



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB4240

Introduced 12/09/05, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-9.5

715 ILCS 5/8

from Ch. 100, par. 8

Amends the Election Code. Requires that a communication in support of or in opposition to a government policy or public question or mentioning a candidate by name must identify the person or entity that paid for the communication. Amends the Notice by Publication Act. Requires that a print, Internet, radio, or television advertisement paid for with public funds by the State, a unit of local government, or a school district must identify each entity that paid for the advertisement.

LRB094 15359 JAM 50550 b

1 AN ACT concerning public notices.

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 Section
5 9-9.5 as follows:

6 (10 ILCS 5/9-9.5)

7 Sec. 9-9.5. Disclosures in political communications. Any
8 person or entity ~~political committee, organized under the~~
9 ~~Election Code,~~ that makes an expenditure for a pamphlet,
10 circular, handbill, Internet or telephone communication,
11 radio, television, or print advertisement, or other
12 communication directed at voters and (i) mentioning the name of
13 a candidate in the next upcoming election, (ii) supporting or
14 opposing a question of public policy, or (iii) supporting or
15 opposing a policy position of State government, a unit of local
16 government, or a school district shall ensure that the name of
17 the person or entity ~~political committee~~ paying for any part of
18 the communication, including, but not limited to, its
19 preparation and distribution, is identified clearly within the
20 communication as the payor. This Section does not apply to
21 items that are too small to contain the required disclosure.
22 Nothing in this Section shall require disclosure on any
23 telephone communication using random sampling or other
24 scientific survey methods to gauge public opinion for or
25 against any candidate or question of public policy.

26 Whenever any vendor or other person provides any of the
27 services listed in this Section, other than any telephone
28 communication using random sampling or other scientific survey
29 methods to gauge public opinion for or against any candidate or
30 question of public policy, the vendor or person shall keep and
31 maintain records showing the name and address of the person who
32 purchased or requested the services and the amount paid for the

1 services. The records required by this Section shall be kept
2 for a period of one year after the date upon which payment was
3 received for the services.

4 (Source: P.A. 93-615, eff. 11-19-03; 93-847, eff. 7-30-04;
5 94-645, eff. 8-22-05.)

6 Section 10. The Notice By Publication Act is amended by
7 changing Section 8 as follows:

8 (715 ILCS 5/8) (from Ch. 100, par. 8)

9 Sec. 8. When any notice shall be required by law to be
10 published by a public officer in relation to public business,
11 in pursuance of law, the reasonable expense thereof shall be
12 allowed and paid out of the state or county treasury, as the
13 case may require.

14 Any print, Internet, radio, or television advertisement
15 paid for in whole or in part with public funds by the State, a
16 unit of local government, or a school district must clearly
17 identify within the advertisement the name of each entity that
18 paid for the advertisement.

19 (Source: R.S. 1874, p. 723.)