



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB2360

Introduced 2/10/2023, by Sen. Rachel Ventura

#### SYNOPSIS AS INTRODUCED:

New Act

10 ILCS 5/Art. 7B heading new

10 ILCS 5/7B-5 new

10 ILCS 5/7B-10 new

10 ILCS 5/7B-15 new

10 ILCS 5/7B-25 new

10 ILCS 5/7B-30 new

10 ILCS 5/7B-35 new

10 ILCS 5/9-1.5

from Ch. 46, par. 9-1.5

30 ILCS 105/5.990 new

35 ILCS 5/506.7 new

35 ILCS 5/509

from Ch. 120, par. 5-509

705 ILCS 105/27.15 new

Creates the Judicial Campaign Reform Act and amends the Election Code, the State Finance Act, the Illinois Income Tax Act, and the Clerks of Courts Act. Creates a voluntary program of public financing of election campaigns for the offices of judges of the Illinois Supreme Court and Appellate Courts, administered by the State Board of Elections. Establishes funding mechanisms and provides penalties for violations. Sets mandatory contribution limits with respect to all judicial election campaigns. Makes other changes. Effective January 1, 2025.

LRB103 28352 BMS 54732 b

1 AN ACT concerning judicial elections.

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

4 Section 1. Short title. This Act may be cited as the  
5 Judicial Campaign Reform Act.

6 Section 5. Definitions. In this Act:

7 "Allowable contribution" means a qualifying contribution,  
8 a seed money contribution, or a personal contribution  
9 authorized by this Act.

10 "Board" or "State Board" means the State Board of  
11 Elections.

12 "Candidate" means any person seeking election to the  
13 office of Judge of the Illinois Supreme Court or Judge of the  
14 Illinois Appellate Court.

15 "Campaign" includes the primary election campaign period  
16 and the general election campaign period.

17 "General election campaign period" means the period  
18 beginning on the day after the general primary election and  
19 ending on the day of the general election.

20 "Electioneering communication expenditure" means an  
21 expenditure for electioneering communications as that term is  
22 defined in Article 9 of the Election Code.

23 "Eligible candidate" means a candidate who qualifies for

1 public financing by collecting the required number of  
2 qualifying contributions, making all required reports and  
3 disclosures, and being certified by the State Board as being  
4 in compliance with this Act.

5 "Excess expenditure amount" means the amount of  
6 expenditures made by a nonparticipating candidate in excess of  
7 the public financing benefit available to an eligible  
8 candidate for the same office that the nonparticipating  
9 candidate seeks.

10 "Excess qualifying contribution amount" means the amount  
11 of qualifying contributions accepted by a candidate beyond the  
12 number or dollar amount of contributions required to qualify a  
13 candidate for a public financing benefit.

14 "Exploratory period" means the period that begins one year  
15 before the general primary election date and ends on the day  
16 before the beginning of the primary election campaign.

17 "Fair election debit card" means a debit card issued by  
18 the State Treasurer in accordance with Section 65 entitling a  
19 candidate and agents of the candidate designated by the  
20 candidate to draw money from an account maintained by the  
21 State Treasurer to make expenditures authorized by law.

22 "Illinois Judicial Election Democracy Trust Fund" means a  
23 special fund created in the State treasury and to be used,  
24 subject to appropriation, by the State Board of Elections for  
25 the funding of campaigns for participating candidates.

26 "Immediate family", when used with reference to a

1 candidate, includes the candidate's spouse, parents, and  
2 children.

3 "Independent expenditure" means an expenditure by a person  
4 expressly advocating the election or defeat of a clearly  
5 identified candidate that is made without cooperation or  
6 consultation with a candidate, or any political committee or  
7 agent of a candidate, and that is not made in concert with, or  
8 at the request or suggestion of, any candidate or any  
9 political committee or agent of a candidate.

10 "Nonparticipating candidate" means a candidate who does  
11 not apply for a public financing benefit or who otherwise is  
12 ineligible or fails to qualify for a public financing benefit  
13 under this Act.

14 "Personal funds" means funds contributed by a candidate or  
15 a member of a candidate's immediate family.

16 "Primary election campaign period" means the period  
17 beginning 30 days after the last day prescribed by law for  
18 filing nomination papers and ending on the day of the general  
19 primary election.

20 "Public financing qualifying period" means the period  
21 beginning on July 1 of an odd-numbered year and ending on the  
22 day before the beginning of the primary election campaign  
23 period for the office of Judge of the Illinois Supreme Court or  
24 Judge of the Illinois Appellate Court.

25 "Qualifying contribution" means a contribution between \$5  
26 and \$25 to a candidate made by a resident, at least 18 years

1 old, of the district in which the candidate seeks office and  
2 made during the public financing qualifying period that is  
3 acknowledged by written receipt identifying the contributor.  
4 An individual may make only one qualifying contribution per  
5 candidate.

6 "Qualifying report" is a list of all individual qualifying  
7 contributions.

8 "Seed money contribution" means a contribution in an  
9 amount of not more than \$100 made to a candidate during the  
10 exploratory period or the public financing qualifying period  
11 or a contribution made to a candidate consisting of personal  
12 funds of that candidate in an amount not more than the amount  
13 authorized under Section 30 during the exploratory period or  
14 the public financing qualifying period.

15 Section 10. Qualification; certification.

16 (a) Before a candidate for nomination in the general  
17 primary election may be certified as an eligible candidate to  
18 receive a public financing benefit for the primary election  
19 campaign period, the candidate must apply to the State Board  
20 for a public financing benefit and file a sworn statement that  
21 the candidate has complied and will comply with all  
22 requirements of this Act throughout the applicable campaign,  
23 including the general primary election and the general  
24 election. A candidate must file the application and statement  
25 no later than the beginning of the primary election campaign.

1           (b) The Board shall certify a candidate as an eligible  
2 candidate for receipt of public financing for a primary  
3 election if the candidate complies with subsection (a) and  
4 receives a number of qualifying contributions at least equal  
5 to 0.15% of the number of ballots cast in the judicial district  
6 in the last gubernatorial election from individual qualifying  
7 contributors before the close of the public financing  
8 qualifying period. The State Board may require candidates to  
9 file lists of qualifying contributions in electronic format.  
10 If so required, the State Board shall either (i) provide,  
11 without charge, all software necessary to comply with this  
12 requirement or (ii) ensure that the necessary software is  
13 commonly available to the public at minimal cost.

14           (c) The State Board shall verify a candidate's compliance  
15 with the requirements of subsection (b) by any verification  
16 and sampling techniques that the State Board considers  
17 appropriate.

18           (d) Each candidate shall acknowledge each qualifying  
19 contribution by a receipt to the contributor that contains the  
20 contributor's name and home address. A candidate shall file a  
21 qualifying report with the State Board of Elections.

22           (e) A qualifying contribution may be used only for the  
23 purpose of making an expenditure authorized by law.

24           Section 15. Time of application; general election.

25           (a) Before a candidate may be certified as eligible for

1 receipt of public financing for a general election, the  
2 candidate must apply to the Board and file a sworn statement  
3 that the candidate has fulfilled all the requirements of this  
4 Act during the primary election campaign period, has won the  
5 nomination in the general primary, and will comply with the  
6 requirements of this Act during the general election campaign  
7 period. The application must be filed no later than the 7th day  
8 after the date of the general primary election.

9 (b) The Board shall certify a candidate as an eligible  
10 candidate for receipt of public financing for a general  
11 election campaign period if the candidate complies with  
12 subsection (a) and the candidate was an eligible candidate  
13 during the primary election campaign period.

14 (c) If more than one candidate files an application for  
15 the general election, the Board shall accept applications from  
16 all candidates who comply with subsection (a) but shall  
17 postpone the declaration of eligibility for the general  
18 election until after the general primary results are  
19 certified. After the results have been certified, if the  
20 nominee filed an application under subsection (a), the Board  
21 shall declare that candidate eligible for the general  
22 election.

23 Section 20. Agreement by candidate. An eligible candidate  
24 who accepts a public financing benefit under this Act during  
25 the primary election campaign period must agree to comply with

1 all requirements of this Act throughout the general election  
2 campaign period as a precondition to receipt of public  
3 financing. An eligible candidate who accepts a public  
4 financing benefit during a primary election campaign period  
5 may not elect to accept private contributions in violation of  
6 this Act during the corresponding general election campaign  
7 period.

8 Section 25. Requirements placed upon eligible candidates.

9 (a) An eligible candidate may not accept private  
10 contributions other than seed money contributions and  
11 qualifying contributions.

12 (b) In addition to reports required to be filed under the  
13 Election Code, a candidate who receives a public financing  
14 benefit must furnish complete financial records, including  
15 records of seed money contributions, qualifying contributions,  
16 and expenditures on the last day of each month.

17 (c) In addition to adhering to requirements imposed under  
18 the Election Code, a candidate who receives a public financing  
19 benefit must maintain records of all contributions of at least  
20 \$5, including seed money contributions and qualifying  
21 contributions. These records shall contain the full name of  
22 the contributor and the contributor's full home address.

23 (d) The failure to record or provide the information  
24 specified in subsection (c) disqualifies a contribution from  
25 counting as a qualifying contribution.



1 (e) No eligible candidate and no person acting on a  
2 candidate's behalf may accept any contribution that is not  
3 recorded in accordance with subsection (c) in a candidate's  
4 campaign account.

5 (f) No eligible candidate may accept more than \$25 in cash  
6 from any contributor.

7 Section 30. Personal funds of candidates.

8 (a) The personal funds of an eligible candidate  
9 contributed as seed money contributions may not exceed an  
10 aggregate amount of \$10,000. For the purpose of this Section,  
11 "personal funds" includes funds from the candidate's immediate  
12 family.

13 (b) No eligible candidate may make any expenditure derived  
14 from personal funds after the close of the public financing  
15 qualifying period.

16 (c) Eligible candidates shall not loan personal funds to  
17 their campaign.

18 Section 35. Seed money contributions.

19 (a) An eligible candidate may accept seed money  
20 contributions from any individual or political committee  
21 before the end of the public financing qualifying period, so  
22 long as the total contributions from one contributor, except  
23 personal funds and qualifying contributions otherwise  
24 permitted under this Act, do not exceed \$100 and the aggregate

1 contributions, including personal funds, but not including  
2 qualifying contributions, do not exceed \$30,000.

3 (b) An eligible candidate shall make expenditures from  
4 seed money contributions only during the exploratory period  
5 and the public financing qualifying period.

6 Section 40. Excess contributions. An amount equivalent to  
7 the excess contributions shall be deducted by the Board from  
8 the candidate's public financing benefit. A candidate shall  
9 return to the Board all seed money and personal contributions,  
10 including in-kind contributions, that exceed the limits  
11 prescribed in Section 35 within 48 hours after the end of the  
12 exploratory period. The Board shall deposit all contributions  
13 returned under this Section into the Illinois Judicial  
14 Election Democracy Trust Fund.

15 Section 45. Certification by candidate; line of credit.

16 (a) To apply for a public financing benefit, a candidate  
17 must certify to the State Board that the candidate has  
18 complied and will comply, throughout the applicable campaign,  
19 with all requirements of this Act and that all disclosures  
20 required at the time of application have been made. The  
21 candidate must present evidence of the requisite number of  
22 qualifying contributions received by the candidate. The  
23 candidate's request for certification must be signed by the  
24 candidate and the treasurer of the candidate's political

1 committee.

2 (b) The Board shall distribute to each eligible candidate  
3 at the general primary election a line of credit for public  
4 financing promptly after the candidate demonstrates his or her  
5 eligibility and, in any event, not later than 5 days after the  
6 end of the public financing qualifying period; however, no  
7 candidate may use a line of credit distributed under this  
8 subsection until the beginning of the primary election  
9 campaign period.

10 (c) The Board must distribute to each eligible candidate  
11 in the general election a line of credit for public financing  
12 not later than the earlier of (i) 48 hours after the official  
13 canvass and proclamation under Section 22-7 of the Election  
14 Code or (ii) 21 days after the date of the general primary  
15 election. No candidate may receive a line of credit until all  
16 candidates for Judge of the Illinois Supreme Court who apply  
17 and qualify for a public financing benefit have been certified  
18 as eligible candidates.

19 (d) If any candidate who receives a public financing  
20 benefit violates the requirements of this Act, the candidate  
21 shall be subject to the penalties and enforcement outlined in  
22 Section 70. The Board shall deposit all repayments received  
23 under this subsection into the Illinois Judicial Election  
24 Democracy Trust Fund.

25 Section 50. Public financing benefits.

1           (a) The State Board must provide to each eligible  
2 candidate who qualifies to receive a public financing benefit  
3 for the primary or general election campaign period separate  
4 lines of credit for the primary and general election campaign  
5 periods in the amounts specified in this Section subject to  
6 any required adjustment under Section 40, 55, 60, or 80. An  
7 eligible candidate may use this credit to finance any lawful  
8 expenditures during the primary and general election campaign  
9 periods. An eligible candidate may not use this credit to  
10 repay any loan in violation of this Act or any other applicable  
11 law.

12           (b) (1) The total public financing benefit available to  
13 eligible candidates for the office of Judge of the  
14 Illinois Supreme Court for the primary and general  
15 elections shall be \$750,000, subject to adjustment by  
16 subsection (e) of this Section.

17           (2) The total public financing benefit available to  
18 eligible candidates for the office of Judge of the  
19 Illinois Appellate Court for the primary and general  
20 elections shall be \$250,000, subject to adjustment by  
21 subsection (e) of this Section.

22           (c) Matching funds that become available due to Section 55  
23 or Section 60 are not counted toward the public financing  
24 benefit. Eligible candidates may decide the allocation of  
25 their benefit between the primary election campaign period and  
26 the general election campaign period, however, no candidate

1 may allocate less than 20% or more than 80% during the primary  
2 election campaign period, nor may a candidate allocate more  
3 than 80% during the general election campaign period. Any  
4 portion of the benefit allocated but unspent or uncommitted  
5 for expenses at the close of the primary election campaign  
6 period is forfeited and may not be spent during the general  
7 election campaign period.

8 (d) (1) An eligible candidate who is unopposed, other  
9 than by write-in candidates, in a primary election shall  
10 receive a public financing allocation of \$50,000 for the  
11 primary election campaign period.

12 (2) Instead of the benefit in subsection (b), an  
13 eligible candidate who is unopposed, other than by  
14 write-in candidates, in a general election shall receive a  
15 public financing allocation of \$75,000 for the general  
16 election campaign period.

17 (e) Beginning on April 1, 2009 and every 2 years  
18 thereafter, the Board shall modify the public financing  
19 benefits provided for in subsection (b) to adjust for the  
20 change in the Consumer Price Index, All Items, U. S. City  
21 Average, published by the United States Department of Labor  
22 for the preceding 2-year period ending on December 31.

23 Section 55. Reports on financial activity.

24 (a) In addition to other reports required by law, all  
25 candidates in the general primary election or the general

1 election who receive contributions or make or obligate to make  
2 expenditures in an amount more than 5% greater than the public  
3 financing benefit applicable to an eligible candidate for the  
4 same office shall file a report with the Board itemizing the  
5 total contributions received and expenditures made or  
6 obligated to be made by the candidate as of the date of the  
7 report. The Board shall transmit copies of the report to all  
8 candidates for that office and make the report available to  
9 the public in the manner of semi-annual disclosure reports.  
10 After filing that initial report, the candidate shall file  
11 additional reports after the candidate makes or obligates to  
12 make each additional \$1,000 of expenditures. If the  
13 contributions are received or the expenditures are made or  
14 obligated to be made more than 6 weeks before the date of the  
15 general primary election or general election at which the name  
16 of the candidate appears on the ballot, the reports must be  
17 made by the date 6 weeks before the next election. If the  
18 contributions are received or the expenditures are made or  
19 obligated to be made within 6 weeks before the date of the  
20 general primary election or general election at which the name  
21 of the candidate appears on the ballot, the reports must be  
22 made within 24 hours after each instance in which a  
23 contribution is received or an expenditure is made or  
24 obligated to be made.

25 (b) Upon receipt of the information, the Board shall  
26 immediately notify all opposing eligible candidates. If an

1 opposing candidate makes expenditures or becomes obligated to  
2 make expenditures that exceed the public financing benefit, an  
3 eligible candidate may request matching funds up to the amount  
4 by which the expenditures or obligations of the opposing  
5 candidate exceed the public financing benefit. If an eligible  
6 candidate requests these matching funds, the Board shall  
7 immediately credit his or her account with an additional line  
8 of credit equivalent to the request, however, the sum total of  
9 matching funds credited to the candidate in the primary  
10 election campaign period and the general election campaign  
11 period for independent expenditures, electioneering  
12 communication expenses under Section 60, and nonparticipating  
13 expenses may not exceed the value of the public financing  
14 benefit. Any matching funds requested but not spent or  
15 committed at the conclusion of the primary election campaign  
16 period are forfeited and may not be spent during the general  
17 election campaign period.

18 Section 60. Independent expenditures and electioneering  
19 communications.

20 (a) If any person makes, or becomes obligated to make, by  
21 oral or written agreement an independent expenditure or  
22 electioneering communications in excess of \$3,000 with respect  
23 to a candidate in a general primary or general election, that  
24 person shall file with the Board a notice of such expenditure  
25 or obligation to make such an expenditure. Any such person

1 must file reports of the expenditures or obligations to make  
2 the expenditures on the last day of the month that immediately  
3 follows the date of the expenditure or the obligation to make  
4 the expenditure, except that, within 6 weeks before the date  
5 of the general primary election or general election, the  
6 person must file the reports within 24 hours after each such  
7 expenditure or communication is made or obligated to be made.  
8 Any such person must file additional reports after each  
9 additional \$1,000 of expenditures are made or obligated to be  
10 made.

11 (b) If the aggregate of independent expenditures and  
12 electioneering communication expenditures against an eligible  
13 candidate or for the opponents of that candidate exceed 10% of  
14 the public financing benefit for that office in any campaign  
15 an eligible candidate may request matching funds of up to the  
16 amount of the independent expenditure or electioneering  
17 communication expense. If a candidate requests matching funds,  
18 the Board must immediately credit that candidate's account  
19 with an additional line of credit equivalent to the amount  
20 requested, however, the sum total of matching funds credited  
21 to the candidate in the primary election campaign period and  
22 the general election campaign period for independent  
23 expenditures, electioneering communication expenses, and  
24 nonparticipating expenses under Section 55 may not exceed the  
25 value of the public financing benefit. Any matching funds  
26 requested but not spent or committed at the conclusion of the



1 primary election campaign period are forfeited and may not be  
2 spent during the general election campaign period.

3 Section 65. Illinois Judicial Election Democracy Trust  
4 Fund.

5 (a) All moneys collected under Sections 40, 45, and 70 of  
6 this Act shall be deposited into the Illinois Judicial  
7 Election Democracy Trust Fund and may be used by the State  
8 Board of Elections for the purposes of this Act. The State  
9 Treasurer, in consultation with the Board, shall contract with  
10 a debit card issuer to permit eligible candidates and their  
11 agents to draw upon moneys appropriated from the Trust Fund  
12 through an account with the card issuer.

13 (b) Upon a determination of a candidate's eligibility for  
14 a public financing benefit as provided for in subsection (a)  
15 of Section 45, the State Treasurer must issue to the eligible  
16 candidate a debit card, known as the fair election debit card,  
17 entitling the candidate and agents of the candidate designated  
18 by the candidate to draw money from an account to make  
19 expenditures on behalf of the candidate.

20 (c) No eligible candidate or agent of an eligible  
21 candidate may make any expenditure by any means other than  
22 through the use of the fair election debit card. No such  
23 candidate or agent may use a fair election debit card to obtain  
24 cash, except that cash amounts of \$100 or less may be drawn on  
25 the fair election debit card and used to make expenditures of

1 no more than \$25 each. A candidate must maintain records of all  
2 such expenditures and must report the expenditures to the  
3 State Board in accordance with Section 25.

4 (d) The State Board of Elections may draw upon funds in the  
5 Illinois Judicial Election Democracy Trust Fund to support the  
6 administration of the program. These funds may be used only to  
7 pay costs to the State Board that are directly associated with  
8 the administration of the program, including, but not limited  
9 to, ensuring compliance with this Act and promoting the income  
10 tax checkoff. These administrative reimbursements shall be  
11 limited to 1% of the Trust Fund balance in fiscal years when  
12 there is no eligible seat on the ballot or 5% of the Trust Fund  
13 balance in fiscal years when there is an eligible seat on  
14 either a primary or general election ballot.

15 Section 70. Penalties; enforcement.

16 (a) If an eligible candidate makes expenditures that  
17 exceed the public financing benefit allocated to the candidate  
18 for any campaign, the Board shall require the candidate to  
19 forfeit to the Illinois Judicial Election Democracy Trust Fund  
20 an amount equal to not more than 10 times and not less than 2  
21 times the amount by which the expenditures exceeded the  
22 allocation.

23 (b) The Board shall require any eligible candidate who  
24 accepts contributions in excess of any limitation set by this  
25 Act to forfeit to the Illinois Judicial Election Democracy

1 Trust Fund an amount equal to not more than 10 times and not  
2 less than 2 times the amount by which the contributions exceed  
3 the applicable limitation.

4 (c) If the Board finds that there is reasonable cause to  
5 believe that a candidate has made excess expenditures or has  
6 accepted excess contributions in violation of the Act, the  
7 Board must attempt for a period of not more than 14 days after  
8 its finding to correct the matter by informal methods of  
9 conference and conciliation and to enter into a settlement and  
10 conciliation agreement with the candidate involved. A  
11 settlement and conciliation agreement made under this  
12 subsection is a public record. Unless violated, a settlement  
13 and conciliation agreement is a bar to any civil action under  
14 subsection (d).

15 (d) If the Board has reasonable cause to believe that a  
16 candidate has made excess expenditures or has accepted excess  
17 contributions and the Board is unable to correct the matter by  
18 informal methods within the time prescribed in subsection (c),  
19 the Board must make a public finding of reasonable cause in the  
20 matter. After making a public finding, the Board may bring an  
21 action in the circuit court to impose a forfeiture under  
22 subsection (a) or (b).

23 (e) If an elector believes that a candidate has violated  
24 this Act and the elector is entitled to vote for or against the  
25 candidate in the election in connection with which the  
26 violation is alleged to have occurred, the elector may file a

1 complaint with the Board requesting it to take remedial  
2 action. If the Board refuses to take remedial action or,  
3 within 30 days after the filing of a complaint, fails to take  
4 remedial action, the elector may commence a civil action in an  
5 appropriate circuit court requesting the court to impose a  
6 forfeiture under subsection (a) or (b).

7 (f) The Board and the circuit court must expedite all  
8 proceedings under this Section so that all complaints brought  
9 before an election are resolved, to the extent possible,  
10 before the election is held.

11 (g) If a complaint brought under this Section is resolved  
12 against the complainant and is found to have been brought in  
13 bad faith and without reasonable basis therefor, the circuit  
14 court may assess costs, including reasonable attorney fees,  
15 against the complainant.

16 Section 75. Prohibited acts.

17 (a) If an eligible candidate or agent of an eligible  
18 candidate knowingly accepts more contributions than the  
19 candidate is entitled to receive or makes expenditures  
20 exceeding the amount of the public financing benefit received  
21 by the candidate, the candidate or agent is guilty of a Class 3  
22 felony.

23 (b) If a candidate who receives a public financing  
24 benefit, or an agent of that candidate, knowingly makes an  
25 expenditure by means other than those allowed by this Act, the

1 candidate or agent is guilty of a Class 3 felony.

2 (c) If, in connection with the receipt or expenditure of a  
3 public financing benefit for an election campaign, any person  
4 knowingly provides false information to the Board, or  
5 knowingly conceals or withholds information from the Board,  
6 that person is guilty of a Class 3 felony.

7 Section 90. Deposits into Illinois Judicial Election  
8 Democracy Trust Fund.

9 (a) The Department of Revenue shall transfer to the  
10 Illinois Judicial Election Democracy Trust Fund any amounts  
11 contributed to the Illinois Judicial Election Democracy Trust  
12 Fund collected pursuant to Section 506.7 of the Illinois  
13 Income Tax Act.

14 (b) The Treasurer shall deposit into the Illinois Judicial  
15 Election Democracy Trust Fund all amounts collected by the  
16 clerks of courts under Section 27.10 of the Clerks of Courts  
17 Acts and transferred to the Treasurer.

18 Section 105. Voluntary contributions. Individuals and  
19 other entities may make direct voluntary contributions to the  
20 Illinois Judicial Election Democracy Trust Fund. However,  
21 contributions may not exceed \$1,000 per calendar year.

22 Section 110. Fund operational. The Illinois Judicial  
23 Election Democracy Trust Fund shall become operational when

1 the Fund has attained \$5,000,000.

2 Section 115. Severability. The provisions of this Act are  
3 severable. If any provision of this Act is held invalid by a  
4 court of competent jurisdiction, the invalidity does not  
5 affect other provisions of the Act that can be given effect  
6 without the invalid provision.

7 Section 900. The Election Code is amended by adding  
8 Article 7B and by changing Section 9-1.5 as follows:

9 (10 ILCS 5/Art. 7B heading new)

10 ARTICLE 7B.

11 JUDICIAL CAMPAIGN CONTRIBUTION LIMITS

12 (10 ILCS 5/7B-5 new)

13 Sec. 7B-5. Definitions. As used in this Article:

14 "Association" means any group, club, meeting, collective,  
15 membership organization, or collection of persons other than a  
16 corporation or labor organization, or any entity organized  
17 under Sections 501 or 527 of the Internal Revenue Code, except  
18 that an association does not include a political committee  
19 organized under Article 9 that qualifies as a judicial fund  
20 under this Article.

21 "Board" means the State Board of Elections.

22 "Candidate" or "judicial candidate" means any person who

1 seeks nomination for election to, election to, or retention in  
2 judicial office, whether or not the person is nominated,  
3 elected, or retained. A person seeks nomination for election,  
4 election, or retention if he or she (i) takes the action  
5 necessary under the laws of this State to attempt to qualify  
6 for nomination for election to, election to, or retention in  
7 judicial office or (ii) receives contributions or makes  
8 expenditures, or gives consent for any other person to receive  
9 contributions or make expenditures, with a view to bringing  
10 about his or her nomination for election to, election to, or  
11 retention in judicial office.

12 "Clearly identified" means that:

13 (A) the name, voice, image, or likeness of a candidate  
14 appears; or

15 (B) the identity of the candidate is apparent by  
16 unambiguous reference.

17 "Contribution" means:

18 (A) any contribution as that term is defined in  
19 Article 9, or

20 (B) a payment for any activity in support of or in  
21 opposition to any judicial candidate or for electioneering  
22 communications in relation to any judicial candidate if  
23 such activity or communications is conducted in concert or  
24 cooperation with the political committee of any judicial  
25 candidate.

26 (C) "Contribution" does not include:

1           (i) Communications on any subject by a corporation  
2           to its stockholders and executive or administrative  
3           personnel and their families, by a labor organization  
4           to its members and their families, or by an  
5           association to its members and their families.

6           (ii) Nonpartisan registration and get-out-the-vote  
7           campaigns by a corporation aimed at its stockholders  
8           and executive or administrative personnel and their  
9           families, by a labor organization aimed at its members  
10           and their families, or by an association aimed at its  
11           members and their families.

12           (iii) The establishment, administration, and  
13           solicitation of contributions to a separate segregated  
14           fund to be used for political purposes by a  
15           corporation, labor organization, or association.

16           (iv) A secured loan of money by a national or State  
17           bank made in accordance with the applicable banking  
18           laws and regulations and in the ordinary course of  
19           business, if the security for the loan, if provided by  
20           a person other than the candidate or his or her  
21           committee, would qualify as a contribution or  
22           expenditure.

23           (v) A distribution of funds from the Illinois  
24           Judicial Election Democracy Trust Fund.

25           "Corporation" includes a limited liability company,  
26           partnership, professional practice, cooperative, or sole



1 proprietorship, whether organized on a for-profit or nonprofit  
2 basis.

3 "Election" means:

4 (A) a general primary election or general election, or

5 (B) a retention election as that term is used in  
6 Article 7A.

7 "Election period" means:

8 (A) the period beginning one year before the date of  
9 any general primary election for a judicial office and  
10 ending the day of the general primary election;

11 (B) the period beginning on the day after the general  
12 primary election for a judicial office and ending 90 days  
13 after the general election for that judicial office; or

14 (C) the period beginning on the date on which a  
15 sitting judge declares for retention and ending 90 days  
16 after the retention election.

17 "Expenditure" means:

18 (A) any expenditure as that term is defined in Article  
19 9, or

20 (B) any contract, promise, or agreement, whether  
21 written or oral, to make an expenditure in concert or  
22 cooperation with the political committee of a judicial  
23 candidate, regardless of when the funds are actually  
24 disbursed.

25 "Independent expenditure" means an expenditure by a  
26 person:

1           (A) expressly advocating the election or defeat of a  
2           clearly identified candidate or engaging in electioneering  
3           communications in relation to a candidate; and

4           (B) that is not made in concert or cooperation with or  
5           at the request or suggestion of the candidate, the  
6           candidate's designated political committee, or agents of  
7           the candidate or committee.

8           "Judicial fund" means any political committee organized  
9           under Article 9 that receives contributions only from donors  
10           aggregating not more than the amount designated in Section  
11           7B-15.

12           "Labor organization" means any organization of any kind or  
13           any agency or employee representation committee or plan in  
14           which employees participate and that exists for the purpose,  
15           in whole or in part, of dealing with employers concerning  
16           grievances, labor disputes, wages, rates of pay, hours of  
17           employment, or conditions of work.

18           "Natural person" means any one human being.

19           "Person" includes an individual, trust, partnership,  
20           committee, association, corporation, labor organization, or  
21           any other organization or group of persons, including a  
22           political committee organized under Article 9.

23           (10 ILCS 5/7B-10 new)

24           Sec. 7B-10. Designated political committee.

25           (a) Each candidate shall designate in writing one and only

1 one judicial fund to serve as the political committee of the  
2 candidate. The designation is irrevocable for the duration of  
3 the candidacy and shall be filed with the State Board of  
4 Election.

5 (b) The name of the designated committee shall include the  
6 name of the candidate who designated the committee under  
7 subsection (a). No political committee that is not a  
8 designated committee may include the name of that candidate in  
9 its name.

10 (c) All designations required to be filed under this  
11 Article shall be filed with the Board. The Board shall retain  
12 these designations and make them available for public  
13 inspection and copying in the same manner as statements of  
14 organization required under Article 9.

15 (10 ILCS 5/7B-15 new)

16 Sec. 7B-15. Limitation on contributions.

17 (a) No person shall make contributions to a  
18 candidate-designated political committee, except that:

19 (1) Natural persons may contribute no more than \$2,000  
20 per election period.

21 (2) Judicial funds established by a State political  
22 party may contribute not more than \$20,000 during the  
23 election period that includes the general election; all  
24 committees established by a State political party, under  
25 State or federal law, shall be considered as one committee

1 for the purpose of this Section.

2 (3) Any other judicial fund may contribute no more  
3 than \$5,000 during an election period.

4 (4) A corporation, labor organization, or association  
5 may contribute from its own treasuries no more than \$2,000  
6 during each election period. All contributions from  
7 associated entities, including political committees for  
8 which the corporation, labor organization, or association  
9 is the sponsoring entity, shall be aggregated for the  
10 purposes of this Section.

11 (b) No contributor may contribute in aggregate more than  
12 \$20,000 to judicial funds during any election period.

13 (c) On January 1 of every odd-numbered year, the State  
14 Board of Election shall adjust the limits established in  
15 subsection (a) for inflation as determined by the Consumer  
16 Price Index for All Urban Consumers as determined by the  
17 United States Department of Labor and rounded to the nearest  
18 \$100.

19 (d) In any instance where (i) a corporation and any of its  
20 subsidiaries, branches, divisions, departments, or local  
21 units; (ii) a labor organization and any of its subsidiaries,  
22 branches, divisions, departments, or local units; or (iii) an  
23 association or any of its affiliates, subsidiaries, branches,  
24 divisions, departments, or local units contribute to a  
25 candidate's political committee, all such contributions shall  
26 be treated as from a single donor for the purposes of

1 subsection (a).

2 (e) For the purposes of the limitations provided by  
3 subsection (a), a candidate's designated political committee  
4 and any other committee directly or indirectly established,  
5 financed, maintained, or controlled by that candidate, or  
6 working in concert or cooperation with the candidate's  
7 designated committee, shall be considered to be a single  
8 political committee.

9 (f) With respect to expenditures:

10 (1) Expenditures made by any person in concert or  
11 cooperation with, or at the request or suggestion of, a  
12 candidate, his or her designated committee, or their  
13 agents shall be considered a contribution to the  
14 candidate's designated committee and, together with all  
15 other contributions from that same source, are subject to  
16 the limits of this Section.

17 (2) The financing by any person of the dissemination,  
18 distribution, or republication, in whole or in part, of  
19 any broadcast or any written, graphic, or other form of  
20 campaign materials prepared by the candidate, his or her  
21 campaign committee, or their designated agents shall be  
22 considered to be a contribution to the candidate's  
23 designated committee for the purposes of this subsection  
24 and, together with all other contributions from that same  
25 source, are subject to the limits of this Section.

26 (g) For the purposes of the limitations designated by this

1 Section, all contributions made by a person, either directly  
2 or indirectly, to a particular candidate's designated  
3 committee, including contributions that are in any way  
4 earmarked or otherwise directed through an intermediary or  
5 conduit to the candidate, shall be treated as contributions  
6 from the person to the candidate-designated committee. The  
7 intermediary or conduit shall report the original source and  
8 the intended recipient of the contribution to the Board and to  
9 the intended recipient.

10 (h) No candidate or political committee shall knowingly  
11 accept any contribution or make any expenditure in violation  
12 of the provisions of this Section. No officer or employee of a  
13 political committee shall knowingly accept a contribution made  
14 for the benefit or use of a candidate or knowingly make any  
15 expenditure in support of or opposition to a candidate or for  
16 electioneering communications in relation to a candidate in  
17 violation of any limitation designated for contributions and  
18 expenditures under this Section.

19 (10 ILCS 5/7B-25 new)

20 Sec. 7B-25. Prohibition of anonymous contributions and  
21 contributions in the name of another.

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

25 (b) No person shall knowingly accept a contribution made

1 by one person in the name of another person.

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

4 (d) No person shall make an anonymous contribution.

5 (e) No person shall knowingly accept any anonymous  
6 contribution.

7 (f) No person shall predicate (i) any benefit, including,  
8 but not limited to, employment decisions including hiring,  
9 promotions, bonus compensation, and transfers, or (ii) any  
10 other gift, transfer, or emolument upon (1) the decision by  
11 the recipient of that benefit to donate or not to donate to a  
12 candidate or (2) the amount of any such donation.

13 (g) Anonymous contributions shall escheat to the State of  
14 Illinois. Any political committee that receives such a  
15 contribution shall forward it immediately to the State  
16 Treasurer.

17 (h) Immediately upon discovery that it has received  
18 contributions given in the name of another, the recipient  
19 shall redesignate the contributions according to their true  
20 origin. A committee may retain such contributions only once  
21 the true origin of the donation has been reported, subject to  
22 any other provisions of this Article, unless the committee  
23 knew that the true donor was disguising his or her identity at  
24 the time of the original receipt. If the committee knew at the  
25 time of original receipt that the true donor was disguising  
26 his or her identify, the funds shall escheat to the State and

1 the Board shall assess an additional penalty of at least  
2 \$1,000 and not more than \$5,000 for a first violation and of at  
3 least \$3,000 and not more than \$10,000 for second and  
4 subsequent violations.

5 (10 ILCS 5/7B-30 new)

6 Sec. 7B-30. Complaints.

7 (a) The Board may receive complaints alleging that a  
8 violation of this Article has occurred. The Board may bring  
9 complaints and investigations on its own initiative when the  
10 Board has reason to believe that a violation of this Article  
11 has occurred.

12 (b) Upon receipt of a complaint, the Board shall hold a  
13 closed preliminary hearing to determine whether or not the  
14 complaint appears to have been filed on justifiable grounds.  
15 The closed preliminary hearing shall be conducted as soon as  
16 practicable after affording reasonable notice, a copy of the  
17 complaint, and an opportunity to testify at the hearing to  
18 both the person making the complaint and the person against  
19 whom the complaint is directed. If the Board determines that  
20 the complaint has not been filed on justifiable grounds, it  
21 shall dismiss the complaint without further hearing.

22 (c) The Board shall have the authority to adopt procedural  
23 rules governing the filing and hearing of complaints under  
24 this Section that are not inconsistent with this Article.

25 (d) In addition to any other penalties authorized by this



1 Section, the State Board of Elections, any political  
2 committee, or any person may apply to the circuit court for a  
3 temporary restraining order or a preliminary or permanent  
4 injunction against a political committee, judicial fund, or  
5 entity, whether registered with the Board under this Article  
6 or not, to cease the expenditure of funds and to cease  
7 operations until the committee, judicial fund, or entity is in  
8 compliance with this Article.

9 (10 ILCS 5/7B-35 new)

10 Sec. 7B-35. Penalties. In addition to any other penalties  
11 established by this Article or other law:

12 (1) All contributions in violation of this Article  
13 escheat to the State;

14 (2) Any person who knowingly violates any of the  
15 provisions of this Article shall be fined the greater of  
16 \$10,000 or three times the value of the illegal  
17 contribution or expenditure; and

18 (3) The Board shall provide a written basis for any  
19 decision issued under this Article. If the Board fails to  
20 make a final determination, or if a majority of the Board  
21 is unable to agree on a final determination, within 90  
22 days after the filing of the complaint, then the  
23 complainant, within 180 days after the filing of the  
24 complaint, may bring a cause of action in any circuit  
25 court of the State for de novo review.

1 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

2 Sec. 9-1.5. Expenditure.

3 (A) "Expenditure" means:

4 (1) a payment, distribution, purchase, loan, advance,  
5 deposit, gift of money, or anything of value, in  
6 connection with the nomination for election, election, or  
7 retention of any person to or in public office or in  
8 connection with any question of public policy;

9 (2) a payment, distribution, purchase, loan, advance,  
10 deposit, gift of money, or anything of value that  
11 constitutes an electioneering communication made in  
12 concert or cooperation with or at the request, suggestion,  
13 or knowledge of a candidate, a political committee, or any  
14 of their agents; or

15 (3) a transfer of funds by a political committee to  
16 another political committee.

17 (B) "Expenditure" does not include:

18 (a) the use of real or personal property and the cost  
19 of invitations, food, and beverages, voluntarily provided  
20 by an individual in rendering voluntary personal services  
21 on the individual's residential premises for  
22 candidate-related activities; provided the value of the  
23 service provided does not exceed an aggregate of \$150 in a  
24 reporting period; or

25 (b) the sale of any food or beverage by a vendor for

1 use in a candidate's campaign at a charge less than the  
2 normal comparable charge, if such charge for use in a  
3 candidate's campaign is at least equal to the cost of such  
4 food or beverage to the vendor.

5 (4) a payment for electioneering communications.

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

7 Section 905. The State Finance Act is amended by adding  
8 Section 5.990 as follows:

9 (30 ILCS 105/5.990 new)

10 Sec. 5.990. The Illinois Judicial Election Democracy Trust  
11 Fund.

12 Section 910. The Illinois Income Tax Act is amended by  
13 changing Section 509 and by adding Section 506.7 as follows:

14 (35 ILCS 5/506.7 new)

15 Sec. 506.7. Designation of tax to the Illinois Judicial  
16 Election Democracy Trust Fund. The Department shall print on  
17 its standard individual income tax form a provision indicating  
18 that if the taxpayer wishes to contribute to the Illinois  
19 Judicial Election Democracy Trust Fund, as authorized by this  
20 amendatory Act of the 103rd General Assembly, he or she may do  
21 so by stating the amount of the contribution (not less than \$1)  
22 on the return and that the contribution will reduce the

1 taxpayer's refund or increase the amount of payment to  
2 accompany the return. Failure to remit any amount of the  
3 increased payment shall reduce the contribution accordingly.  
4 This Section does not apply to any amended return. This tax  
5 checkoff applies to income tax forms for taxable years 2025  
6 and thereafter.

7 (35 ILCS 5/509) (from Ch. 120, par. 5-509)

8 Sec. 509. Tax checkoff explanations.

9 (a) All individual income tax return forms shall contain  
10 appropriate explanations and spaces to enable the taxpayers to  
11 designate contributions to the funds to which contributions  
12 may be made under this Article 5.

13 (b) Each form shall contain a statement that the  
14 contributions will reduce the taxpayer's refund or increase  
15 the amount of payment to accompany the return. Failure to  
16 remit any amount of increased payment shall reduce the  
17 contribution accordingly.

18 (c) If, on October 1 of any year, the total contributions  
19 to any one of the funds made under this Article 5, except the  
20 Illinois Judicial Election Democracy Trust Fund, do not equal  
21 \$100,000 or more, the explanations and spaces for designating  
22 contributions to the fund shall be removed from the individual  
23 income tax return forms for the following and all subsequent  
24 years and all subsequent contributions to the fund shall be  
25 refunded to the taxpayer. This contribution requirement does

1 not apply to the Diabetes Research Checkoff Fund checkoff  
2 contained in Section 507GG of this Act.

3 (d) Notwithstanding any other provision of law, the  
4 Department shall include the Hunger Relief Fund checkoff  
5 established under Section 507SS on the individual income tax  
6 form for the taxable year beginning on January 1, 2012. If, on  
7 October 1, 2013, or on October 1 of any subsequent year, the  
8 total contributions to the Hunger Relief Fund checkoff do not  
9 equal \$100,000 or more, the explanations and spaces for  
10 designating contributions to the fund shall be removed from  
11 the individual income tax return forms for the following and  
12 all subsequent years and all subsequent contributions to the  
13 fund shall be refunded to the taxpayer.

14 (Source: P.A. 96-328, eff. 8-11-09; 97-1117, eff. 8-27-12.)

15 Section 915. The Clerks of Courts Act is amended by adding  
16 Section 27.15 as follows:

17 (705 ILCS 105/27.15 new)

18 Sec. 27.15. Illinois Judicial Election Democracy Trust  
19 Fund. The clerk shall transfer \$1 from each filing or  
20 appearance fee paid in accordance with Section 27.1, 27.1a,  
21 27.2, or 27.2a to the State Treasurer for deposit into the  
22 Illinois Judicial Election Democracy Trust Fund. To defray  
23 that expense, the county board may, by resolution, require the  
24 clerk of the circuit court in the county to charge and collect

1 an Illinois Judicial Election Democracy Trust Fund fee of not  
2 more than \$1, which shall be paid at the time that any filing  
3 or appearance fee is paid. The fee shall be collected in the  
4 manner in which all other fees or costs are collected. Each  
5 clerk shall commence the charges and collection upon receipt  
6 of written notice from the chairman of the county board  
7 together with a certified copy of the board's resolution. The  
8 clerk shall file the resolution of record in his or her office.  
9 The fee shall be in addition to all other fees and charges of  
10 the clerks shall be assessable as costs, and may be waived only  
11 if the judge specifically provides for the waiver of the  
12 Illinois Judicial Election Democracy Trust Fund fee. The fees  
13 shall be remitted monthly by the clerk for deposit into the  
14 Illinois Judicial Election Democracy Trust Fund.

15 Section 999. Effective date. This Act takes effect January  
16 1, 2025.