

SB2532



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2532

Introduced 1/12/2010, by Sen. Heather Steans

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5

Amends the Election Code if and only if Senate Bill 1466 becomes law. Sets limits on contributions from political party committees to candidate political committees during an election cycle at which candidates seek election at a general election. Effective January 1, 2011.

LRB096 15494 JAM 30724 b

A BILL FOR

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. If and only if Senate Bill 1466 of the 96th
5 General Assembly, as enrolled, becomes law, the Election Code
6 is amended by changing Section 9-8.5 as follows:

7 (10 ILCS 5/9-8.5)

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

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

11 (b) During an election cycle, a candidate political
12 committee may not accept contributions with an aggregate value
13 over the following: (i) \$5,000 from any individual, (ii)
14 \$10,000 from any corporation, labor organization, or
15 association, or (iii) \$50,000 from a candidate political
16 committee or political action committee. ~~A candidate political
17 committee may accept contributions in any amount from a
18 political party committee except during an election cycle in
19 which the candidate seeks nomination at a primary election.~~

20 During an election cycle in which the candidate seeks
21 nomination at a primary election, a candidate political
22 committee may not accept contributions from political party
23 committees with an aggregate value over the following: (i)

1 \$200,000 for a candidate political committee established to
2 support a candidate seeking nomination to statewide office,
3 (ii) \$125,000 for a candidate political committee established
4 to support a candidate seeking nomination to the Senate, the
5 Supreme Court or Appellate Court in the First Judicial
6 District, or an office elected by all voters in a county with
7 1,000,000 or more residents, (iii) \$75,000 for a candidate
8 political committee established to support a candidate seeking
9 nomination to the House of Representatives, the Supreme Court
10 or Appellate Court for a Judicial District other than the First
11 Judicial District, an office elected by all voters of a county
12 of fewer than 1,000,000 residents, and municipal and county
13 offices in Cook County other than those elected by all voters
14 of Cook County, and (iv) \$50,000 for a candidate political
15 committee established to support the nomination of a candidate
16 to any other office. During an election cycle in which the
17 candidate seeks election at a general election, a candidate
18 political committee may not accept contributions from
19 political party committees with an aggregate value over the
20 following: (i) \$300,000 for a candidate political committee
21 established to support a candidate seeking election to
22 statewide office, (ii) \$175,000 for a candidate political
23 committee established to support a candidate seeking election
24 to the Senate, the Supreme Court or Appellate Court in the
25 First Judicial District, or an office elected by all voters in
26 a county with 1,000,000 or more residents, (iii) \$125,000 for a

1 candidate political committee established to support a
2 candidate seeking election to the House of Representatives, the
3 Supreme Court or Appellate Court for a Judicial District other
4 than the First Judicial District, an office elected by all
5 voters of a county of fewer than 1,000,000 residents, and
6 municipal and county offices in Cook County other than those
7 elected by all voters of Cook County, and (iv) \$85,000 for a
8 candidate political committee established to support the
9 election of a candidate to any other office. A candidate
10 political committee established to elect a candidate to the
11 General Assembly may accept contributions from only one
12 legislative caucus committee. A candidate political committee
13 may not accept contributions from a ballot initiative
14 committee.

15 (c) During an election cycle, a political party committee
16 may not accept contributions with an aggregate value over the
17 following: (i) \$10,000 from any individual, (ii) \$20,000 from
18 any corporation, labor organization, or association, or (iii)
19 \$50,000 from a political action committee. A political party
20 committee may accept contributions in any amount from another
21 political party committee or a candidate political committee,
22 except as provided in subsection (c-5). Nothing in this Section
23 shall limit the amounts that may be transferred between a State
24 political committee and federal political committee. A
25 political party committee may not accept contributions from a
26 ballot initiative committee. A political party committee

1 established by a legislative caucus may not accept
2 contributions from another political party committee
3 established by a legislative caucus.

4 (c-5) During the period beginning on the date candidates
5 may begin circulating petitions for a primary election and
6 ending on the day of the primary election, a political party
7 committee may not accept contributions with an aggregate value
8 over \$50,000 from a candidate political committee or political
9 party committee. A political party committee may accept
10 contributions in any amount from a candidate political
11 committee or political party committee if the political party
12 committee receiving the contribution filed a statement of
13 nonparticipation in the primary as provided in subsection
14 (c-10). The Task Force on Campaign Finance Reform shall study
15 and make recommendations on the provisions of this subsection
16 to the Governor and General Assembly by September 30, 2012.
17 This subsection becomes inoperative on July 1, 2013 and
18 thereafter no longer applies.

19 (c-10) A political party committee that does not intend to
20 make contributions to candidates to be nominated at a general
21 primary election or consolidated primary election may file a
22 Statement of Nonparticipation in a Primary Election with the
23 Board. The Statement of Nonparticipation shall include a
24 verification signed by the chairperson and treasurer of the
25 committee that (i) the committee will not make contributions or
26 coordinated expenditures in support of or opposition to a

1 candidate or candidates to be nominated at the general primary
2 election or consolidated primary election (select one) to be
3 held on (insert date), (ii) the political party committee may
4 accept unlimited contributions from candidate political
5 committees and political party committees, provided that the
6 political party committee does not make contributions to a
7 candidate or candidates to be nominated at the primary
8 election, and (iii) failure to abide by these requirements
9 shall deem the political party committee in violation of this
10 Article and subject the committee to a fine of no more than
11 150% of the total contributions or coordinated expenditures
12 made by the committee in violation of this Article. This
13 subsection becomes inoperative on July 1, 2013 and thereafter
14 no longer applies.

15 (d) During an election cycle, a political action committee
16 may not accept contributions with an aggregate value over the
17 following: (i) \$10,000 from any individual, (ii) \$20,000 from
18 any corporation, labor organization, political party
19 committee, or association, or (iii) \$50,000 from a political
20 action committee or candidate political committee. A political
21 action committee may not accept contributions from a ballot
22 initiative committee.

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

26 (f) Nothing in this Section shall prohibit a political

1 committee from dividing the proceeds of joint fundraising
2 efforts; provided that no political committee may receive more
3 than the limit from any one contributor.

4 (g) On January 1 of each odd-numbered year, the State Board
5 of Elections shall adjust the amounts of the contribution
6 limitations established in this Section for inflation as
7 determined by the Consumer Price Index for All Urban Consumers
8 as issued by the United States Department of Labor and rounded
9 to the nearest \$100. The State Board shall publish this
10 information on its official website.

11 (h) Self-funding candidates. If a public official, a
12 candidate, or the public official's or candidate's immediate
13 family contributes or loans to the public official's or
14 candidate's political committee or to other political
15 committees that transfer funds to the public official's or
16 candidate's political committee or makes independent
17 expenditures for the benefit of the public official's or
18 candidate's campaign during the 12 months prior to an election
19 in an aggregate amount of more than (i) \$250,000 for statewide
20 office or (ii) \$100,000 for all other elective offices, then
21 the public official or candidate shall file with the State
22 Board of Elections, within one day, a Notification of
23 Self-funding that shall detail each contribution or loan made
24 by the public official, the candidate, or the public official's
25 or candidate's immediate family. Within 2 business days after
26 the filing of a Notification of Self-funding, the notification

1 shall be posted on the Board's website and the Board shall give
2 official notice of the filing to each candidate for the same
3 office as the public official or candidate making the filing,
4 including the public official or candidate filing the
5 Notification of Self-funding. Upon receiving notice from the
6 Board, all candidates for that office, including the public
7 official or candidate who filed a Notification of Self-funding,
8 shall be permitted to accept contributions in excess of any
9 contribution limits imposed by subsection (b). For the purposes
10 of this subsection, "immediate family" means the spouse,
11 parent, or child of a public official or candidate.

12 (i) For the purposes of this Section, a corporation, labor
13 organization, association, or a political action committee
14 established by a corporation, labor organization, or
15 association may act as a conduit in facilitating the delivery
16 to a political action committee of contributions made through
17 dues, levies, or similar assessments and the political action
18 committee may report the contributions in the aggregate,
19 provided that: (i) the dues, levies, or similar assessments
20 paid by any natural person, corporation, labor organization, or
21 association in a calendar year may not exceed the limits set
22 forth in this Section and (ii) the corporation, labor
23 organization, association, or a political action committee
24 established by a corporation, labor organization, or
25 association facilitating the delivery of contributions
26 maintains a list of natural persons, corporations, labor

1 organizations, and associations that paid the dues, levies, or
2 similar assessments from which the contributions comprising
3 the aggregate amount derive. A political action committee
4 facilitating the delivery of contributions or receiving
5 contributions shall disclose the amount of dues delivered or
6 received and the name of the corporation, labor organization,
7 association, or political action committee delivering the
8 contributions, if applicable.

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

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

25 (l) This Section is repealed if and when the United States
26 Supreme Court invalidates contribution limits on committees

1 formed to assist candidates, political parties, corporations,
2 associations, or labor organizations established by or
3 pursuant to federal law.

4 (Source: 96SB1466 enr.)

5 Section 99. Effective date. This Act takes effect January
6 1, 2011.