

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 9-10 as follows:

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

7 Sec. 9-10. Financial reports.

8 (a) The treasurer of every state political committee and  
9 the treasurer of every local political committee shall file  
10 with the Board, and the treasurer of every local political  
11 committee shall file with the county clerk, reports of  
12 campaign contributions, and semi-annual reports of campaign  
13 contributions and expenditures on forms to be prescribed or  
14 approved by the Board. The treasurer of every political  
15 committee that acts as both a state political committee and a  
16 local political committee shall file a copy of each report  
17 with the State Board of Elections and the county clerk.  
18 Entities subject to Section 9-7.5 shall file reports required  
19 by that Section at times provided in this Section and are  
20 subject to the penalties provided in this Section.

21 (b) Reports of campaign contributions shall be filed no  
22 later than the 15th day next preceding each election  
23 including a primary election in connection with which the  
24 political committee has accepted or is accepting  
25 contributions or has made or is making expenditures. Such  
26 reports shall be complete as of the 30th day next preceding  
27 each election including a primary election. The Board shall  
28 assess a civil penalty not to exceed \$5,000 for a violation  
29 of this subsection, except that for State officers and  
30 candidates and political committees formed for statewide  
31 office, the civil penalty may not exceed \$10,000. The fine,

1     however, shall not exceed \$500 for a first filing violation  
2     for filing less than 10 days after the deadline. There shall  
3     be no fine if the report is mailed and postmarked at least 72  
4     hours prior to the filing deadline. For the purpose of this  
5     subsection, "statewide office" and "State officer" means the  
6     Governor, Lieutenant Governor, Attorney General, Secretary of  
7     State, Comptroller, and Treasurer. However, a continuing  
8     political committee that neither accepts contributions nor  
9     makes expenditures on behalf of or in opposition to any  
10    candidate or public question on the ballot at an election  
11    shall not be required to file the reports heretofore  
12    prescribed but may file in lieu thereof a Statement of  
13    Nonparticipation in the Election with the Board or the Board  
14    and the county clerk.

15       (b-5) Notwithstanding the provisions of subsection (b),  
16    any contribution of \$500 or more received in the interim  
17    between the last date of the period covered by the last  
18    report filed under subsection (b) prior to the election and  
19    the date of the election shall be reported within 2 business  
20    days after its receipt. The State Board shall allow filings  
21    under this subsection (b-5) to be made by facsimile  
22    transmission. For the purpose of this subsection, a  
23    contribution is considered received on the date the public  
24    official, candidate, or political committee (or equivalent  
25    person in the case of a reporting entity other than a  
26    political committee) actually receives it or, in the case of  
27    goods or services, 2 days after the date the public official,  
28    candidate, committee, or other reporting entity receives the  
29    certification required under subsection (b) of Section 9-6.  
30    Failure to report each contribution is a separate violation  
31    of this subsection. The Board shall impose fines for  
32    violations of this subsection as follows:

33       (1) if the political committee's or other reporting  
34    entity's total receipts, total expenditures, and balance

1 remaining at the end of the last reporting period were  
2 each \$5,000 or less, then \$100 per business day for the  
3 first violation, \$200 per business day for the second  
4 violation, and \$300 per business day for the third and  
5 subsequent violations.

6 (2) if the political committee's or other reporting  
7 entity's total receipts, total expenditures, and balance  
8 remaining at the end of the last reporting period were  
9 each more than \$5,000, then \$200 per business day for the  
10 first violation, \$400 per business day for the second  
11 violation, and \$600 per business day for the third and  
12 subsequent violations.

13 (c) In addition to such reports the treasurer of every  
14 political committee shall file semi-annual reports of  
15 campaign contributions and expenditures no later than July  
16 31st, covering the period from January 1st through June 30th  
17 immediately preceding, and no later than January 31st,  
18 covering the period from July 1st through December 31st of  
19 the preceding calendar year. Reports of contributions and  
20 expenditures must be filed to cover the prescribed time  
21 periods even though no contributions or expenditures may have  
22 been received or made during the period. The Board shall  
23 assess a civil penalty not to exceed \$5,000 for a violation  
24 of this subsection, except that for State officers and  
25 candidates and political committees formed for statewide  
26 office, the civil penalty may not exceed \$10,000. The fine,  
27 however, shall not exceed \$500 for a first filing violation  
28 for filing less than 10 days after the deadline. There shall  
29 be no fine if the report is mailed and postmarked at least 72  
30 hours prior to the filing deadline. For the purpose of this  
31 subsection, "statewide office" and "State officer" means the  
32 Governor, Lieutenant Governor, Attorney General, Secretary of  
33 State, Comptroller, and Treasurer.

34 (c-5) A political committee that acts as either (i) a

1 State and local political committee or (ii) a local political  
2 committee and that files reports electronically under Section  
3 9-28 is not required to file copies of the reports with the  
4 appropriate county clerk if the county clerk has a system  
5 that permits access to, and duplication of, reports that are  
6 filed with the State Board of Elections. A State and local  
7 political committee or a local political committee shall file  
8 with the county clerk a copy of its statement of organization  
9 pursuant to Section 9-3.

10 (d) A copy of each report or statement filed under this  
11 Article shall be preserved by the person filing it for a  
12 period of two years from the date of filing.

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

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.