



Sen. Don Harmon

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09700SB3722sam001

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1 AMENDMENT TO SENATE BILL 3722

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3722 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 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

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

1 (c) During an election cycle, a political party committee  
2 may not accept contributions with an aggregate value over the  
3 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
4 any corporation, labor organization, or association, or (iii)  
5 \$50,000 from a political action committee. A political party  
6 committee may accept contributions in any amount from another  
7 political party committee or a candidate political committee,  
8 except as provided in subsection (c-5). Nothing in this Section  
9 shall limit the amounts that may be transferred between a State  
10 political committee and federal political committee. A  
11 political party committee may not accept contributions from a  
12 ballot initiative committee. A political party committee  
13 established by a legislative caucus may not accept  
14 contributions from another political party committee  
15 established by a legislative caucus.

16 (c-5) During the period beginning on the date candidates  
17 may begin circulating petitions for a primary election and  
18 ending on the day of the primary election, a political party  
19 committee may not accept contributions with an aggregate value  
20 over \$50,000 from a candidate political committee or political  
21 party committee. A political party committee may accept  
22 contributions in any amount from a candidate political  
23 committee or political party committee if the political party  
24 committee receiving the contribution filed a statement of  
25 nonparticipation in the primary as provided in subsection  
26 (c-10). The Task Force on Campaign Finance Reform shall study

1 and make recommendations on the provisions of this subsection  
2 to the Governor and General Assembly by September 30, 2012.  
3 This subsection becomes inoperative on July 1, 2013 and  
4 thereafter no longer applies.

5 (c-10) A political party committee that does not intend to  
6 make contributions to candidates to be nominated at a general  
7 primary election or consolidated primary election may file a  
8 Statement of Nonparticipation in a Primary Election with the  
9 Board. The Statement of Nonparticipation shall include a  
10 verification signed by the chairperson and treasurer of the  
11 committee that (i) the committee will not make contributions or  
12 coordinated expenditures in support of or opposition to a  
13 candidate or candidates to be nominated at the general primary  
14 election or consolidated primary election (select one) to be  
15 held on (insert date), (ii) the political party committee may  
16 accept unlimited contributions from candidate political  
17 committees and political party committees, provided that the  
18 political party committee does not make contributions to a  
19 candidate or candidates to be nominated at the primary  
20 election, and (iii) failure to abide by these requirements  
21 shall deem the political party committee in violation of this  
22 Article and subject the committee to a fine of no more than  
23 150% of the total contributions or coordinated expenditures  
24 made by the committee in violation of this Article. This  
25 subsection becomes inoperative on July 1, 2013 and thereafter  
26 no longer applies.

1           (d) During an election cycle, a political action committee  
2 may not accept contributions with an aggregate value over the  
3 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
4 any corporation, labor organization, political party  
5 committee, or association, or (iii) \$50,000 from a political  
6 action committee or candidate political committee. A political  
7 action committee may not accept contributions from a ballot  
8 initiative committee.

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

12           (f) Nothing in this Section shall prohibit a political  
13 committee from dividing the proceeds of joint fundraising  
14 efforts; provided that no political committee may receive more  
15 than the limit from any one contributor.

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

23           (h) Self-funding candidates. If a public official, a  
24 candidate, or the public official's or candidate's immediate  
25 family contributes or loans to the public official's or  
26 candidate's political committee or to other political

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

24 (i) For the purposes of this Section, a corporation, labor  
25 organization, association, or a political action committee  
26 established by a corporation, labor organization, or

1 association may act as a conduit in facilitating the delivery  
2 to a political action committee of contributions made through  
3 dues, levies, or similar assessments and the political action  
4 committee may report the contributions in the aggregate,  
5 provided that: (i) contributions made through ~~the~~ dues, levies,  
6 or similar assessments paid by any natural person, corporation,  
7 labor organization, or association in a calendar year may not  
8 exceed the limits set forth in this Section; ~~and~~ (ii) the  
9 corporation, labor organization, association, or a political  
10 action committee established by a corporation, labor  
11 organization, or association facilitating the delivery of  
12 contributions maintains a list of natural persons,  
13 corporations, labor organizations, and associations that paid  
14 the dues, levies, or similar assessments from which the  
15 contributions comprising the aggregate amount derive; and  
16 (iii) contributions made through dues, levies, or similar  
17 assessments paid by any natural person, corporation, labor  
18 organization, or association that exceed \$1,500 in a calendar  
19 year shall be itemized on the committee's quarterly report for  
20 the quarter in which the \$1,500 limit is exceeded. A political  
21 action committee facilitating the delivery of contributions or  
22 receiving contributions shall disclose the amount of  
23 contributions made through dues delivered or received and the  
24 name of the corporation, labor organization, association, or  
25 political action committee delivering the contributions, if  
26 applicable. On January 1 of each odd-numbered year, the State

1 Board of Elections shall adjust the amounts of the contribution  
2 limitations established in this subsection for inflation as  
3 determined by the Consumer Price Index for All Urban Consumers  
4 as issued by the United States Department of Labor and rounded  
5 to the nearest \$100. The State Board shall publish this  
6 information on its official website.

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

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

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



1 pursuant to federal law.

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

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.".