



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0063

Introduced 1/6/2005, by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-1.4	from Ch. 46, par. 9-1.4
10 ILCS 5/9-1.5	from Ch. 46, par. 9-1.5
10 ILCS 5/9-7.5	
10 ILCS 5/9-11	from Ch. 46, par. 9-11
10 ILCS 5/9-12	from Ch. 46, par. 9-12
10 ILCS 5/9-13	from Ch. 46, par. 9-13
10 ILCS 5/9-14	from Ch. 46, par. 9-14

Amends the Election Code. Changes from \$150 to \$5 the minimum aggregate campaign contribution or expenditure that must be disclosed per contributor or recipient.

LRB094 02582 JAM 32583 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 9-1.4, 9-1.5, 9-7.5, 9-11, 9-12, 9-13, and 9-14 as
6 follows:

7 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

8 Sec. 9-1.4. "Contribution" means-

9 (1) a gift, subscription, donation, dues, loan, advance, or
10 deposit of money or anything of value, knowingly received in
11 connection with the nomination for election, or election, of
12 any person to public office, in connection with the election of
13 any person as ward or township committeeman in counties of
14 3,000,000 or more population, or in connection with any
15 question of public policy;

16 (2) the purchase of tickets for fund-raising events,
17 including but not limited to dinners, luncheons, cocktail
18 parties, and rallies made in connection with the nomination for
19 election, or election, of any person to public office, in
20 connection with the election of any person as ward or township
21 committeeman in counties of 3,000,000 or more population, or in
22 connection with any question of public policy;

23 (3) a transfer of funds between political committees; and

24 (4) the services of an employee donated by an employer, in
25 which case the contribution shall be listed in the name of the
26 employer, except that any individual services provided
27 voluntarily and without promise or expectation of compensation
28 from any source shall not be deemed a contribution; but

29 (5) does not include--

30 (a) the use of real or personal property and the cost
31 of invitations, food, and beverages, voluntarily provided
32 by an individual in rendering voluntary personal services

1 on the individual's residential premises for
2 candidate-related activities; provided the value of the
3 service provided does not exceed an aggregate of \$5 ~~\$150~~ in
4 a reporting period;

5 (b) the sale of any food or beverage by a vendor for
6 use in a candidate's campaign at a charge less than the
7 normal comparable charge, if such charge for use in a
8 candidate's campaign is at least equal to the cost of such
9 food or beverage to the vendor.

10 (Source: P.A. 89-405, eff. 11-8-95.)

11 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

12 Sec. 9-1.5. Expenditure defined.

13 "Expenditure" means-

14 (1) a payment, distribution, purchase, loan, advance,
15 deposit, or gift of money or anything of value, in connection
16 with the nomination for election, or election, of any person to
17 public office, in connection with the election of any person as
18 ward or township committeeman in counties of 3,000,000 or more
19 population, or in connection with any question of public
20 policy. "Expenditure" also includes a payment, distribution,
21 purchase, loan, advance, deposit, or gift of money or anything
22 of value that constitutes an electioneering communication
23 regardless of whether the communication is made in concert or
24 cooperation with or at the request, suggestion, or knowledge of
25 a candidate, a candidate's authorized local political
26 committee, a State political committee, a political committee
27 in support of or opposition to a question of public policy, or
28 any of their agents. However, expenditure does not include -

29 (a) the use of real or personal property and the cost
30 of invitations, food, and beverages, voluntarily provided
31 by an individual in rendering voluntary personal services
32 on the individual's residential premises for
33 candidate-related activities; provided the value of the
34 service provided does not exceed an aggregate of \$5 ~~\$150~~ in
35 a reporting period;

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

6 (2) a transfer of funds between political committees.
7 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
8 93-847, eff. 7-30-04.)

9 (10 ILCS 5/9-7.5)

10 Sec. 9-7.5. Nonprofit organization registration and
11 disclosure.

12 (a) Each nonprofit organization, except for a labor union
13 (i) registered under the Lobbyist Registration Act or for which
14 lobbying is undertaken by persons registered under that Act,
15 (ii) that has not established a political committee, and (iii)
16 that accepts contributions or makes expenditures during any
17 12-month period in an aggregate amount exceeding \$5,000 (I) on
18 behalf of or in opposition to public officials, candidates for
19 public office, or a question of public policy and (II) for the
20 purpose of influencing legislative, executive, or
21 administrative action as defined in the Lobbyist Registration
22 Act shall register with the State Board of Elections. The Board
23 by rule shall prescribe the registration procedure and form.
24 The registration form shall require the following information:

25 (1) The registrant's name, address, and purpose.

26 (2) The name, address, and position of each custodian
27 of the registrant's financial books, accounts, and
28 records.

29 (3) The name, address, and position of each of the
30 registrant's principal officers.

31 (b) Each nonprofit organization required to register under
32 subsection (a) shall file contribution and expenditure reports
33 with the Board. The Board by rule shall prescribe the form,
34 which shall require the following information:

35 (1) The organization's name, address, and purpose.

1 (2) The amount of funds on hand at the beginning of the
2 reporting period.

3 (3) The full name and address of each person who has
4 made one or more contributions to or for the organization
5 within the reporting period in an aggregate amount or value
6 in excess of \$5 ~~\$150~~, together with the amount and date of
7 the contributions, and if a contributor is an individual
8 who contributed more than \$500, the occupation and employer
9 of the contributor or, if the occupation and employer of
10 the contributor are unknown, a statement that the
11 organization has made a good faith effort to ascertain this
12 information.

13 (4) The total sum of individual contributions made to
14 or for the organization during the reporting period and not
15 reported in item (3).

16 (5) The name and address of each organization and
17 political committee from which the reporting organization
18 received, or to which that organization made, any transfer
19 of funds in an aggregate amount or value in excess of \$5
20 ~~\$150~~, together with the amounts and dates of the transfers.

21 (6) The total sum of transfers made to or from the
22 organization during the reporting period and not reported
23 in item (5).

24 (7) Each loan to or from any person within the
25 reporting period by or to the organization in an aggregate
26 amount or value in excess of \$5 ~~\$150~~, together with the
27 full names and mailing addresses of the lender and
28 endorsers, if any, and the date and amount of the loans,
29 and if a lender or endorser is an individual who loaned or
30 endorsed a loan of more than \$500, the occupation and
31 employer of the individual or, if the occupation and
32 employer of the individual are unknown, a statement that
33 the organization has made a good faith effort to ascertain
34 this information.

35 (8) The total amount of proceeds received by the
36 organization from (i) the sale of tickets for each dinner,

1 luncheon, cocktail party, rally, and other fundraising
2 event, (ii) mass collections made at those events, and
3 (iii) sales of items such as buttons, badges, flags,
4 emblems, hats, banners, literature, and similar materials.

5 (9) Each contribution, rebate, refund, or other
6 receipt in excess of \$5 ~~\$150~~ received by the organization
7 not otherwise listed under items (3) through (8), and if a
8 contributor is an individual who contributed more than
9 \$500, the occupation and employer of the contributor or, if
10 the occupation and employer of the contributor are unknown,
11 a statement that the organization has made a good faith
12 effort to ascertain this information.

13 (10) The total sum of all receipts by or for the
14 organization during the reporting period.

15 (11) The full name and mailing address of each person
16 to whom expenditures have been made by the organization
17 within the reporting period in an aggregate amount or value
18 in excess of \$5 ~~\$150~~, the amount, date, and purpose of each
19 expenditure, and the question of public policy on behalf of
20 which the expenditure was made.

21 (12) The full name and mailing address of each person
22 to whom an expenditure for personal services, salaries, and
23 reimbursed expenses in excess of \$5 ~~\$150~~ has been made and
24 which is not otherwise reported, including the amount,
25 date, and purpose of the expenditure.

26 (13) The total sum of expenditures made by the
27 organization during the reporting period.

28 (14) The full name and mailing address of each person
29 to whom the organization owes debts or obligations in
30 excess of \$5 ~~\$150~~ and the amount of the debts or
31 obligations.

32 The State Board by rule shall define a "good faith effort".

33 (c) The reports required under subsection (b) shall be
34 filed at the same times and for the same reporting periods as
35 reports of campaign contributions and semi-annual reports of
36 campaign contributions and expenditures required by this

1 Article of political committees. The reports required under
2 subsection (b) shall be available for public inspection and
3 copying in the same manner as reports filed by political
4 committees. The Board may charge a fee that covers the costs of
5 copying and distribution, if any.

6 (d) An organization required to file reports under
7 subsection (b) shall include a statement on all literature and
8 advertisements soliciting funds stating the following:

9 "A copy of our report filed with the State Board of
10 Elections is (or will be) available for purchase from the State
11 Board of Elections, Springfield, Illinois".

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

13 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

14 Sec. 9-11. Each report of campaign contributions under
15 Section 9-10 shall disclose-

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

17 (2) (Blank);

18 (3) the amount of funds on hand at the beginning of the
19 reporting period;

20 (4) the full name and mailing address of each person who
21 has made one or more contributions to or for such committee
22 within the reporting period in an aggregate amount or value in
23 excess of \$5 ~~\$150~~, together with the amount and date of such
24 contributions, and if a contributor is an individual who
25 contributed more than \$500, the occupation and employer of the
26 contributor or, if the occupation and employer of the
27 contributor are unknown, a statement that the committee has
28 made a good faith effort to ascertain this information;

29 (5) the total sum of individual contributions made to or
30 for such committee during the reporting period and not reported
31 under item (4);

32 (6) the name and address of each political committee from
33 which the reporting committee received, or to which that
34 committee made, any transfer of funds, in any aggregate amount
35 or value in excess of \$5 ~~\$150~~, together with the amounts and

1 dates of all transfers;

2 (7) the total sum of transfers made to or from such
3 committee during the reporting period and not reported under
4 item (6);

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

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

21 (10) each contribution, rebate, refund, or other receipt in
22 excess of \$5 ~~\$150~~ received by such committee not otherwise
23 listed under items (4) through (9), and if a contributor is an
24 individual who contributed more than \$500, the occupation and
25 employer of the contributor or, if the occupation and employer
26 of the contributor are unknown, a statement that the committee
27 has made a good faith effort to ascertain this information;

28 (11) the total sum of all receipts by or for such committee
29 or candidate during the reporting period.

30 The Board shall by rule define a "good faith effort".

31 The reports of campaign contributions filed under this
32 Article shall be cumulative during the reporting period to
33 which they relate.

34 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

35 (10 ILCS 5/9-12) (from Ch. 46, par. 9-12)

1 Sec. 9-12. Each report of campaign contributions required
 2 by Section 9-10 of this Article to be filed with the Board or
 3 the Board and the county clerk shall be verified, dated, and
 4 signed by either the treasurer of the political committee
 5 making the report or the candidate on whose behalf the report
 6 is made, and shall contain substantially the following:

7 REPORT OF CAMPAIGN CONTRIBUTIONS

8 (1) name and address of the political committee:

9

10 (2) the date of the beginning of the reporting period, and the
 11 amount of funds on hand at the beginning of the reporting
 12 period:

13

14 (3) the full name and mailing address of each person who has
 15 made one or more contributions to or for the committee within
 16 the reporting period in an aggregate amount or value in excess
 17 of \$5 ~~\$150~~, together with the amount and date of such
 18 contributions, and if a contributor is an individual who
 19 contributed more than \$500, the occupation and employer of each
 20 contributor or, if the occupation and employer of the
 21 contributor are unknown, a statement that the committee has
 22 made a good faith effort to ascertain this information:

23	name	address	amount	date	occupation	employer
24
25
26
27
28

29 (4) the total sum of individual contributions made to or for
 30 the committee during the reporting period and not reported
 31 under item (3) -

32

33 (5) the name and address of each political committee from which
 34 the reporting committee received, or to which that committee
 35 made, any transfer of funds, in an aggregate amount or value in
 36 excess of \$5 ~~\$150~~, together with the amounts and dates of all

1 transfers:

2	name	address	amount	date
3
4
5

6 (6) the total sum of transfers made to or from such committee
7 during the reporting period and not under item (5):

8

9 (7) each loan to or from any person within the reporting period
10 by or to the committee in an aggregate amount or value in
11 excess of \$5 ~~\$150~~, together with the full names and mailing
12 addresses of the lender and endorsers, if any, and the date and
13 amount of such loans, and if a lender or endorser is an
14 individual who loaned or endorsed a loan of more than \$500, the
15 occupation and employer of each person making the loan, or if
16 the occupation and employer of the individual are unknown, a
17 statement that the committee has made a good faith effort to
18 ascertain this information:

19 (8) the total amount of proceeds received by the committee from
20 (a) the sale of tickets for each dinner, luncheon, cocktail
21 party, rally, and other fund-raising events; (b) mass
22 collections made at such events; and (c) sales of items such as
23 political campaign pins, buttons, badges, flags, emblems, hats,
24 banners, literature, and similar materials:

25 (a)

26 (b)

27 (c)

28 (9) each contribution, rebate, refund, or other receipt in
29 excess of \$5 ~~\$150~~ received by the committee not otherwise
30 listed under items (3) through (8), and if the contributor is
31 an individual who contributed more than \$500, the occupation
32 and employer of each contributor or, if the occupation and
33 employer of the contributor are unknown, a statement that the
34 committee has made a good faith effort to ascertain this
35 information:

36	name	address	amount	date	occupation	employer
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3 (10) the total sum of all receipts by or for the committee
4 during the reporting period:

5

6 VERIFICATION:

7 "I declare that this report of campaign contributions
8 (including any accompanying schedules and statements) has been
9 examined by me and to the best of my knowledge and belief is a
10 true, correct and complete report as required by Article 9 of
11 The Election Code. I understand that willfully filing a false
12 or incomplete statement is a business offense subject to a fine
13 of up to \$5,000."

14

15 (date of filing) (signature of person making the report)

16 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

17 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

18 Sec. 9-13. Each semi-annual report of campaign
19 contributions and expenditures under Section 9-10 shall
20 disclose-

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

22 (2) (Blank);

23 (3) the amount of funds on hand at the beginning of the
24 reporting period;

25 (4) the full name and mailing address of each person who
26 has made one or more contributions to or for such committee
27 within the reporting period in an aggregate amount or value in
28 excess of \$5 ~~\$150~~, together with the amount and date of such
29 contributions, and if the contributor is an individual who
30 contributed more than \$500, the occupation and employer of the
31 contributor or, if the occupation and employer of the
32 contributor are unknown, a statement that the committee has
33 made a good faith effort to ascertain this information;

34 (5) the total sum of individual contributions made to or
35 for such committee during the reporting period and not reported

1 under item (4);

2 (6) the name and address of each political committee from
3 which the reporting committee received, or to which that
4 committee made, any transfer of funds, in the aggregate amount
5 or value in excess of \$5 ~~\$150~~, together with the amounts and
6 dates of all transfers;

7 (7) the total sum of transfers made to or from such
8 committee during the reporting period and not reported under
9 item (6);

10 (8) each loan to or from any person within the reporting
11 period by or to such committee in an aggregate amount or value
12 in excess of \$5 ~~\$150~~, together with the full names and mailing
13 addresses of the lender and endorsers, if any, and the date and
14 amount of such loans, and if a lender or endorser is an
15 individual who loaned or endorsed a loan of more than \$500, the
16 occupation and employer of that individual, or if the
17 occupation and employer of the individual are unknown, a
18 statement that the committee has made a good faith effort to
19 ascertain this information;

20 (9) the total amount of proceeds received by such committee
21 from (a) the sale of tickets for each dinner, luncheon,
22 cocktail party, rally, and other fund-raising events; (b) mass
23 collections made at such events; and (c) sales of items such as
24 political campaign pins, buttons, badges, flags, emblems,
25 hats, banners, literature, and similar materials;

26 (10) each contribution, rebate, refund, or other receipt in
27 excess of \$5 ~~\$150~~ received by such committee not otherwise
28 listed under items (4) through (9), and if the contributor is
29 an individual who contributed more than \$500, the occupation
30 and employer of the contributor or, if the occupation and
31 employer of the contributor are unknown, a statement that the
32 committee has made a good faith effort to ascertain this
33 information;

34 (11) the total sum of all receipts by or for such committee
35 or candidate during the reporting period;

36 (12) the full name and mailing address of each person to

1 whom expenditures have been made by such committee or candidate
 2 within the reporting period in an aggregate amount or value in
 3 excess of \$5 ~~\$150~~, the amount, date, and purpose of each such
 4 expenditure and the question of public policy or the name and
 5 address of, and office sought by, each candidate on whose
 6 behalf such expenditure was made;

7 (13) the full name and mailing address of each person to
 8 whom an expenditure for personal services, salaries, and
 9 reimbursed expenses in excess of \$5 ~~\$150~~ has been made, and
 10 which is not otherwise reported, including the amount, date,
 11 and purpose of such expenditure;

12 (14) the total sum of expenditures made by such committee
 13 during the reporting period;

14 (15) the full name and mailing address of each person to
 15 whom the committee owes debts or obligations in excess of \$5
 16 ~~\$150~~, and the amount of such debts or obligations.

17 The Board shall by rule define a "good faith effort".
 18 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

19 (10 ILCS 5/9-14) (from Ch. 46, par. 9-14)

20 Sec. 9-14. Each semi-annual report of campaign
 21 contributions and expenditures required by Section 9-10 of this
 22 Article to be filed with the Board or the Board and the county
 23 clerk shall be verified, dated, and signed by either the
 24 treasurer of the political committee making the report or the
 25 candidate on whose behalf the report is made, and shall contain
 26 substantially the following:

27 SEMI-ANNUAL REPORT OF CAMPAIGN
 28 CONTRIBUTIONS AND EXPENDITURES

29 (1) name and address of the political committee:
 30

31 (2) the date of the beginning of the reporting period, and the
 32 amount of funds on hand at the beginning of the reporting
 33 period;
 34

35 (3) the full name and mailing address of each person who has

1 made one or more contributions to or for the committee within
 2 the reporting period in an aggregate amount or value in excess
 3 of \$5 ~~\$150~~, together with the amount and date of such
 4 contributions, and if a contributor is an individual who
 5 contributed more than \$500, the occupation and employer of each
 6 contributor or, if the occupation and employer of the
 7 contributor are unknown, a statement that the committee has
 8 made a good faith effort to ascertain this information:

9	name	address	amount	date	occupation	employer
10
11
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13
14

15 (4) the total sum of individual contributions made to or for
 16 the committee during the reporting period and not reported
 17 under item--(3):

18

19 (5) the name and address of each political committee from which
 20 the reporting committee received, or to which that committee
 21 made, any transfer of funds, in an aggregate amount or value in
 22 excess of \$5 ~~\$150~~, together with the amounts and dates of all
 23 transfers:

24	name	address	amount	date
25
26
27

28 (6) the total sum of transfers made to or from such committee
 29 during the reporting period and not reported under item (5);

30 (7) each loan to or from any person within the reporting period
 31 by or to the committee in an aggregate amount or value in
 32 excess of \$5 ~~\$150~~, together with the full names and mailing
 33 addresses of the lender and endorsers, if any, and the date and
 34 amount of such loans, and if a lender or endorser is an
 35 individual who loaned or endorsed a loan of more than \$500, the
 36 occupation and employer of each person making the loan, or if

1 the occupation and employer of the individual are unknown, a
2 statement that the committee has made a good faith effort to
3 ascertain this information:

4	name	address	amount	date	endorsers	occupation	employer
5
6
7

8 (8) the total amount of proceeds received by the committee from
9 (a) the sale of tickets for each dinner, luncheon, cocktail
10 party, rally, and other fund-raising events; (b) mass
11 collections made at such events; and (c) sales of items such as
12 political campaign pins, buttons, badges, flags, emblems,
13 hats, banners, literature, and similar materials:

- 14 (a)
- 15 (b)
- 16 (c)

17 (9) each contribution, rebate, refund, or other receipt in
18 excess of \$5 ~~\$150~~ received by the committee not otherwise
19 listed under items (3) through (8), and if a contributor is an
20 individual who contributed more than \$500, the occupation and
21 employer of each contributor or, if the occupation and employer
22 of the contributor are unknown, a statement that the committee
23 has made a good faith effort to ascertain this information:

24	name	address	amount	date	endorsers	occupation	employer
25
26
27

28 (10) the total sum of all receipts by or for the committee
29 during the reporting period:

30

31 (11) the full name and mailing address of each person to whom
32 expenditures have been made by the committee within the
33 reporting period in an aggregate amount or value in excess of
34 \$5 ~~\$150~~, the amount, date, and purpose of each such
35 expenditure, and the question of public policy or the name and
36 address of, and office sought by, each candidate on whose

1 behalf the expenditure was made:

2	name	address	amount	date	purpose	beneficiary
3
4
5
6
7

8 (12) the full name and mailing address of each person to whom
9 an expenditure for personal services, salaries, and reimbursed
10 expenses in excess of \$5 ~~\$150~~ has been made, and which is not
11 otherwise reported, including the amount, date, and purpose of
12 such expenditure:

13	name	address	amount	date	purpose
14
15
16

17 (13) the total sum of expenditures made by the committee during
18 the reporting period;

19

20 (14) the full name and mailing address of each person to whom
21 the committee owes debts or obligations in excess of \$5 ~~\$150~~,
22 and the amount of such debts or obligations:

23

24

25 VERIFICATION:

26 "I declare that this semi-annual report of campaign
27 contributions and expenditures (including any accompanying
28 schedules and statements) has been examined by me and to the
29 best of my knowledge and belief is a true, correct and complete
30 report as required by Article 9 of The Election Code. I
31 understand that willfully filing a false or incomplete report
32 is a business offense subject to a fine of up to \$5,000."

33

34 (date of filing) (signature of person making the report)

35 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)