



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0015

Introduced 1/19/2007, 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.

LRB095 03467 JAM 23471 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 (1.5) a gift, subscription, donation, dues, loan, advance,
17 deposit of money, or anything of value that constitutes an
18 electioneering communication regardless of whether the
19 communication is made in concert or cooperation with or at the
20 request, suggestion, or knowledge of a candidate, a candidate's
21 authorized local political committee, a State political
22 committee, a political committee in support of or opposition to
23 a question of public policy, or any of their agents;

1 (2) the purchase of tickets for fund-raising events,
2 including but not limited to dinners, luncheons, cocktail
3 parties, and rallies made in connection with the nomination for
4 election, or election, of any person to public office, in
5 connection with the election of any person as ward or township
6 committeeman in counties of 3,000,000 or more population, or in
7 connection with any question of public policy;

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

9 (4) the services of an employee donated by an employer, in
10 which case the contribution shall be listed in the name of the
11 employer, except that any individual services provided
12 voluntarily and without promise or expectation of compensation
13 from any source shall not be deemed a contribution; but

14 (5) does not include--

15 (a) the use of real or personal property and the cost
16 of invitations, food, and beverages, voluntarily provided
17 by an individual in rendering voluntary personal services
18 on the individual's residential premises for
19 candidate-related activities; provided the value of the
20 service provided does not exceed an aggregate of \$5 ~~\$150~~ in
21 a reporting period;

22 (b) the sale of any food or beverage by a vendor for
23 use in a candidate's campaign at a charge less than the
24 normal comparable charge, if such charge for use in a
25 candidate's campaign is at least equal to the cost of such
26 food or beverage to the vendor.

1 (Source: P.A. 94-645, eff. 8-22-05.)

2 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

3 Sec. 9-1.5. Expenditure defined.

4 "Expenditure" means-

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

20 (a) the use of real or personal property and the cost
21 of invitations, food, and beverages, voluntarily provided
22 by an individual in rendering voluntary personal services
23 on the individual's residential premises for
24 candidate-related activities; provided the value of the
25 service provided does not exceed an aggregate of \$5 ~~\$150~~ in

1 a reporting period;

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

7 (2) a transfer of funds between political committees.

8 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
9 93-847, eff. 7-30-04.)

10 (10 ILCS 5/9-7.5)

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

13 (a) Each nonprofit organization, except for a labor union,
14 that accepts contributions, makes contributions, or makes
15 expenditures during any 12-month period in an aggregate amount
16 exceeding \$5,000 (I) on behalf of or in opposition to public
17 officials, candidates for public office, or a question of
18 public policy or (II) for electioneering communications shall
19 register with the State Board of Elections. The Board by rule
20 shall prescribe the registration procedure and form. The
21 registration form shall require the following information:

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

23 (2) The name, address, and position of each custodian
24 of the registrant's financial books, accounts, and
25 records.

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

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

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

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

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

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

23 (5) The name and address of each organization and
24 political committee from which the reporting organization
25 received, or to which that organization made, any transfer
26 of funds in an aggregate amount or value in excess of \$5

1 ~~\$150~~, together with the amounts and dates of the transfers.

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

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

16 (8) The total amount of proceeds received by the
17 organization from (i) the sale of tickets for each dinner,
18 luncheon, cocktail party, rally, and other fundraising
19 event, (ii) mass collections made at those events, and
20 (iii) sales of items such as buttons, badges, flags,
21 emblems, hats, banners, literature, and similar materials.

22 (9) Each contribution, rebate, refund, or other
23 receipt in excess of \$5 ~~\$150~~ received by the organization
24 not otherwise listed under items (3) through (8), and if a
25 contributor is an individual who contributed more than
26 \$500, the occupation and employer of the contributor or, if

1 the occupation and employer of the contributor are unknown,
2 a statement that the organization has made a good faith
3 effort to ascertain this information.

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

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

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

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

19 (14) The full name and mailing address of each person
20 to whom the organization owes debts or obligations in
21 excess of \$5 ~~\$150~~ and the amount of the debts or
22 obligations.

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

24 (c) The reports required under subsection (b) shall be
25 filed at the same times and for the same reporting periods as
26 reports of campaign contributions and semi-annual reports of

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

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

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

13 (Source: P.A. 94-645, eff. 8-22-05.)

14 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

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

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

18 (2) (Blank);

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

21 (4) the full name and mailing address of each person who
22 has made one or more contributions to or for such committee
23 within the reporting period in an aggregate amount or value in
24 excess of \$5 ~~\$150~~, together with the amount and date of such
25 contributions, and if a contributor is an individual who

1 contributed more than \$500, the occupation and employer of the
2 contributor or, if the occupation and employer of the
3 contributor are unknown, a statement that the committee has
4 made a good faith effort to ascertain this information;

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

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

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

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

26 (9) the total amount of proceeds received by such committee

1 from (a) the sale of tickets for each dinner, luncheon,
2 cocktail party, rally, and other fund-raising events; (b) mass
3 collections made at such events; and (c) sales of items such as
4 political campaign pins, buttons, badges, flags, emblems,
5 hats, banners, literature, and similar materials;

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

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

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

16 The reports of campaign contributions filed under this
17 Article shall be cumulative during the reporting period to
18 which they relate.

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

20 (10 ILCS 5/9-12) (from Ch. 46, par. 9-12)

21 Sec. 9-12. Each report of campaign contributions required
22 by Section 9-10 of this Article to be filed with the Board or
23 the Board and the county clerk shall be verified, dated, and
24 signed by either the treasurer of the political committee
25 making the report or the candidate on whose behalf the report

1 is made, and shall contain substantially the following:

2 REPORT OF CAMPAIGN CONTRIBUTIONS

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

4

5 (2) the date of the beginning of the reporting period, and the
6 amount of funds on hand at the beginning of the reporting
7 period:

8

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

18	name	address	amount	date	occupation	employer
19
20
21
22
23

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

1

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

7	name	address	amount	date
8
9
10

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

13

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

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

- 7 (a)
- 8 (b)
- 9 (c)

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

18	name	address	amount	date	occupation	employer
19
20

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

23

24 VERIFICATION:

25 "I declare that this report of campaign contributions
 26 (including any accompanying schedules and statements) has been

1 examined by me and to the best of my knowledge and belief is a
 2 true, correct and complete report as required by Article 9 of
 3 The Election Code. I understand that willfully filing a false
 4 or incomplete statement is a business offense subject to a fine
 5 of up to \$5,000."

6
 7 (date of filing) (signature of person making the report)
 8 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

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

10 Sec. 9-13. Each semi-annual report of campaign
 11 contributions and expenditures under Section 9-10 shall
 12 disclose-

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

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

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

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

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

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

1 hats, banners, literature, and similar materials;

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

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

12 (12) the full name and mailing address of each person to
13 whom expenditures have been made by such committee or candidate
14 within the reporting period in an aggregate amount or value in
15 excess of \$5 ~~\$150~~, the amount, date, and purpose of each such
16 expenditure and the question of public policy or the name and
17 address of, and office sought by, each candidate on whose
18 behalf such expenditure was made;

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

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

26 (15) the full name and mailing address of each person to

1 whom the committee owes debts or obligations in excess of \$5
2 ~~\$150~~, and the amount of such debts or obligations.

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

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

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

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

13 SEMI-ANNUAL REPORT OF CAMPAIGN
14 CONTRIBUTIONS AND EXPENDITURES

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

16

17 (2) the date of the beginning of the reporting period, and the
18 amount of funds on hand at the beginning of the reporting
19 period;

20

21 (3) the full name and mailing address of each person who has
22 made one or more contributions to or for the committee within
23 the reporting period in an aggregate amount or value in excess
24 of \$5 ~~\$150~~, together with the amount and date of such
25 contributions, and if a contributor is an individual who

1 contributed more than \$500, the occupation and employer of each
 2 contributor or, if the occupation and employer of the
 3 contributor are unknown, a statement that the committee has
 4 made a good faith effort to ascertain this information:

5	name	address	amount	date	occupation	employer
6
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9
10

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

14

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

20	name	address	amount	date
21
22
23

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

26 (7) each loan to or from any person within the reporting period

1 by or to the committee in an aggregate amount or value in
 2 excess of \$5 ~~\$150~~, together with the full names and mailing
 3 addresses of the lender and endorsers, if any, and the date and
 4 amount of such loans, and if a lender or endorser is an
 5 individual who loaned or endorsed a loan of more than \$500, the
 6 occupation and employer of each person making the loan, or if
 7 the occupation and employer of the individual are unknown, a
 8 statement that the committee has made a good faith effort to
 9 ascertain this information:

10	name	address	amount	date	endorsers	occupation	employer
11
12
13

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

- 20 (a)
- 21 (b)
- 22 (c)

23 (9) each contribution, rebate, refund, or other receipt in
 24 excess of \$5 ~~\$150~~ received by the committee not otherwise
 25 listed under items (3) through (8), and if a contributor is an
 26 individual who contributed more than \$500, the occupation and

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

4	name	address	amount	date	endorsers	occupation	employer
5
6
7

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

10

11 (11) the full name and mailing address of each person to whom
 12 expenditures have been made by the committee within the
 13 reporting period in an aggregate amount or value in excess of
 14 \$5 ~~\$150~~, the amount, date, and purpose of each such
 15 expenditure, and the question of public policy or the name and
 16 address of, and office sought by, each candidate on whose
 17 behalf the expenditure was made:

18	name	address	amount	date	purpose	beneficiary
19
20
21
22
23

24 (12) the full name and mailing address of each person to whom
 25 an expenditure for personal services, salaries, and reimbursed
 26 expenses in excess of \$5 ~~\$150~~ has been made, and which is not

1 otherwise reported, including the amount, date, and purpose of
2 such expenditure:

3	name	address	amount	date	purpose
4
5
6

7 (13) the total sum of expenditures made by the committee during
8 the reporting period;

9

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

13

14

15 VERIFICATION:

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

23

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

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