



Rep. Jim Durkin

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09600HB5564ham001

LRB096 18897 JAM 39514 a

1 AMENDMENT TO HOUSE BILL 5564

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5564 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 9-8.5 and by adding Section 9-8.7 as follows:

6 (10 ILCS 5/9-8.5)

7 (This Section may contain text from a Public Act with a  
8 delayed effective date)

9 Sec. 9-8.5. Limitations on campaign contributions.

10 (a) It is unlawful for a political committee to accept  
11 contributions except as provided in this Section.

12 (b) Except as prohibited by Section 9-8.7, during ~~During~~ an  
13 election cycle, a candidate political committee may not accept  
14 contributions with an aggregate value over the following: (i)  
15 \$5,000 from any individual, (ii) \$10,000 from any corporation,  
16 labor organization, or association, or (iii) \$50,000 from a

1 candidate political committee or political action committee. A  
2 candidate political committee may accept contributions in any  
3 amount from a political party committee except during an  
4 election cycle in which the candidate seeks nomination at a  
5 primary election. During an election cycle in which the  
6 candidate seeks nomination at a primary election, a candidate  
7 political committee may not accept contributions from  
8 political party committees with an aggregate value over the  
9 following: (i) \$200,000 for a candidate political committee  
10 established to support a candidate seeking nomination to  
11 statewide office, (ii) \$125,000 for a candidate political  
12 committee established to support a candidate seeking  
13 nomination to the Senate, the Supreme Court or Appellate Court  
14 in the First Judicial District, or an office elected by all  
15 voters in a county with 1,000,000 or more residents, (iii)  
16 \$75,000 for a candidate political committee established to  
17 support a candidate seeking nomination to the House of  
18 Representatives, the Supreme Court or Appellate Court for a  
19 Judicial District other than the First Judicial District, an  
20 office elected by all voters of a county of fewer than  
21 1,000,000 residents, and municipal and county offices in Cook  
22 County other than those elected by all voters of Cook County,  
23 and (iv) \$50,000 for a candidate political committee  
24 established to support the nomination of a candidate to any  
25 other office. A candidate political committee established to  
26 elect a candidate to the General Assembly may accept

1 contributions from only one legislative caucus committee. A  
2 candidate political committee may not accept contributions  
3 from a ballot initiative committee.

4 (c) During an election cycle, a political party committee  
5 may not accept contributions with an aggregate value over the  
6 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
7 any corporation, labor organization, or association, or (iii)  
8 \$50,000 from a political action committee. A political party  
9 committee may accept contributions in any amount from another  
10 political party committee or a candidate political committee,  
11 except as provided in subsection (c-5). Nothing in this Section  
12 shall limit the amounts that may be transferred between a State  
13 political committee and federal political committee. A  
14 political party committee may not accept contributions from a  
15 ballot initiative committee. A political party committee  
16 established by a legislative caucus may not accept  
17 contributions from another political party committee  
18 established by a legislative caucus.

19 (c-5) During the period beginning on the date candidates  
20 may begin circulating petitions for a primary election and  
21 ending on the day of the primary election, a political party  
22 committee may not accept contributions with an aggregate value  
23 over \$50,000 from a candidate political committee or political  
24 party committee. A political party committee may accept  
25 contributions in any amount from a candidate political  
26 committee or political party committee if the political party

1 committee receiving the contribution filed a statement of  
2 nonparticipation in the primary as provided in subsection  
3 (c-10). The Task Force on Campaign Finance Reform shall study  
4 and make recommendations on the provisions of this subsection  
5 to the Governor and General Assembly by September 30, 2012.  
6 This subsection becomes inoperative on July 1, 2013 and  
7 thereafter no longer applies.

8 (c-10) A political party committee that does not intend to  
9 make contributions to candidates to be nominated at a general  
10 primary election or consolidated primary election may file a  
11 Statement of Nonparticipation in a Primary Election with the  
12 Board. The Statement of Nonparticipation shall include a  
13 verification signed by the chairperson and treasurer of the  
14 committee that (i) the committee will not make contributions or  
15 coordinated expenditures in support of or opposition to a  
16 candidate or candidates to be nominated at the general primary  
17 election or consolidated primary election (select one) to be  
18 held on (insert date), (ii) the political party committee may  
19 accept unlimited contributions from candidate political  
20 committees and political party committees, provided that the  
21 political party committee does not make contributions to a  
22 candidate or candidates to be nominated at the primary  
23 election, and (iii) failure to abide by these requirements  
24 shall deem the political party committee in violation of this  
25 Article and subject the committee to a fine of no more than  
26 150% of the total contributions or coordinated expenditures

1 made by the committee in violation of this Article. This  
2 subsection becomes inoperative on July 1, 2013 and thereafter  
3 no longer applies.

4 (d) During an election cycle, a political action committee  
5 may not accept contributions with an aggregate value over the  
6 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
7 any corporation, labor organization, political party  
8 committee, or association, or (iii) \$50,000 from a political  
9 action committee or candidate political committee. A political  
10 action committee may not accept contributions from a ballot  
11 initiative committee.

12 (e) A ballot initiative committee may accept contributions  
13 in any amount from any source, provided that the committee  
14 files the document required by Section 9-3 of this Article.

15 (f) Nothing in this Section shall prohibit a political  
16 committee from dividing the proceeds of joint fundraising  
17 efforts; provided that no political committee may receive more  
18 than the limit from any one contributor and no candidate  
19 political committee may receive a contribution prohibited by  
20 Section 9-8.7.

21 (g) On January 1 of each odd-numbered year, the State Board  
22 of Elections shall adjust the amounts of the contribution  
23 limitations established in this Section for inflation as  
24 determined by the Consumer Price Index for All Urban Consumers  
25 as issued by the United States Department of Labor and rounded  
26 to the nearest \$100. The State Board shall publish this

1 information on its official website.

2 (h) Self-funding candidates. If a public official, a  
3 candidate, or the public official's or candidate's immediate  
4 family contributes or loans to the public official's or  
5 candidate's political committee or to other political  
6 committees that transfer funds to the public official's or  
7 candidate's political committee or makes independent  
8 expenditures for the benefit of the public official's or  
9 candidate's campaign during the 12 months prior to an election  
10 in an aggregate amount of more than (i) \$250,000 for statewide  
11 office or (ii) \$100,000 for all other elective offices, then  
12 the public official or candidate shall file with the State  
13 Board of Elections, within one day, a Notification of  
14 Self-funding that shall detail each contribution or loan made  
15 by the public official, the candidate, or the public official's  
16 or candidate's immediate family. Within 2 business days after  
17 the filing of a Notification of Self-funding, the notification  
18 shall be posted on the Board's website and the Board shall give  
19 official notice of the filing to each candidate for the same  
20 office as the public official or candidate making the filing,  
21 including the public official or candidate filing the  
22 Notification of Self-funding. Upon receiving notice from the  
23 Board, all candidates for that office, including the public  
24 official or candidate who filed a Notification of Self-funding,  
25 shall be permitted to accept contributions in excess of any  
26 contribution limits imposed by subsection (b). For the purposes

1 of this subsection, "immediate family" means the spouse,  
2 parent, or child of a public official or candidate.

3 (i) For the purposes of this Section, a corporation, labor  
4 organization, association, or a political action committee  
5 established by a corporation, labor organization, or  
6 association may act as a conduit in facilitating the delivery  
7 to a political action committee of contributions made through  
8 dues, levies, or similar assessments and the political action  
9 committee may report the contributions in the aggregate,  
10 provided that: (i) the dues, levies, or similar assessments  
11 paid by any natural person, corporation, labor organization, or  
12 association in a calendar year may not exceed the limits set  
13 forth in this Section and (ii) the corporation, labor  
14 organization, association, or a political action committee  
15 established by a corporation, labor organization, or  
16 association facilitating the delivery of contributions  
17 maintains a list of natural persons, corporations, labor  
18 organizations, and associations that paid the dues, levies, or  
19 similar assessments from which the contributions comprising  
20 the aggregate amount derive. A political action committee  
21 facilitating the delivery of contributions or receiving  
22 contributions shall disclose the amount of dues delivered or  
23 received and the name of the corporation, labor organization,  
24 association, or political action committee delivering the  
25 contributions, if applicable. Nothing in this subsection  
26 permits the receipt of a contribution in violation of Section

1 9-8.7.

2 (j) A political committee that receives a contribution or  
3 transfer in violation of this Section shall dispose of the  
4 contribution or transfer by returning the contribution or  
5 transfer, or an amount equal to the contribution or transfer,  
6 to the contributor or transferor or donating the contribution  
7 or transfer, or an amount equal to the contribution or  
8 transfer, to a charity. A contribution or transfer received in  
9 violation of this Section that is not disposed of as provided  
10 in this subsection within 15 days after its receipt shall  
11 escheat to the General Revenue Fund and the political committee  
12 shall be deemed in violation of this Section and subject to a  
13 civil penalty not to exceed 150% of the total amount of the  
14 contribution.

15 (k) For the purposes of this Section, "statewide office"  
16 means the Governor, Lieutenant Governor, Attorney General,  
17 Secretary of State, Comptroller, and Treasurer.

18 (l) This Section is repealed if and when the United States  
19 Supreme Court invalidates contribution limits on committees  
20 formed to assist candidates, political parties, corporations,  
21 associations, or labor organizations established by or  
22 pursuant to federal law.

23 (Source: P.A. 96-832, eff. 1-1-11.)

24 (10 ILCS 5/9-8.7 new)

25 Sec. 9-8.7. Prohibited contributions from regulated or



1 licensed entities.

2 (a) As used in this Section:

3 "Candidate political committee" (i) until January 1, 2011,  
4 means a political committee organized by or on behalf of a  
5 single candidate for public office and (ii) beginning January  
6 1, 2011, has the meaning set forth in Section 9-1.8.

7 "State service" means serving full time as (i) a member of  
8 a board or commission appointed by the Governor or (ii) the  
9 head of any department, board, division, bureau, authority, or  
10 other administrative unit of State government.

11 (b) The candidate political committee of a person who is,  
12 or has been within the previous one year, in State service may  
13 not accept any contribution from an entity, or the subsidiary  
14 of an entity, subject to the regulatory or licensing authority  
15 of the government entity on which, or the government position  
16 in which, the person serves or served.

17 (c) A candidate political committee that receives a  
18 contribution in violation of this Section shall return the  
19 contribution, or an amount equal to the contribution, to the  
20 contributor or shall donate the contribution, or an amount  
21 equal to the contribution, to a charity. A contribution  
22 received in violation of this Section that is not disposed of  
23 as provided in this subsection within 15 days after its receipt  
24 shall escheat to the State's General Revenue Fund, and the  
25 candidate political committee shall be deemed in violation of  
26 this Section and subject to a civil penalty not to exceed 150%

1 of the total amount of the contribution.

2       Section 95. No acceleration or delay. Where this Act makes  
3 changes in a statute that is represented in this Act by text  
4 that is not yet or no longer in effect (for example, a Section  
5 represented by multiple versions), the use of that text does  
6 not accelerate or delay the taking effect of (i) the changes  
7 made by this Act or (ii) provisions derived from any other  
8 Public Act.

9       Section 99. Effective date. This Act takes effect upon  
10 becoming law.".