



## 96TH GENERAL ASSEMBLY

### State of Illinois

### 2009 and 2010

### SB2464

Introduced 10/14/2009, by Sen. Christine Radogno

#### 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 5/9-1.6	from Ch. 46, par. 9-1.6
10 ILCS 5/9-1.7	from Ch. 46, par. 9-1.7
10 ILCS 5/9-1.8	from Ch. 46, par. 9-1.8
10 ILCS 5/9-1.14	
10 ILCS 5/9-3	from Ch. 46, par. 9-3
10 ILCS 5/9-4	from Ch. 46, par. 9-4
10 ILCS 5/9-7.5	
10 ILCS 5/9-8.5 new	
10 ILCS 5/9-8.6 new	
10 ILCS 5/9-10	from Ch. 46, par. 9-10
10 ILCS 5/9-13	from Ch. 46, par. 9-13
10 ILCS 5/9-14	from Ch. 46, par. 9-14
10 ILCS 5/9-21	from Ch. 46, par. 9-21
10 ILCS 5/9-23	from Ch. 46, par. 9-23
10 ILCS 5/9-23.5 new	
10 ILCS 5/9-28	
10 ILCS 5/9-28.5 new	
10 ILCS 5/9-30	
10 ILCS 5/9-40 new	

Amends the Election Code. Makes various changes concerning campaign finance, including, without limitation, the imposition of campaign contribution limits beginning November 3, 2010. Effective immediately in part and January 1, 2011 in part.

LRB096 13705 JAM 28469 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing  
5 Sections 9-1.4, 9-1.5, 9-1.6, 9-1.7, 9-1.8, 9-1.14, 9-3, 9-4,  
6 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, 9-28.5, and 9-40 as  
8 follows:

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

10 Sec. 9-1.4. Contribution.

11 (A) "Contribution" means-

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

19 (1.5) a gift, subscription, donation, dues, loan, advance,  
20 deposit of money, or anything of value that constitutes an  
21 electioneering communication regardless of whether the  
22 communication is made in concert or cooperation with or at the  
23 request, suggestion, or knowledge of a candidate, a candidate's

1 authorized local political committee, a State political  
2 committee, a political committee in support of or opposition to  
3 a question of public policy, or any of their agents;

4 (2) the purchase of tickets for fund-raising events,  
5 including but not limited to dinners, luncheons, cocktail  
6 parties, and rallies made in connection with the nomination for  
7 election, ~~or~~ election, or retention of any person to or in  
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;

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

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

18 (5) any expenditure made in cooperation, consultation, or  
19 concert with the committee. An expenditure by one committee  
20 that benefits another committee constitutes a contribution to  
21 the other committee if the expenditure is made in cooperation,  
22 consultation, or concert with the other committee. ~~but~~

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

24 (a) the use of real or personal property and the cost  
25 of invitations, food, and beverages, voluntarily provided  
26 by an individual in rendering voluntary personal services

1 on the individual's residential premises for  
2 candidate-related activities; provided the value of the  
3 service provided does not exceed an aggregate of \$150 in a  
4 reporting period;

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

10 (c) communications on any subject by a corporation to  
11 its stockholders and executive or administrative personnel  
12 and their families, by a labor organization to its members  
13 and executive or administrative personnel and their  
14 families, or by an association to its members and executive  
15 or administrative personnel and their families;

16 (d) voter registration and get-out-the-vote campaigns  
17 that make no mention of any clearly identified candidate,  
18 public question, or political party, or group or  
19 combination thereof;

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

1           (f) 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. "Expenditure" also includes a  
19 payment, distribution, purchase, loan, advance, deposit, or  
20 gift of money or anything of value that constitutes an  
21 electioneering communication regardless of whether the  
22 communication is made in concert or cooperation with or at the  
23 request, suggestion, or knowledge of a candidate, a candidate's  
24 authorized local political committee, a State political  
25 committee, a political committee in support of or opposition to

1 a question of public policy, or any of their agents.

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

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 expenditures for electioneering  
20 communications during any 12-month period in an aggregate  
21 amount exceeding \$3,000 relating to any candidate or  
22 candidates described in paragraph (a) or any question of  
23 public policy described in 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 expenditures for electioneering communications  
12 during any 12-month period in an aggregate amount exceeding  
13 \$3,000 relating to any candidate or candidates described in  
14 paragraph (a) or any question of public policy described in  
15 paragraph (b).

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 .....

7  
 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 .....

13  
 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 .....

19  
 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 .....

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

25 "Biannual period" means (i) for a State political

1 committee, the year prior to and the year of a general election  
2 or (ii) for a local political committee, the year prior to and  
3 the year of a consolidated election.

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

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

18 "Multi-candidate committee" means a political committee  
19 organized by a public official, candidate, or political party  
20 to support the nomination, election, or retention of public  
21 officials or candidates for multiple, specified offices.

22 "Multi-candidate committee" also includes a political party  
23 committee.

24 "Non-candidate committee" means a political committee  
25 organized by a person, persons, or entity other than a public  
26 official, candidate, or political party to support or oppose

1 causes, ideas, or interests but not organized to support  
2 specific candidates for nomination, election, or retention.

3 "Political party committee" means a political committee  
4 organized to support candidates of a specific political party  
5 seeking elective office within a specific jurisdiction.

6 "Single-candidate committee" means a political committee  
7 organized to support or oppose the election of a single,  
8 specific candidate or public official or to support or oppose  
9 one or more questions of public policy.

10 "Statewide office" means the Governor, Lieutenant  
11 Governor, Attorney General, Secretary of State, Comptroller,  
12 and Treasurer.

13 (b) Single-candidate committee. Beginning on November 3,  
14 2010, no public official or candidate for public office may  
15 establish or maintain more than one political committee. The  
16 statement of organization must identify the public official or  
17 candidate, the office that the public official or candidate  
18 occupies or seeks to occupy, and a statement that the political  
19 committee is the only single-candidate committee designated by  
20 the public official or candidate to receive contributions and  
21 make expenditures on behalf of the public official or candidate  
22 for such office.

23 (1) Each biannual period, a single-candidate committee  
24 may not accept contributions with an aggregate value over  
25 \$5,000 from a natural person.

26 (2) Each biannual period, a single-candidate committee

1 may not accept contributions with an aggregate value over  
2 \$10,000 from another political committee or a corporation,  
3 labor organization, or association.

4 (3) Each biannual period, a single-candidate committee  
5 may not accept contributions with an aggregate value over  
6 \$90,000 from more than one multi-candidate political  
7 committee that is designated in writing by the  
8 single-candidate committee.

9 (4) A single-candidate committee formed to support a  
10 candidate for statewide office may receive contributions  
11 of not more than 3 times the limit established from the  
12 sources identified in paragraphs (1), (2), and (3) of this  
13 subsection.

14 (c) Multi-candidate committee. Beginning on November 3,  
15 2010, a public official, candidate for public office, or a  
16 political party may establish or maintain one political  
17 committee to support the election of public officials or  
18 candidates for multiple, specified offices. The statement of  
19 organization must identify the public official, candidate, or  
20 political party forming the committee, the public officials,  
21 candidates, or political party the committee is organized to  
22 support, and a statement that the political committee is the  
23 only multi-candidate committee designated by the public  
24 official, candidate, or political party to receive  
25 contributions and make expenditures on behalf of the public  
26 official, candidate, or political party.



1           (1) Each biannual period, a multi-candidate committee  
2           may not accept contributions with an aggregate value over  
3           \$10,000 from a natural person.

4           (2) Each biannual period, a multi-candidate committee  
5           may not accept contributions with an aggregate value over  
6           \$20,000 from another political committee or a corporation,  
7           labor organization, or association.

8           (d) Non-candidate committee. Beginning on November 3,  
9           2010, a corporation, association, labor organization, or other  
10           person may establish or maintain one political committee to  
11           support or oppose a cause or interest other than a political  
12           committee established to support or oppose a public question  
13           but not to support specific candidates for nomination,  
14           election, or retention. The statement of organization must  
15           identify the entity forming the committee, the cause or  
16           interest supported or opposed, and a statement that the  
17           political committee is the only non-candidate committee  
18           designated to receive contributions and make expenditures on  
19           behalf of the entity.

20           (1) Each biannual period, a non-candidate committee  
21           may not accept contributions with an aggregate value over  
22           \$10,000 from a natural person.

23           (2) Each biannual period, a non-candidate committee  
24           may not accept contributions with an aggregate value over  
25           \$20,000 from another political committee, a corporation, a  
26           labor organization, or an association.

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

26       (f) Joint fundraising. Nothing in this Section shall

1 prohibit political committees from dividing the proceeds of  
2 joint fundraising efforts; provided that no political  
3 committee may receive more than the limit from any one  
4 contributor, and all contributions shall be reported.

5 (g) Contributions or transfers in violation of this  
6 Section.

7 (1) A political committee that receives a contribution  
8 or transfer in violation of this Section shall dispose of  
9 the contribution or transfer by returning the contribution  
10 or transfer, or an amount equal to the contribution or  
11 transfer, to the contributor or transferor or donating the  
12 contribution or transfer, or an amount equal to the  
13 contribution or transfer, to a charity. A contribution or  
14 transfer received in violation of this Section that is not  
15 disposed of as provided in this subsection within 30 days  
16 after its receipt shall escheat to the General Revenue  
17 Fund.

18 (2) Any person, corporation, association, labor  
19 organization, or political committee that makes a  
20 contribution in violation of this Section is guilty of a  
21 business offense and shall be fined the greater of \$2,000  
22 or 3 times the value of the excess contribution.

23 (3) Any committee that knowingly accepts a  
24 contribution in violation of this Section is guilty of a  
25 business offense, and the State Board of Elections shall  
26 assess a penalty of not less than the value of the excess

1 contribution and not more than the greater of \$5,000 or 3  
2 times the value of the excess contribution for each  
3 violation. For purposes of this subsection, a committee  
4 knows that a contribution is in violation of this Section  
5 if the committee chairman or treasurer, any natural person  
6 paid to perform regular committee duties, or, for a  
7 single-candidate or multi-candidate committee, any  
8 candidate supported by the committee knows, or reasonably  
9 should know, at the time the excess contribution is made,  
10 that the contribution is in violation of this Section.

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

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

21 (10 ILCS 5/9-8.6 new)

22 Sec. 9-8.6. Independent expenditures.

23 (a) "Independent expenditure" means an expenditure (i)  
24 that is made by a natural person for the purpose of making  
25 electioneering communications or of expressly advocating for

1 or against the nomination, election, retention, or defeat of a  
2 clearly identifiable public official or candidate and (ii) that  
3 is not made in connection, consultation, or concert with or at  
4 the request or suggestion of the public official or candidate,  
5 the public official's or candidate's designated political  
6 committee or campaign, or the agent or agents of the public  
7 official, candidate, or political committee or campaign. An  
8 independent expenditure is not considered a contribution to a  
9 political committee. An expenditure made by a natural person in  
10 connection, consultation, or concert with or at the request or  
11 suggestion of the public official or candidate, the public  
12 official's or candidate's single-candidate committee, or the  
13 agent or agents of the public official, candidate, or political  
14 committee or campaign shall be considered a contribution to the  
15 public official's or candidate's single-candidate committee.

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

1 and nature of each independent expenditure, and, in the case of  
2 a person, his or her occupation and employer.

3 Any person that makes independent expenditures in an  
4 aggregate amount exceeding \$3,000 during a biannual period as  
5 defined in Section 9-8.5 shall have a continuing duty to  
6 disclose each time the person has an unreported independent  
7 expenditure or expenditures supporting or opposing a public  
8 official or candidate that exceed an aggregate value of  
9 \$20,000. In this event, the person shall file a written  
10 disclosure with the public official or candidate, any other  
11 candidate seeking the office, and the State Board within 2  
12 business days after making any expenditure that results in the  
13 person meeting or exceeding the \$20,000 in aggregate. Each  
14 disclosure must identify the person, his or her occupation, the  
15 public official or candidate, and the date, amount, and nature  
16 of each independent expenditure.

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

22 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

23 Sec. 9-10. Financial reports.

24 (a) The treasurer of every state political committee and  
25 the treasurer of every local political committee shall file

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

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

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



1 after the political committee makes such expenditures or within  
2 24 hours in the period 5 days prior to the election.

3 (c) Real-time reports.

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

18 (2) A report of any contribution received at any other  
19 time in the aggregate amount of more than \$500, or in the  
20 aggregate amount of more than \$1,000 in the case of a State  
21 officer or a candidate for statewide office, or a political  
22 committee formed for a State officer or candidate for  
23 statewide office, in the interim between the last date of  
24 the period covered by the last report filed under  
25 subsection (a) shall be filed electronically with and must  
26 actually be received by the State Board of Elections within

1       5 business days after receipt of the contribution. For the  
2       purpose of this subsection, "statewide office" and "State  
3       officer" mean the Governor, Lieutenant Governor, Attorney  
4       General, Secretary of State, Comptroller, and Treasurer. A  
5       ~~continuing political committee that does not support or~~  
6       ~~oppose a candidate or public question on the ballot at a~~  
7       ~~general primary election and does not make expenditures in~~  
8       ~~excess of \$500 on behalf of or in opposition to any~~  
9       ~~candidate or public question on the ballot at the general~~  
10       ~~primary election shall not be required to file the report~~  
11       ~~prescribed in this subsection unless the committee makes an~~  
12       ~~expenditure in excess of \$500 on behalf of or in opposition~~  
13       ~~to any candidate or public question on the ballot at the~~  
14       ~~general primary election. The committee shall timely file~~  
15       ~~the report required under this subsection beginning with~~  
16       ~~the date the expenditure that triggered participation was~~  
17       ~~made. The State Board shall allow filings of reports of~~  
18       ~~contributions of more than \$500 under this subsection (b 5)~~  
19       ~~by political committees that are not required to file~~  
20       ~~electronically to be made by facsimile transmission.~~

21       (d) A single-candidate or multi-candidate committee  
22       organized by or in support of a member of the General Assembly  
23       also must file the reports required by paragraph (1) of  
24       subsection (c) during the period beginning May 1 through the  
25       adjournment of the spring legislative session. A  
26       single-candidate or multi-candidate committee organized by or

1 in support of the Governor must file the reports required by  
2 paragraph (1) of subsection (c) during the 90 days following  
3 the adjournment of the spring legislative session.

4 (e) For the purpose of this Section ~~subsection~~, a  
5 contribution is considered received on the date the public  
6 official, candidate, or treasurer of the political committee  
7 (or equivalent person in the case of a reporting entity other  
8 than a political committee) actually receives it or, in the  
9 case of goods or services, 2 business days after the date the  
10 public official, candidate, or treasurer of the committee, or  
11 other reporting entity receives the certification required  
12 under subsection (b) of Section 9-6.

13 (f) 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 willful or wanton violations of this  
18 subsection not to exceed 150% ~~100%~~ of the total amount of the  
19 contributions that were untimely reported, but in no case when  
20 a fine is imposed shall it be less than 10% of the total amount  
21 of the contributions that were untimely reported. When  
22 considering the amount of the fine to be imposed, the Board  
23 shall consider, but is not limited to, the following factors:

24 (1) the amount by which a contribution exceeded the  
25 threshold;

26 ~~(1) whether in the Board's opinion the violation was~~

1 ~~committed inadvertently, negligently, knowingly, or~~  
2 ~~intentionally;~~

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

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

7 (g) The Board may impose fines for negligent, inadvertent,  
8 or technical violations of this Section not to exceed 50% of  
9 the total amount of the contributions that were untimely  
10 reported, or the Board may decline to impose a fine for such  
11 violations. When considering the amount of the fine to be  
12 imposed, the Board shall consider, but is not limited to, the  
13 following factors:

14 (1) whether the violation was negligent, inadvertent,  
15 or technical in nature;

16 (2) whether the contribution at issue was disclosed but  
17 a violation arose because the disclosure was incorrectly  
18 characterized or reported inadvertently by another related  
19 committee;

20 (3) whether the violation arose from an apparent  
21 discrepancy between the date of the contribution reported  
22 by the transferring committee and the date reported by the  
23 receiving committee, if there appears to be no attempt to  
24 delay disclosure;

25 (4) whether the disclosure was triggered by an  
26 aggregation of contributions or transfers, the unreported

1 contributions or transfers are less than the threshold  
2 triggering disclosure requirements, and there appears to  
3 be no attempt to delay disclosure;

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

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

8 (7) past violations of this Section and Section 9-3 by  
9 the committee.

10 (h) ~~(e)~~ In addition to such reports the treasurer of every  
11 political committee shall file quarterly ~~semi-annual~~ reports  
12 of campaign contributions and expenditures. The reports shall  
13 cover the period January 1 through March 31, April 1 through  
14 June 30, July 1 through September 30, and October 1 through  
15 December 31 of each year. Reports shall be filed no later than  
16 20 days after the close of the reporting period. ~~no later than~~  
17 ~~July 20th, covering the period from January 1st through June~~  
18 ~~30th immediately preceding, and no later than January 20th,~~  
19 ~~covering the period from July 1st through December 31st of the~~  
20 ~~preceding calendar year.~~ Reports of contributions and  
21 expenditures must be filed to cover the prescribed time periods  
22 even though no contributions or expenditures may have been  
23 received or made during the period. The Board shall assess a  
24 civil penalty not to exceed \$5,000 for a violation of this  
25 subsection, except that for State officers and candidates and  
26 political committees formed for statewide office, the civil

1 penalty may not exceed \$10,000. The fine, however, shall not  
2 exceed \$500 for a first filing violation for filing less than  
3 10 days after the deadline. There shall be no fine if the  
4 report is mailed and postmarked at least 72 hours prior to the  
5 filing deadline. For the purpose of this subsection, "statewide  
6 office" and "State officer" means the Governor, Lieutenant  
7 Governor, Attorney General, Secretary of State, Comptroller,  
8 and Treasurer.

9 (i) Audits.

10 (1) In addition to any fine imposed under this  
11 subsection, the State Board of Elections may order any  
12 political committee that has failed to file 2 successive  
13 quarterly reports within 5 business days after the date the  
14 report was due to conduct an audit of all financial records  
15 required to be maintained by the committee at the time the  
16 audit is ordered. The committee ordered to conduct an audit  
17 shall deliver a certified copy of the audit to the Board  
18 within 90 calendar days after the date the audit was  
19 ordered. If the committee fails to deliver a certified  
20 audit in the time required, the Board shall assess a civil  
21 penalty of \$250 per day that the audit is late, not to  
22 exceed \$5,000.

23 (2) The State Board of Elections shall conduct audits  
24 of the finances and disclosure reports of political  
25 committees organized under this Article to discover any  
26 inconsistency between financial records and disclosure

1 reports, contributions in excess of limits established by  
2 law, and any other prohibited acts. The State Board of  
3 Elections shall establish policies and procedures  
4 necessary to audit political committees in accordance with  
5 this subsection.

6 (a) Four times a year, within 30 days after the  
7 filing deadline for quarterly reports, the Board shall  
8 divide committees into groups based on the sum total of  
9 reported receipts. The groups shall include committees  
10 that have (A) less than \$3,000; (B) at least \$3,000 but  
11 not more than \$10,000; (C) more than \$10,000 but not  
12 more than \$25,000; (D) more than \$25,000 but not more  
13 than \$100,000; and (E) more than \$100,000 or have not  
14 filed reports by the 30th day after the filing  
15 deadline. The Board shall, by a random method of its  
16 choosing, select 1.0% of the committees in Group (A),  
17 2.0% of the committees in Group (B), 3.0% of the  
18 committees in Group (C), 4.0% of the committees in  
19 Group (D), and 5.0% of the committees in Group (E) and  
20 order audits be conducted of those committees.

21 (b) Audits shall conform to uniform standards  
22 established by rule.

23 (c) Committees ordered to submit records for  
24 audits shall transmit all records to the Board within  
25 10 business days after the date of the Board meeting at  
26 which the audit was ordered. The Board by affirmative

1 vote of any 5 of its members may grant one 15-business  
2 day extension to transmit records to the Board.

3 (d) After completion of the audit, the Board shall  
4 post copies of all audits on its website.

5 (e) If the committee fails to deliver records in  
6 the time required, the Board shall assess a civil  
7 penalty of \$250 per day that the records are late, not  
8 to exceed \$5,000.

9 (f) Any violation discovered in an audit shall be  
10 subject to any fines and penalties established for such  
11 violation.

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

22 (k) ~~(d)~~ A copy of each report or statement filed under this  
23 Article shall be preserved by the person filing it for a period  
24 of two years from the date of filing. Within 5 business days  
25 after the Board imposes or waives fines under this Section, the  
26 Board shall publish on its website a summary of fines



1 considered and imposed, identifying the person, candidate, or  
2 political committee subject to the determination, the total  
3 amount of contributions that were untimely reported, and the  
4 amount of penalties assessed in each instance.

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

7 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

8 Sec. 9-13. Each quarterly ~~semi-annual~~ report of campaign  
9 contributions and expenditures under Section 9-10 shall  
10 disclose-

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

12 (2) (Blank);

13 (3) the amount of funds on hand at the beginning of the  
14 reporting period;

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

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

1 under item (4);

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

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

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

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

26 (10) each contribution, rebate, refund, or other receipt in

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

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

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

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

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

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

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

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

2 (10 ILCS 5/9-14) (from Ch. 46, par. 9-14)

3 Sec. 9-14. Each quarterly ~~semi-annual~~ report of campaign  
4 contributions and expenditures required by Section 9-10 of this  
5 Article to be filed with the Board or the Board and the county  
6 clerk shall be verified, dated, and signed by either the  
7 treasurer of the political committee making the report or the  
8 candidate on whose behalf the report is made, and shall contain  
9 substantially the following:

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

11 CONTRIBUTIONS AND EXPENDITURES

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

13 .....

14 (2) the date of the beginning of the reporting period, and the  
15 amount of funds on hand at the beginning of the reporting  
16 period;

17 .....

18 (3) the full name and mailing address of each person who has  
19 made one or more contributions to or for the committee within  
20 the reporting period in an aggregate amount or value in excess  
21 of \$150, together with the amount and date of such  
22 contributions, and if a contributor is an individual who  
23 contributed more than \$500, the occupation and employer of each  
24 contributor or, if the occupation and employer of the  
25 contributor are unknown, a statement that the committee has

1 made a good faith effort to ascertain this information:

2	name	address	amount	date	occupation	employer
3	.....	.....	.....	.....	.....	.....
4	.....	.....	.....	.....	.....	.....
5	.....	.....	.....	.....	.....	.....
6	.....	.....	.....	.....	.....	.....
7	.....	.....	.....	.....	.....	.....

8 (4) the total sum of individual contributions made to or for  
9 the committee during the reporting period and not reported  
10 under item--(3):

11 .....

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

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

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

23 (7) each loan to or from any person within the reporting period  
24 by or to the committee in an aggregate amount or value in  
25 excess of \$150, together with the full names and mailing  
26 addresses of the lender and endorsers, if any, and the date and

1 amount of such loans, and if a lender or endorser is an  
 2 individual who loaned or endorsed a loan of more than \$500, the  
 3 occupation and employer of each person making the loan, or if  
 4 the occupation and employer of the individual are unknown, a  
 5 statement that the committee has made a good faith effort to  
 6 ascertain this information:

7	name	address	amount	date	endorsers	occupation	employer
8	.....	.....	.....	.....	.....	.....	.....
9	.....	.....	.....	.....	.....	.....	.....
10	.....	.....	.....	.....	.....	.....	.....

11 (8) the total amount of proceeds received by the committee from  
 12 (a) the sale of tickets for each dinner, luncheon, cocktail  
 13 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 (a) .....
- 18 (b) .....
- 19 (c) .....

20 (9) each contribution, rebate, refund, or other receipt in  
 21 excess of \$150 received by the committee not otherwise listed  
 22 under items (3) through (8), and if a contributor is an  
 23 individual who contributed more than \$500, the occupation and  
 24 employer of each contributor or, if the occupation and employer  
 25 of the contributor are unknown, a statement that the committee  
 26 has made a good faith effort to ascertain this information:

1	name	address	amount	date	endorsers	occupation	employer
2	.....	.....	.....	.....	.....	.....	.....
3	.....	.....	.....	.....	.....	.....	.....
4	.....	.....	.....	.....	.....	.....	.....

5 (10) the total sum of all receipts by or for the committee  
6 during the reporting period:

7 .....

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

15	name	address	amount	date	purpose	beneficiary
16	.....	.....	.....	.....	.....	.....
17	.....	.....	.....	.....	.....	.....
18	.....	.....	.....	.....	.....	.....
19	.....	.....	.....	.....	.....	.....
20	.....	.....	.....	.....	.....	.....

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

26	name	address	amount	date	purpose
----	------	---------	--------	------	---------

1 .....  
 2 .....  
 3 .....

4 (13) the total sum of expenditures made by the committee during  
 5 the reporting period;

6 .....

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

10 .....  
 11 .....

12 VERIFICATION:

13 "I declare that this quarterly ~~semi-annual~~ report of  
 14 campaign contributions and expenditures (including any  
 15 accompanying schedules and statements) has been examined by me  
 16 and to the best of my knowledge and belief is a true, correct  
 17 and complete report as required by Article 9 of The Election  
 18 Code. I understand that willfully filing a false or incomplete  
 19 report is a business offense subject to a fine of up to  
 20 \$5,000."

21 .....

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

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

24 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

25 Sec. 9-21. Upon receipt of a such complaint as provided in



1 Section 9-20, the Board shall hold a closed preliminary hearing  
2 to determine whether or not the complaint appears to have been  
3 filed on justifiable grounds. Such closed preliminary hearing  
4 shall be conducted as soon as practicable after affording  
5 reasonable notice, a copy of the complaint, and an opportunity  
6 to testify at such hearing to both the person making the  
7 complaint and the person against whom the complaint is  
8 directed. If the Board fails to determine that the complaint  
9 has been filed on justifiable grounds, it shall dismiss the  
10 complaint without further hearing.

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

1 shall render its final judgment within 60 days of the date the  
2 complaint is filed; except that during the 60 days preceding  
3 the date of the election in reference to which the complaint is  
4 filed, the Board shall render its final judgment within 7 days  
5 of the date the complaint is filed, and during the 7 days  
6 preceding such election, the Board shall render such judgment  
7 before the date of such election, if possible.

8 At any time prior to the issuance of the Board's final  
9 judgment, the parties may dispose of the complaint by a written  
10 stipulation, agreed settlement or consent order. Any such  
11 stipulation, settlement or order shall, however, be submitted  
12 in writing to the Board and shall become effective only if  
13 approved by the Board in an open meeting. If the act or  
14 practice complained of consists of the failure to file any  
15 required report within the time prescribed by this Article,  
16 such stipulation, settlement or order may provide that if,  
17 within the 12-month period following the approval of such  
18 stipulation, agreement or order, the person complained of fails  
19 to file within the time prescribed by this Article any  
20 subsequent reports as may be required, such person may be  
21 subject to a civil penalty pursuant to Section 9-23.

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

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

1 (10 ILCS 5/9-23) (from Ch. 46, par. 9-23)

2 Sec. 9-23. Whenever the Board, pursuant to Section 9-21,  
3 has issued an order, or has approved a written stipulation,  
4 agreed settlement or consent order, directing a person  
5 determined by the Board to be in violation of any provision of  
6 this Article or any regulation adopted thereunder, to cease or  
7 correct such violation or otherwise comply with this Article  
8 and such person fails or refuses to comply with such order,  
9 stipulation, settlement or consent order within the time  
10 specified by the Board, the Board in an open meeting, after  
11 affording notice and an opportunity for a public hearing, may  
12 impose a civil penalty on such person in an amount not to  
13 exceed \$5,000; except that for State officers and candidates  
14 and political committees formed for statewide office, the civil  
15 penalty may not exceed \$10,000. For the purpose of this  
16 Section, "statewide office" and "State officer" means the  
17 Governor, Lieutenant Governor, Attorney General, Secretary of  
18 State, Comptroller, and Treasurer.

19 Civil penalties imposed on any such person by the Board  
20 shall be enforceable in the Circuit Court. The Board shall  
21 petition the Court for an order to enforce collection of the  
22 penalty and, if the Court finds it has jurisdiction over the  
23 person against whom the penalty was imposed, the Court shall  
24 issue the appropriate order. Any civil penalties collected by  
25 the Court shall be forwarded to the State Treasurer.

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

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

6           (10 ILCS 5/9-23.5 new)

7           Sec. 9-23.5. Public database of founded complaints. The  
8 State Board of Elections shall establish and maintain on its  
9 official website a searchable database, freely accessible to  
10 the public, of each complaint filed with the Board under this  
11 Article on which Board action was taken, including all Board  
12 actions and penalties imposed, if any. The Board must update  
13 the database within 5 business days after an action taken or a  
14 penalty imposed to include that complaint, action, or penalty  
15 in the database.

16           (10 ILCS 5/9-28)

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

20           Beginning July 1, 1999, or as soon thereafter as the Board  
21 has provided adequate software to the political committee,  
22 electronic filing is required for all political committees that  
23 during the reporting period (i) had at any time a balance or an  
24 accumulation of contributions of \$25,000 or more, (ii) made

1 aggregate expenditures of \$25,000 or more, or (iii) received  
2 loans of an aggregate of \$25,000 or more.

3 Beginning July 1, 2003, electronic filing is required for  
4 all political committees that during the reporting period (i)  
5 had at any time a balance or an accumulation of contributions  
6 of \$10,000 or more, (ii) made aggregate expenditures of \$10,000  
7 or more, or (iii) received loans of an aggregate of \$10,000 or  
8 more.

9 Notwithstanding any other provision of this Section, a  
10 political committee filing a report under subsection (c), (d),  
11 or (e) of Section 9-10 must file that report electronically.

12 The Board may provide by rule for the optional electronic  
13 filing of expenditure and contribution reports for all other  
14 political committees. The Board shall promptly make all reports  
15 filed under this Article by all political committees publicly  
16 available by means of a searchable database that is accessible  
17 through the World Wide Web.

18 The Board shall provide all software necessary to comply  
19 with this Section to candidates, public officials, political  
20 committees, and election authorities.

21 The Board shall implement a plan to provide computer access  
22 and assistance to candidates, public officials, political  
23 committees, and election authorities with respect to  
24 electronic filings required under this Article.

25 For the purposes of this Section, "political committees"  
26 includes entities required to report to the Board under Section

1 9-7.5.

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

3 (10 ILCS 5/9-28.5 new)

4 Sec. 9-28.5. Injunctive relief for electioneering  
5 communications.

6 (a) Whenever the Attorney General, or a State's Attorney  
7 with jurisdiction over any portion of the relevant electorate,  
8 believes that any person, as defined in Section 9-1.6, is  
9 making, producing, publishing, republishing, or broadcasting  
10 an electioneering communication paid for by any person, as  
11 defined in Section 9-1.6, who has not first complied with the  
12 registration and disclosure requirements of this Article, he or  
13 she may bring an action in the name of the People of the State  
14 of Illinois or, in the case of a State's Attorney, the People  
15 of the County, against such person or persons to restrain by  
16 preliminary or permanent injunction the making, producing,  
17 publishing, republishing, or broadcasting of such  
18 electioneering communication until the registration and  
19 disclosure requirements have been met.

20 (b) Any person who believes any person, as defined in  
21 Section 9-1.6, is making, producing, publishing, republishing,  
22 or broadcasting an electioneering communication paid for by any  
23 person, as defined in Section 9-1.6, who has not first complied  
24 with the registration and disclosure requirements of this  
25 Article may bring an action in the circuit court against such

1 person or persons to restrain by preliminary or permanent  
2 injunction the making, producing, publishing, republishing, or  
3 broadcasting of such electioneering communication until the  
4 registration and disclosure requirements have been met.

5 (10 ILCS 5/9-30)

6 Sec. 9-30. Ballot forfeiture. The State Board of Elections  
7 shall not certify the ~~The~~ name of any ~~a~~ person who has not paid  
8 a civil penalty imposed against his or her political committee  
9 ~~him or her~~ under this Article to ~~shall not~~ appear upon any  
10 ballot for any office in any election while the penalty is  
11 unpaid.

12 The State Board of Elections shall generate a list of all  
13 candidates whose political committees have not paid any civil  
14 penalty assessed against them under this Article. Such list  
15 shall be transmitted to any election authority whose duty it is  
16 to place the name of any such candidate on the ballot. The  
17 election authority shall not place upon the ballot the name of  
18 any candidate appearing on this list for any office in any  
19 election while the penalty is unpaid.

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

21 (10 ILCS 5/9-40 new)

22 Sec. 9-40. Public Financing of Judicial Elections Task  
23 Force.

24 (a) There is hereby established a Public Financing of

1 Judicial Elections Task Force. The Task Force shall conduct  
2 meetings and take testimony to assess the need for developing a  
3 system of public financing for judicial elections.

4 (b) The Task Force shall consist of all of the following  
5 voting members:

6 (1) Four persons appointed by the Governor, with no  
7 more than 2 from the same political party.

8 (2) Four members of the judiciary appointed by the  
9 Illinois Supreme Court.

10 (3) One member appointed by the President of the  
11 Senate.

12 (4) One member appointed by the Minority Leader of the  
13 Senate.

14 (5) One member appointed by the Speaker of the House of  
15 Representatives.

16 (6) One member appointed by the Minority Leader of the  
17 House of Representatives.

18 (7) One member appointed by the State Board of  
19 Elections.

20 (c) In the event of a vacancy, the appointment to fill the  
21 vacancy shall be made by the appointing authority that made the  
22 original appointment. The Task Force may begin to conduct  
23 business upon the appointment of a majority of the voting  
24 members.

25 (d) The State Board of Elections shall be the agency  
26 responsible for providing staff and administrative support to



1 the Task Force. Members of the Task Force shall receive no  
2 compensation for their participation but may be reimbursed for  
3 expenses in connection with their participation, if funds are  
4 available.

5 (e) The Task Force shall submit a report to the Governor,  
6 General Assembly, and Illinois Supreme Court by January 1,  
7 2012. The State Board of Elections shall make the report  
8 available on its website.

9 (f) The Task Force is abolished on January 10, 2012, and  
10 this Section is repealed on January 10, 2012.

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

13 Section 99. Effective date. This Act takes effect January  
14 1, 2011, except that Section 9-8.5 of the Election Code takes  
15 effect November 3, 2010 and except that this Section, Sections  
16 9-28.5 and 9-40 of the Election Code, and the changes to  
17 Sections 9-1.14 and 9-30 of the Election Code take effect upon  
18 becoming law.