

HB3732



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3732

by Rep. Martin J. Moylan

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-50 new

Amends the Election Code. Provides that the treasurer of a candidate political committee shall freeze all funds, contributions, or other receipts held in a candidate political committee account upon the filing of an indictment or information against the candidate violation of specified State and federal criminal statutes. Provides that the funds are frozen until the pending case has been resolved or a court with jurisdiction orders otherwise. Provides that any transfers, expenditures, or use of funds in violation of the provisions constitutes a class 4 felony. Provides that in the event that the Attorney General or a State's Attorney files a petition to conduct a hearing pursuant to the Public Corrupt Profit Forfeiture Act, the provisions of that Act shall control.

LRB100 09009 MLM 19155 b

CORRECTIONAL
BUDGET AND
IMPACT 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 adding Section
5 9-50 as follows:

6 (10 ILCS 5/9-50 new)

7 Sec. 9-50. Account freeze.

8 (a) The treasurer of a candidate political committee shall
9 freeze all funds, contributions, or other receipts held in a
10 candidate political committee account upon the filing of an
11 indictment or information against the candidate for violation
12 any of the following:

13 (1) Any Section of Article 29 of this Code;

14 (2) Clause (a) (6) of Section 12-6 of the Criminal Code
15 of 2012 (intimidation by a public official);

16 (3) Section 33-1 of the Criminal Code of 2012
17 (bribery);

18 (4) Section 33-3 of the Criminal Code of 2012 (official
19 misconduct);

20 (5) Section 33-3.1 of the Criminal Code of 2012
21 (solicitation misconduct—State Government);

22 (6) Section 33-3.2 of the Criminal Code of 2012
23 (solicitation misconduct—Local Government);

1 (7) Section 33-6 of the Criminal Code of 2012 (bribery
2 to obtain driving privileges);

3 (8) Section 33-7 of the Criminal Code of 2012 (public
4 contractor misconduct);

5 (9) Section 33-8 of the Criminal Code of 2012
6 (legislative misconduct);

7 (10) Section 33E-5 of the Criminal Code of 2012
8 (acquisition or disclosure of bidding information by
9 public official);

10 (11) Section 33E-6 of the Criminal Code of 2012
11 (interference with contract submission and award by public
12 official);

13 (12) Section 33E-7 of the Criminal Code of 2012
14 (kickbacks);

15 (13) Section 17-10.3 of the Criminal Code of 2012
16 (fraudulently obtaining moneys revered for disadvantaged
17 business enterprise);

18 (14) Section 872 of Title 18 of the United States Code
19 (extortion);

20 (15) Section 880 of Title 18 of the United States Code
21 (receiving the proceeds of extortion);

22 (16) Section 201 of Title 18 of the United States Code
23 (bribery); or

24 (17) Section 874 of Title 18 of the United States Code
25 (kickbacks).

26 (b) The funds shall be frozen until the pending case has

1 been resolved or a court with jurisdiction orders otherwise.

2 (c) Transfers, expenditures, or use of funds in violation
3 of this Section shall constitute a class 4 felony.

4 (d) In the event the Attorney General or a State's Attorney
5 files a petition to conduct a hearing pursuant to subsection
6 (b) of Section 10 of the Public Corrupt Profit Forfeiture Act,
7 the provisions of that Act shall control.