

SB1234



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1234

Introduced 2/11/2015, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-40

Amends the Election Code. Makes a technical change in a provision concerning the Campaign Finance Reform Task Force.

LRB099 09954 MGM 30173 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 9-40 as follows:

6 (10 ILCS 5/9-40)

7 (This Section scheduled to be repealed on March 15, 2015)

8 Sec. 9-40. Campaign Finance Reform Task Force.

9 (a) There is hereby created the ~~the~~ Campaign Finance Reform
10 Task Force. The purpose of the Task Force is to conduct a
11 thorough review of the implementation of campaign finance
12 reform legislation in the State of Illinois, and the
13 feasibility of implementing a mechanism of campaign finance
14 regulation that would subsidize political campaigns in
15 exchange for voluntary adherence to specified expenditure
16 limitations.

17 (b) The Task Force shall consist of 11 members, appointed
18 as follows: 2 each by the Speaker of the House of
19 Representatives, the Minority Leader of the House of
20 Representatives, the President of the Senate, and the Minority
21 Leader of the Senate; and 3 by the Governor, one of whom shall
22 serve as chairperson. Members shall be adults and residents of
23 Illinois. The individual (or his or her successor) who

1 appointed a member may remove that appointed member before the
2 expiration of his or her term on the Task Force for official
3 misconduct, incompetence, or neglect of duty. Members shall
4 serve without compensation, but may be reimbursed for expenses.
5 Appointments shall be made within 60 days after the effective
6 date of this amendatory Act of the 96th General Assembly.

7 (c) The Task Force shall conduct meetings and conduct a
8 public hearing before filing any report mandated by this
9 Section. At the public hearings, the Task Force shall allow
10 interested persons to present their views and comments. The
11 Task Force shall submit all reports required by this Section to
12 the Governor, the State Board of Elections, and the General
13 Assembly. In addition to the reports required by this Section,
14 the Task Force may provide, at its discretion, interim reports
15 and recommendations. The State Board of Elections shall provide
16 administrative support to the Task Force.

17 (d) The Task Force shall study the feasibility of
18 implementing a mechanism of campaign finance regulation that
19 would subsidize political campaigns in exchange for voluntary
20 adherence to specified expenditure limitations. In conducting
21 its study, the Task Force shall consider a system of public
22 financing by State government for the conduct and finance of
23 election campaigns for the following: (1) Representatives and
24 Senators in the General Assembly, (2) constitutional offices of
25 State government, and (3) judges. The Task Force may propose
26 financing campaigns through funding mechanisms including, but

1 not limited to, fines, voluntary contributions, surcharges on
2 lobbying activities, and a whistleblower fund. In determining a
3 plan for election to each office, the Task Force shall consider
4 the following factors:

5 (i) the amount of funds raised by past candidates for
6 that office;

7 (ii) the amount of funds expended by past candidates
8 for that office;

9 (iii) the disparity in the amount of funds raised by
10 candidates of different political parties;

11 (iv) the amount of funds expended by entities not
12 affiliated with a candidate;

13 (v) the amount of money contributed to or expended by a
14 committee of a political party to promote a candidate;

15 (vi) jurisprudence with relation to campaign finance
16 and public financing; and

17 (vii) such other factors, not confined to the
18 foregoing, that the Task Force determines to be related to
19 the public financing of elections in this State.

20 The Task Force shall also study the feasibility of creating
21 public financing within the statutory system of limits, or if
22 the system of limits should be changed to facilitate a system
23 of public financing and the need for a process to protect
24 candidates who receive public financing against candidates who
25 do not opt to participate in public financing or who
26 self-finance.

1 The Task Force shall submit the report required by this
2 subsection no later than December 31, 2011. The Task Force may
3 provide, at its discretion, interim reports and
4 recommendations before that date.

5 (e) The Task Force shall examine and make recommendations
6 related to the provisions of this amendatory Act of the 96th
7 General Assembly in Section 9-8.5 (c-5) and (c-10) limiting
8 contributions to a political party committee from a candidate
9 political committee or political party committee. The Task
10 Force shall submit a report with recommendations required by
11 this subsection no later than September 30, 2012. The Task
12 Force may provide, at its discretion, interim reports and
13 recommendations before that date.

14 (f) The Task Force shall review the implementation of this
15 amendatory Act of the 96th General Assembly and any additional
16 campaign finance reform legislation considered by the General
17 Assembly. The Task Force shall examine each provision of this
18 amendatory Act of the 96th General Assembly and make
19 recommendations for changes, deletions, or improvements. In
20 conducting its review of campaign finance reform
21 implementation, the Task Force shall also consider and address
22 a variety of empirical measures, case studies, and comparative
23 analyses, including, but not limited to the following:

24 (i) campaign finance legislation in other states as
25 well as the federal system of campaign finance regulation;

26 (ii) the impact of contribution limits in Illinois,

1 including the impact on contributions from individuals,
2 corporations, associations, and labor organizations;

3 (iii) the impact of contribution limits on independent
4 expenditures in Illinois;

5 (iv) the effectiveness, reliability, and cost of
6 various enforcement mechanisms;

7 (v) the best practices in mandating timely disclosure
8 of the origin of campaign contributions; and

9 (vi) the best way to require and conduct random audits
10 and audits for cause.

11 The Task Force shall also submit a report detailing the
12 following: (i) the effectiveness of enforcement mechanisms,
13 (ii) whether the disclosure requirements and the definition of
14 "receipt" result in accurate reporting; (iii) issues related to
15 audits, (iv) the effect of using the same election cycle for
16 all members of the General Assembly, and (v) the impact of
17 Section 9-8.5(h).

18 The Task Force shall submit reports required by this
19 subsection no later than March 1, 2013 and March 1, 2015.

20 (g) The Task Force shall submit a final report by March 10,
21 2015. The Task Force is abolished and this Section is repealed
22 on March 15, 2015.

23 (Source: P.A. 96-832, eff. 7-1-10.)