

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 Section 9-9.5 and adding Section 29-14.5 as follows:

6 (10 ILCS 5/9-9.5)

7 Sec. 9-9.5. Disclosure on political literature. Any
8 political action committee, organized under the Election
9 Code, that reports an expenditure for a pamphlet, circular,
10 handbill, advertisement, telephonic communication, or other
11 communication directed at voters and mentioning the name of a
12 candidate in the next upcoming election shall ensure that the
13 name of the political action committee paying for the
14 communication is identified clearly within the communication
15 as the payer. This Section shall not apply to items that are
16 too small to contain the required disclosure. Any-pamphlet,
17 ircular,--handbill,--advertisement,---or---other---political
18 literature--that--supports--or--opposes--any-public-official,
19 candidate-for-public-office,--or-question-of-public-policy,--or
20 that-would-have-the-effect--of--supporting--or--opposing--any
21 public--official,--candidate-for-public-office,--or-question-of
22 public-policy,--shall-contain-the-name-of--the--individual--or
23 organization--that--authorized,--caused-to-be-authorized,--paid
24 for,--caused-to-be-paid--for,--or--distributed--the--pamphlet,
25 ircular,---handbill,---advertisement,---or---other---political
26 literature.--If-the-individual--or--organization--includes--an
27 address,--it-must-be-an-actual-personal-or-business-address-of
28 the-individual-or-business-address-of-the-organization.

29 This--Section--does-not-apply-to-items,--the-size-of-which
30 is-not-sufficient-to-contain-the-required-disclosure.

31 (Source: P.A. 90-737, eff. 1-1-99.)

1 (10 ILCS 5/29-14.5 new)

2 Sec. 29-14.5. Push-polling.

3 (a) Any person engaging in push-polling must (i) inform
4 the person contacted that the call is being made on behalf
5 of, in support of, or in opposition to a particular candidate
6 or public question, (ii) identify that candidate by name or
7 identify the public question, and (iii) provide the telephone
8 number of the place from which the push-polling is conducted.

9 (b) The State Board of Elections may impose a civil
10 penalty of \$10,000 upon any person, other than a person who
11 is merely an employee of the person or entity who has been
12 contracted with to conduct the push-polling, who violates
13 this Section.

14 (c) For the purposes of this Section, "push-polling"
15 means (i) calling voters on behalf of, in support of, or in
16 opposition to any candidate for public office or public
17 question; (ii) asking questions relating to opposing
18 candidates for that public office that state, imply, or
19 convey information about the opposing candidates' character,
20 status, or political stance or record or asking questions
21 relating to the public question that state, imply, or convey
22 information favorable or unfavorable to the public question;
23 and (iii) conducting the call in a manner that is likely to
24 be construed by the person receiving the call to be a survey
25 or poll to gather statistical data for entities or
26 organizations that are acting independently of any political
27 party, candidate, or interest group.