



Sen. Julie A. Morrison

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LRB099 02956 MGM 33282 a

1 AMENDMENT TO SENATE BILL 248

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 248 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 9-10 as follows:

6 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

7 Sec. 9-10. Disclosure of contributions and expenditures.

8 (a) The treasurer of every political committee shall file  
9 with the Board reports of campaign contributions and  
10 expenditures as required by this Section on forms to be  
11 prescribed or approved by the Board.

12 (b) Every political committee shall file quarterly reports  
13 of campaign contributions, expenditures, and independent  
14 expenditures. The reports shall cover the period January 1  
15 through March 31, April 1 through June 30, July 1 through  
16 September 30, and October 1 through December 31 of each year. A

1 political committee shall file quarterly reports no later than  
2 the 15th day of the month following each period. Reports of  
3 contributions and expenditures must be filed to cover the  
4 prescribed time periods even though no contributions or  
5 expenditures may have been received or made during the period.  
6 The Board shall assess a civil penalty not to exceed \$5,000 for  
7 failure to file a report required by this subsection. The fine,  
8 however, shall not exceed \$1,000 for a first violation if the  
9 committee files less than 10 days after the deadline. There  
10 shall be no fine if the report is mailed and postmarked at  
11 least 72 hours prior to the filing deadline. When considering  
12 the amount of the fine to be imposed, the Board shall consider  
13 whether the violation was committed inadvertently,  
14 negligently, knowingly, or intentionally and any past  
15 violations of this Section.

16 (c) A political committee shall file a report of any  
17 contribution of \$1,000 or more electronically with the Board  
18 within 5 business days after receipt of the contribution,  
19 except that the report shall be filed within 2 business days  
20 after receipt if (i) the contribution is received 30 or fewer  
21 days before the date of an election and (ii) the political  
22 committee supports or opposes a candidate or public question on  
23 the ballot at that election or makes expenditures in excess of  
24 \$500 on behalf of or in opposition to a candidate, candidates,  
25 a public question, or public questions on the ballot at that  
26 election. The State Board shall allow filings of reports of

1 contributions of \$1,000 or more by political committees that  
2 are not required to file electronically to be made by facsimile  
3 transmission. The Board shall assess a civil penalty for  
4 failure to file a report required by this subsection. Failure  
5 to report each contribution is a separate violation of this  
6 subsection. The Board shall impose fines for willful or wanton  
7 violations of this subsection (c) not to exceed 150% of the  
8 total amount of the contributions that were untimely reported,  
9 but in no case shall it be less than 10% of the total amount of  
10 the contributions that were untimely reported. When  
11 considering the amount of the fine to be imposed for willful or  
12 wanton violations, the Board shall consider the number of days  
13 the contribution was reported late and past violations of this  
14 Section and Section 9-3. The Board may impose a fine for  
15 negligent or inadvertent violations of this subsection not to  
16 exceed 50% of the total amount of the contributions that were  
17 untimely reported, or the Board may waive the fine. When  
18 considering whether to impose a fine and the amount of the  
19 fine, the Board shall consider the following factors: (1)  
20 whether the political committee made an attempt to disclose the  
21 contribution and any attempts made to correct the violation,  
22 (2) whether the violation is attributed to a clerical or  
23 computer error, (3) the amount of the contribution, (4) whether  
24 the violation arose from a discrepancy between the date the  
25 contribution was reported transferred by a political committee  
26 and the date the contribution was received by a political

1 committee, (5) the number of days the contribution was reported  
2 late, and (6) past violations of this Section and Section 9-3  
3 by the political committee.

4 (d) For the purpose of this Section, a contribution is  
5 considered received on the date (i) a monetary contribution was  
6 deposited in a bank, financial institution, or other repository  
7 of funds for the committee, (ii) the date a committee receives  
8 notice a monetary contribution was deposited by an entity used  
9 to process financial transactions by credit card or other  
10 entity used for processing a monetary contribution that was  
11 deposited in a bank, financial institution, or other repository  
12 of funds for the committee, or (iii) the public official,  
13 candidate, or political committee receives the notification of  
14 contribution of goods or services as required under subsection  
15 (b) of Section 9-6.

16 (e) A political committee that makes independent  
17 expenditures of \$1,000 or more shall file a report  
18 electronically with the Board within 5 business days after  
19 making the independent expenditure, except that the report  
20 shall be filed within 2 business days after making the  
21 independent expenditure during the 60-day period before an  
22 election during the period 30 days or fewer before an election  
23 ~~shall electronically file a report with the Board within 5~~  
24 ~~business days after making the independent expenditure. The~~  
25 ~~report shall contain the information required in Section~~  
26 ~~9-11(e) of this Article.~~

1           (e-5) An independent expenditure committee that makes an  
2 independent expenditure supporting or opposing a public  
3 official or candidate that, alone or in combination with any  
4 other independent expenditure made by that independent  
5 expenditure committee supporting or opposing that public  
6 official or candidate during the election cycle, equals an  
7 aggregate value of more than (i) \$250,000 for statewide office  
8 or (ii) \$100,000 for all other elective offices must file a  
9 written disclosure with the State Board of Elections within 2  
10 business days after making any expenditure that results in the  
11 independent expenditure committee exceeding the applicable  
12 threshold. The Board shall assess a civil penalty against an  
13 independent expenditure committee for failure to file the  
14 disclosure required by this subsection not to exceed (i) \$500  
15 for an initial failure to file the required disclosure and (ii)  
16 \$1,000 for each subsequent failure to file the required  
17 disclosure.

18           (f) A copy of each report or statement filed under this  
19 Article shall be preserved by the person filing it for a period  
20 of two years from the date of filing.

21           (Source: P.A. 96-832, eff. 1-1-11; 97-766, eff. 7-6-12.)".