

# SB1272



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1272

Introduced 2/8/2011, by Sen. Heather A. Steans

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5

Amends the Election Code. 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.

LRB097 07818 RLJ 47931 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. The Election Code is amended by changing Section  
5 9-8.5 as follows:

6 (10 ILCS 5/9-8.5)

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

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

10 (b) During an election cycle, a candidate political  
11 committee may not accept contributions with an aggregate value  
12 over the following: (i) \$5,000 from any individual, (ii)  
13 \$10,000 from any corporation, labor organization, or  
14 association, or (iii) \$50,000 from a candidate political  
15 committee or political action committee. ~~A candidate political~~  
16 ~~committee may accept contributions in any amount from a~~  
17 ~~political party committee except during an election cycle in~~  
18 ~~which the candidate seeks nomination at a primary election.~~  
19 During an election cycle in which the candidate seeks  
20 nomination at a primary election, a candidate political  
21 committee may not accept contributions from political party  
22 committees with an aggregate value over the following: (i)  
23 \$200,000 for a candidate political committee established to

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

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

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

1 contributions from another political party committee  
2 established by a legislative caucus.

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

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

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

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

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

25 (f) Nothing in this Section shall prohibit a political  
26 committee from dividing the proceeds of joint fundraising

1 efforts; provided that no political committee may receive more  
2 than the limit from any one contributor.

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

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

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

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



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

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

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

24 (l) This Section is repealed if and when the United States  
25 Supreme Court invalidates contribution limits on committees  
26 formed to assist candidates, political parties, corporations,

1 associations, or labor organizations established by or  
2 pursuant to federal law.

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