



Sen. Christine Radogno

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1 AMENDMENT TO SENATE BILL 2183

2 AMENDMENT NO. _____. Amend Senate Bill 2183 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing
5 Sections 2A-1.1, 7A-1, and 9-10 as follows:

6 (10 ILCS 5/2A-1.1) (from Ch. 46, par. 2A-1.1)

7 Sec. 2A-1.1. All Elections - Consolidated Schedule.

8 (a) In even-numbered years, the general election shall be
9 held on the first Tuesday after the first Monday of November;
10 and an election to be known as the general primary election
11 shall be held on the third ~~first~~ Tuesday in June ~~February~~;

12 (b) In odd-numbered years, an election to be known as the
13 consolidated election shall be held on the first Tuesday in
14 April except as provided in Section 2A-1.1a of this Act; and an
15 election to be known as the consolidated primary election shall
16 be held on the last Tuesday in February.

1 (Source: P.A. 95-6, eff. 6-20-07.)

2 (10 ILCS 5/7A-1) (from Ch. 46, par. 7A-1)

3 Sec. 7A-1. Any Supreme, Appellate or Circuit Judge who has
4 been elected to that office and who seeks to be retained in
5 that office under subsection (d) of Section 12 of Article VI of
6 the Constitution shall file a declaration of candidacy to
7 succeed himself in the office of the Secretary of State on or
8 before the third ~~first~~ Monday in April ~~December~~ before the
9 general election preceding the expiration of his term of
10 office. Within 3 business days thereafter, the Secretary of
11 State shall certify to the State Board of Elections the names
12 of all incumbent judges who were eligible to stand for
13 retention at the next general election but failed to timely
14 file a declaration of candidacy to succeed themselves in office
15 or, having timely filed such a declaration, withdrew it. The
16 State Board of Elections may rely upon the certification from
17 the Secretary of State (a) to determine when vacancies in
18 judicial office exist and (b) to determine the judicial
19 positions for which elections will be held. The Secretary of
20 State, not less than 63 days before the election, shall certify
21 the Judge's candidacy to the proper election officials. The
22 names of Judges seeking retention shall be submitted to the
23 electors, separately and without party designation, on the sole
24 question whether each Judge shall be retained in office for
25 another term. The retention elections shall be conducted at

1 general elections in the appropriate Judicial District, for
2 Supreme and Appellate Judges, and in the circuit for Circuit
3 Judges. The affirmative vote of three-fifths of the electors
4 voting on the question shall elect the Judge to the office for
5 a term commencing on the first Monday in December following his
6 election.

7 (Source: P.A. 86-1348.)

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

9 Sec. 9-10. Financial reports.

10 (a) The treasurer of every state political committee and
11 the treasurer of every local political committee shall file
12 with the Board, and the treasurer of every local political
13 committee shall file with the county clerk, reports of campaign
14 contributions, and semi-annual reports of campaign
15 contributions and expenditures on forms to be prescribed or
16 approved by the Board. The treasurer of every political
17 committee that acts as both a state political committee and a
18 local political committee shall file a copy of each report with
19 the State Board of Elections and the county clerk. Entities
20 subject to Section 9-7.5 shall file reports required by that
21 Section at times provided in this Section and are subject to
22 the penalties provided in this Section.

23 (b) ~~This subsection does not apply with respect to general~~
24 ~~primary elections.~~ Reports of campaign contributions shall be
25 filed no later than the 15th day next preceding each election

1 or primary in connection with which the political committee has
2 accepted or is accepting contributions or has made or is making
3 expenditures. Such reports shall be complete as of the 30th day
4 next preceding each election or primary. The Board shall assess
5 a civil penalty not to exceed \$5,000 for a violation of this
6 subsection, except that for State officers and candidates and
7 political committees formed for statewide office, the civil
8 penalty may not exceed \$10,000. The fine, however, shall not
9 exceed \$500 for a first filing violation for filing less than
10 10 days after the deadline. There shall be no fine if the
11 report is mailed and postmarked at least 72 hours prior to the
12 filing deadline. For the purpose of this subsection, "statewide
13 office" and "State officer" means the Governor, Lieutenant
14 Governor, Attorney General, Secretary of State, Comptroller,
15 and Treasurer. However, a continuing political committee that
16 does not make an expenditure or expenditures in an aggregate
17 amount of more than \$500 on behalf of or in opposition to any
18 (i) candidate or candidates, (ii) public question or questions,
19 or (iii) candidate or candidates and public question or
20 questions on the ballot at an election or primary shall not be
21 required to file the reports prescribed in this subsection (b)
22 and subsection (b-5) but may file in lieu thereof a Statement
23 of Nonparticipation in the Election or Primary with the Board
24 or the Board and the county clerk ; except that if the
25 political committee, by the terms of its statement of
26 organization filed in accordance with this Article, is

1 organized to support or oppose a candidate or public question
2 on the ballot at the next election or primary, that committee
3 must file reports required by this subsection (b) and by
4 subsection (b-5).

5 (b-5) Notwithstanding the provisions of subsection (b) and
6 Section 1.25 of the Statute on Statutes, any contribution of
7 more than \$500 received ~~(i) with respect to elections other~~
8 ~~than the general primary election,~~ in the interim between the
9 last date of the period covered by the last report filed under
10 subsection (b) prior to the election or primary and the date of
11 the election or primary ~~(ii) with respect to general primary~~
12 ~~elections, in the period beginning January 1 of the year of the~~
13 ~~general primary election and prior to the date of the general~~
14 ~~primary election~~ shall be filed with and must actually be
15 received by the State Board of Elections within 2 business days
16 after receipt of such contribution. ~~A continuing political~~
17 ~~committee that does not support or oppose a candidate or public~~
18 ~~question on the ballot at a general primary election and does~~
19 ~~not make expenditures in excess of \$500 on behalf of or in~~
20 ~~opposition to any candidate or public question on the ballot at~~
21 ~~the general primary election shall not be required to file the~~
22 ~~report prescribed in this subsection unless the committee makes~~
23 ~~an expenditure in excess of \$500 on behalf of or in opposition~~
24 ~~to any candidate or public question on the ballot at the~~
25 ~~general primary election.~~ The committee shall timely file the
26 report required under this subsection beginning with the date

1 the expenditure that triggered participation was made. The
2 State Board shall allow filings of reports of contributions of
3 more than \$500 under this subsection (b-5) by political
4 committees that are not required to file electronically to be
5 made by facsimile transmission. For the purpose of this
6 subsection, a contribution is considered received on the date
7 the public official, candidate, or political committee (or
8 equivalent person in the case of a reporting entity other than
9 a political committee) actually receives it or, in the case of
10 goods or services, 2 business days after the date the public
11 official, candidate, committee, or other reporting entity
12 receives the certification required under subsection (b) of
13 Section 9-6. Failure to report each contribution is a separate
14 violation of this subsection. In the final disposition of any
15 matter by the Board on or after the effective date of this
16 amendatory Act of the 93rd General Assembly, the Board may
17 impose fines for violations of this subsection not to exceed
18 100% of the total amount of the contributions that were
19 untimely reported, but in no case when a fine is imposed shall
20 it be less than 10% of the total amount of the contributions
21 that were untimely reported. When considering the amount of the
22 fine to be imposed, the Board shall consider, but is not
23 limited to, the following factors:

- 24 (1) whether in the Board's opinion the violation was
25 committed inadvertently, negligently, knowingly, or
26 intentionally;

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

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

5 (c) In addition to such reports the treasurer of every
6 political committee shall file semi-annual reports of campaign
7 contributions and expenditures no later than July 20th,
8 covering the period from January 1st through June 30th
9 immediately preceding, and no later than January 20th, covering
10 the period from July 1st through December 31st of the preceding
11 calendar year. Reports of contributions and expenditures must
12 be filed to cover the prescribed time periods even though no
13 contributions or expenditures may have been received or made
14 during the period. The Board shall assess a civil penalty not
15 to exceed \$5,000 for a violation of this subsection, except
16 that for State officers and candidates and political committees
17 formed for statewide office, the civil penalty may not exceed
18 \$10,000. The fine, however, shall not exceed \$500 for a first
19 filing violation for filing less than 10 days after the
20 deadline. There shall be no fine if the report is mailed and
21 postmarked at least 72 hours prior to the filing deadline. For
22 the purpose of this subsection, "statewide office" and "State
23 officer" means the Governor, Lieutenant Governor, Attorney
24 General, Secretary of State, Comptroller, and Treasurer.

25 (c-5) A political committee that acts as either (i) a State
26 and local political committee or (ii) a local political

1 committee and that files reports electronically under Section
2 9-28 is not required to file copies of the reports with the
3 appropriate county clerk if the county clerk has a system that
4 permits access to, and duplication of, reports that are filed
5 with the State Board of Elections. A State and local political
6 committee or a local political committee shall file with the
7 county clerk a copy of its statement of organization pursuant
8 to Section 9-3.

9 (d) A copy of each report or statement filed under this
10 Article shall be preserved by the person filing it for a period
11 of two years from the date of filing.

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

14 Section 10. The General Assembly Compensation Act is
15 amended by changing Section 4 as follows:

16 (25 ILCS 115/4) (from Ch. 63, par. 15.1)

17 Sec. 4. Office allowance. Beginning July 1, 2001, each
18 member of the House of Representatives is authorized to approve
19 the expenditure of not more than \$61,000 per year and each
20 member of the Senate is authorized to approve the expenditure
21 of not more than \$73,000 per year to pay for "personal
22 services", "contractual services", "commodities", "printing",
23 "travel", "operation of automotive equipment",
24 "telecommunications services", as defined in the State Finance

1 Act, and the compensation of one or more legislative assistants
2 authorized pursuant to this Section, in connection with his or
3 her legislative duties and not in connection with any political
4 campaign. On July 1, 2002 and on July 1 of each year
5 thereafter, the amount authorized per year under this Section
6 for each member of the Senate and each member of the House of
7 Representatives shall be increased by a percentage increase
8 equivalent to the lesser of (i) the increase in the designated
9 cost of living index or (ii) 5%. The designated cost of living
10 index is the index known as the "Employment Cost Index, Wages
11 and Salaries, By Occupation and Industry Groups: State and
12 Local Government Workers: Public Administration" as published
13 by the Bureau of Labor Statistics of the U.S. Department of
14 Labor for the calendar year immediately preceding the year of
15 the respective July 1st increase date. The increase shall be
16 added to the then current amount, and the adjusted amount so
17 determined shall be the annual amount beginning July 1 of the
18 increase year until July 1 of the next year. No increase under
19 this provision shall be less than zero.

20 A member may purchase office equipment if the member
21 certifies to the Secretary of the Senate or the Clerk of the
22 House, as applicable, that the purchase price, whether paid in
23 lump sum or installments, amounts to less than would be charged
24 for renting or leasing the equipment over its anticipated
25 useful life. All such equipment must be purchased through the
26 Secretary of the Senate or the Clerk of the House, as

1 applicable, for proper identification and verification of
2 purchase.

3 Each member of the General Assembly is authorized to employ
4 one or more legislative assistants, who shall be solely under
5 the direction and control of that member, for the purpose of
6 assisting the member in the performance of his or her official
7 duties. A legislative assistant may be employed pursuant to
8 this Section as a full-time employee, part-time employee, or
9 contractual employee, at the discretion of the member. If
10 employed as a State employee, a legislative assistant shall
11 receive employment benefits on the same terms and conditions
12 that apply to other employees of the General Assembly. Each
13 member shall adopt and implement personnel policies for
14 legislative assistants under his or her direction and control
15 relating to work time requirements, documentation for
16 reimbursement for travel on official State business,
17 compensation, and the earning and accrual of State benefits for
18 those legislative assistants who may be eligible to receive
19 those benefits. The policies shall also require legislative
20 assistants to periodically submit time sheets documenting, in
21 quarter-hour increments, the time spent each day on official
22 State business. The policies shall require the time sheets to
23 be submitted on paper, electronically, or both and to be
24 maintained in either paper or electronic format by the
25 applicable fiscal office for a period of at least 2 years.
26 Contractual employees may satisfy the time sheets requirement

1 by complying with the terms of their contract, which shall
2 provide for a means of compliance with this requirement. A
3 member may satisfy the requirements of this paragraph by
4 adopting and implementing the personnel policies promulgated
5 by that member's legislative leader under the State Officials
6 and Employees Ethics Act with respect to that member's
7 legislative assistants.

8 As used in this Section the term "personal services" shall
9 include contributions of the State under the Federal Insurance
10 Contribution Act and under Article 14 of the Illinois Pension
11 Code. As used in this Section the term "contractual services"
12 shall not include improvements to real property unless those
13 improvements are the obligation of the lessee under the lease
14 agreement. Beginning July 1, 1989, as used in the Section, the
15 term "travel" shall be limited to travel in connection with a
16 member's legislative duties and not in connection with any
17 political campaign. Beginning on the effective date of this
18 amendatory Act of the 93rd General Assembly, as used in this
19 Section, the term "printing" includes, but is not limited to,
20 newsletters, brochures, certificates, congratulatory mailings,
21 greeting or welcome messages, anniversary or birthday cards,
22 and congratulations for prominent achievement cards. As used in
23 this Section, the term "printing" includes fees for
24 non-substantive resolutions charged by the Clerk of the House
25 of Representatives under subsection (c-5) of Section 1 of the
26 Legislative Materials Act. No newsletter or brochure that is

1 paid for, in whole or in part, with funds provided under this
2 Section may be printed or mailed during a period beginning
3 April 30 ~~December 15~~ of the year of ~~preceding~~ a general primary
4 election and ending the day after the general primary election
5 and during a period beginning September 1 of the year of a
6 general election and ending the day after the general election,
7 except that such a newsletter or brochure may be mailed during
8 those times if it is mailed to a constituent in response to
9 that constituent's inquiry concerning the needs of that
10 constituent or questions raised by that constituent. Nothing in
11 this Section shall be construed to authorize expenditures for
12 lodging and meals while a member is in attendance at sessions
13 of the General Assembly.

14 Any utility bill for service provided to a member's
15 district office for a period including portions of 2
16 consecutive fiscal years may be paid from funds appropriated
17 for such expenditure in either fiscal year.

18 If a vacancy occurs in the office of Senator or
19 Representative in the General Assembly, any office equipment in
20 the possession of the vacating member shall transfer to the
21 member's successor; if the successor does not want such
22 equipment, it shall be transferred to the Secretary of the
23 Senate or Clerk of the House of Representatives, as the case
24 may be, and if not wanted by other members of the General
25 Assembly then to the Department of Central Management Services
26 for treatment as surplus property under the State Property

1 Control Act. Each member, on or before June 30th of each year,
2 shall conduct an inventory of all equipment purchased pursuant
3 to this Act. Such inventory shall be filed with the Secretary
4 of the Senate or the Clerk of the House, as the case may be.
5 Whenever a vacancy occurs, the Secretary of the Senate or the
6 Clerk of the House, as the case may be, shall conduct an
7 inventory of equipment purchased.

8 In the event that a member leaves office during his or her
9 term, any unexpended or unobligated portion of the allowance
10 granted under this Section shall lapse. The vacating member's
11 successor shall be granted an allowance in an amount, rounded
12 to the nearest dollar, computed by dividing the annual
13 allowance by 365 and multiplying the quotient by the number of
14 days remaining in the fiscal year.

15 From any appropriation for the purposes of this Section for
16 a fiscal year which overlaps 2 General Assemblies, no more than
17 1/2 of the annual allowance per member may be spent or
18 encumbered by any member of either the outgoing or incoming
19 General Assembly, except that any member of the incoming
20 General Assembly who was a member of the outgoing General
21 Assembly may encumber or spend any portion of his annual
22 allowance within the fiscal year.

23 The appropriation for the annual allowances permitted by
24 this Section shall be included in an appropriation to the
25 President of the Senate and to the Speaker of the House of
26 Representatives for their respective members. The President of

1 the Senate and the Speaker of the House shall voucher for
2 payment individual members' expenditures from their annual
3 office allowances to the State Comptroller, subject to the
4 authority of the Comptroller under Section 9 of the State
5 Comptroller Act.

6 (Source: P.A. 95-6, eff. 6-20-07.)

7 Section 15. The Legislative Commission Reorganization Act
8 of 1984 is amended by changing Section 9-2.5 as follows:

9 (25 ILCS 130/9-2.5)

10 Sec. 9-2.5. Newsletters and brochures. The Legislative
11 Printing Unit may not print for any member of the General
12 Assembly any newsletters or brochures during the period
13 beginning April 30 ~~December 15~~ of the year of ~~preceding~~ a
14 general primary election and ending the day after the general
15 primary election and during a period beginning September 1 of
16 the year of a general election and ending the day after the
17 general election. A member of the General Assembly may not
18 mail, during a period beginning April 30 ~~December 15~~ of the
19 year of ~~preceding~~ a general primary election and ending the day
20 after the general primary election and during a period
21 beginning September 1 of the year of a general election and
22 ending the day after the general election, any newsletters or
23 brochures that were printed, at any time, by the Legislative
24 Printing Unit, except that such a newsletter or brochure may be

1 mailed during those times if it is mailed to a constituent in
2 response to that constituent's inquiry concerning the needs of
3 that constituent or questions raised by that constituent.

4 (Source: P.A. 95-6, eff. 6-20-07.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".