



Sen. Don Harmon

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LRB096 02943 RCE 27599 a

1 AMENDMENT TO HOUSE BILL 7

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 7 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Sections 7-8, 9-1.4, 9-1.5, 9-1.6, 9-1.7, 9-1.8, 9-1.14, 9-3,  
6 9-4, 9-7.5, 9-10, 9-13, 9-14, 9-21, 9-23, 9-28, and 9-30 and by  
7 adding Sections 9-8.5, 9-8.6, 9-23.5, and 9-28.5 as follows:

8 (10 ILCS 5/7-8) (from Ch. 46, par. 7-8)

9 Sec. 7-8. The State central committee shall be composed of  
10 one or two members from each congressional district in the  
11 State and shall be elected as follows:

12 State Central Committee

13 (a) Within 30 days after the effective date of this  
14 amendatory Act of 1983 the State central committee of each  
15 political party shall certify to the State Board of Elections  
16 which of the following alternatives it wishes to apply to the

1 State central committee of that party.

2 Alternative A. At the primary in 1970 and at the general  
3 primary election held every 4 years thereafter, each primary  
4 elector may vote for one candidate of his party for member of  
5 the State central committee for the congressional district in  
6 which he resides. The candidate receiving the highest number of  
7 votes shall be declared elected State central committeeman from  
8 the district. A political party may, in lieu of the foregoing,  
9 by a majority vote of delegates at any State convention of such  
10 party, determine to thereafter elect the State central  
11 committeemen in the manner following:

12 At the county convention held by such political party State  
13 central committeemen shall be elected in the same manner as  
14 provided in this Article for the election of officers of the  
15 county central committee, and such election shall follow the  
16 election of officers of the county central committee. Each  
17 elected ward, township or precinct committeeman shall cast as  
18 his vote one vote for each ballot voted in his ward, township,  
19 part of a township or precinct in the last preceding primary  
20 election of his political party. In the case of a county lying  
21 partially within one congressional district and partially  
22 within another congressional district, each ward, township or  
23 precinct committeeman shall vote only with respect to the  
24 congressional district in which his ward, township, part of a  
25 township or precinct is located. In the case of a congressional  
26 district which encompasses more than one county, each ward,

1 township or precinct committeeman residing within the  
2 congressional district shall cast as his vote one vote for each  
3 ballot voted in his ward, township, part of a township or  
4 precinct in the last preceding primary election of his  
5 political party for one candidate of his party for member of  
6 the State central committee for the congressional district in  
7 which he resides and the Chairman of the county central  
8 committee shall report the results of the election to the State  
9 Board of Elections. The State Board of Elections shall certify  
10 the candidate receiving the highest number of votes elected  
11 State central committeeman for that congressional district.

12 The State central committee shall adopt rules to provide  
13 for and govern the procedures to be followed in the election of  
14 members of the State central committee.

15 After the effective date of this amendatory Act of the 91st  
16 General Assembly, whenever a vacancy occurs in the office of  
17 Chairman of a State central committee, or at the end of the  
18 term of office of Chairman, the State central committee of each  
19 political party that has selected Alternative A shall elect a  
20 Chairman who shall not be required to be a member of the State  
21 Central Committee. The Chairman shall be a registered voter in  
22 this State and of the same political party as the State central  
23 committee.

24 Alternative B. Each congressional committee shall, within  
25 30 days after the adoption of this alternative, appoint a  
26 person of the sex opposite that of the incumbent member for

1 that congressional district to serve as an additional member of  
2 the State central committee until his or her successor is  
3 elected at the general primary election in 1986. Each  
4 congressional committee shall make this appointment by voting  
5 on the basis set forth in paragraph (e) of this Section. In  
6 each congressional district at the general primary election  
7 held in 1986 and every 4 years thereafter, the male candidate  
8 receiving the highest number of votes of the party's male  
9 candidates for State central committeeman, and the female  
10 candidate receiving the highest number of votes of the party's  
11 female candidates for State central committeewoman, shall be  
12 declared elected State central committeeman and State central  
13 committeewoman from the district. At the general primary  
14 election held in 1986 and every 4 years thereafter, if all a  
15 party's candidates for State central committeemen or State  
16 central committeewomen from a congressional district are of the  
17 same sex, the candidate receiving the highest number of votes  
18 shall be declared elected a State central committeeman or State  
19 central committeewoman from the district, and, because of a  
20 failure to elect one male and one female to the committee, a  
21 vacancy shall be declared to exist in the office of the second  
22 member of the State central committee from the district. This  
23 vacancy shall be filled by appointment by the congressional  
24 committee of the political party, and the person appointed to  
25 fill the vacancy shall be a resident of the congressional  
26 district and of the sex opposite that of the committeeman or

1     committeewoman elected at the general primary election. Each  
2     congressional committee shall make this appointment by voting  
3     on the basis set forth in paragraph (e) of this Section.

4             The Chairman of a State central committee composed as  
5     provided in this Alternative B must be selected from the  
6     committee's members.

7             Except as provided for in Alternative A with respect to the  
8     selection of the Chairman of the State central committee, under  
9     both of the foregoing alternatives, the State central committee  
10    of each political party shall be composed of members elected or  
11    appointed from the several congressional districts of the  
12    State, and of no other person or persons whomsoever. The  
13    members of the State central committee shall, within 41 days  
14    after each quadrennial election of the full committee, meet in  
15    the city of Springfield and organize by electing a chairman,  
16    and may at such time elect such officers from among their own  
17    number (or otherwise), as they may deem necessary or expedient.  
18    The outgoing chairman of the State central committee of the  
19    party shall, 10 days before the meeting, notify each member of  
20    the State central committee elected at the primary of the time  
21    and place of such meeting. In the organization and proceedings  
22    of the State central committee, each State central committeeman  
23    and State central committeewoman shall have one vote for each  
24    ballot voted in his or her congressional district by the  
25    primary electors of his or her party at the primary election  
26    immediately preceding the meeting of the State central

1 committee. Whenever a vacancy occurs in the State central  
2 committee of any political party, the vacancy shall be filled  
3 by appointment of the chairmen of the county central committees  
4 of the political party of the counties located within the  
5 congressional district in which the vacancy occurs and, if  
6 applicable, the ward and township committeemen of the political  
7 party in counties of 2,000,000 or more inhabitants located  
8 within the congressional district. If the congressional  
9 district in which the vacancy occurs lies wholly within a  
10 county of 2,000,000 or more inhabitants, the ward and township  
11 committeemen of the political party in that congressional  
12 district shall vote to fill the vacancy. In voting to fill the  
13 vacancy, each chairman of a county central committee and each  
14 ward and township committeeman in counties of 2,000,000 or more  
15 inhabitants shall have one vote for each ballot voted in each  
16 precinct of the congressional district in which the vacancy  
17 exists of his or her county, township, or ward cast by the  
18 primary electors of his or her party at the primary election  
19 immediately preceding the meeting to fill the vacancy in the  
20 State central committee. The person appointed to fill the  
21 vacancy shall be a resident of the congressional district in  
22 which the vacancy occurs, shall be a qualified voter, and, in a  
23 committee composed as provided in Alternative B, shall be of  
24 the same sex as his or her predecessor. A political party may,  
25 by a majority vote of the delegates of any State convention of  
26 such party, determine to return to the election of State

1 central committeeman and State central committeewoman by the  
2 vote of primary electors. Any action taken by a political party  
3 at a State convention in accordance with this Section shall be  
4 reported to the State Board of Elections by the chairman and  
5 secretary of such convention within 10 days after such action.

6 Ward, Township and Precinct Committeemen

7 (b) At the primary in 1972 and at the general primary  
8 election every 4 years thereafter, each primary elector in  
9 cities having a population of 200,000 or over may vote for one  
10 candidate of his party in his ward for ward committeeman. Each  
11 candidate for ward committeeman must be a resident of and in  
12 the ward where he seeks to be elected ward committeeman. The  
13 one having the highest number of votes shall be such ward  
14 committeeman of such party for such ward. At the primary  
15 election in 1970 and at the general primary election every 4  
16 years thereafter, each primary elector in counties containing a  
17 population of 2,000,000 or more, outside of cities containing a  
18 population of 200,000 or more, may vote for one candidate of  
19 his party for township committeeman. Each candidate for  
20 township committeeman must be a resident of and in the township  
21 or part of a township (which lies outside of a city having a  
22 population of 200,000 or more, in counties containing a  
23 population of 2,000,000 or more), and in which township or part  
24 of a township he seeks to be elected township committeeman. The  
25 one having the highest number of votes shall be such township  
26 committeeman of such party for such township or part of a

1 township. At the primary in 1970 and at the general primary  
2 election every 2 years thereafter, each primary elector, except  
3 in counties having a population of 2,000,000 or over, may vote  
4 for one candidate of his party in his precinct for precinct  
5 committeeman. Each candidate for precinct committeeman must be  
6 a bona fide resident of the precinct where he seeks to be  
7 elected precinct committeeman. The one having the highest  
8 number of votes shall be such precinct committeeman of such  
9 party for such precinct. The official returns of the primary  
10 shall show the name of the committeeman of each political  
11 party.

12 Terms of Committeemen. All precinct committeemen elected  
13 under the provisions of this Article shall continue as such  
14 committeemen until the date of the primary to be held in the  
15 second year after their election. Except as otherwise provided  
16 in this Section for certain State central committeemen who have  
17 2 year terms, all State central committeemen, township  
18 committeemen and ward committeemen shall continue as such  
19 committeemen until the date of primary to be held in the fourth  
20 year after their election. However, a vacancy exists in the  
21 office of precinct committeeman when a precinct committeeman  
22 ceases to reside in the precinct in which he was elected and  
23 such precinct committeeman shall thereafter neither have nor  
24 exercise any rights, powers or duties as committeeman in that  
25 precinct, even if a successor has not been elected or  
26 appointed.



1           (c) The Multi-Township Central Committee shall consist of  
2 the precinct committeemen of such party, in the multi-township  
3 assessing district formed pursuant to Section 2-10 of the  
4 Property Tax Code and shall be organized for the purposes set  
5 forth in Section 45-25 of the Township Code. In the  
6 organization and proceedings of the Multi-Township Central  
7 Committee each precinct committeeman shall have one vote for  
8 each ballot voted in his precinct by the primary electors of  
9 his party at the primary at which he was elected.

10                           County Central Committee

11           (d) The county central committee of each political party in  
12 each county shall consist of the various township committeemen,  
13 precinct committeemen and ward committeemen, if any, of such  
14 party in the county. In the organization and proceedings of the  
15 county central committee, each precinct committeeman shall  
16 have one vote for each ballot voted in his precinct by the  
17 primary electors of his party at the primary at which he was  
18 elected; each township committeeman shall have one vote for  
19 each ballot voted in his township or part of a township as the  
20 case may be by the primary electors of his party at the primary  
21 election for the nomination of candidates for election to the  
22 General Assembly immediately preceding the meeting of the  
23 county central committee; and in the organization and  
24 proceedings of the county central committee, each ward  
25 committeeman shall have one vote for each ballot voted in his  
26 ward by the primary electors of his party at the primary

1 election for the nomination of candidates for election to the  
2 General Assembly immediately preceding the meeting of the  
3 county central committee.

4 Cook County Board of Review Election District Committee

5 (d-1) Each board of review election district committee of  
6 each political party in Cook County shall consist of the  
7 various township committeemen and ward committeemen, if any, of  
8 that party in the portions of the county composing the board of  
9 review election district. In the organization and proceedings  
10 of each of the 3 election district committees, each township  
11 committeeman shall have one vote for each ballot voted in his  
12 or her township or part of a township, as the case may be, by  
13 the primary electors of his or her party at the primary  
14 election immediately preceding the meeting of the board of  
15 review election district committee; and in the organization and  
16 proceedings of each of the 3 election district committees, each  
17 ward committeeman shall have one vote for each ballot voted in  
18 his or her ward or part of that ward, as the case may be, by the  
19 primary electors of his or her party at the primary election  
20 immediately preceding the meeting of the board of review  
21 election district committee.

22 Congressional Committee

23 (e) The congressional committee of each party in each  
24 congressional district shall be composed of the chairmen of the  
25 county central committees of the counties composing the  
26 congressional district, except that in congressional districts

1 wholly within the territorial limits of one county, the  
2 precinct committeemen, township committeemen and ward  
3 committeemen, if any, of the party representing the precincts  
4 within the limits of the congressional district, shall compose  
5 the congressional committee. A State central committeeman in  
6 each district shall be a member and the chairman or, when a  
7 district has 2 State central committeemen, a co-chairman of the  
8 congressional committee, but shall not have the right to vote  
9 except in case of a tie.

10 In the organization and proceedings of congressional  
11 committees composed of precinct committeemen or township  
12 committeemen or ward committeemen, or any combination thereof,  
13 each precinct committeeman shall have one vote for each ballot  
14 voted in his precinct by the primary electors of his party at  
15 the primary at which he was elected, each township committeeman  
16 shall have one vote for each ballot voted in his township or  
17 part of a township as the case may be by the primary electors  
18 of his party at the primary election immediately preceding the  
19 meeting of the congressional committee, and each ward  
20 committeeman shall have one vote for each ballot voted in each  
21 precinct of his ward located in such congressional district by  
22 the primary electors of his party at the primary election  
23 immediately preceding the meeting of the congressional  
24 committee; and in the organization and proceedings of  
25 congressional committees composed of the chairmen of the county  
26 central committees of the counties within such district, each

1 chairman of such county central committee shall have one vote  
2 for each ballot voted in his county by the primary electors of  
3 his party at the primary election immediately preceding the  
4 meeting of the congressional committee.

5                   Judicial District Committee

6           (f) The judicial district committee of each political party  
7 in each judicial district shall be composed of the chairman of  
8 the county central committees of the counties composing the  
9 judicial district.

10           In the organization and proceedings of judicial district  
11 committees composed of the chairmen of the county central  
12 committees of the counties within such district, each chairman  
13 of such county central committee shall have one vote for each  
14 ballot voted in his county by the primary electors of his party  
15 at the primary election immediately preceding the meeting of  
16 the judicial district committee.

17                   Circuit Court Committee

18           (g) The circuit court committee of each political party in  
19 each judicial circuit outside Cook County shall be composed of  
20 the chairmen of the county central committees of the counties  
21 composing the judicial circuit.

22           In the organization and proceedings of circuit court  
23 committees, each chairman of a county central committee shall  
24 have one vote for each ballot voted in his county by the  
25 primary electors of his party at the primary election  
26 immediately preceding the meeting of the circuit court

1 committee.

2 Judicial Subcircuit Committee

3 (g-1) The judicial subcircuit committee of each political  
4 party in each judicial subcircuit in a judicial circuit divided  
5 into subcircuits shall be composed of (i) the ward and township  
6 committeemen of the townships and wards composing the judicial  
7 subcircuit in Cook County and (ii) the precinct committeemen of  
8 the precincts composing the judicial subcircuit in any county  
9 other than Cook County.

10 In the organization and proceedings of each judicial  
11 subcircuit committee, each township committeeman shall have  
12 one vote for each ballot voted in his township or part of a  
13 township, as the case may be, in the judicial subcircuit by the  
14 primary electors of his party at the primary election  
15 immediately preceding the meeting of the judicial subcircuit  
16 committee; each precinct committeeman shall have one vote for  
17 each ballot voted in his precinct or part of a precinct, as the  
18 case may be, in the judicial subcircuit by the primary electors  
19 of his party at the primary election immediately preceding the  
20 meeting of the judicial subcircuit committee; and each ward  
21 committeeman shall have one vote for each ballot voted in his  
22 ward or part of a ward, as the case may be, in the judicial  
23 subcircuit by the primary electors of his party at the primary  
24 election immediately preceding the meeting of the judicial  
25 subcircuit committee.

26 Municipal Central Committee

1 (h) The municipal central committee of each political party  
2 shall be composed of the precinct, township or ward  
3 committeemen, as the case may be, of such party representing  
4 the precincts or wards, embraced in such city, incorporated  
5 town or village. The voting strength of each precinct, township  
6 or ward committeeman on the municipal central committee shall  
7 be the same as his voting strength on the county central  
8 committee.

9 For political parties, other than a statewide political  
10 party, established only within a municipality or township, the  
11 municipal or township managing committee shall be composed of  
12 the party officers of the local established party. The party  
13 officers of a local established party shall be as follows: the  
14 chairman and secretary of the caucus for those municipalities  
15 and townships authorized by statute to nominate candidates by  
16 caucus shall serve as party officers for the purpose of filling  
17 vacancies in nomination under Section 7-61; for municipalities  
18 and townships authorized by statute or ordinance to nominate  
19 candidates by petition and primary election, the party officers  
20 shall be the party's candidates who are nominated at the  
21 primary. If no party primary was held because of the provisions  
22 of Section 7-5, vacancies in nomination shall be filled by the  
23 party's remaining candidates who shall serve as the party's  
24 officers.

25 Powers

26 (i) Each committee and its officers shall have the powers

1 usually exercised by such committees and by the officers  
2 thereof, not inconsistent with the provisions of this Article.  
3 The several committees herein provided for shall not have power  
4 to delegate any of their powers, or functions to any other  
5 person, officer or committee, but this shall not be construed  
6 to prevent a committee from appointing from its own membership  
7 proper and necessary subcommittees.

8 (j) The State central committee of a political party which  
9 elects its members by Alternative B under paragraph (a) of this  
10 Section shall adopt a plan to give effect to the delegate  
11 selection rules of the national political party and file a copy  
12 of such plan with the State Board of Elections when approved by  
13 a national political party.

14 (k) For the purpose of the designation of a proxy by a  
15 Congressional Committee to vote in place of an absent State  
16 central committeeman or committeewoman at meetings of the State  
17 central committee of a political party which elects its members  
18 by Alternative B under paragraph (a) of this Section, the proxy  
19 shall be appointed by the vote of the ward and township  
20 committeemen, if any, of the wards and townships which lie  
21 entirely or partially within the Congressional District from  
22 which the absent State central committeeman or committeewoman  
23 was elected and the vote of the chairmen of the county central  
24 committees of those counties which lie entirely or partially  
25 within that Congressional District and in which there are no  
26 ward or township committeemen. When voting for such proxy the

1 county chairman, ward committeeman or township committeeman,  
2 as the case may be shall have one vote for each ballot voted in  
3 his county, ward or township, or portion thereof within the  
4 Congressional District, by the primary electors of his party at  
5 the primary at which he was elected. However, the absent State  
6 central committeeman or committeewoman may designate a proxy  
7 when permitted by the rules of a political party which elects  
8 its members by Alternative B under paragraph (a) of this  
9 Section.

10 Notwithstanding any law to the contrary, a person is  
11 ineligible to hold the position of committeeperson in any  
12 committee established pursuant to this Section if he or she is  
13 statutorily ineligible to vote in a general election because of  
14 conviction of a felony. When a committeeperson is convicted of  
15 a felony, the position occupied by that committeeperson shall  
16 automatically become vacant.

17 (1) A State central committee organized under Alternative B  
18 of this Section shall not make any contributions, expenditures,  
19 or electioneering communications on behalf of a candidate for  
20 nomination for any office in that party's primary election. The  
21 State central committee also shall not endorse candidates for  
22 nomination in its party's primary election. The terms  
23 "contribution", "expenditure", and "electioneering  
24 communication" shall have the meanings defined in Article 9 of  
25 this Code.

26 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07; 95-699,



1 eff. 11-9-07.)

2 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

3 Sec. 9-1.4. Contribution.

4 (A) "Contribution" means-

5 (1) a gift, subscription, donation, dues, loan,  
6 advance, or deposit of money or anything of value,  
7 knowingly received in connection with the nomination for  
8 election, ~~or~~ election, or retention of any person to or in  
9 public office, in connection with the election of any  
10 person as ward or township committeeman in counties of  
11 3,000,000 or more population, ~~or~~ in connection with any  
12 question of public policy, or by a constituent services  
13 committee as provided in Section 9-8.5;

14 (1.5) a gift, subscription, donation, dues, loan,  
15 advance, deposit of money, or anything of value that  
16 constitutes an electioneering communication regardless of  
17 whether the communication is made in concert or cooperation  
18 with or at the request, suggestion, or knowledge of a  
19 candidate, a candidate's authorized local political  
20 committee, a State political committee, a political  
21 committee in support of or opposition to a question of  
22 public policy, or any of their agents;

23 (2) the purchase of tickets for fund-raising events,  
24 including but not limited to dinners, luncheons, cocktail  
25 parties, and rallies made in connection with the nomination

1 for election, ~~or~~ election, or retention of any person to or  
2 in public office, in connection with the election of any  
3 person as ward or township committeeman in counties of  
4 3,000,000 or more population, ~~or~~ in connection with any  
5 question of public policy, or for a constituent services  
6 committee as provided in Section 9-8.5;

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

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

15 (5) any expenditure made in cooperation, consultation,  
16 or concert with the committee, other than with a  
17 multi-candidate committee. ~~but~~

18 (B) "Contribution" ~~(5)~~ does not include--

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

26 (b) the sale of any food or beverage by a vendor

1 for use in a candidate's campaign at a charge less than  
2 the normal comparable charge, if such charge for use in  
3 a candidate's campaign is at least equal to the cost of  
4 such food or beverage to the vendor;:-

5 (c) communications on any subject by a corporation  
6 to its stockholders and executive or administrative  
7 personnel and their families, by a labor organization  
8 to its members and executive or administrative  
9 personnel and their families, or by an association to  
10 its members and executive or administrative personnel  
11 and their families;

12 (d) voter registration and get-out-the-vote  
13 campaigns that make no mention of any clearly  
14 identified candidate, public question, or political  
15 party, or group or combination thereof;

16 (e) an expenditure by a multi-candidate committee  
17 organized pursuant to Section 9-8.5(c) that benefits a  
18 candidate or candidates identified in the  
19 multi-candidate committee's statement of organization;

20 (f) a secured loan of money by a national or State  
21 bank or credit union made in accordance with the  
22 applicable banking laws and regulations and in the  
23 ordinary course of business; however, the use,  
24 ownership, or control of any security for such a loan,  
25 if provided by a person other than the candidate or his  
26 or her committee, qualifies as a contribution; or

1                   (g) an independent expenditure.

2           (C) Interest or other investment income, earnings or  
3 proceeds, and refunds or returns of all or part of a  
4 committee's previous expenditures, shall not be considered  
5 contributions for the purposes of Section 9-8.5 but shall be  
6 listed with contributions on disclosure reports required by  
7 this Article.

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

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

10           Sec. 9-1.5. Expenditure defined.

11           (A) "Expenditure" means-

12           (1) a payment, distribution, purchase, loan, advance,  
13 deposit, or gift of money or anything of value, in connection  
14 with the nomination for election, ~~or~~ election, or retention of  
15 any person to or in public office, in connection with the  
16 election of any person as ward or township committeeman in  
17 counties of 3,000,000 or more population, ~~or~~ in connection with  
18 any question of public policy, or by a constituent services  
19 committee as provided in Section 9-8.5. "Expenditure" also  
20 includes a payment, distribution, purchase, loan, advance,  
21 deposit, or gift of money or anything of value that constitutes  
22 an electioneering communication regardless of whether the  
23 communication is made in concert or cooperation with or at the  
24 request, suggestion, or knowledge of a candidate, a candidate's  
25 authorized local political committee, a State political

1 committee, a political committee in support of or opposition to  
2 a question of public policy, or any of their agents.

3 (B) "Expenditure" ~~However, expenditure~~ does not include -

4 (a) the use of real or personal property and the cost  
5 of invitations, food, and beverages, voluntarily provided  
6 by an individual in rendering voluntary personal services  
7 on the individual's residential premises for  
8 candidate-related activities; provided the value of the  
9 service provided does not exceed an aggregate of \$150 in a  
10 reporting period;

11 (b) the sale of any food or beverage by a vendor for  
12 use in a candidate's campaign at a charge less than the  
13 normal comparable charge, if such charge for use in a  
14 candidate's campaign is at least equal to the cost of such  
15 food or beverage to the vendor.

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

17 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;  
18 93-847, eff. 7-30-04.)

19 (10 ILCS 5/9-1.6) (from Ch. 46, par. 9-1.6)

20 Sec. 9-1.6. Person. "Person" or "whoever" means a natural  
21 person ~~an individual~~, trust, partnership, committee,  
22 association, corporation, or any other organization or group of  
23 persons.

24 (Source: P.A. 78-1183.)

1 (10 ILCS 5/9-1.7) (from Ch. 46, par. 9-1.7)

2 Sec. 9-1.7. "Local political committee" means the  
3 candidate himself or any individual, trust, partnership,  
4 committee, association, corporation, or other organization or  
5 group of persons which:

6 (a) accepts contributions or grants or makes  
7 expenditures during any 12-month period in an aggregate  
8 amount exceeding \$3,000 on behalf of or in opposition to a  
9 candidate or candidates for public office who are required  
10 by the Illinois Governmental Ethics Act to file statements  
11 of economic interests with the county clerk, or on behalf  
12 of or in opposition to a candidate or candidates for  
13 election to the office of ward or township committeeman in  
14 counties of 3,000,000 or more population;

15 (b) accepts contributions or makes expenditures during  
16 any 12-month period in an aggregate amount exceeding \$3,000  
17 in support of or in opposition to any question of public  
18 policy to be submitted to the electors of an area  
19 encompassing no more than one county. The \$3,000 threshold  
20 established in this paragraph (b) applies to any receipts  
21 or expenditures received or made with the purpose of  
22 securing a place on the ballot for, advocating the defeat  
23 or passage of, or engaging in electioneering communication  
24 regarding the question of public policy regardless of the  
25 method of initiation of the question of public policy and  
26 regardless of whether petitions have been circulated or

1 filed with the appropriate office or whether the question  
2 has been adopted and certified by the governing body;

3 (c) accepts contributions or makes expenditures during  
4 any 12-month period in an aggregate amount exceeding \$3,000  
5 and has as its primary purpose the furtherance of  
6 governmental, political or social values, is organized on a  
7 not-for-profit basis, and which publicly endorses or  
8 publicly opposes a candidate or candidates for public  
9 office who are required by the Illinois Governmental Ethics  
10 Act to file statements of economic interest with the County  
11 Clerk or a candidate or candidates for the office of ward  
12 or township committeeman in counties of 3,000,000 or more  
13 population; ~~or~~

14 (d) accepts contributions or makes expenditures during  
15 any 12-month period in an aggregate amount exceeding \$3,000  
16 for electioneering communications relating to any  
17 candidate or candidates described in paragraph (a) or any  
18 question of public policy described in paragraph (b); or

19 (e) makes electioneering communications during any  
20 12-month period in an aggregate amount exceeding \$3,000  
21 relating to any candidate or candidates described in  
22 paragraph (a) or any question of public policy described in  
23 paragraph (b).

24 (Source: P.A. 95-963, eff. 1-1-09.)

25 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

1           Sec. 9-1.8. "State political committee" means the  
2 candidate himself or any individual, trust, partnership,  
3 committee, association, corporation, or any other organization  
4 or group of persons which--

5           (a) accepts contributions or grants or makes expenditures  
6 during any 12-month period in an aggregate amount exceeding  
7 \$3,000 on behalf of or in opposition to a candidate or  
8 candidates for public office who are required by the Illinois  
9 Governmental Ethics Act to file statements of economic  
10 interests with the Secretary of State,

11           (b) accepts contributions or makes expenditures during any  
12 12-month period in an aggregate amount exceeding \$3,000 in  
13 support of or in opposition to any question of public policy to  
14 be submitted to the electors of an area encompassing more than  
15 one county. The \$3,000 threshold established in this paragraph  
16 (b) applies to any receipts or expenditures received or made  
17 with the purpose of securing a place on the ballot for,  
18 advocating the defeat or passage of, or engaging in  
19 electioneering communication regarding the question of public  
20 policy regardless of the method of initiation of the question  
21 of public policy and regardless of whether petitions have been  
22 circulated or filed with the appropriate office or whether the  
23 question has been adopted and certified by the governing body,

24           (c) accepts contributions or makes expenditures during any  
25 12-month period in an aggregate amount exceeding \$3,000 and has  
26 as its primary purpose the furtherance of governmental,



1 political or social values, is organized on a not-for-profit  
2 basis, and which publicly endorses or publicly opposes a  
3 candidate or candidates for public office who are required by  
4 the Illinois Governmental Ethics Act to file statements of  
5 economic interest with the Secretary of State, ~~or~~

6 (d) accepts contributions or makes expenditures during any  
7 12-month period in an aggregate amount exceeding \$3,000 for  
8 electioneering communications relating to any candidate or  
9 candidates described in paragraph (a) or any question of public  
10 policy described in paragraph (b), or

11 (e) makes electioneering communications during any  
12 12-month period in an aggregate amount exceeding \$3,000  
13 relating to any candidate or candidates described in paragraph  
14 (a) or any question of public policy described in paragraph (b)

15 .

16 (Source: P.A. 95-963, eff. 1-1-09.)

17 (10 ILCS 5/9-1.14)

18 Sec. 9-1.14. Electioneering communication defined.

19 (a) "Electioneering communication" means, for the purposes  
20 of this Article, any broadcast ~~form of~~ communication, ~~in~~  
21 ~~whatever medium,~~ including but not limited to a ~~newspaper,~~  
22 radio, television, or Internet communication, that (1) refers  
23 to a clearly identified candidate or candidates who will appear  
24 on the ballot for nomination, election, or retention, refers to  
25 a clearly identified political party, or refers to a clearly

1 identified question of public policy that will appear on the  
2 ballot; ~~and~~ (2) is made within (i) 60 days before a general  
3 election or consolidated election or (ii) 30 days before a  
4 primary election; (3) is targeted to the relevant electorate;  
5 and (4) is susceptible to no reasonable interpretation other  
6 than as an appeal to vote for or against a clearly identified  
7 candidate for nomination, election, or retention, political  
8 party, or question of public policy.

9 (b) "Electioneering communication" does not include:

10 (1) A communication, other than an advertisement,  
11 appearing in a news story, commentary, or editorial  
12 distributed through the facilities of any legitimate news  
13 organization, unless the facilities are owned or  
14 controlled by any political party, political committee, or  
15 candidate.

16 (2) A communication made solely to promote a candidate  
17 debate or forum that is made by or on behalf of the person  
18 sponsoring the debate or forum.

19 (3) A communication made as part of a non-partisan  
20 activity designed to encourage individuals to vote or to  
21 register to vote.

22 (4) A communication by an organization operating and  
23 remaining in good standing under Section 501(c)(3) of the  
24 Internal Revenue Code of 1986.

25 (5) A communication exclusively between a labor  
26 organization, as defined under federal or State law, and

1           its members.

2           (6)    A    communication    exclusively    between    an  
3           organization    formed    under    Section    501(c)(6)    of    the  
4           Internal Revenue Code and its members.

5           (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;  
6           93-847, eff. 7-30-04; 94-461, eff. 8-4-05; 94-645, eff.  
7           8-22-05.)

8           (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

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

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

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

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

13 The statement of organization shall include -

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

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

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

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

25 (e) any additional information required by Section 9-8.5

26 ~~(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;

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

2 (10 ILCS 5/9-4) (from Ch. 46, par. 9-4)

3 Sec. 9-4. The statement of organization required by this  
4 Article to be filed in accordance with Section 9-3 shall be  
5 verified, dated, and signed by either the treasurer of the  
6 political committee making the statement or the candidate on  
7 whose behalf the statement is made, and shall contain  
8 substantially the following:

9 STATEMENT OF ORGANIZATION

10 (a) name and address of the political committee:

11 .....

12  
13 (b) scope, area of activity, party affiliation, candidate  
14 affiliation and his county of residence, and purposes of the  
15 political committee:

16 .....

17 .....

18 .....

19 .....

20  
21 (c) name, address, and position of each custodian of the  
22 committee's books and accounts:

23 .....

24 .....

25

1 (d) name, address, and position of the committee's  
 2 principal officers, including the chairman, treasurer, and  
 3 officers and members of its finance committee, if any:

4 .....  
 5 .....  
 6 .....

8 (e) a statement of what specific disposition of residual  
 9 funds will be made in the event of the dissolution or  
 10 termination of the committee:

11 .....  
 12 .....

14 (f) a listing of all banks or other financial  
 15 institutions, safety deposit boxes, and any other repositories  
 16 or custodians of funds used by the committee:

17 .....  
 18 .....

20 (g) the amount of funds available for campaign  
 21 expenditures as of the filing date of the committee's statement  
 22 of organization:

23 .....

25 (h) any additional information required by Section 9-8.5 of  
 26 the Election Code:

1 .....

2 VERIFICATION:

3 "I declare that this statement of organization (including  
4 any accompanying schedules and statements) has been examined by  
5 me and to the best of my knowledge and belief is a true,  
6 correct and complete statement of organization as required by  
7 Article 9 of The Election Code. I understand that willfully  
8 filing a false or incomplete statement is a business offense  
9 subject to a fine of at least \$1,001 and up to \$5,000."

10 .....

11 (date of filing) (signature of person making the statement)

12 (Source: P.A. 93-615, eff. 11-19-03.)

13 (10 ILCS 5/9-7.5)

14 Sec. 9-7.5. Nonprofit organization registration and  
15 disclosure.

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

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



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

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

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

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

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

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

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

25           (5) The name and address of each organization and  
26 political committee from which the reporting organization

1 received, or to which that organization made, any transfer  
2 of funds in an aggregate amount or value in excess of \$150,  
3 together with the amounts and dates of the transfers.

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

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

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

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

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

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

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

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

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

20          (14) The full name and mailing address of each person  
21          to whom the organization owes debts or obligations in  
22          excess of \$150 and the amount of the debts or 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 5/9-8.5 new)

15 Sec. 9-8.5. Limits on contributions received by political  
16 committees.

17 (a) Definitions. For the purposes of this Section:

18 "Association" means any group, club, meeting,  
19 collective, membership organization, collection of  
20 persons, any entity organized under Section 501 or 527 of  
21 the Internal Revenue Code, or any other entity other than a  
22 natural person, except that an association does not include  
23 a political committee organized under this Article or a  
24 labor organization as defined in this Section.

25 "Constituent services committee" means a political

1 committee organized by an elected public official to accept  
2 contributions and make expenditures solely to defray the  
3 costs related to constituent services and upkeep of that  
4 official's office.

5 "Corporation" includes a corporation, limited  
6 liability company, partnership, professional practice,  
7 cooperative, or sole proprietorship, whether organized on  
8 a for-profit or non-profit basis organized under the laws  
9 of Illinois or another state. A corporation does not  
10 include (i) a labor organization as defined in this Section  
11 or (ii) an incorporated political committee registered  
12 pursuant to this Article or corresponding federal laws or  
13 laws of another state.

14 "Labor organization" means any organization of any  
15 kind or any agency or employee representation committee or  
16 plan in which employees participate and that exists for the  
17 purpose, in whole or in part, of dealing with employers  
18 concerning grievances, labor disputes, wages, rates of  
19 pay, hours of employment, or conditions of work.

20 "Multi-candidate committee" means a political  
21 committee organized by a public official, candidate, or  
22 political party to support the nomination, election, or  
23 retention of public officials or candidates for multiple,  
24 specified offices. "Multi-candidate committee" also  
25 includes a political party committee.

26 "Non-candidate committee" means a political committee

1 organized by a person, persons, or any entity other than a  
2 public official, candidate, or political party to support  
3 or oppose causes, ideas, or interests but not organized to  
4 support specific candidates for nomination, election, or  
5 retention.

6 "Political party committee" means a political  
7 committee organized to support candidates of a specific  
8 political party seeking elective office within a specific  
9 jurisdiction.

10 "Single-candidate committee" means a political  
11 committee organized to support or oppose the election of a  
12 single, specific candidate or public official or to support  
13 or oppose one or more questions of public policy.

14 (b) Single-candidate committee. Beginning on January 1,  
15 2011, no public official or candidate for public office may  
16 establish or maintain more than one political committee for  
17 each office that public official or candidate occupies or is  
18 seeking. The statement of organization must identify the public  
19 official or candidate, the office that public official or  
20 candidate occupies or seeks to occupy, and a statement that the  
21 political committee is the only single-candidate committee  
22 designated by the public official or candidate to receive  
23 contributions and make expenditures on behalf of the public  
24 official or candidate for such office.

25 (1) Each calendar year, a single-candidate committee  
26 may not accept contributions with an aggregate value over

1       \$5,000 from a natural person.

2           (2) Each calendar year, a single-candidate committee  
3       may not accept contributions with an aggregate value over  
4       \$10,000 from a corporation, labor organization, or  
5       association.

6           (3) Each calendar year, a single-candidate committee  
7       may not accept transfers of funds with an aggregate value  
8       over \$90,000 from a political committee.

9       (c) Multi-candidate committee. Beginning on January 1,  
10       2011, a public official, candidate for public office, or a  
11       political party may establish or maintain one political  
12       committee to support the election of public officials or  
13       candidates for multiple, specified offices. The statement of  
14       organization must identify the public official, candidate, or  
15       political party forming the committee, the public officials,  
16       candidates, or political party the committee is organized to  
17       support, and a statement that the political committee is the  
18       only multi-candidate committee designated by the public  
19       official, candidate, or political party to receive  
20       contributions and make expenditures on behalf of the public  
21       official, candidate, or political party.

22           (1) Each calendar year, a multi-candidate committee  
23       may not accept contributions with an aggregate value over  
24       \$10,000 from a natural person.

25           (2) Each calendar year, a multi-candidate committee  
26       may not accept contributions with an aggregate value over

1       \$20,000 from a corporation, labor organization, or  
2       association.

3       (3) Each calendar year, a multi-candidate committee  
4       may not accept transfers of funds from a political  
5       committee in excess of \$90,000.

6       (d) Non-candidate committee. Beginning on January 1, 2011,  
7       a corporation, association, labor organization, or other  
8       person may establish or maintain one political committee to  
9       support or oppose a cause or interests, but not organized to  
10       support specific candidates for nomination, election, or  
11       retention. The statement of organization must identify the  
12       entity forming the committee, the cause or interest supported  
13       or opposed, and a statement that the political committee is the  
14       only non-candidate committee designated to receive  
15       contributions and make expenditures on behalf of the entity.

16       (1) Each calendar year, a non-candidate committee may  
17       not accept contributions with an aggregate value over  
18       \$10,000 from a natural person.

19       (2) Each calendar year, a non-candidate committee may  
20       not accept contributions with an aggregate value over  
21       \$20,000 from a corporation, labor organization, or  
22       association.

23       (3) Each calendar year, a non-candidate committee may  
24       not accept transfers of funds from a political committee in  
25       excess of \$90,000.

26       (e) Constituent services committee. Beginning on January



1 1, 2011, a public official may establish and maintain one  
2 constituent services committee to accept contributions and  
3 make expenditures for costs related to constituent services and  
4 the maintenance of the official's public office. Funds shall  
5 not be used for election-related expenses, personal items, or  
6 to make contributions or transfers of funds to any political  
7 committee. The statement of organization must identify the  
8 public official or candidate forming the committee, the  
9 designated purposes for which funds may be expended, and a  
10 statement that the constituent services committee is the only  
11 constituent services committee designated by the public  
12 official. Each calendar year, a constituent services committee  
13 may not accept contributions with an aggregate value of more  
14 than \$5,000 from any single source.

15 (f) Self-funding candidates. If a public official, a  
16 candidate, or the public official's or candidate's immediate  
17 family contributes or loans to the public official's or  
18 candidate's political committee or to other political  
19 committees that transfer funds to the public official's or  
20 candidate's political committee or makes independent  
21 expenditures for the benefit of the public official's or  
22 candidate's campaign during the 12 months prior to an election  
23 in an aggregate amount of more than (i) \$250,000 for statewide  
24 office or (ii) \$100,000 for all other elective offices, then  
25 the public official or candidate shall file with the State  
26 Board of Elections, within one day, a Notification of

1 Self-funding that shall detail each contribution or loan made  
2 by the public official, the candidate, or the public official's  
3 or candidate's immediate family. Within 2 business days after  
4 the filing of a Notification of Self-funding, the notification  
5 shall be posted on the Board's website and the Board shall give  
6 official notice of the filing to each candidate for the same  
7 office as the public official or candidate making the filing,  
8 including the public official or candidate filing the  
9 Notification of Self-funding. Upon receiving notice from the  
10 Board, all candidates for that office, including the public  
11 official or candidate who filed a Notification of Self-funding,  
12 shall be permitted to accept contributions in excess of any  
13 contribution limits imposed by this subsection 9-8.5(b). For  
14 the purposes of this subsection, "statewide office" means the  
15 Governor, Lieutenant Governor, Attorney General, Secretary of  
16 State, Comptroller, and Treasurer. For the purposes of this  
17 subsection, "immediate family" means the spouse, parent, or  
18 child of a public official or candidate.

19 (g) Joint fundraising. Nothing in this Section shall  
20 prohibit political committees from dividing the proceeds of  
21 joint fundraising efforts; provided that no political  
22 committee may receive more than the limit from any one  
23 contributor and all contributions shall be reported.

24 (h) Contributions or transfers in violation of this  
25 Section. A political committee that receives a contribution or  
26 transfer in violation of this Section shall dispose of the

1 contribution or transfer by returning the contribution or  
2 transfer, or an amount equal to the contribution or transfer,  
3 to the contributor or transferor or donating the contribution  
4 or transfer, or an amount equal to the contribution or  
5 transfer, to a charity. A contribution or transfer received in  
6 violation of this Section that is not disposed of as provided  
7 in this subsection within 30 days after its receipt shall  
8 escheat to the General Revenue Fund.

9 (i) On January 1 of each odd-numbered year, the State Board  
10 of Elections shall adjust the amount of the contribution and  
11 transfer limitations established in this Section for inflation  
12 as determined by the Consumer Price Index for All Urban  
13 Consumers as issued by the United States Department of Labor  
14 and rounded to the nearest \$100. The State Board shall publish  
15 this information on its official web site.

16 (j) Nothing in this Section shall limit the amounts that  
17 may be transferred between a State and federal committee of a  
18 State central committee of a political party.

19 (10 ILCS 5/9-8.6 new)

20 Sec. 9-8.6. Independent expenditures.

21 (a) "Independent expenditure" means an expenditure (i)  
22 that is made by a natural person for the purpose of making  
23 electioneering communications or of expressly advocating for  
24 or against the nomination, election, retention, or defeat of a  
25 clearly identifiable public official or candidate and (ii) that

1 is not made in connection, consultation, or concert with or at  
2 the request or suggestion of the public official or candidate,  
3 the public official's or candidate's designated political  
4 committee or campaign, or the agent or agents of the public  
5 official, candidate, or political committee or campaign. An  
6 independent expenditure is not considered a contribution to a  
7 political committee. An expenditure made by a natural person in  
8 connection, consultation, or concert with or at the request or  
9 suggestion of the public official or candidate, the public  
10 official's or candidate's single-candidate committee, or the  
11 agent or agents of the public official, candidate, or political  
12 committee or campaign shall be considered a contribution to the  
13 public official's or candidate's single-candidate committee.

14 (b) A person that makes an independent expenditure  
15 supporting or opposing a public official or candidate that,  
16 alone or in combination with any other independent expenditure  
17 made by that person supporting or opposing that public official  
18 or candidate during any 12-month period, equals an aggregate  
19 value of at least \$3,000 must file a written disclosure with  
20 that public official or candidate and the State Board of  
21 Elections within 2 business days after making any expenditure  
22 that results in the person meeting or exceeding the \$3,000  
23 threshold. Each disclosure must identify the person, the public  
24 official or candidate supported or opposed, the date, amount,  
25 and nature of each independent expenditure, and, in the case of  
26 a person, his or her occupation and employer.

1       Any person that makes independent expenditures in an  
2 aggregate amount exceeding \$3,000 during a general primary  
3 period or general election period shall have a continuing duty  
4 to disclose each time the person has an unreported independent  
5 expenditure or expenditures supporting or opposing a public  
6 official or candidate that exceed an aggregate value of  
7 \$20,000. In this event, the person shall file a written  
8 disclosure with the public official or candidate, any other  
9 candidate seeking the office, and the State Board within 2  
10 business days after making any expenditure that results in the  
11 person meeting or exceeding the \$20,000 in aggregate. Each  
12 disclosure must identify the person, his or her occupation, the  
13 public official or candidate, and the date, amount, and nature  
14 of each independent expenditure.

15       (c) Any entity other than a natural person that makes  
16 expenditures of any kind in an aggregate amount exceeding  
17 \$3,000 during any 12-month period supporting or opposing a  
18 public official or candidate must organize as a political  
19 committee in accordance with this Article.

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

21       Sec. 9-10. Financial reports.

22       (a) The treasurer of every state political committee and  
23 the treasurer of every local political committee shall file  
24 with the Board, and the treasurer of every local political  
25 committee shall file with the county clerk, reports of campaign

1 contributions, and quarterly ~~semi-annual~~ reports of campaign  
2 contributions and expenditures on forms to be prescribed or  
3 approved by the Board. The treasurer of every political  
4 committee that acts as both a state political committee and a  
5 local political committee shall file a copy of each report with  
6 the State Board of Elections and the county clerk. Entities  
7 subject to Section 9-7.5 shall file reports required by that  
8 Section at times provided in this Section and are subject to  
9 the penalties provided in this Section.

10 (b) A ~~This subsection does not apply with respect to~~  
11 ~~general primary elections. Reports of campaign contributions~~  
12 ~~shall be filed no later than the 15th day next preceding each~~  
13 ~~election in connection with which the political committee has~~  
14 ~~accepted or is accepting contributions or has made or is making~~  
15 ~~expenditures. Such reports shall be complete as of the 30th day~~  
16 ~~next preceding each election. The Board shall assess a civil~~  
17 ~~penalty not to exceed \$5,000 for a violation of this~~  
18 ~~subsection, except that for State officers and candidates and~~  
19 ~~political committees formed for statewide office, the civil~~  
20 ~~penalty may not exceed \$10,000. The fine, however, shall not~~  
21 ~~exceed \$500 for a first filing violation for filing less than~~  
22 ~~10 days after the deadline. There shall be no fine if the~~  
23 ~~report is mailed and postmarked at least 72 hours prior to the~~  
24 ~~filing deadline. For the purpose of this subsection, "statewide~~  
25 ~~office" and "State officer" means the Governor, Lieutenant~~  
26 ~~Governor, Attorney General, Secretary of State, Comptroller,~~

1 ~~and Treasurer. However, a continuing~~ political committee that  
2 does not make an expenditure or expenditures in an aggregate  
3 amount of more than \$500 on behalf of or in opposition to any  
4 (i) candidate or candidates, (ii) public question or questions,  
5 or (iii) candidate or candidates and public question or  
6 questions on the ballot at an election shall not be required to  
7 file the reports prescribed in ~~this~~ subsection (c) ~~(b)~~ and  
8 ~~subsection (b-5)~~ but may file in lieu thereof a Statement of  
9 Nonparticipation in the Election with the Board or the Board  
10 and the county clerk; except that if the political committee,  
11 by the terms of its statement of organization filed in  
12 accordance with this Article, is organized to support or oppose  
13 a candidate or public question on the ballot at the next  
14 election or primary, that committee must file reports required  
15 by ~~this~~ subsection (c) ~~(b)~~ and ~~by subsection (b-5)~~. If a  
16 political committee is not organized to support or oppose a  
17 candidate or public question on the ballot at the next election  
18 or primary and the political committee does not file a  
19 Statement of Nonparticipation, then the committee will be  
20 deemed to have filed a Statement of Nonparticipation. If such  
21 political committee participates in that election then the  
22 committee will be considered in violation of this subsection as  
23 if it had filed a Statement of Nonparticipation, unless the  
24 political committee files the required reports within 5 days  
25 after the political committee makes such contribution or within  
26 24 hours in the period 5 days prior to the election.

1        (c) A report of (b-5) Notwithstanding the provisions of  
2 subsection (b) and Section 1.25 of the Statute on Statutes, any  
3 contribution of more than \$500 received (i) with respect to  
4 elections other than the general primary election, in the 60  
5 days interim between the last date of the period covered by the  
6 last report filed under subsection (b) prior to the election  
7 and the date of the election or (ii) with respect to general  
8 primary elections, in the period beginning January 1 of the  
9 year of the general primary election and prior to the date of  
10 the general primary election shall be filed electronically with  
11 and must actually be received by the State Board of Elections  
12 within 2 business days after receipt of such contribution.

13        (d) A single-candidate or multi-candidate committee  
14 organized by or in support of a member of the General Assembly  
15 also must file the reports required by subsection (c) during  
16 the period beginning May 1 through the adjournment of the  
17 spring legislative session. A single-candidate or  
18 multi-candidate committee organized by or in support of the  
19 Governor must file the reports required by subsection (c)  
20 during the 90 days following the adjournment of the spring  
21 legislative session.

22        (e) An expenditure of more than \$500 made by a  
23 multi-candidate committee for the benefit of a public official  
24 or candidate for an office the multi-candidate committee is  
25 organized to support made in the 60 days prior to the election  
26 shall be electronically reported to the State Board of



1 Elections within 5 business days after an expenditure was made  
2 by the multi-candidate committee. ~~A continuing political~~  
3 ~~committee that does not support or oppose a candidate or public~~  
4 ~~question on the ballot at a general primary election and does~~  
5 ~~not make expenditures in excess of \$500 on behalf of or in~~  
6 ~~opposition to any candidate or public question on the ballot at~~  
7 ~~the general primary election shall not be required to file the~~  
8 ~~report prescribed in this subsection unless the committee makes~~  
9 ~~an expenditure in excess of \$500 on behalf of or in opposition~~  
10 ~~to any candidate or public question on the ballot at the~~  
11 ~~general primary election. The committee shall timely file the~~  
12 ~~report required under this subsection beginning with the date~~  
13 ~~the expenditure that triggered participation was made. The~~  
14 ~~State Board shall allow filings of reports of contributions of~~  
15 ~~more than \$500 under this subsection (b 5) by political~~  
16 ~~committees that are not required to file electronically to be~~  
17 ~~made by facsimile transmission.~~

18 (f) For the purpose of this Section ~~subsection~~, a  
19 contribution is considered received on the date the public  
20 official, candidate, or treasurer of the political committee  
21 (or equivalent person in the case of a reporting entity other  
22 than a political committee) has actual personal physical  
23 possession of ~~actually receives~~ it or, in the case of goods or  
24 services, 2 business days after the date the public official,  
25 candidate, or treasurer of the committee, or other reporting  
26 entity has actual personal physical possession of ~~receives~~ the

1 certification required under subsection (b) of Section 9-6.

2 (g) Failure to report each contribution is a separate  
3 violation of this subsection. In the final disposition of any  
4 matter by the Board on or after the effective date of this  
5 amendatory Act of the 93rd General Assembly, the Board may  
6 impose fines for willful or wanton violations of this  
7 subsection not to exceed 150% 100% of the total amount of the  
8 contributions that were untimely reported, but in no case when  
9 a fine is imposed shall it be less than 10% of the total amount  
10 of the contributions that were untimely reported. When  
11 considering the amount of the fine to be imposed, the Board  
12 shall consider, but is not limited to, the following factors:

13 (1) the amount by which a contribution exceeded the  
14 threshold;

15 ~~(1) whether in the Board's opinion the violation was~~  
16 ~~committed inadvertently, negligently, knowingly, or~~  
17 ~~intentionally;~~

18 (2) the number of days the contribution was reported  
19 late; and

20 (3) past violations of Sections 9-3 and 9-10 of this  
21 Article by the committee.

22 (h) The Board may impose fines for negligent, inadvertent,  
23 or technical violations of this subsection not to exceed 50% of  
24 the total amount of the contributions that were untimely  
25 reported, or the Board may decline to impose a fine for such  
26 violations. When considering the amount of the fine to be

1 imposed, the Board shall consider, but is not limited to, the  
2 following factors:

3 (1) whether the violation was negligent, inadvertent,  
4 or technical in nature;

5 (2) whether the contribution at issue was disclosed but  
6 a violation arose because the disclosure was incorrectly  
7 characterized or reported inadvertently by another related  
8 committee;

9 (3) whether the violation arose from an apparent  
10 discrepancy between the date of the contribution reported  
11 by the transferring committee and the date reported by the  
12 receiving committee, if there appears to be no attempt to  
13 delay disclosure;

14 (4) whether the disclosure was triggered by an  
15 aggregation of contributions or transfers, the unreported  
16 contributions or transfers are less than the threshold  
17 triggering disclosure requirements, and there appears to  
18 be no attempt to delay disclosure;

19 (5) the amount by which a contribution exceeded the  
20 threshold;

21 (6) the number of days the contribution was reported  
22 late; and

23 (7) past violations of Sections 9-3 and 9-10 of this  
24 Article by the committee.

25 (i) ~~(e)~~ In addition to such reports the treasurer of every  
26 political committee shall file quarterly ~~semi-annual~~ reports

1 of campaign contributions and expenditures. The reports shall  
2 cover the period January 1 through March 31, April 1 through  
3 June 30, July 1 through September 30, and October 1 through  
4 December 31 of each year. Reports shall be filed no later than  
5 20 days after the close of the reporting period. ~~no later than~~  
6 ~~July 20th, covering the period from January 1st through June~~  
7 ~~30th immediately preceding, and no later than January 20th,~~  
8 ~~covering the period from July 1st through December 31st of the~~  
9 ~~preceding calendar year.~~ Reports of contributions and  
10 expenditures must be filed to cover the prescribed time periods  
11 even though no contributions or expenditures may have been  
12 received or made during the period. The Board shall assess a  
13 civil penalty not to exceed \$5,000 for a violation of this  
14 subsection, except that for State officers and candidates and  
15 political committees formed for statewide office, the civil  
16 penalty may not exceed \$10,000. The fine, however, shall not  
17 exceed \$500 for a first filing violation for filing less than  
18 10 days after the deadline. There shall be no fine if the  
19 report is mailed and postmarked at least 72 hours prior to the  
20 filing deadline. For the purpose of this subsection, "statewide  
21 office" and "State officer" means the Governor, Lieutenant  
22 Governor, Attorney General, Secretary of State, Comptroller,  
23 and Treasurer. In addition to any fine imposed under this  
24 subsection, the State Board of Elections may order any  
25 political committee that has failed to file 2 successive  
26 quarterly reports within 30 days after the date the report was

1 due to conduct an audit of all financial records required to be  
2 maintained by the committee at the time the audit is ordered.  
3 The committee ordered to conduct an audit shall deliver a  
4 certified copy of the audit to the Board within 90 calendar  
5 days after the date the audit was ordered. If the committee  
6 fails to deliver a certified audit in the time required, the  
7 Board shall assess a civil penalty of \$250 per day that the  
8 audit is late, not to exceed \$5,000.

9 (j) ~~(e-5)~~ A political committee that acts as either (i) a  
10 State and local political committee or (ii) a local political  
11 committee and that files reports electronically under Section  
12 9-28 is not required to file copies of the reports with the  
13 appropriate county clerk if the county clerk has a system that  
14 permits access to, and duplication of, reports that are filed  
15 with the State Board of Elections. A State and local political  
16 committee or a local political committee shall file with the  
17 county clerk a copy of its statement of organization pursuant  
18 to Section 9-3.

19 (k) ~~(d)~~ A copy of each report or statement filed under this  
20 Article shall be preserved by the person filing it for a period  
21 of two years from the date of filing.

22 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07; 95-957,  
23 eff. 1-1-09.)

24 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

25 Sec. 9-13. Each quarterly ~~semi-annual~~ report of campaign

1 contributions and expenditures under Section 9-10 shall  
2 disclose-

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

4 (2) (Blank);

5 (3) the amount of funds on hand at the beginning of the  
6 reporting period;

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

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

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

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

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

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

17           (10) each contribution, rebate, refund, or other receipt in  
18 excess of \$150 received by such committee not otherwise listed  
19 under items (4) through (9), and if the contributor is an  
20 individual who contributed more than \$500, the occupation and  
21 employer of the 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           (11) the total sum of all receipts by or for such committee  
25 or candidate during the reporting period;

26           (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 \$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 \$150 has been made, and which  
10 is not otherwise reported, including the amount, date, and  
11 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 \$150,  
16 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 quarterly ~~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



1 substantially the following:

2 QUARTERLY ~~SEMI-ANNUAL~~ REPORT OF CAMPAIGN

3 CONTRIBUTIONS AND EXPENDITURES

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

5 .....

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

9 .....

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

19 name address amount date occupation employer

20 ....

21 ....

22 ....

23 ....

24 ....

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

1 under item--(3):

2 .....

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

8	name	address	amount	date
9	.....	.....	.....	.....
10	.....	.....	.....	.....
11	.....	.....	.....	.....

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

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 \$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:

24	name	address	amount	date	endorsers	occupation	employer
25	....	.....	.....	....	.....	.....	.....
26	....	.....	.....	....	.....	.....	.....

1 ..... ..

2 (8) the total amount of proceeds received by the committee from

3 (a) the sale of tickets for each dinner, luncheon, cocktail

4 party, rally, and other fund-raising events; (b) mass

5 collections made at such events; and (c) sales of items such as

6 political campaign pins, buttons, badges, flags, emblems,

7 hats, banners, literature, and similar materials:

8 (a).....

9 (b).....

10 (c).....

11 (9) each contribution, rebate, refund, or other receipt in

12 excess of \$150 received by the committee not otherwise listed

13 under items (3) through (8), and if a contributor is an

14 individual who contributed more than \$500, the occupation and

15 employer of each contributor or, if the occupation and employer

16 of the contributor are unknown, a statement that the committee

17 has made a good faith effort to ascertain this information:

18 name address amount date endorsers occupation employer

19 ..... ..

20 ..... ..

21 ..... ..

22 (10) the total sum of all receipts by or for the committee

23 during the reporting period:

24 ..... ..

25 (11) the full name and mailing address of each person to whom

26 expenditures have been made by the committee within the

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

6 name	address	amount	date	purpose	beneficiary
7 .....	.....	.....	....	.....	.....
8 .....	.....	.....	....	.....	.....
9 .....	.....	.....	....	.....	.....
10 .....	.....	.....	....	.....	.....
11 .....	.....	.....	....	.....	.....

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

17 name	address	amount	date	purpose
18 .....	.....	.....	.....	.....
19 .....	.....	.....	.....	.....
20 .....	.....	.....	.....	.....

21 (13) the total sum of expenditures made by the committee during  
 22 the reporting period;

23 .....

24 (14) the full name and mailing address of each person to whom  
 25 the committee owes debts or obligations in excess of \$150, and  
 26 the amount of such debts or obligations:

1 .....

2 .....

3 VERIFICATION:

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

12 ..... ..

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

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

15 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

16 Sec. 9-21. Upon receipt of a such complaint as provided in  
17 Section 9-20, the Board shall hold a closed preliminary hearing  
18 to determine whether or not the complaint appears to have been  
19 filed on justifiable grounds. Such closed preliminary hearing  
20 shall be conducted as soon as practicable after affording  
21 reasonable notice, a copy of the complaint, and an opportunity  
22 to testify at such hearing to both the person making the  
23 complaint and the person against whom the complaint is  
24 directed. If the Board fails to determine that the complaint  
25 has been filed on justifiable grounds, it shall dismiss the

1 complaint without further hearing.

2 Whenever ~~in the judgment of~~ the Board in an open meeting  
3 determines, after affording due notice and an opportunity for a  
4 public hearing, any person has engaged or is about to engage in  
5 an act or practice which constitutes or will constitute a  
6 violation of any provision of this Article or any regulation or  
7 order issued thereunder, the Board shall issue an order  
8 directing such person to take such action as the Board  
9 determines may be necessary in the public interest to correct  
10 the violation. In addition, if the act or practice engaged in  
11 consists of the failure to file any required report within the  
12 time prescribed by this Article, the Board, as part of its  
13 order, shall further provide that if, within the 12-month  
14 period following the issuance of the order, such person fails  
15 to file within the time prescribed by this Article any  
16 subsequent report as may be required, such person may be  
17 subject to a civil penalty pursuant to Section 9-23. The Board  
18 shall render its final judgment within 60 days of the date the  
19 complaint is filed; except that during the 60 days preceding  
20 the date of the election in reference to which the complaint is  
21 filed, the Board shall render its final judgment within 7 days  
22 of the date the complaint is filed, and during the 7 days  
23 preceding such election, the Board shall render such judgment  
24 before the date of such election, if possible.

25 At any time prior to the issuance of the Board's final  
26 judgment, the parties may dispose of the complaint by a written

1 stipulation, agreed settlement or consent order. Any such  
2 stipulation, settlement or order shall, however, be submitted  
3 in writing to the Board and shall become effective only if  
4 approved by the Board in an open meeting. If the act or  
5 practice complained of consists of the failure to file any  
6 required report within the time prescribed by this Article,  
7 such stipulation, settlement or order may provide that if,  
8 within the 12-month period following the approval of such  
9 stipulation, agreement or order, the person complained of fails  
10 to file within the time prescribed by this Article any  
11 subsequent reports as may be required, such person may be  
12 subject to a civil penalty pursuant to Section 9-23.

13 Any person filing a complaint pursuant to Section 9-20 may,  
14 upon written notice to the other parties and to the Board,  
15 voluntarily withdraw the complaint at any time prior to the  
16 issuance of the Board's final determination.

17 (Source: P.A. 93-574, eff. 8-21-03.)

18 (10 ILCS 5/9-23) (from Ch. 46, par. 9-23)

19 Sec. 9-23. Whenever the Board, pursuant to Section 9-21,  
20 has issued an order, or has approved a written stipulation,  
21 agreed settlement or consent order, directing a person  
22 determined by the Board to be in violation of any provision of  
23 this Article or any regulation adopted thereunder, to cease or  
24 correct such violation or otherwise comply with this Article  
25 and such person fails or refuses to comply with such order,

1 stipulation, settlement or consent order within the time  
2 specified by the Board, the Board in an open meeting, after  
3 affording notice and an opportunity for a public hearing, may  
4 impose a civil penalty on such person in an amount not to  
5 exceed \$5,000; except that for State officers and candidates  
6 and political committees formed for statewide office, the civil  
7 penalty may not exceed \$10,000. For the purpose of this  
8 Section, "statewide office" and "State officer" means the  
9 Governor, Lieutenant Governor, Attorney General, Secretary of  
10 State, Comptroller, and Treasurer.

11 Civil penalties imposed on any such person by the Board  
12 shall be enforceable in the Circuit Court. The Board shall  
13 petition the Court for an order to enforce collection of the  
14 penalty and, if the Court finds it has jurisdiction over the  
15 person against whom the penalty was imposed, the Court shall  
16 issue the appropriate order. Any civil penalties collected by  
17 the Court shall be forwarded to the State Treasurer.

18 In addition to or in lieu of the imposition of a civil  
19 penalty, the board may report such violation and the failure or  
20 refusal to comply with the order of the Board to the Attorney  
21 General and the appropriate State's Attorney.

22 (Source: P.A. 93-615, eff. 11-19-03.)

23 (10 ILCS 5/9-23.5 new)

24 Sec. 9-23.5. Public database of founded complaints. The  
25 State Board of Elections shall establish and maintain on its



1 official website a searchable database, freely accessible to  
2 the public, of each complaint filed with the Board under this  
3 Article where Board action was taken, including all board  
4 actions and penalties imposed, if any. The Board must update  
5 the database within 5 business days after an action taken or a  
6 penalty imposed to include that complaint, action, or penalty  
7 in the database.

8 (10 ILCS 5/9-28)

9 Sec. 9-28. Electronic filing and availability. The Board  
10 shall by rule provide for the electronic filing of expenditure  
11 and contribution reports as follows:

12 Beginning July 1, 1999, or as soon thereafter as the Board  
13 has provided adequate software to the political committee,  
14 electronic filing is required for all political committees that  
15 during the reporting period (i) had at any time a balance or an  
16 accumulation of contributions of \$25,000 or more, (ii) made  
17 aggregate expenditures of \$25,000 or more, or (iii) received  
18 loans of an aggregate of \$25,000 or more.

19 Beginning July 1, 2003, electronic filing is required for  
20 all political committees that during the reporting period (i)  
21 had at any time a balance or an accumulation of contributions  
22 of \$10,000 or more, (ii) made aggregate expenditures of \$10,000  
23 or more, or (iii) received loans of an aggregate of \$10,000 or  
24 more.

25 Notwithstanding any other provision of this Section, a

1 political committee filing a report under subsections (c), (d),  
2 and (e) of Section 9-10 must file that report electronically.

3 The Board may provide by rule for the optional electronic  
4 filing of expenditure and contribution reports for all other  
5 political committees. The Board shall promptly make all reports  
6 filed under this Article by all political committees publicly  
7 available by means of a searchable database that is accessible  
8 through the World Wide Web.

9 The Board shall provide all software necessary to comply  
10 with this Section to candidates, public officials, political  
11 committees, and election authorities.

12 The Board shall implement a plan to provide computer access  
13 and assistance to candidates, public officials, political  
14 committees, and election authorities with respect to  
15 electronic filings required under this Article.

16 For the purposes of this Section, "political committees"  
17 includes entities required to report to the Board under Section  
18 9-7.5.

19 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

20 (10 ILCS 5/9-28.5 new)

21 Sec. 9-28.5. Injunctive relief for electioneering  
22 communications.

23 (a) Whenever the Attorney General, or a State's Attorney  
24 with jurisdiction over any portion of the relevant electorate,  
25 believes that any person, as defined in Section 9-1.6, is

1 making, producing, publishing, republishing, or broadcasting  
2 an electioneering communication paid for by any person, as  
3 defined in Section 9-1.6, who has not first complied with the  
4 registration and disclosure requirements of this Article, he or  
5 she may bring an action in the name of the People of the State  
6 of Illinois or, in the case of a State's Attorney, the People  
7 of the County, against such person or persons to restrain by  
8 preliminary or permanent injunction the making, producing,  
9 publishing, republishing, or broadcasting of such  
10 electioneering communication until the registration and  
11 disclosure requirements have been met.

12 (b) Any person who believes any person, as defined in  
13 Section 9-1.6, is making, producing, publishing, republishing,  
14 or broadcasting an electioneering communication paid for by any  
15 person, as defined in Section 9-1.6, who has not first complied  
16 with the registration and disclosure requirements of this  
17 Article may bring an action in the circuit court against such  
18 person or persons to restrain by preliminary or permanent  
19 injunction the making, producing, publishing, republishing, or  
20 broadcasting of such electioneering communication until the  
21 registration and disclosure requirements have been met.

22 (10 ILCS 5/9-30)

23 Sec. 9-30. Ballot forfeiture. The State Board of Elections  
24 shall not certify the ~~The~~ name of any a person who has not paid  
25 a civil penalty imposed against his or her political committee

1 ~~him or her~~ under this Article to ~~shall not~~ appear upon any  
2 ballot for any office in any election while the penalty is  
3 unpaid.

4 The State Board of Elections shall generate a list of all  
5 candidates whose political committees have not paid any civil  
6 penalty assessed against them under this Article. Such list  
7 shall be transmitted to any election authority whose duty it is  
8 to place the name of any such candidate on the ballot. The  
9 election authority shall not place upon the ballot the name of  
10 any candidate appearing on this list for any office in any  
11 election while the penalty is unpaid.

12 (Source: P.A. 93-615, eff. 11-19-03.)

13 Section 97. Severability. The provisions of this Act are  
14 severable under Section 1.31 of the Statute on Statutes.

15 Section 99. Effective date. This Act takes effect January  
16 1, 2011, except that this Section and the changes to Sections  
17 7-8, 9-1.14, 9-28.5, and 9-30 of the Election Code take effect  
18 upon becoming law."