## 96TH GENERAL ASSEMBLY

# State of Illinois

# 2009 and 2010

### HB0086

Introduced 1/14/2009, by Rep. Lou Lang

### SYNOPSIS AS INTRODUCED:

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

Amends the Election Code. With respect to campaign finance reports, requires disclosure of all contributions, expenditures, and transfers (now, those exceeding, in the aggregate, \$150).

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1 AN ACT concerning elections.

# 2 Be it enacted by the People of the State of Illinois, 3 represented in the General Assembly:

Section 5. The Election Code is amended by changing
Sections 9-1.4, 9-1.5, 9-7.5, 9-11, 9-12, 9-13, and 9-14 as
follows:

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

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

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

16 (1.5) a gift, subscription, donation, dues, loan, advance, 17 deposit of money, or anything of value that constitutes an electioneering communication regardless of 18 whether the 19 communication is made in concert or cooperation with or at the 20 request, suggestion, or knowledge of a candidate, a candidate's 21 authorized local political committee, a State political 22 committee, a political committee in support of or opposition to a question of public policy, or any of their agents; 23

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

8

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

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

14

(5) does not include--

(a) <u>(blank)</u> the use of real or personal property and
the cost of invitations, food, and beverages, voluntarily
provided by an individual in rendering voluntary personal
services on the individual's residential premises for
candidate related activities; provided the value of the
service provided does not exceed an aggregate of \$150 in a
reporting period;

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

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

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

3 Sec. 9-1.5. Expenditure defined.

4 "Expenditure" means-

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

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

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### 1 reporting period;

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

7 (2) a transfer of funds between political committees.
8 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
9 93-847, eff. 7-30-04.)

10 (10 ILCS 5/9-7.5)

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

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

22

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

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

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

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

7

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

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

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

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

(5) The name and address of each organization and
 political committee from which the reporting organization
 received, or to which that organization made, any transfer
 of funds in <u>any</u> an aggregate amount or value in excess of

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 $\frac{150}{150}$ , together with the amounts and dates of the transfers.

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

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

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

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

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

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

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

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

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

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

The State Board by rule shall define a "good faith effort". 23 The reports required under subsection (b) shall be (C) 24 filed at the same times and for the same reporting periods as 25 reports of campaign contributions and semi-annual reports of 26 campaign contributions and expenditures required by this

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

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

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

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

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

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

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

17 (2) (Blank);

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

(4) the full name and mailing address of each person who has made one or more contributions to or for such committee within the reporting period in <u>any an</u> aggregate amount or value <u>in excess of \$150</u>, together with the amount and date of such contributions, and if a contributor is an individual who contributed more than \$500, the occupation and employer of the

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

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

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

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

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

(9) the total amount of proceeds received by such committeefrom (a) the sale of tickets for each dinner, luncheon,

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

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

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

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

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

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

19 (10 ILCS 5/9-12) (from Ch. 46, par. 9-12)

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

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1	REPORT OF CAMPAIGN CONTRIBUTIONS					
2	(1) name and address of the political committee:					
3						
4	(2) the date of the beginning of the reporting period, and the					
5	amount of funds on hand at the beginning of the reporting					
6	period:					
7	•••••••••••••••••••••••••••••••••••••••					
8	(3) the full name and mailing address of each person who has					
9	made one or more contributions to or for the committee within					
10	the reporting period in <u>any</u> <del>an</del> aggregate amount or value <del>in</del>					
11	excess of \$150, together with the amount and date of such					
12	contributions, and if a contributor is an individual who					
13	contributed more than \$500, the occupation and employer of each					
14	contributor or, if the occupation and employer of the					
15	contributor are unknown, a statement that the committee has					
16	made a good faith effort to ascertain this information:					
17	name address amount date occupation employer					
18						
19						
20						
21						
22						
23	(4) <u>(blank)</u> the total sum of individual contributions made to					
24	or for the committee during the reporting period and not					
25	<del>reported under item (3) -</del>					
26	·····					

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

6 name address amount date 7 . 8 . 9 . 10 (6) (blank) the total sum of transfers made to or from such 11 committee during the reporting period and not under item (5): 12 ........... (7) each loan to or from any person within the reporting period 13 14 by or to the committee in any <del>an</del> aggregate amount or value <del>in</del> 15 excess of \$150, together with the full names and mailing 16 addresses of the lender and endorsers, if any, and the date and 17 amount of such loans, and if a lender or endorser is an individual who loaned or endorsed a loan of more than \$500, the 18 19 occupation and employer of each person making the loan, or if 20 the occupation and employer of the individual are unknown, a 21 statement that the committee has made a good faith effort to 22 ascertain this information:

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(8) the total amount of proceeds received by the committee from 1 2 (a) the sale of tickets for each dinner, luncheon, cocktail 3 party, rally, and other fund-raising events; (b) mass collections made at such events; and (c) sales of items such as 4 5 political campaign pins, buttons, badges, flags, emblems, hats, 6 banners, literature, and similar materials: 7 (a) ..... 8 (b) ..... 9 (c) ..... 10 (9) each contribution, rebate, refund, or other receipt in excess of \$150 received by the committee not otherwise listed 11 12 under items (3) through (8), and if the contributor is an 13 individual who contributed more than \$500, the occupation and employer of each contributor or, if the occupation and employer 14 15 of the contributor are unknown, a statement that the committee 16 has made a good faith effort to ascertain this information: 17 name address amount date occupation employer 18 . 19 . 20 (10) the total sum of all receipts by or for the committee 21 during the reporting period: 22 23 VERIFICATION: "I declare that this report of campaign contributions 24 25 (including any accompanying schedules and statements) has been

examined by me and to the best of my knowledge and belief is a

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- 14 - LRB096 03090 JAM 13106 b HB0086 true, correct and complete report as required by Article 9 of 1 2 The Election Code. I understand that willfully filing a false 3 or incomplete statement is a business offense subject to a fine of up to \$5,000." 4 5 6 (date of filing) (signature of person making the report) (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.) 7 8 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13) 9 Sec. 9-13. Each semi-annual report of campaign 10 contributions and expenditures under Section 9-10 shall 11 disclose-12 (1) the name and address of the political committee; 13 (2) (Blank); 14 (3) the amount of funds on hand at the beginning of the 15 reporting period; 16 (4) the full name and mailing address of each person who has made one or more contributions to or for such committee 17 18 within the reporting period in any an aggregate amount or value 19 in excess of \$150, together with the amount and date of such contributions, and if the contributor is an individual who 20 contributed more than \$500, the occupation and employer of the 21 22 contributor or, if the occupation and employer of the 23 contributor are unknown, a statement that the committee has 24 made a good faith effort to ascertain this information; (5) (blank) the total sum of individual contributions made 25

# 1 to or for such committee during the reporting period and not 2 reported under item (4);

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

8 (7) <u>(blank)</u> the total sum of transfers made to or from such 9 committee during the reporting period and not reported under 10 item (6);

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

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

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

8 (11) the total sum of all receipts by or for such committee9 or candidate during the reporting period;

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

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

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

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

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1	The Board shall by rule define a "good faith effort".	
2	(Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)	
3	(10 ILCS 5/9-14) (from Ch. 46, par. 9-14)	
4	Sec. 9-14. Each semi-annual report of ca	ampaign
5	contributions and expenditures required by Section 9-10 o	of this
6	Article to be filed with the Board or the Board and the	county
7	clerk shall be verified, dated, and signed by eithe	er the
8	treasurer of the political committee making the report	or the
9	candidate on whose behalf the report is made, and shall o	contain
10	substantially the following:	
11	SEMI-ANNUAL REPORT OF CAMPAIGN	
12	CONTRIBUTIONS AND EXPENDITURES	
13	(1) name and address of the political committee:	
14	•••••••••••••••••••••••••••••••••••••••	
15	(2) the date of the beginning of the reporting period, a	and the
16	amount of funds on hand at the beginning of the rep	porting
17	period;	
18		
19	(3) the full name and mailing address of each person w	rho has
20	made one or more contributions to or for the committee	within
21	the reporting period in <u>any</u> <del>an</del> aggregate amount or va	lue <del>in</del>
22	excess of \$150, together with the amount and date o	f such
23	contributions, and if a contributor is an individua	al who
24	contributed more than \$500, the occupation and employer o	of each
25	contributor or, if the occupation and employer c	of the

1 contributor are unknown, a statement that the committee has
2 made a good faith effort to ascertain this information:

3	name	address	amount	date	occupation	employer
4				••••		
5				••••		
6						
7				••••		
8	••••		••••	••••		

9 (4) <u>(blank)</u> the total sum of individual contributions made to 10 or for the committee during the reporting period and not 11 reported under item (3):

the reporting committee received, or to which that committee made, any transfer of funds, in <u>any an</u> aggregate amount or value <u>in excess of \$150</u>, together with the amounts and dates of all transfers:

18 address name amount date 19 . 20 . 21 .

22 (6) <u>(blank)</u> the total sum of transfers made to or from such 23 committee during the reporting period and not reported under 24 item (5);

(7) each loan to or from any person within the reporting period
by or to the committee in <u>any</u> an aggregate amount or value in

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

9	name address	amount	date endorsers	occupation	employer
10					
11					
12					

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

 19
 (a) .....

 20
 (b) .....

21 (c) .....

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

1	of the contributor are unknown, a statement that the committee
2	has made a good faith effort to ascertain this information:
3	name address amount date endorsers occupation employer
4	
5	
6	
7	(10) the total sum of all receipts by or for the committee
8	during the reporting period:
9	
10	(11) the full name and mailing address of each person to whom
11	expenditures have been made by the committee within the
12	reporting period in <u>any</u> <del>an</del> aggregate amount or value <del>in excess</del>
13	<del>of \$150</del> , the amount, date, and purpose of each such
14	expenditure, and the question of public policy or the name and
14 15	expenditure, and the question of public policy or the name and address of, and office sought by, each candidate on whose
15	address of, and office sought by, each candidate on whose
15 16	address of, and office sought by, each candidate on whose behalf the expenditure was made:
15 16 17	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary
15 16 17 18	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary
15 16 17 18 19	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary
15 16 17 18 19 20	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary
15 16 17 18 19 20 21	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary
15 16 17 18 19 20 21 22	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary 
15 16 17 18 19 20 21 22 23	address of, and office sought by, each candidate on whose behalf the expenditure was made: name address amount date purpose beneficiary 

1 such expenditure:

2	name	address	amount	date	purpose		
3							
4							
5							
6	(13) the total sum of expenditures made by the committee during						
7	the reporting period;						
8							
9	(14) the full name and mailing address of each person to whom						
10	the committee owes debts or obligations <del>in excess of \$150</del> , and						
11	the amount of	such debts or	c obligatior	ns:			
12							
13			•••••				
14	VERIFICATION	:					
15	"I decla	are that thi	s semi-ann	nual report	t of campaign		
16	contributions	s and expend	itures (ind	cluding an	y accompanying		
17	schedules and	d statements)	has been e	examined by	me and to the		
18	best of my kn	owledge and be	elief is a t	crue, corre	ct and complete		
19	report as r	equired by A	rticle 9 d	of The Ele	ection Code. I		
20	understand th	nat willfully	filing a f	alse or inc	complete report		
21	is a business	offense subje	ect to a fir	ne of up to	\$5,000."		
22				••••••			
23	(date of fili	ing) (si	gnature of	person mak:	ing the report)		
24	(Source: P.A.	90-495, eff.	1-1-98; 90-	-737, eff. 2	1-1-99.)		