board of Elections all  
24 persons who have contributed in excess of \$500 during the  
25 same election cycle to the committee, association,  
26 organization, or group making the contribution. Any

1 political committee that receives such a contribution and  
2 fails to report this information shall forward the  
3 contribution amount immediately to the State Treasurer who  
4 shall deposit the funds into the State Treasury.

5 (2) As used in this subsection, "contribution" has the  
6 meaning provided in Section 9-1.4 and also includes the  
7 following that are subject to the limits of this Section:

8 (A) expenditures made by any person in concert or  
9 cooperation with, or at the request or suggestion of,  
10 a candidate, his or her designated committee, or their  
11 agents; and

12 (B) the financing by any person of the  
13 dissemination, distribution, or republication, in  
14 whole or in part, of any broadcast or any written,  
15 graphic, or other form of campaign materials prepared  
16 by the candidate, his or her campaign committee, or  
17 their designated agents.

18 (3) As to contributions to a candidate political  
19 committee established to support a candidate seeking  
20 nomination to the Supreme Court, Appellate Court, or  
21 Circuit Court:

22 (A) No person shall make a contribution in the  
23 name of another person or knowingly permit his or her  
24 name to be used to effect such a contribution.

25 (B) No person shall knowingly accept a  
26 contribution made by one person in the name of another



1 person.

2 (C) No person shall knowingly accept reimbursement  
3 from another person for a contribution made in his or  
4 her own name.

5 (D) No person shall make an anonymous  
6 contribution.

7 (E) No person shall knowingly accept any anonymous  
8 contribution.

9 (F) No person shall predicate (1) any benefit,  
10 including, but not limited to, employment decisions,  
11 including hiring, promotions, bonus compensation, and  
12 transfers, or (2) any other gift, transfer, or  
13 emolument upon:

14 (i) the decision by the recipient of that  
15 benefit to donate or not to donate to a candidate;  
16 or

17 (ii) the amount of any such donation.

18 (4) No judicial candidate or political committee  
19 established to support a candidate seeking nomination to  
20 the Supreme Court, Appellate Court, or Circuit Court shall  
21 knowingly accept any contribution or make any expenditure  
22 in violation of the provisions of this Section. No officer  
23 or employee of a political committee established to  
24 support a candidate seeking nomination to the Supreme  
25 Court, Appellate Court, or Circuit Court shall knowingly  
26 accept a contribution made for the benefit or use of a

1 candidate or knowingly make any expenditure in support of  
2 or opposition to a candidate or for electioneering  
3 communications in relation to a candidate in violation of  
4 any limitation designated for contributions and  
5 expenditures under this Section.

6 (5) Where the provisions of this subsection (b-5)  
7 conflict with any other provision of this Code, this  
8 subsection (b-5) shall control.

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

1           (c-5) (Blank). ~~During the period beginning on the date~~  
2 ~~candidates may begin circulating petitions for a primary~~  
3 ~~election and ending on the day of the primary election, a~~  
4 ~~political party committee may not accept contributions with an~~  
5 ~~aggregate value over \$50,000 from a candidate political~~  
6 ~~committee or political party committee. A political party~~  
7 ~~committee may accept contributions in any amount from a~~  
8 ~~candidate political committee or political party committee if~~  
9 ~~the political party committee receiving the contribution filed~~  
10 ~~a statement of nonparticipation in the primary as provided in~~  
11 ~~subsection (c-10). The Task Force on Campaign Finance Reform~~  
12 ~~shall study and make recommendations on the provisions of this~~  
13 ~~subsection to the Governor and General Assembly by September~~  
14 ~~30, 2012. This subsection becomes inoperative on July 1, 2013~~  
15 ~~and thereafter no longer applies.~~

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

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

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

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

26 (e-5) An independent expenditure committee may accept

1 contributions in any amount from any source, provided that the  
2 committee files the document required by Section 9-3 of this  
3 Article and files the disclosure reports required by the  
4 provisions of this Article.

5 (e-10) A limited activity committee shall not accept  
6 contributions, except that the officer or a candidate the  
7 committee has designated to support may contribute personal  
8 funds in order to pay for maintenance expenses. A limited  
9 activity committee may only make expenditures that are: (i)  
10 necessary for maintenance of the committee; (ii) for rent or  
11 lease payments until the end of the lease in effect at the time  
12 the officer or candidate is confirmed by the Senate; (iii)  
13 contributions to 501(c)(3) charities; or (iv) returning  
14 contributions to original contributors.

15 (f) Nothing in this Section shall prohibit a political  
16 committee from dividing the proceeds of joint fundraising  
17 efforts; provided that no political committee may receive more  
18 than the limit from any one contributor, and provided that an  
19 independent expenditure committee may not conduct joint  
20 fundraising efforts with a candidate political committee or a  
21 political party committee.

22 (g) On January 1 of each odd-numbered year, the State  
23 Board of Elections shall adjust the amounts of the  
24 contribution limitations established in this Section for  
25 inflation as determined by the Consumer Price Index for All  
26 Urban Consumers as issued by the United States Department of

1 Labor and rounded to the nearest \$100. The State Board shall  
2 publish this information on its official website.

3 (h) Self-funding candidates. If a public official, a  
4 candidate, or the public official's or candidate's immediate  
5 family contributes or loans to the public official's or  
6 candidate's political committee or to other political  
7 committees that transfer funds to the public official's or  
8 candidate's political committee or makes independent  
9 expenditures for the benefit of the public official's or  
10 candidate's campaign during the 12 months prior to an election  
11 in an aggregate amount of more than (i) \$250,000 for statewide  
12 office or (ii) \$100,000 for all other elective offices, then  
13 the public official or candidate shall file with the State  
14 Board of Elections, within one day, a Notification of  
15 Self-funding that shall detail each contribution or loan made  
16 by the public official, the candidate, or the public  
17 official's or candidate's immediate family. Within 2 business  
18 days after the filing of a Notification of Self-funding, the  
19 notification shall be posted on the Board's website and the  
20 Board shall give official notice of the filing to each  
21 candidate for the same office as the public official or  
22 candidate making the filing, including the public official or  
23 candidate filing the Notification of Self-funding. Notice  
24 shall be sent via first class mail to the candidate and the  
25 treasurer of the candidate's committee. Notice shall also be  
26 sent by e-mail to the candidate and the treasurer of the

1 candidate's committee if the candidate and the treasurer, as  
2 applicable, have provided the Board with an e-mail address.  
3 Upon posting of the notice on the Board's website, all  
4 candidates for that office, including the public official or  
5 candidate who filed a Notification of Self-funding, shall be  
6 permitted to accept contributions in excess of any  
7 contribution limits imposed by subsection (b). If a public  
8 official or candidate filed a Notification of Self-funding  
9 during an election cycle that includes a general primary  
10 election or consolidated primary election and that public  
11 official or candidate is nominated, all candidates for that  
12 office, including the nominee who filed the notification of  
13 self-funding, shall be permitted to accept contributions in  
14 excess of any contribution limit imposed by subsection (b) for  
15 the subsequent election cycle. For the purposes of this  
16 subsection, "immediate family" means the spouse, parent, or  
17 child of a public official or candidate.

18 (h-5) If a natural person or independent expenditure  
19 committee makes independent expenditures in support of or in  
20 opposition to the campaign of a particular public official or  
21 candidate in an aggregate amount of more than (i) \$250,000 for  
22 statewide office or (ii) \$100,000 for all other elective  
23 offices in an election cycle, as reported in a written  
24 disclosure filed under subsection (a) of Section 9-8.6 or  
25 subsection (e-5) of Section 9-10, then the State Board of  
26 Elections shall, within 2 business days after the filing of

1 the disclosure, post the disclosure on the Board's website and  
2 give official notice of the disclosure to each candidate for  
3 the same office as the public official or candidate for whose  
4 benefit or detriment the natural person or independent  
5 expenditure committee made independent expenditures. Upon  
6 posting of the notice on the Board's website, all candidates  
7 for that office in that election, including the public  
8 official or candidate for whose benefit or detriment the  
9 natural person or independent expenditure committee made  
10 independent expenditures, shall be permitted to accept  
11 contributions in excess of any contribution limits imposed by  
12 subsection (b).

13 (h-10) If the State Board of Elections receives  
14 notification or determines that a natural person or persons,  
15 an independent expenditure committee or committees, or  
16 combination thereof has made independent expenditures in  
17 support of or in opposition to the campaign of a particular  
18 public official or candidate in an aggregate amount of more  
19 than (i) \$250,000 for statewide office or (ii) \$100,000 for  
20 all other elective offices in an election cycle, then the  
21 Board shall, within 2 business days after discovering the  
22 independent expenditures that, in the aggregate, exceed the  
23 threshold set forth in (i) and (ii) of this subsection, post  
24 notice of this fact on the Board's website and give official  
25 notice to each candidate for the same office as the public  
26 official or candidate for whose benefit or detriment the



1 independent expenditures were made. Notice shall be sent via  
2 first class mail to the candidate and the treasurer of the  
3 candidate's committee. Notice shall also be sent by e-mail to  
4 the candidate and the treasurer of the candidate's committee  
5 if the candidate and the treasurer, as applicable, have  
6 provided the Board with an e-mail address. Upon posting of the  
7 notice on the Board's website, all candidates of that office  
8 in that election, including the public official or candidate  
9 for whose benefit or detriment the independent expenditures  
10 were made, may accept contributions in excess of any  
11 contribution limits imposed by subsection (b).

12 (i) For the purposes of this Section, a corporation, labor  
13 organization, association, or a political action committee  
14 established by a corporation, labor organization, or  
15 association may act as a conduit in facilitating the delivery  
16 to a political action committee of contributions made through  
17 dues, levies, or similar assessments and the political action  
18 committee may report the contributions in the aggregate,  
19 provided that: (i) contributions made through dues, levies, or  
20 similar assessments paid by any natural person, corporation,  
21 labor organization, or association in a calendar year may not  
22 exceed the limits set forth in this Section; (ii) the  
23 corporation, labor organization, association, or a political  
24 action committee established by a corporation, labor  
25 organization, or association facilitating the delivery of  
26 contributions maintains a list of natural persons,

1 corporations, labor organizations, and associations that paid  
2 the dues, levies, or similar assessments from which the  
3 contributions comprising the aggregate amount derive; and  
4 (iii) contributions made through dues, levies, or similar  
5 assessments paid by any natural person, corporation, labor  
6 organization, or association that exceed \$1,000 in a quarterly  
7 reporting period shall be itemized on the committee's  
8 quarterly report and may not be reported in the aggregate. A  
9 political action committee facilitating the delivery of  
10 contributions or receiving contributions shall disclose the  
11 amount of contributions made through dues delivered or  
12 received and the name of the corporation, labor organization,  
13 association, or political action committee delivering the  
14 contributions, if applicable. On January 1 of each  
15 odd-numbered year, the State Board of Elections shall adjust  
16 the amounts of the contribution limitations established in  
17 this subsection for inflation as determined by the Consumer  
18 Price Index for All Urban Consumers as issued by the United  
19 States Department of Labor and rounded to the nearest \$100.  
20 The State Board shall publish this information on its official  
21 website.

22 (j) A political committee that receives a contribution or  
23 transfer in violation of this Section shall dispose of the  
24 contribution or transfer by returning the contribution or  
25 transfer, or an amount equal to the contribution or transfer,  
26 to the contributor or transferor or donating the contribution

1 or transfer, or an amount equal to the contribution or  
2 transfer, to a charity. A contribution or transfer received in  
3 violation of this Section that is not disposed of as provided  
4 in this subsection within 30 days after the Board sends  
5 notification to the political committee of the excess  
6 contribution by certified mail shall escheat to the General  
7 Revenue Fund and the political committee shall be deemed in  
8 violation of this Section and subject to a civil penalty not to  
9 exceed 150% of the total amount of the contribution.

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

13 (l) This Section is repealed if and when the United States  
14 Supreme Court invalidates contribution limits on committees  
15 formed to assist candidates, political parties, corporations,  
16 associations, or labor organizations established by or  
17 pursuant to federal law.

18 (Source: P.A. 102-664, eff. 1-1-22; 102-668, eff. 11-15-21;  
19 102-909, eff. 5-27-22.)

20 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

21 Sec. 9-11. Financial reports.

22 (a) Each quarterly report of campaign contributions,  
23 expenditures, and independent expenditures under Section 9-10  
24 shall disclose the following:

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

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

4           (3) the amount of funds on hand at the beginning of the  
5 reporting period;

6           (4) the full name and mailing address of each person  
7 who has made one or more contributions to or for the  
8 committee within the reporting period in an aggregate  
9 amount or value in excess of \$150, together with the  
10 amounts and dates of those contributions, and, if the  
11 contributor is an individual who contributed more than  
12 \$500, the occupation and employer of the contributor or,  
13 if the occupation and employer of the contributor are  
14 unknown, a statement that the committee has made a good  
15 faith effort to ascertain this information;

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

19           (6) the name and address of each political committee  
20 from which the reporting committee received, or to which  
21 that committee made, any transfer of funds in the  
22 aggregate amount or value in excess of \$150, together with  
23 the amounts and dates of all transfers;

24           (7) the total sum of transfers made to or from the  
25 committee during the reporting period and not reported  
26 under item (6);

1           (8) each loan to or from any person, political  
2           committee, or financial institution within the reporting  
3           period by or to the committee in an aggregate amount or  
4           value in excess of \$150, together with the full names and  
5           mailing addresses of the lender and endorsers, if any; the  
6           dates and amounts of the loans; and, if a lender or  
7           endorser is an individual who loaned or endorsed a loan of  
8           more than \$500, the occupation and employer of that  
9           individual or, if the occupation and employer of the  
10          individual are unknown, a statement that the committee has  
11          made a good faith effort to ascertain this information;

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

19          (10) each contribution, rebate, refund, income from  
20          investments, or other receipt in excess of \$150 received  
21          by the committee not otherwise listed under items (4)  
22          through (9) and, if the contributor is an individual who  
23          contributed more than \$500, the occupation and employer of  
24          the contributor or, if the occupation and employer of the  
25          contributor are unknown, a statement that the committee  
26          has made a good faith effort to ascertain this

1 information;

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

4 (12) the full name and mailing address of each person  
5 to whom expenditures have been made by the committee or  
6 candidate within the reporting period in an aggregate  
7 amount or value in excess of \$150; the amount, date, and  
8 purpose of each of those expenditures; and the question of  
9 public policy or the name and address of, and the office  
10 sought by, each candidate on whose behalf that expenditure  
11 was made;

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

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

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

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

24 For purposes of reporting campaign receipts and expenses,  
25 income from investments shall be included as receipts during  
26 the reporting period they are actually received. The gross

1 purchase price of each investment shall be reported as an  
2 expenditure at time of purchase. Net proceeds from the sale of  
3 an investment shall be reported as a receipt. During the  
4 period investments are held they shall be identified by name  
5 and quantity of security or instrument on each quarterly  
6 ~~semi-annual~~ report during the period.

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

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

11 (2) the name and address of the person submitting the  
12 report on behalf of the committee, if other than the chair  
13 or treasurer; and

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

16 (c) Each quarterly report shall include the following  
17 information regarding any independent expenditures made during  
18 the reporting period: (1) the full name and mailing address of  
19 each person to whom an expenditure in excess of \$150 has been  
20 made in connection with an independent expenditure; (2) the  
21 amount, date, and purpose of such expenditure; (3) a statement  
22 whether the independent expenditure was in support of or in  
23 opposition to a particular candidate; (4) the name of the  
24 candidate; (5) the office and, when applicable, district,  
25 sought by the candidate; and (6) a certification, under  
26 penalty of perjury, that such expenditure was not made in

1 cooperation, consultation, or concert with, or at the request  
2 or suggestion of, any candidate or any authorized committee or  
3 agent of such committee. The report shall also include (I) the  
4 total of all independent expenditures of \$150 or less made  
5 during the reporting period and (II) the total amount of all  
6 independent expenditures made during the reporting period.

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

8 The reports of campaign contributions filed under this  
9 Article shall be cumulative during the reporting period to  
10 which they relate.

11 (e) Each report shall be verified, dated, and signed by  
12 either the treasurer of the political committee or the  
13 candidate on whose behalf the report is filed and shall  
14 contain the following verification:

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

21 (f) A political committee may amend a report filed under  
22 subsection (a) or (b). The Board may reduce or waive a fine if  
23 the amendment is due to a technical or inadvertent error and  
24 the political committee files the amended report, except that  
25 a report filed under subsection (b) must be amended within 5  
26 business days. The State Board shall ensure that a description



1 of the amended information is available to the public. The  
2 Board may promulgate rules to enforce this subsection.

3 (Source: P.A. 100-1027, eff. 1-1-19.)

4 (10 ILCS 5/9-23.5)

5 Sec. 9-23.5. Public database of founded complaints. The  
6 State Board of Elections shall establish and maintain on its  
7 official website a searchable database, freely accessible to  
8 the public, of each complaint filed with the Board under this  
9 Article with respect to which Board action was taken,  
10 including all Board actions and penalties imposed, if any. The  
11 Board must update the database within 5 business days after an  
12 action is taken or a penalty is imposed to include that  
13 complaint, action, or penalty in the database. ~~The Task Force  
14 on Campaign Finance Reform shall make recommendations on  
15 improving access to information related to founded complaints.~~

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

17 (10 ILCS 5/9-35)

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

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

22 For the purposes of this Section, the terms  
23 "officeholder", "State contract", "business entity", "State  
24 agency", "affiliated entity", and "affiliated person" have the

1 meanings ascribed to those terms in Section 50-37 of the  
2 Illinois Procurement Code.

3 (b) Registration under Section 20-160 of the Illinois  
4 Procurement Code, and any changes to that registration, must  
5 be made electronically, and the State Board of Elections by  
6 rule shall provide for electronic registration, ~~except that~~  
7 ~~the State Board may adopt emergency rules providing for a~~  
8 ~~temporary filing system, effective through August 1, 2009,~~  
9 ~~under which business entities must file the required~~  
10 ~~registration forms provided by the Board via e-mail attachment~~  
11 ~~in a PDF file or via another type of mail service and must~~  
12 ~~receive from the State Board registration certificates via~~  
13 ~~e-mail or paper registration certificates. The State Board~~  
14 ~~shall retain the registrations submitted by business entities~~  
15 ~~via e-mail or another type of mail service for at least 6~~  
16 ~~months following the establishment of the electronic~~  
17 ~~registration system required by this subsection.~~

18 Each registration must contain substantially the  
19 following:

- 20 (1) The name and address of the business entity.
- 21 (2) The name and address of any affiliated entity of  
22 the business entity, including a description of the  
23 affiliation.
- 24 (3) The name and address of any affiliated person of  
25 the business entity, including a description of the  
26 affiliation.

1           (c) The Board shall provide a certificate of registration  
2 to the business entity. The certificate shall be electronic,  
3 ~~except as otherwise provided in this Section,~~ and accessible  
4 to the business entity through the State Board of Elections'  
5 website and protected by a password. ~~Within 60 days after~~  
6 ~~establishment of the electronic system, each business entity~~  
7 ~~that submitted a registration via e mail attachment or paper~~  
8 ~~copy pursuant to this Section shall re-submit its registration~~  
9 ~~electronically. At the time of re-submission, the State Board~~  
10 ~~of Elections shall provide an electronic certificate of~~  
11 ~~registration to that business entity.~~

12           (d) Any business entity required to register under Section  
13 20-160 of the Illinois Procurement Code shall provide a copy  
14 of the registration certificate, by first class mail or hand  
15 delivery within 10 days after registration, to each affiliated  
16 entity or affiliated person whose identity is required to be  
17 disclosed. Failure to provide notice to an affiliated entity  
18 or affiliated person is a business offense for which the  
19 business entity is subject to a fine not to exceed \$1,001.

20           (e) In addition to any penalty under Section 20-160 of the  
21 Illinois Procurement Code, intentional, willful, or material  
22 failure to disclose information required for registration is  
23 subject to a civil penalty imposed by the State Board of  
24 Elections. The State Board shall impose a civil penalty of  
25 \$1,000 per business day for failure to update a registration.

26           (f) Any business entity required to register under Section

1 20-160 of the Illinois Procurement Code shall notify any  
2 political committee to which it makes a contribution, at the  
3 time of the contribution, that the business entity is  
4 registered with the State Board of Elections under Section  
5 20-160 of the Illinois Procurement Code. Any affiliated entity  
6 or affiliated person of a business entity required to register  
7 under Section 20-160 of the Illinois Procurement Code shall  
8 notify any political committee to which it makes a  
9 contribution that it is affiliated with a business entity  
10 registered with the State Board of Elections under Section  
11 20-160 of the Illinois Procurement Code.

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

1 an electronic connection to any searchable database of State  
2 contracts maintained by the Comptroller, searchable by  
3 business entity.

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

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

7 (10 ILCS 5/10-6.1) (from Ch. 46, par. 10-6.1)

8 Sec. 10-6.1. The board or clerk with whom a certificate of  
9 nomination or nomination papers are filed shall notify the  
10 person for whom such papers are filed of the obligation to file  
11 statements of organization, reports of campaign contributions,  
12 and quarterly ~~annual~~ reports of campaign contributions and  
13 expenditures under Article 9 of this Act. Such notice shall be  
14 given in the manner prescribed by paragraph (7) of Section  
15 9-16 of this Code.

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

17 (10 ILCS 5/29B-10) (from Ch. 46, par. 29B-10; formerly Ch.  
18 46, par. 1103)

19 Sec. 29B-10. Code of Fair Campaign Practices. At the time  
20 a political committee, as defined in Article 9, files its  
21 statements of organization, the State Board of Elections, ~~in~~  
22 ~~the case of a state political committee or a political~~  
23 ~~committee acting as both a state political committee and a~~  
24 ~~local political committee, or the county clerk, in the case of~~

1 ~~a local political committee,~~ shall give the political  
2 committee a blank form of the Code of Fair Campaign Practices  
3 and a copy of the provisions of this Article. The State Board  
4 of Elections ~~or county clerk~~ shall inform each political  
5 committee that subscription to the Code is voluntary. The text  
6 of the Code shall read as follows:

7 CODE OF FAIR CAMPAIGN PRACTICES

8 There are basic principles of decency, honesty, and fair  
9 play that every candidate for public office in the State of  
10 Illinois has a moral obligation to observe and uphold, in  
11 order that, after vigorously contested but fairly conducted  
12 campaigns, our citizens may exercise their constitutional  
13 right to a free and untrammelled choice and the will of the  
14 people may be fully and clearly expressed on the issues.

15 THEREFORE:

16 (1) I will conduct my campaign openly and publicly, and  
17 limit attacks on my opponent to legitimate challenges to his  
18 record.

19 (2) I will not use or permit the use of character  
20 defamation, whispering campaigns, libel, slander, or  
21 scurrilous attacks on any candidate or his personal or family  
22 life.

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

26 (4) I will not use campaign material of any sort that

1 misrepresents, distorts, or otherwise falsifies the facts, nor  
 2 will I use malicious or unfounded accusations that aim at  
 3 creating or exploiting doubts, without justification, as to  
 4 the personal integrity or patriotism of my opposition.

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

9 (6) I will defend and uphold the right of every qualified  
 10 American voter to full and equal participation in the  
 11 electoral process.

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

17 I, the undersigned, candidate for election to public  
 18 office in the State of Illinois or chair of a political  
 19 committee in support of or opposition to a question of public  
 20 policy, hereby voluntarily endorse, subscribe to, and solemnly  
 21 pledge myself to conduct my campaign in accordance with the  
 22 above principles and practices.

23 ..... ..

24 Date

Signature

25 (Source: P.A. 100-1027, eff. 1-1-19.)

1 (10 ILCS 5/29B-15) (from Ch. 46, par. 29B-15; formerly Ch.  
2 46, par. 1104)

3 Sec. 29B-15. Responsibility of State Board of Elections  
4 for printing and supplying of forms. The State Board of  
5 Elections shall print, or cause to be printed, copies of the  
6 Code of Fair Campaign Practices. ~~The State Board of Elections~~  
7 ~~shall supply the forms to the county clerks in quantities and~~  
8 ~~at times requested by the clerks.~~

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

10 (10 ILCS 5/29B-20) (from Ch. 46, par. 29B-20; formerly Ch.  
11 46, par. 1105)

12 Sec. 29B-20. Acceptance of completed forms; retentions for  
13 public inspection. The State Board of Elections ~~and the county~~  
14 ~~clerks~~ shall accept, at all times prior to an election, all  
15 completed copies of the Code of Fair Campaign Practices that  
16 are properly subscribed to by a candidate or the chair of a  
17 political committee in support of or opposition to a question  
18 of public policy, and shall retain them for public inspection  
19 until 30 days after the election.

20 (Source: P.A. 100-1027, eff. 1-1-19.)

21 (10 ILCS 5/9-45 rep.)

22 Section 10. The Election Code is amended by repealing  
23 Section 9-45.



1           Section 15. The Illinois Procurement Code is amended by  
2 changing Section 50-37 as follows:

3           (30 ILCS 500/50-37)

4           Sec. 50-37. Prohibition of political contributions.

5           (a) As used in this Section:

6           The terms "contract", "State contract", and "contract  
7 with a State agency" each mean any contract, as defined in  
8 this Code, between a business entity and a State agency  
9 let or awarded pursuant to this Code. The terms  
10 "contract", "State contract", and "contract with a State  
11 agency" do not include cost reimbursement contracts;  
12 purchase of care agreements as defined in Section 1-15.68  
13 of this Code; contracts for projects eligible for full or  
14 partial federal-aid funding reimbursements authorized by  
15 the Federal Highway Administration; grants, including but  
16 are not limited to grants for job training or  
17 transportation; and grants, loans, or tax credit  
18 agreements for economic development purposes.

19           "Contribution" means a contribution as defined in  
20 Section 9-1.4 of the Election Code.

21           "Declared candidate" means a person who has filed a  
22 statement of candidacy and petition for nomination or  
23 election in the principal office of the State Board of  
24 Elections.

1 "State agency" means and includes all boards,  
2 commissions, agencies, institutions, authorities, and  
3 bodies politic and corporate of the State, created by or  
4 in accordance with the Illinois Constitution or State  
5 statute, of the executive branch of State government and  
6 does include colleges, universities, public employee  
7 retirement systems, and institutions under the  
8 jurisdiction of the governing boards of the University of  
9 Illinois, Southern Illinois University, Illinois State  
10 University, Eastern Illinois University, Northern Illinois  
11 University, Western Illinois University, Chicago State  
12 University, Governors State University, Northeastern  
13 Illinois University, and the Illinois Board of Higher  
14 Education.

15 "Officeholder" means the Governor, Lieutenant  
16 Governor, Attorney General, Secretary of State,  
17 Comptroller, or Treasurer. The Governor shall be  
18 considered the officeholder responsible for awarding all  
19 contracts by all officers and employees of, and potential  
20 contractors and others doing business with, executive  
21 branch State agencies under the jurisdiction of the  
22 Executive Ethics Commission and not within the  
23 jurisdiction of the Attorney General, the Secretary of  
24 State, the Comptroller, or the Treasurer.

25 ~~"Sponsoring entity" means a sponsoring entity as~~  
26 ~~defined in Section 9-3 of the Election Code.~~

1 "Affiliated person" means (i) any person with any  
2 ownership interest or distributive share of the bidding or  
3 contracting business entity in excess of 7.5%, (ii)  
4 executive employees of the bidding or contracting business  
5 entity, and (iii) the spouse of any such persons.

6 "Affiliated person" does not include a person prohibited  
7 by federal law from making contributions or expenditures  
8 in connection with a federal, state, or local election.

9 "Affiliated entity" means (i) any corporate parent and  
10 each operating subsidiary of the bidding or contracting  
11 business entity, (ii) each operating subsidiary of the  
12 corporate parent of the bidding or contracting business  
13 entity, (iii) any organization recognized by the United  
14 States Internal Revenue Service as a tax-exempt  
15 organization described in Section 501(c) of the Internal  
16 Revenue Code of 1986 (or any successor provision of  
17 federal tax law) established by the bidding or contracting  
18 business entity, any affiliated entity of that business  
19 ~~entity, or any affiliated person of that business entity,~~  
20 ~~or (iv) (blank) any political committee for which the~~  
21 ~~bidding or contracting business entity, or any 501(c)~~  
22 ~~organization described in item (iii) related to that~~  
23 ~~business entity, is the sponsoring entity. "Affiliated~~  
24 ~~entity" does not include an entity prohibited by federal~~  
25 ~~law from making contributions or expenditures in~~  
26 ~~connection with a federal, state, or local election.~~

1           "Business entity" means any entity doing business for  
2 profit, whether organized as a corporation, partnership,  
3 sole proprietorship, limited liability company or  
4 partnership, or otherwise.

5           "Executive employee" means (i) the President,  
6 Chairman, or Chief Executive Officer of a business entity  
7 and any other individual that fulfills equivalent duties  
8 as the President, Chairman of the Board, or Chief  
9 Executive Officer of a business entity; and (ii) any  
10 employee of a business entity whose compensation is  
11 determined directly, in whole or in part, by the award or  
12 payment of contracts by a State agency to the entity  
13 employing the employee. A regular salary that is paid  
14 irrespective of the award or payment of a contract with a  
15 State agency shall not constitute "compensation" under  
16 item (ii) of this definition. "Executive employee" does  
17 not include any person prohibited by federal law from  
18 making contributions or expenditures in connection with a  
19 federal, state, or local election.

20           (b) Any business entity whose contracts with State  
21 agencies, in the aggregate, annually total more than \$50,000,  
22 and any affiliated entities or affiliated persons of such  
23 business entity, are prohibited from making any contributions  
24 to any political committees established to promote the  
25 candidacy of (i) the officeholder responsible for awarding the  
26 contracts or (ii) any other declared candidate for that

1 office. This prohibition shall be effective for the duration  
2 of the term of office of the incumbent officeholder awarding  
3 the contracts or for a period of 2 years following the  
4 expiration or termination of the contracts, whichever is  
5 longer.

6 (c) Any business entity whose aggregate pending bids and  
7 offers on State contracts total more than \$50,000, or whose  
8 aggregate pending bids and offers on State contracts combined  
9 with the business entity's aggregate annual total value of  
10 State contracts exceed \$50,000, and any affiliated entities or  
11 affiliated persons of such business entity, are prohibited  
12 from making any contributions to any political committee  
13 established to promote the candidacy of the officeholder  
14 responsible for awarding the contract on which the business  
15 entity has submitted a bid or offer during the period  
16 beginning on the date the invitation for bids, request for  
17 proposals, or any other procurement opportunity is issued and  
18 ending on the day after the date the contract is awarded.

19 (c-5) For the purposes of the prohibitions under  
20 subsections (b) and (c) of this Section, (i) any contribution  
21 made to a political committee established to promote the  
22 candidacy of the Governor or a declared candidate for the  
23 office of Governor shall also be considered as having been  
24 made to a political committee established to promote the  
25 candidacy of the Lieutenant Governor, in the case of the  
26 Governor, or the declared candidate for Lieutenant Governor

1 having filed a joint petition, or write-in declaration of  
2 intent, with the declared candidate for Governor, as  
3 applicable, and (ii) any contribution made to a political  
4 committee established to promote the candidacy of the  
5 Lieutenant Governor or a declared candidate for the office of  
6 Lieutenant Governor shall also be considered as having been  
7 made to a political committee established to promote the  
8 candidacy of the Governor, in the case of the Lieutenant  
9 Governor, or the declared candidate for Governor having filed  
10 a joint petition, or write-in declaration of intent, with the  
11 declared candidate for Lieutenant Governor, as applicable.

12 (d) All contracts between State agencies and a business  
13 entity that violate subsection (b) or (c) shall be voidable  
14 under Section 50-60. If a business entity violates subsection  
15 (b) 3 or more times within a 36-month period, then all  
16 contracts between State agencies and that business entity  
17 shall be void, and that business entity shall not bid or  
18 respond to any invitation to bid or request for proposals from  
19 any State agency or otherwise enter into any contract with any  
20 State agency for 3 years from the date of the last violation. A  
21 notice of each violation and the penalty imposed shall be  
22 published in both the Procurement Bulletin and the Illinois  
23 Register.

24 (e) Any political committee that has received a  
25 contribution in violation of subsection (b) or (c) shall pay  
26 an amount equal to the value of the contribution to the State

1 no more than 30 calendar days after notice of the violation  
2 concerning the contribution appears in the Illinois Register.  
3 Payments received by the State pursuant to this subsection  
4 shall be deposited into the general revenue fund.

5 (Source: P.A. 97-411, eff. 8-16-11; 98-1076, eff. 1-1-15.)