



Rep. Barbara Flynn Currie

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09700SB3722ham003

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1 AMENDMENT TO SENATE BILL 3722

2 AMENDMENT NO. _____. Amend Senate Bill 3722, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, as follows:

5 on page 1, by replacing line 5 with the following:

6 "Sections 4-50, 5-50, 6-100, 9-1.8, 9-1.9, 9-1.15, 9-2, 9-3,
7 9-7,"; and

8 on page 10, by replacing line 8 with the following:

9 "organization or group of persons formed for the exclusive
10 purpose of making independent"; and

11 on page 15, immediately below line 13, by inserting the
12 following:

1 "(10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

2 Sec. 9-3. Political committee statement of organization.

3 (a) Every political committee shall file with the State
4 Board of Elections a statement of organization within 10
5 business days of the creation of such committee, except any
6 political committee created within the 30 days before an
7 election shall file a statement of organization within 2
8 business days in person, by facsimile transmission, or by
9 electronic mail. Any change in information previously
10 submitted in a statement of organization shall be reported, as
11 required for the original statement of organization by this
12 Section, within 10 days following that change. A political
13 committee that acts as both a state political committee and a
14 local political committee shall file a copy of each statement
15 of organization with the State Board of Elections and the
16 county clerk. The Board shall impose a civil penalty of \$50 per
17 business day upon political committees for failing to file or
18 late filing of a statement of organization. Such penalties
19 shall not exceed \$5,000, and shall not exceed \$10,000 for
20 statewide office political committees. There shall be no fine
21 if the statement is mailed and postmarked at least 72 hours
22 prior to the filing deadline.

23 In addition to the civil penalties authorized by this
24 Section, the State Board of Elections or any other political
25 committee may apply to the circuit court for a temporary
26 restraining order or a preliminary or permanent injunction

1 against the political committee to cease the expenditure of
2 funds and to cease operations until the statement of
3 organization is filed.

4 For the purpose of this Section, "statewide office" means
5 the Governor, Lieutenant Governor, Secretary of State,
6 Attorney General, State Treasurer, and State Comptroller.

7 (b) The statement of organization shall include:

8 (1) the name and address of the political committee and
9 the designation required by Section 9-2;

10 (2) the scope, area of activity, party affiliation, and
11 purposes of the political committee;

12 (3) the name, address, and position of each custodian
13 of the committee's books and accounts;

14 (4) the name, address, and position of the committee's
15 principal officers, including the chairman, treasurer, and
16 officers and members of its finance committee, if any;

17 (5) the name and address of any sponsoring entity;

18 (6) a statement of what specific disposition of
19 residual fund will be made in the event of the dissolution
20 or termination of the committee;

21 (7) a listing of all banks or other financial
22 institutions, safety deposit boxes, and any other
23 repositories or custodians of funds used by the committee;
24 and

25 (8) the amount of funds available for campaign
26 expenditures as of the filing date of the committee's

1 statement of organization.

2 For purposes of this Section, a "sponsoring entity" is (i)
3 any person, organization, corporation, or association that
4 contributes at least 33% of the total funding of the political
5 committee or (ii) any person or other entity that is registered
6 or is required to register under the Lobbyist Registration Act
7 and contributes at least 33% of the total funding of the
8 political committee.

9 (c) Each statement of organization required to be filed in
10 accordance with this Section shall be verified, dated, and
11 signed by either the treasurer of the political committee
12 making the statement or the candidate on whose behalf the
13 statement is made and shall contain substantially the following
14 verification:

15 "VERIFICATION:

16 I declare that this statement of organization (including
17 any accompanying schedules and statements) has been examined by
18 me and, to the best of my knowledge and belief, is a true,
19 correct, and complete statement of organization as required by
20 Article 9 of the Election Code. I understand that willfully
21 filing a false or incomplete statement is subject to a civil
22 penalty of at least \$1,001 and up to \$5,000.

23

24 (date of filing) (signature of person making the statement)".

25 (d) The statement of organization for a ballot initiative
26 committee also shall include a verification signed by the

1 chairperson of the committee that (i) the committee is formed
2 for the purpose of supporting or opposing a question of public
3 policy, (ii) all contributions and expenditures of the
4 committee will be used for the purpose described in the
5 statement of organization, (iii) the committee may accept
6 unlimited contributions from any source, provided that the
7 ballot initiative committee does not make contributions or
8 expenditures in support of or opposition to a candidate or
9 candidates for nomination for election, election, or
10 retention, and (iv) failure to abide by these requirements
11 shall deem the committee in violation of this Article.

12 (d-5) The statement of organization for an independent
13 expenditure committee also shall include a verification signed
14 by the chairperson of the committee that (i) the committee is
15 formed for the exclusive purpose of making independent
16 expenditures, (ii) all contributions and expenditures of the
17 committee will be used for the purpose described in the
18 statement of organization, (iii) the committee may accept
19 unlimited contributions from any source, provided that the
20 independent expenditure committee does not make contributions
21 to any candidate political committee, political party
22 committee, or political action committee, and (iv) failure to
23 abide by these requirements shall deem the committee in
24 violation of this Article.

25 (e) For purposes of implementing the changes made by this
26 amendatory Act of the 96th General Assembly, every political

1 committee in existence on the effective date of this amendatory
2 Act of the 96th General Assembly shall file the statement
3 required by this Section with the Board by December 31, 2010.
4 (Source: P.A. 96-832, eff. 7-1-10.); and

5 on page 18, by replacing line 1 with the following:

6 "contributions from a ballot initiative committee or from an
7 independent expenditure committee."; and

8 on page 18, by replacing line 15 with the following:

9 "accept contributions from a ballot initiative committee or
10 from an independent expenditure committee. A"; and

11 on page 20, by replacing line 11 with the following:

12 "initiative committee or from an independent expenditure
13 committee."; and

14 on page 20, by replacing line 20 with the following:

15 "than the limit from any one contributor, and provided that an
16 independent expenditure committee may not conduct joint
17 fundraising efforts with a candidate political committee or a
18 political party committee."; and

1 on page 25, by replacing line 23 with the following:

2 "person meeting or exceeding the \$3,000 threshold. A natural
3 person who has made a written disclosure with the State Board
4 of Elections shall have a continuing obligation to report
5 further expenditures in relation to the same election, in
6 \$1,000 increments, to the State Board until the conclusion of
7 that election. A natural"; and

8 on page 26, immediately below line 20, by inserting the
9 following:

10 "(d) In the event that a political committee organized as
11 an independent expenditure committee makes a contribution to
12 any other political committee other than another independent
13 expenditure committee or a ballot initiative committee, the
14 State Board shall assess a fine equal to the amount of any
15 contribution received in the preceding 2 years by the
16 independent expenditure committee that exceeded the limits for
17 a political action committee set forth in subsection (d) of
18 Section 9-8.5."