



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3047

by Rep. Mike Fortner

SYNOPSIS AS INTRODUCED:

See Index

Amends the Election Code. Changes the length of time that a treasurer of a political committee must keep certain records from 2 years to 6. Provides that a candidate political committee established to elect a candidate to the General Assembly may accept contributes from only one legislative caucus committee during an election cycle in which the candidate seeks nomination at a primary election (rather than limiting the political committee to accepting contributions from only one legislative caucus committee). Allows candidates to exceed certain contribution limits if the State Board of Elections determines that a public official, candidate, or public official's or candidate's immediate family has contributed or loaned certain threshold amounts to the public official's or candidate's political committee or to other political committees that transfer funds to the public official's or candidate's political committee or make independent expenditures for the benefit of the public official's or candidate's campaign during the 12 months prior to an election. Allows the Board to assess a civil penalty for failure to file certain reports concerning independent expenditures. Requires the Board to render a judgment on certain complaints concerning disclosure and regulation of campaign contributions and expenditures before the date of the election if the complaint is filed within 60 days preceding the date of the election (rather than within 7 days of the date the complaint is filed). Moves provisions concerning election interference to the prohibitions and penalties article of the Code. Effective immediately.

LRB100 06965 MLM 17016 b

FISCAL NOTE ACT
MAY APPLY

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
5 Sections 9-7, 9-8.5, 9-10, and 9-21 and by adding Section 29-21
6 as follows:

7 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

8 Sec. 9-7. Records and accounts.

9 (1) Except as provided in subsection (2), the treasurer of
10 a political committee shall keep a detailed and exact account
11 of: -

12 (a) the total of all contributions made to or for the
13 committee;

14 (b) the full name and mailing address of every person
15 making a contribution and the date and amount thereof;

16 (c) the total of all expenditures made by or on behalf
17 of the committee;

18 (d) the full name and mailing address of every person
19 to whom any expenditure is made, and the date and amount
20 thereof;

21 (e) proof of payment, stating the particulars, for
22 every expenditure made by or on behalf of the committee.

23 The treasurer shall preserve all records and accounts

1 required by this section for a period of 6 2 years. The changes
2 made to this subsection (e) shall only apply to contributions
3 and expenditures made after the effective date of this
4 amendatory Act of the 100th General Assembly.

5 (2) The treasurer of a political committee shall keep a
6 detailed and exact account of the total amount of contributions
7 made to or for a committee at an event licensed under Section
8 8.1 of the Raffles and Poker Runs Act. For an event licensed
9 under Section 8.1, the treasurer is not required to keep a
10 detailed and exact account of the full name and mailing address
11 of a person who purchases tickets at the event in an amount
12 that does not exceed \$150.

13 (Source: P.A. 97-766, eff. 7-6-12; 98-644, eff. 6-10-14.)

14 (10 ILCS 5/9-8.5)

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

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

18 (b) During an election cycle, a candidate political
19 committee may not accept contributions with an aggregate value
20 over the following: (i) \$5,000 from any individual, (ii)
21 \$10,000 from any corporation, labor organization, or
22 association, or (iii) \$50,000 from a candidate political
23 committee or political action committee. A candidate political
24 committee may accept contributions in any amount from a
25 political party committee except during an election cycle in

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

1 committee or from an independent expenditure committee.

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

20 (c-5) During the period beginning on the date candidates
21 may begin circulating petitions for a primary election and
22 ending on the day of the primary election, a political party
23 committee may not accept contributions with an aggregate value
24 over \$50,000 from a candidate political committee or political
25 party committee. A political party committee may accept
26 contributions in any amount from a candidate political

1 committee or political party committee if the political party
2 committee receiving the contribution filed a statement of
3 nonparticipation in the primary as provided in subsection
4 (c-10). The Task Force on Campaign Finance Reform shall study
5 and make recommendations on the provisions of this subsection
6 to the Governor and General Assembly by September 30, 2012.
7 This subsection becomes inoperative on July 1, 2013 and
8 thereafter no longer applies.

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

1 150% of the total contributions or coordinated expenditures
2 made by the committee in violation of this Article. This
3 subsection becomes inoperative on July 1, 2013 and thereafter
4 no longer applies.

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

14 (e) A ballot initiative committee may accept contributions
15 in any amount from any source, provided that the committee
16 files the document required by Section 9-3 of this Article and
17 files the disclosure reports required by the provisions of this
18 Article.

19 (e-5) An independent expenditure committee may accept
20 contributions in any amount from any source, provided that the
21 committee files the document required by Section 9-3 of this
22 Article and files the disclosure reports required by the
23 provisions of this Article.

24 (f) Nothing in this Section shall prohibit a political
25 committee from dividing the proceeds of joint fundraising
26 efforts; provided that no political committee may receive more

1 than the limit from any one contributor, and provided that an
2 independent expenditure committee may not conduct joint
3 fundraising efforts with a candidate political committee or a
4 political party committee.

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

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

1 the filing of a Notification of Self-funding, the notification
2 shall be posted on the Board's website and the Board shall give
3 official notice of the filing to each candidate for the same
4 office as the public official or candidate making the filing,
5 including the public official or candidate filing the
6 Notification of Self-funding. Notice shall be sent via first
7 class mail to the candidate and the treasurer of the
8 candidate's committee. Notice shall also be sent by e-mail to
9 the candidate and the treasurer of the candidate's committee if
10 the candidate and the treasurer, as applicable, have provided
11 the Board with an e-mail address. Upon posting of the notice on
12 the Board's website, all candidates for that office, including
13 the public official or candidate who filed a Notification of
14 Self-funding, shall be permitted to accept contributions in
15 excess of any contribution limits imposed by subsection (b). If
16 a public official or candidate filed a Notification of
17 Self-funding during an election cycle that includes a general
18 primary election or consolidated primary election and that
19 public official or candidate is nominated, all candidates for
20 that office, including the nominee who filed the notification
21 of self-funding, shall be permitted to accept contributions in
22 excess of any contribution limit imposed by subsection (b) for
23 the subsequent election cycle. For the purposes of this
24 subsection, "immediate family" means the spouse, parent, or
25 child of a public official or candidate.

26 (h-5) If a natural person or independent expenditure

1 committee makes independent expenditures in support of or in
2 opposition to the campaign of a particular public official or
3 candidate in an aggregate amount of more than (i) \$250,000 for
4 statewide office or (ii) \$100,000 for all other elective
5 offices in an election cycle, as reported in a written
6 disclosure filed under subsection (a) of Section 9-8.6 or
7 subsection (e-5) of Section 9-10, then the State Board of
8 Elections shall, within 2 business days after the filing of the
9 disclosure, post the disclosure on the Board's website and give
10 official notice of the disclosure to each candidate for the
11 same office as the public official or candidate for whose
12 benefit or detriment the natural person or independent
13 expenditure committee made independent expenditures. Upon
14 posting of the notice on the Board's website, all candidates
15 for that office in that election, including the public official
16 or candidate for whose benefit or detriment the natural person
17 or independent expenditure committee made independent
18 expenditures, shall be permitted to accept contributions in
19 excess of any contribution limits imposed by subsection (b).

20 (h-10) If the State Board of Elections receives
21 notification or determines that a natural person or persons, an
22 independent expenditure committee or committees, or
23 combination thereof has made independent expenditures in
24 support of or in opposition to the campaign of a particular
25 public official or candidate in an aggregate amount of more
26 than (i) \$250,000 for statewide office or (ii) \$100,000 for all

1 other elective offices in an election cycle, then the Board
2 shall, within 2 business days after discovering the independent
3 expenditures that, in the aggregate, exceed the threshold set
4 forth in (i) and (ii) of this subsection, post notice of this
5 fact on the Board's website and give official notice to each
6 candidate for the same office as the public official or
7 candidate for whose benefit or detriment the independent
8 expenditures were made. Notice shall be sent via first class
9 mail to the candidate and the treasurer of the candidate's
10 committee. Notice shall also be sent by e-mail to the candidate
11 and the treasurer of the candidate's committee if the candidate
12 and the treasurer, as applicable, have provided the Board with
13 an e-mail address. Upon posting of the notice on the Board's
14 website, all candidates of that office in that election,
15 including the public official or candidate for whose benefit or
16 detriment the independent expenditures were made, may accept
17 contributions in excess of any contribution limits imposed by
18 subsection (b).

19 (h-15) If the State Board of Elections determines that a
20 public official, a candidate, or the public official's or
21 candidate's immediate family has contributed or loaned to the
22 public official's or candidate's political committee or to
23 other political committees that transfer funds to the public
24 official's or candidate's political committee or make
25 independent expenditures for the benefit of the public
26 official's or candidate's campaign during the 12 months prior

1 to an election in an aggregate amount of more than (i) \$250,000
2 for statewide office or (ii) \$100,000 for all other elective
3 offices, then the Board shall, within 2 business days after
4 discovering the contributions that, in the aggregate, exceed
5 the threshold set forth in items (i) or (ii) of this subsection
6 (h-15), post notice of this fact on the Board's website and
7 give official notice to each candidate for the same office as
8 the public official or candidate for whose benefit the
9 contributions were made. Notice shall be sent via first class
10 mail to the candidate and the treasurer of the candidate's
11 committee. Notice shall also be sent by e-mail to the candidate
12 and the treasurer of the candidate's committee if the candidate
13 and treasurer, as applicable, have provided the Board with an
14 e-mail address. Upon posting of the notice on the Board's
15 website, all candidates for that office, including the public
16 official or candidate for whose benefit the contributions were
17 made, shall be permitted to accept contributions in excess of
18 any contribution limits imposed by subsection (b) of this
19 Section. If the Board's determination described in this
20 subsection (h-15) is made in regards to a candidate seeking
21 nomination or election during an election cycle that includes a
22 general primary election or consolidated primary election and
23 that public official or candidate is nominated, all candidates
24 for that office, including the nominee who was the subject of
25 the Board's determination, shall be permitted to accept
26 contributions in excess of any contribution limit imposed by

1 subsection (b) of this Section for the subsequent election
2 cycle. For the purposes of this subsection (h-15), "immediate
3 family" means the spouse, parent, or child of a public official
4 or candidate.

5 (i) For the purposes of this Section, a corporation, labor
6 organization, association, or a political action committee
7 established by a corporation, labor organization, or
8 association may act as a conduit in facilitating the delivery
9 to a political action committee of contributions made through
10 dues, levies, or similar assessments and the political action
11 committee may report the contributions in the aggregate,
12 provided that: (i) contributions made through dues, levies, or
13 similar assessments paid by any natural person, corporation,
14 labor organization, or association in a calendar year may not
15 exceed the limits set forth in this Section; (ii) the
16 corporation, labor organization, association, or a political
17 action committee established by a corporation, labor
18 organization, or association facilitating the delivery of
19 contributions maintains a list of natural persons,
20 corporations, labor organizations, and associations that paid
21 the dues, levies, or similar assessments from which the
22 contributions comprising the aggregate amount derive; and
23 (iii) contributions made through dues, levies, or similar
24 assessments paid by any natural person, corporation, labor
25 organization, or association that exceed \$500 in a quarterly
26 reporting period shall be itemized on the committee's quarterly

1 report and may not be reported in the aggregate. A political
2 action committee facilitating the delivery of contributions or
3 receiving contributions shall disclose the amount of
4 contributions made through dues delivered or received and the
5 name of the corporation, labor organization, association, or
6 political action committee delivering the contributions, if
7 applicable. On January 1 of each odd-numbered year, the State
8 Board of Elections shall adjust the amounts of the contribution
9 limitations established in this subsection for inflation as
10 determined by the Consumer Price Index for All Urban Consumers
11 as issued by the United States Department of Labor and rounded
12 to the nearest \$100. The State Board shall publish this
13 information on its official website.

14 (j) A political committee that receives a contribution or
15 transfer in violation of this Section shall dispose of the
16 contribution or transfer by returning the contribution or
17 transfer, or an amount equal to the contribution or transfer,
18 to the contributor or transferor or donating the contribution
19 or transfer, or an amount equal to the contribution or
20 transfer, to a charity. A contribution or transfer received in
21 violation of this Section that is not disposed of as provided
22 in this subsection within 30 days after the Board sends
23 notification to the political committee of the excess
24 contribution by certified mail shall escheat to the General
25 Revenue Fund and the political committee shall be deemed in
26 violation of this Section and subject to a civil penalty not to

1 exceed 150% of the total amount of the contribution.

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

5 (l) This Section is repealed if and when the United States
6 Supreme Court invalidates contribution limits on committees
7 formed to assist candidates, political parties, corporations,
8 associations, or labor organizations established by or
9 pursuant to federal law.

10 (Source: P.A. 97-766, eff. 7-6-12; 98-115, eff. 7-29-13.)

11 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

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

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

17 (b) Every political committee shall file quarterly reports
18 of campaign contributions, expenditures, and independent
19 expenditures. The reports shall cover the period January 1
20 through March 31, April 1 through June 30, July 1 through
21 September 30, and October 1 through December 31 of each year. A
22 political committee shall file quarterly reports no later than
23 the 15th day of the month following each period. Reports of
24 contributions and expenditures must be filed to cover the
25 prescribed time periods even though no contributions or

1 expenditures may have been received or made during the period.
2 The Board shall assess a civil penalty not to exceed \$5,000 for
3 failure to file a report required by this subsection. The fine,
4 however, shall not exceed \$1,000 for a first violation if the
5 committee files less than 10 days after the deadline. There
6 shall be no fine if the report is mailed and postmarked at
7 least 72 hours prior to the filing deadline. When considering
8 the amount of the fine to be imposed, the Board shall consider
9 whether the violation was committed inadvertently,
10 negligently, knowingly, or intentionally and any past
11 violations of this Section.

12 (c) A political committee shall file a report of any
13 contribution of \$1,000 or more electronically with the Board
14 within 5 business days after receipt of the contribution,
15 except that the report shall be filed within 2 business days
16 after receipt if (i) the contribution is received 30 or fewer
17 days before the date of an election and (ii) the political
18 committee supports or opposes a candidate or public question on
19 the ballot at that election or makes expenditures in excess of
20 \$500 on behalf of or in opposition to a candidate, candidates,
21 a public question, or public questions on the ballot at that
22 election. The State Board shall allow filings of reports of
23 contributions of \$1,000 or more by political committees that
24 are not required to file electronically to be made by facsimile
25 transmission. The Board shall assess a civil penalty for
26 failure to file a report required by this subsection. Failure

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

26 (d) For the purpose of this Section, a contribution is

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

12 (e) A political committee that makes independent
13 expenditures of \$1,000 or more shall file a report
14 electronically with the Board within 5 business days after
15 making the independent expenditure, except that the report
16 shall be filed within 2 business days after making the
17 independent expenditure during the 60-day period before an
18 election. The Board shall assess a civil penalty for failure to
19 file a report required by this subsection (e). Failure to
20 report each independent expenditure is a separate violation of
21 this subsection (e). The Board shall impose fines for willful
22 or wanton violations of this subsection (e) not to exceed 150%
23 of the total amount of the independent expenditures that were
24 untimely reported, but in no case shall it be less than 10% of
25 the total amount of the contributions that were untimely
26 reported. When considering the amount of the fine to be imposed

1 for willful or wanton violations, the Board shall consider the
2 number of days the independent expenditure was reported late
3 and past violations of this Section and Section 9-3 of this
4 Code. The Board may impose a fine for negligent or inadvertent
5 violations of this subsection (e) not to exceed 50% of the
6 total amount of the independent expenditures that were untimely
7 reported or the Board may waive the fine. When considering
8 whether to impose a fine and the amount of the fine, the Board
9 shall consider the following factors: (1) whether the political
10 committee made an attempt to disclose the independent
11 expenditure and any attempts made to correct the violation; (2)
12 whether the violation is attributed to a clerical or computer
13 error; (3) the amount of the independent expenditure; (4) the
14 number of days the independent expenditure was reported late;
15 and (5) past violations of this Section and Section 9-3 of this
16 Code by the political committee.

17 (e-5) An independent expenditure committee that makes an
18 independent expenditure supporting or opposing a public
19 official or candidate that, alone or in combination with any
20 other independent expenditure made by that independent
21 expenditure committee supporting or opposing that public
22 official or candidate during the election cycle, equals an
23 aggregate value of more than (i) \$250,000 for statewide office
24 or (ii) \$100,000 for all other elective offices must file a
25 written disclosure with the State Board of Elections within 2
26 business days after making any expenditure that results in the

1 independent expenditure committee exceeding the applicable
2 threshold. The Board shall assess a civil penalty against an
3 independent expenditure committee for failure to file the
4 disclosure required by this subsection not to exceed (i) \$500
5 for an initial failure to file the required disclosure and (ii)
6 \$1,000 for each subsequent failure to file the required
7 disclosure.

8 (f) A copy of each report or statement filed under this
9 Article shall be preserved by the person filing it for a period
10 of 6 ~~two~~ years from the date of filing. The changes made to
11 this subsection (f) shall only apply to contributions and
12 expenditures made after the effective date of this amendatory
13 Act of the 100th General Assembly.

14 (Source: P.A. 99-437, eff. 1-1-16.)

15 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

16 Sec. 9-21. Upon receipt of a complaint as provided in
17 Section 9-20, the Board shall hold a closed preliminary hearing
18 to determine whether or not the complaint appears to have been
19 filed on justifiable grounds. Such closed preliminary hearing
20 shall be conducted as soon as practicable after affording
21 reasonable notice, a copy of the complaint, and an opportunity
22 to testify at such hearing to both the person making the
23 complaint and the person against whom the complaint is
24 directed. If the Board fails to determine that the complaint
25 has been filed on justifiable grounds, it shall dismiss the

1 complaint without further hearing. Any additional hearings
2 shall be open to the public.

3 Whenever the Board, in an open meeting, determines, after
4 affording due notice and an opportunity for a public hearing,
5 that any person has engaged or is about to engage in an act or
6 practice which constitutes or will constitute a violation of
7 any provision of this Article or any regulation or order issued
8 thereunder, the Board shall issue an order directing such
9 person to take such action as the Board determines may be
10 necessary in the public interest to correct the violation. In
11 addition, if the act or practice engaged in consists of the
12 failure to file any required report within the time prescribed
13 by this Article, the Board, as part of its order, shall further
14 provide that if, within the 12-month period following the
15 issuance of the order, such person fails to file within the
16 time prescribed by this Article any subsequent report as may be
17 required, such person may be subject to a civil penalty
18 pursuant to Section 9-23. The Board shall render its final
19 judgment within 60 days of the date the complaint is filed;
20 except that during the 60 days preceding the date of the
21 election in reference to which the complaint is filed, the
22 Board shall render its final judgment ~~within 7 days of the date~~
23 ~~the complaint is filed, and during the 7 days preceding such~~
24 ~~election, the Board shall render such judgment~~ before the date
25 of such election, if possible.

26 At any time prior to the issuance of the Board's final

1 judgment, the parties may dispose of the complaint by a written
2 stipulation, agreed settlement or consent order. Any such
3 stipulation, settlement or order shall, however, be submitted
4 in writing to the Board and shall become effective only if
5 approved by the Board in an open meeting. If the act or
6 practice complained of consists of the failure to file any
7 required report within the time prescribed by this Article,
8 such stipulation, settlement or order may provide that if,
9 within the 12-month period following the approval of such
10 stipulation, agreement or order, the person complained of fails
11 to file within the time prescribed by this Article any
12 subsequent reports as may be required, such person may be
13 subject to a civil penalty pursuant to Section 9-23.

14 Any person filing a complaint pursuant to Section 9-20 may,
15 upon written notice to the other parties and to the Board,
16 voluntarily withdraw the complaint at any time prior to the
17 issuance of the Board's final determination.

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

19 (10 ILCS 5/29-21 new)

20 Sec. 29-21. Election interference.

21 (a) As used in this Section, "public funds" means any funds
22 appropriated by the Illinois General Assembly or by any
23 political subdivision of the State of Illinois.

24 (b) No public funds shall be used to urge any elector to
25 vote for or against any candidate or proposition, or be

1 appropriated for political or campaign purposes to any
2 candidate or political organization. This Section shall not
3 prohibit the use of public funds for dissemination of factual
4 information relative to any proposition appearing on an
5 election ballot, or for dissemination of information and
6 arguments published and distributed under law in connection
7 with a proposition to amend the Constitution of the State of
8 Illinois.

9 (c) The first time any person violates any provision of
10 this Section, that person shall be guilty of a Class B
11 misdemeanor. Upon the second or any subsequent violation of any
12 provision of this Section, the person violating any provision
13 of this Section shall be guilty of a Class A misdemeanor.

14 (10 ILCS 5/9-25.1 rep.)

15 Section 10. The Election Code is amended by repealing
16 Section 9-25.1.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 10 ILCS 5/9-7 from Ch. 46, par. 9-7

4 10 ILCS 5/9-8.5

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

6 10 ILCS 5/9-21 from Ch. 46, par. 9-21

7 10 ILCS 5/29-21 new

8 10 ILCS 5/9-25.1 rep.