

# SB0412



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

SB0412

Introduced 2/7/2007, by Sen. Matt Murphy

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-3

from Ch. 46, par. 9-3

Amends the Election Code. Provides that a political committee created within 30 days before an election must file its statement of organization within 24 hours (now, within 5 business days) after its creation and must file the statement electronically.

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A BILL FOR

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 Section  
5 9-3 as follows:

6 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

7 Sec. 9-3. Every state political committee and every local  
8 political committee shall file with the State Board of  
9 Elections, and every local political committee shall file with  
10 the county clerk, a statement of organization within 10  
11 business days of the creation of such committee, except any  
12 political committee created within the 30 days before an  
13 election shall electronically file a statement of organization  
14 within 24 hours ~~5 business days~~. A political committee that  
15 acts as both a state political committee and a local political  
16 committee shall file a copy of each statement of organization  
17 with the State Board of Elections and the county clerk. The  
18 Board shall impose a civil penalty of \$25 per business day upon  
19 political committees for failing to file or late filing of a  
20 statement of organization, except that for committees formed to  
21 support candidates for statewide office, the civil penalty  
22 shall be \$50 per business day. Such penalties shall not exceed  
23 \$5,000, and shall not exceed \$10,000 for statewide office

1 political committees. There shall be no fine if the statement  
2 is mailed and postmarked at least 72 hours prior to the filing  
3 deadline.

4 In addition to the civil penalties authorized by this  
5 Section, the State Board of Elections or any other affected  
6 political committee may apply to the circuit court for a  
7 temporary restraining order or a preliminary or permanent  
8 injunction against the political committee to cease the  
9 expenditure of funds and to cease operations until the  
10 statement of organization is filed.

11 For the purpose of this Section, "statewide office" means  
12 the Governor, Lieutenant Governor, Secretary of State,  
13 Attorney General, State Treasurer, and State Comptroller.

14 The statement of organization shall include -

15 (a) the name and address of the political committee (the  
16 name of the political committee must include the name of any  
17 sponsoring entity);

18 (b) the scope, area of activity, party affiliation,  
19 candidate affiliation and his county of residence, and purposes  
20 of the political committee;

21 (c) the name, address, and position of each custodian of  
22 the committee's books and accounts;

23 (d) the name, address, and position of the committee's  
24 principal officers, including the chairman, treasurer, and  
25 officers and members of its finance committee, if any;

26 (e) (Blank);

1 (f) a statement of what specific disposition of residual  
2 fund will be made in the event of the dissolution or  
3 termination of the committee;

4 (g) a listing of all banks or other financial institutions,  
5 safety deposit boxes, and any other repositories or custodians  
6 of funds used by the committee;

7 (h) the amount of funds available for campaign expenditures  
8 as of the filing date of the committee's statement of  
9 organization.

10 For purposes of this Section, a "sponsoring entity" is (i)  
11 any person, political committee, organization, corporation, or  
12 association that contributes at least 33% of the total funding  
13 of the political committee or (ii) any person or other entity  
14 that is registered or is required to register under the  
15 Lobbyist Registration Act and contributes at least 33% of the  
16 total funding of the political committee; except that a  
17 political committee is not a "sponsoring entity" for purposes  
18 of this Section if it is a political committee organized by (i)  
19 an established political party as defined in Section 10-2, (ii)  
20 a partisan caucus of either house of the General Assembly, or  
21 (iii) the Speaker or Minority Leader of the House of  
22 Representatives or the President or Minority Leader of the  
23 Senate, in his or her capacity as a legislative leader of the  
24 House of Representatives or Senate and not as a candidate for  
25 Representative or Senator.

26 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;

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1 94-645, eff. 8-22-05.)