



Rep. William D. Burns

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LRB096 04975 JAM 24697 a

1 AMENDMENT TO HOUSE BILL 1390

2 AMENDMENT NO. _____. Amend House Bill 1390 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Lincoln Act.

6 Section 1.5. Definitions. As used in this Act:

7 (1) "Board" means the State Board of Elections.

8 (2) "Fund" means the Citizens' Election Fund established in
9 Section 2 of this Act.

10 (3) "Depository account" means the single checking account
11 at the depository institution designated as the depository for
12 permitted contributions from natural persons and funds
13 received from the Citizens' Election Fund.

14 (4) "Immediate family", when used with reference to a
15 candidate, includes the candidate's spouse, parents, and
16 dependent children.

1 (5) "Personal funds" means funds contributed by a candidate
2 or a member of a candidate's immediate family.

3 (6) "Natural person" means any one human being.

4 (7) "General election cycle" means that period beginning
5 with the day after the general primary and concluding the
6 December 31 after the general election.

7 (8) " General primary election cycle" means that period
8 beginning with January 1 of the year after the general election
9 and leading up to the first Tuesday in February.

10 (9) "Contested general primary election" and "contested
11 general election" mean a primary or a general election in which
12 2 or more candidates are certified to have their names printed
13 on the ballot by the Board.

14 (10) "Uncontested general primary election" and
15 "uncontested general election" means a primary or a general
16 election in which only one candidate has been certified to have
17 his or her name printed on the ballot by the Board. If a
18 candidate for nomination or election has an opponent who is
19 exempted from filing a disclosure with the Board, as specified
20 by the Illinois Campaign Disclosure Act, that race shall also
21 be considered uncontested.

22 (11) "Candidate" means a qualified candidate for any of the
23 following offices:

24 (i) Governor;

25 (ii) Lieutenant Governor;

26 (iii) Attorney General;

- 1 (iv) Secretary of State;
- 2 (v) Comptroller;
- 3 (vi) Treasurer;
- 4 (vii) State Senator; or
- 5 (viii) State Representative.

6 (12) "Qualified candidate" means any individual who seeks
7 nomination to public office through a political party or
8 election to a public office as a candidate of a political party
9 or as an independent candidate for public office. A person is
10 considered a candidate only if he or she takes the actions
11 necessary as required by the Election Code to qualify as a
12 candidate for public office and is certified by the State Board
13 of Elections to have his or her name placed on a ballot for
14 election.

15 (13) "Clean election candidate" means a "qualified
16 candidate" for public office who participates in the Citizens'
17 Election Program.

18 (14) "Non-participating candidate" means a "qualified
19 candidate" for public office who opts out or is disqualified
20 from the Citizens' Election Program.

21 (15) "Qualifying report" is a list of all qualifying
22 contributors and the dates and amounts of each of their
23 contributions. Candidates may list more contributions on their
24 qualifying report than are necessary to establish eligibility
25 for receipt of an initial public financing benefit. Any
26 contributors listed on a qualifying report over and above the

1 minimum number necessary to establish eligibility shall be
2 deemed for the purpose of matching funds.

3 (16) "Primary election campaign period" means the period
4 beginning 30 days after the last day prescribed by law for
5 filing nomination papers and ending on the day of the general
6 primary election.

7 (17) "Public financing qualifying period" means, for
8 candidates seeking the nomination of an established party in a
9 general primary election, the period beginning on the first day
10 of July of an odd-numbered year and ending on the day before
11 the beginning of the primary election campaign period. For all
12 other candidates, the period beginning on the first day of July
13 in an odd-numbered year and ending 7 days after the last date
14 for nomination of candidates as set forth in Section 10-6 of
15 the Election Code.

16 Section 2. Citizens' Election Fund. The Citizens' Election
17 Fund is created as a special fund. The fund may contain any
18 moneys required by law to be deposited into the fund. The State
19 Comptroller shall administer the fund. Any balance remaining in
20 the fund at the end of any fiscal year shall be carried forward
21 in the fund for the next fiscal year. All moneys deposited into
22 the fund shall be used for the purposes of this Act, including
23 but not limited to ensuring compliance with this Act and
24 promoting the income tax checkoff.

1 Section 3. Program established.

2 (a) There is established a Citizens' Election Program under
3 which the candidate for nomination to the office of Governor,
4 Lieutenant Governor, Attorney General, State Comptroller,
5 Secretary of State, State Treasurer, State Senator, or State
6 Representative may receive a grant from the Citizens' Election
7 Fund for the candidate's primary campaign for that nomination.

8 (b) Any such candidate committee is eligible to receive
9 such grants for a general primary campaign, if applicable, and
10 a general election campaign if (1) the candidate certifies as a
11 clean election candidate under Section 4, (2) the candidate's
12 committee receives the required amount of qualifying
13 contributions under Section 5, (3) the candidate's committee
14 returns all contributions that do not meet the criteria for
15 qualifying contributions under Section 5 to the Citizens'
16 Election Fund, and (4) the candidate submits an application and
17 the Board approves the application in accordance with the
18 provisions of Sections 7 and 8.

19 Section 4. Participation.

20 (a) In order to participate in the Citizens' Election
21 Program, candidates for nomination or election to the office of
22 Governor, Lieutenant Governor, Attorney General, State
23 Comptroller, Secretary of State, State Treasurer, State
24 Senator, or State Representative shall file an affidavit with
25 the Board. The affidavit shall include written certifications

1 (1) that the candidate is determined to abide by contribution
2 restrictions under the Citizens' Election Program set forth in
3 this Act during both the general primary and general election;
4 (2) that the campaign treasurer of the candidate committee for
5 that candidate shall expend any moneys received from the
6 Citizens' Election Fund in accordance with rules adopted by the
7 Board; (3) that the candidate shall repay to the fund moneys up
8 to the amount of the grant plus matching funds received from
9 the Citizens' Election Fund remaining in the candidate's
10 depository account; and (4) stating if the candidate shall be
11 referred to as an established party or new party candidate and
12 the name of such party. A candidate for nomination or election
13 to any such office shall file such affidavit during the
14 specified public financing qualifying period.

15 (b) A candidate who so certifies his or her intent to abide
16 by the contribution restrictions under the Citizens' Election
17 Program set forth in this Act shall be referred to as a "clean
18 election candidate".

19 (c) In addition to reports required to be filed under the
20 Election Code, a candidate who receives a public financing
21 benefit must furnish complete financial records, including
22 receipts and expenditures, on the last day of each month.

23 (d) A clean election candidate may withdraw from
24 participation in the Citizens' Election Program before
25 applying for an initial grant under Section 7 of this Act, by
26 filing an affidavit with the Board, which includes a written

1 certification of such withdrawal. A candidate who files such an
2 affidavit shall be deemed to be a non-participating candidate
3 for the purposes of Sections 1 to 17, inclusive, of this Act
4 and shall not be penalized for such withdrawal. No clean
5 election candidate shall withdraw from participation in the
6 Citizens' Election Program after applying for an initial grant
7 under Section 7 of this Act.

8 (e) The campaign treasurer must submit reporting slips and
9 an amount equal to the sum of the contributions collected to
10 the Board throughout the general primary and general election
11 cycles. The 3-part reporting slip, as defined in this
12 subsection, shall include the printed name, registration
13 address, and signature of the contributor, the name of the
14 candidate for whom the contribution is made, the date, and the
15 printed name and signature of the solicitor. If a contribution
16 is received unsolicited, the candidate or contributor or
17 campaign treasurer may sign the contribution form as the
18 solicitor. Nothing in this Act shall prohibit the use of direct
19 mail or the Internet to obtain contributions. A copy of the
20 reporting slip shall be given as a receipt to the contributor,
21 and the candidate's campaign committee shall retain a copy. The
22 candidate must comply with this Act and ensure that the
23 original slip is tendered to the Board, a copy remains with the
24 candidate, and a copy is given to the contributor. Reporting
25 lists shall be received by the campaign treasurer not later
26 than 24 hours immediately preceding each required filing date.

1 (f) A clean election candidate shall only be permitted to
2 use money received from the Citizens' Election Fund for
3 purposes of nomination or election.

4 Section 5. Qualifying contributors.

5 (a) The number of qualifying contributors that the
6 candidate committee of a candidate shall be required to receive
7 during the public financing qualifying period in order to be
8 eligible for grants from the Citizens' Election Fund shall be:

9 (1) In the case of a candidate for nomination or
10 election to the office of Governor, Lieutenant Governor,
11 Attorney General, State Comptroller, State Treasurer, or
12 Secretary of State, contributions from 3,500 natural
13 persons, of which 90% must reside in the State, must be
14 received by that candidate in order to qualify for the
15 Citizens' Election Program. The provisions of this
16 subsection shall be subject to the following: (A) the
17 candidate committee shall return the portion of any
18 contribution or contributions from any natural person,
19 including the candidate, that exceeds \$500 and such excess
20 portion shall not be considered in calculating the
21 aggregate contribution amount under this subsection, and
22 (B) all contributions received by an exploratory committee
23 established by the candidate that meet the criteria for
24 qualifying contributors under this Section shall be
25 considered in tallying contributors; and

1 (2) In the case of a candidate for nomination or
2 election to the office of State Senator for a district,
3 contributions from 1,000 natural persons, of which 90% must
4 reside in the State, must be received by the candidate in
5 order to qualify for the Citizens' Election Program. The
6 provisions of this subsection shall be subject to the
7 following: (A) the candidate committee shall return the
8 portion of any contribution or contributions from any
9 natural person that exceeds \$500, and such excess portion
10 shall not be considered in calculating the aggregate
11 contribution amount under this subsection, and (B) all
12 contributions received by an exploratory committee
13 established by the candidate that meet the criteria for
14 qualifying contributors to candidate committees under this
15 Section shall be considered in tallying contributors.

16 (3) In the case of a candidate for nomination or
17 election to the office of State Representative for a
18 district, contributions from 500 natural persons, of which
19 90% must reside in the State, must be received by the
20 candidate in order to qualify for the Citizens' Election
21 Program. The provisions of this subsection shall be subject
22 to the following: (A) the candidate committee shall return
23 the portion of any contribution or contributions from any
24 natural person that exceeds \$500, and such excess portion
25 shall not be considered in calculating the aggregate
26 contribution amount under this subsection, and (B) all

1 contributions received by an exploratory committee
2 established by the candidate that meet the criteria for
3 qualifying contributors to candidate committees under this
4 Section shall be considered in tallying contributors.

5 (4) The following shall not be deemed to be qualifying
6 contributions under subsection (a) of this Section and
7 shall be returned by the campaign treasurer of the
8 candidate committee to the Citizens' Election Fund: (A) a
9 contribution of \$5 or more from a natural person who does
10 not provide the full name and complete address of the
11 person; and (B) a contribution from a person who does not
12 reside in the State, in excess of the applicable limit on
13 contributions from out-of-state natural persons in
14 subsection (a) of this Section.

15 (b) Contributions received by clean election candidates
16 over the set qualifying number of contributors specified in
17 subsection (a) would count towards the match defined in Section
18 12 of this Act.

19 (c) A candidate or a person, who later becomes a candidate,
20 or an agent of that candidate, may not assist another person in
21 qualifying as a candidate for the same office if such a
22 candidacy would result in a greater distribution of funds from
23 the Citizens' Election Fund in a contested election, as
24 specified under Section 8 of this Act.

25 Section 6. Agreement by candidate. An eligible candidate

1 who accepts funds from the Citizens' Election Fund during the
2 primary election campaign period must agree to comply with all
3 requirements of this Act throughout the general election cycle
4 as a precondition to receipt of public funds. An eligible
5 candidate who accepts a public financing benefit during a
6 primary election campaign period may not elect to accept
7 private contributions in violation of this Act during the
8 corresponding general election cycle.

9 Section 7. Application for grants.

10 (a) The application shall include a qualifying report,
11 which demonstrates that the candidate committee has received
12 contributions from the required number of contributors, and a
13 written certification that;

14 (1) The candidate committee has repaid all moneys
15 borrowed on behalf of the campaign, as required by
16 subsection (b) of Section 11 of this Act;

17 (2) The candidate committee has returned any
18 contribution of \$5 or more from a natural person who does
19 not include the person's name and address with the
20 contribution;

21 (3) The candidate committee has returned all
22 contributions or portions of contributions that do not meet
23 the criteria for qualifying contributions under Section 5
24 of this Act and returned all excess qualifying
25 contributions to the Citizens' Election Fund. That

1 contribution shall not count toward the maximum amount that
2 a contributor may contribute.

3 (4) The campaign treasurer of the candidate committee
4 will comply with the provisions of Sections 1 to 17,
5 inclusive, of this Act;

6 (5) All moneys received from natural persons and the
7 Citizens' Election Fund will be deposited upon receipt into
8 the depository account of the candidate committee;

9 (6) The campaign treasurer of the candidate committee
10 will expend all moneys received from the fund in accordance
11 with the general statutes and rules adopted by the Board;
12 and

13 (7) If the candidate withdraws from the campaign,
14 becomes ineligible, or dies during the campaign, the
15 candidate committee of the candidate will return to the
16 Board, for deposit in the fund, all moneys received from
17 the fund, which that candidate committee has not spent or
18 encumbered as of the date of such occurrence.

19 (b) Conditions.

20 (1) A clean election candidate for nomination to the
21 office of Governor, Attorney General, State Comptroller,
22 Secretary of State, State Treasurer, State Senator, or
23 State Representative may apply to the Board for a grant
24 from the Citizens' Election Fund for a general election
25 campaign:

26 (A) After any primary held by such party for

1 nomination for that office, if the Board certifies that
2 the candidate is the party nominee;

3 (B) In the case of an independent candidate, after
4 approval by the Board of such candidate's nominating
5 petition.

6 (2) Notwithstanding the provisions of paragraph (1) of
7 this subsection, no clean election candidate for
8 nomination or election who changes the candidate's status
9 as an established party or independent candidate or becomes
10 a candidate of a different party, after filing the
11 affidavit required under Section 4 of this Act, shall be
12 eligible to apply for a grant under the Citizens' Election
13 Program for such candidate's general primary campaign for
14 such nomination or general election campaign for such
15 election.

16 (c) The application shall be accompanied by a report of
17 expenditures made and expenses incurred but not yet paid by the
18 candidate committee as of 3 days before the date that the
19 application is signed. The candidate and the campaign treasurer
20 of the candidate committee shall swear to such accounting under
21 penalty of perjury. The Board shall prescribe the form of the
22 application and the cumulative itemized accounting. Both the
23 candidate and the campaign treasurer of the candidate committee
24 shall sign the application.

25 (d) Not later than 3 business days following receipt of any
26 such application, the Board shall review the application,

1 determine whether (1) the candidate committee for the applicant
2 has received contributions from the required number of
3 contributors, (2) in the case of an application for a grant
4 from the fund for a general election campaign, the applicant
5 has met the applicable condition under subsection (b) of this
6 Section for applying for such grant and complied with the
7 provisions of subsections (a) and (c) of this Section, (3) in
8 the case of an application for a grant from the fund for a
9 general election campaign, the applicant has met the applicable
10 condition under subsection (a) of this Section for applying for
11 such moneys and complied with the provisions of subsection (c)
12 of this Section, and (4) in the case of an application by an
13 independent candidate for a grant from the fund for a general
14 election campaign, the applicant qualifies as an eligible
15 independent candidate. If the Board approves an application,
16 the Board shall determine the amount of the grant payable to
17 the candidate committee for the applicant pursuant to Section 8
18 of this Act from the fund, and notify the State Comptroller and
19 the candidate of such candidate committee, of such amount. As
20 soon as practical, but in no event longer than 7 business days
21 following notification by the Board, the State Comptroller
22 shall draw an order for payment of such amount to the qualified
23 candidate committee from the fund.

24 (e) If a nominated clean election candidate dies, withdraws
25 the candidate's candidacy, or becomes disqualified to hold the
26 office for which the candidate has been nominated after the

1 Board approves the candidate's application for a grant under
2 this Section, the candidate committee of the candidate who is
3 nominated to replace that candidate shall be eligible to
4 receive grants from the fund without complying with the
5 provisions of Section 5 of this Act, if that replacement
6 candidate files an affidavit under Section 4 of this Act
7 certifying the candidate's intent to abide by the contribution
8 limits set forth in this Act and notifies the Board on a form
9 prescribed by the Board.

10 Section 8. Grants.

11 (a) Governor.

12 (1) The clean election candidate committee of a
13 candidate for the office of Governor who has a general
14 primary for nomination to that office shall be eligible to
15 receive a grant from the Citizens' Election Fund for the
16 primary campaign in the amount of \$1,250,000, that amount
17 to be adjusted under subsection (e) of this Section.

18 (2) If the clean election candidate for the office of
19 Governor has an uncontested general primary election, the
20 amount of the general primary election grant for which the
21 clean election candidate committee for that candidate
22 shall be eligible to receive is \$375,000; that amount shall
23 be adjusted under subsection (e) of this Section.

24 (3) The clean election candidate committee for the
25 office of Governor who has been nominated shall be eligible

1 to receive a grant from the fund for the general election
2 campaign in the amount of \$3,000,000, that amount to be
3 adjusted under subsection (e) of this Section.

4 (b) Other statewide offices.

5 (1) The clean election candidate committee for the
6 office of Lieutenant Governor, Attorney General, State
7 Comptroller, Secretary of State or State Treasurer who has
8 a general primary election for nomination to that office
9 shall be eligible to receive a grant from the Citizens'
10 Election Fund for the primary campaign in the amount of
11 \$425,000; that amount shall be adjusted under subsection
12 (e) of this Section.

13 (2) If the clean election candidate for the office of
14 Lieutenant Governor, Attorney General, State Comptroller,
15 Secretary of State, or State Treasurer has an uncontested
16 general primary election the amount of the general primary
17 election grant for which the clean election candidate
18 committee for that candidate shall be eligible to receive
19 \$375,000; that amount shall be adjusted under subsection
20 (e) of this Section.

21 (3) The clean election candidate committee for the
22 office of Attorney General, State Comptroller, Secretary
23 of State, or State Treasurer who has been nominated shall
24 be eligible to receive a grant from the fund for the
25 general election campaign in the amount of \$1,000,000; that
26 amount shall be adjusted under subsection (e) of this

1 Section.

2 (c) State Senator.

3 (1) The clean election candidate committee of a
4 candidate for the office of State Senator who has a general
5 primary election for nomination to that office shall be
6 eligible to receive a grant from the Citizens' Election
7 Fund for the primary campaign in the amount of \$300,000,
8 provided if the vote totals of one established party
9 candidate for Governor from the previous gubernatorial
10 general election in the district served by that office
11 exceeds any other established party's vote totals by at
12 least 20%, the candidate from such party shall receive a
13 grant of \$400,000; these amounts shall be adjusted under
14 subsection (e) of this Section.

15 (2) If the clean election candidate for the office of
16 State Senator has an uncontested general primary election,
17 the amount of the general primary grant for which the
18 qualified candidate committee for that candidate shall be
19 eligible to receive is \$50,000; that amount shall be
20 adjusted under subsection (e) of this Section.

21 (3) The clean election candidate committee for the
22 office of State Senator who has been nominated shall be
23 eligible to receive a grant from the fund for a contested
24 general election campaign in the amount of \$300,000; that
25 amount shall be adjusted under subsection (e) of this
26 Section.

1 (d) State Representative.

2 (1) The clean election candidate committee of a
3 candidate for the office of State Representative who has a
4 general primary election for nomination to that office
5 shall be eligible to receive a grant from the Citizens'
6 Election Fund for the primary campaign in the amount of
7 \$150,000, provided if the vote totals of one established
8 party candidate for Governor from the previous general
9 gubernatorial election in the district served by that
10 office exceeds any other established party's vote totals by
11 at least 20%, the candidate from such party shall receive a
12 grant of \$200,000; these amounts shall be adjusted under
13 subsection (e) of this Section.

14 (2) If the clean election candidate for the office of
15 State Representative has an uncontested general primary
16 election, the amount of the general primary grant for which
17 the clean election candidate committee for that candidate
18 shall be eligible to receive is \$25,000; that amount shall
19 be adjusted under subsection (e) of this Section.

20 (3) The clean election candidate committee for the
21 office of State Representative who has been nominated shall
22 be eligible to receive a grant from the fund for a
23 contested general election campaign in the amount of
24 \$150,000; that amount shall be adjusted under subsection
25 (e) of this Section.

26 (e) Beginning on January 1, 2013 and every 2 years

1 thereafter, the Board shall modify the public financing
2 benefits provided for in Section 8 to adjust for the change in
3 the Consumer Price Index, All Items, U. S. City Average,
4 published by the United States Department of Labor for the
5 preceding 2-year period ending on December 31.

6 (f) An independent candidate for the office of Governor,
7 Lieutenant Governor, Attorney General, Secretary of State,
8 Comptroller, Treasurer, State Senator, or State Representative
9 who is not seeking the nomination of an established party,
10 after having received approval by the Board of such candidate's
11 nominating petition and qualifying contributors, shall be
12 eligible to receive a grant from the fund in the amount of
13 three-quarters of the grant allocated to candidates for that
14 office in an uncontested general primary election during the
15 primary election campaign period.

16 (g) Increase in the grants under special circumstances.

17 (1) If the opposing, non-participating candidate's
18 excess expenditures with respect to a clean election
19 candidate for nomination or election exceeds the threshold
20 amount, the initial grant for both the general primary and
21 general election under this Section shall be increased in
22 accordance with the formula in paragraph (3). As used in
23 this subsection, "excess expenditure" means an expenditure
24 made, or obligated to be made, by a nonparticipating
25 candidate who is opposed by one or more clean election
26 candidates in a primary campaign or a general election

1 campaign, which is in excess of the amount of the
2 applicable grant for the clean election candidates for the
3 campaign authorized under Section 8 of this Act.

4 (2) Threshold amount.

5 (A) In this subsection, the threshold amount with
6 respect to an election period of a candidate described
7 in paragraph (3) is an amount equal to the sum of:

8 (i) \$100,000; and

9 (ii) \$0.04 multiplied by the voting age
10 population of the district in which the candidates
11 are seeking office.

12 (B) For the purpose of subparagraph (g) (2) (A),
13 the term "voting age population" means the number of
14 adults over the age of 18 found residing in every
15 county in the district or circuit by the U.S. Census
16 Bureau at the last preceding decennial census.

17 (3) If the opposing candidate's personal funds amount
18 is over:

19 (A) 2 times the threshold amount, but not over 4
20 times the amount, then the match, as specified under
21 subsection (d) of Section 12 of this Act, shall be
22 increased to a 4-to-1 match and the maximum amount of
23 matching funds allocated, as specified under
24 subsection (e) of Section 12 of this Act, shall be
25 multiplied by 1.25.

26 (B) 4 times the threshold amount, but not over 10

1 times the amount, then the match, as specified under
2 subsection (d) of Section 12 of this Act, shall be
3 increased to a 5-to-1 match and the maximum amount of
4 matching funds allocated, as specified under
5 subsection (e) of Section 12 of this Act, shall be
6 multiplied by 1.5.

7 (C) 10 times the threshold amount, then the match,
8 as specified under subsection (d) of Section 12 of this
9 Act, shall be increased to a 6-to-1 match and the
10 maximum amount of matching funds allocated, as
11 specified under subsection (e) of Section 12 of this
12 Act, shall be multiplied by 2.

13 (4) If a court of competent jurisdiction prohibits or
14 limits any provision of subsection (g) as
15 unconstitutional, the provision within subsection (g)
16 shall be inoperative.

17 (h) Notwithstanding the provisions of subsections (a) to
18 (g), inclusive, of this Section:

19 (1) The initial grant that a clean election candidate
20 committee for a candidate is eligible to receive under
21 subsections (a) to (g), inclusive, of this Section shall be
22 reduced by the amount of any personal funds that the
23 candidate provides for the candidate's campaign for
24 nomination or election pursuant to subsection (c) of
25 Section 11 of this Act.

26 (2) If a clean election candidate is nominated at a

1 general primary election and does not expend the entire
2 grant for the primary campaign authorized under subsection
3 (a), (b), (c), or (d) of this Section or all moneys that
4 may be received for the general primary campaign under
5 Section 12 of this Act, the amount of the grant for the
6 general election campaign shall be reduced by the total
7 amount of any such unexpended primary campaign grant and
8 moneys.

9 (3) If a clean election candidate has an uncontested
10 general election campaign, the candidate shall be eligible
11 to receive 30% of the applicable general election grant set
12 forth in subsections (a) to (d), inclusive.

13 Section 9. Depository accounts. The deposit of moneys from
14 the Citizens' Election Fund shall be transferred into the
15 depository account of a qualified candidate committee, no
16 contribution, loan, amount of the candidate's own moneys, or
17 any other moneys received by the candidate or the campaign
18 treasurer on behalf of the committee shall be deposited into
19 that depository account, except (1) grants from the fund, (2)
20 any additional moneys from the fund as provided in Section 12
21 of this Act, and (3) contributions from natural persons under
22 \$500.

23 Section 10. General election campaign grants. A qualified
24 candidate committee that received moneys from the Citizens'

1 Election Fund for a general primary campaign and whose
2 candidate is the party nominee shall receive a grant from the
3 fund for a general election campaign. Upon receiving
4 verification from the Board of the results of the votes cast at
5 the primary, the Board shall notify the State Comptroller of
6 the amount payable to such qualified candidate committee
7 pursuant to Section 7 of this Act. As soon as is practical, but
8 in no event longer than 7 business days following notification
9 by the Board, the State Comptroller shall draw an order for
10 payment of the general election campaign grant to that
11 committee from that fund.

12 Section 11. Loans; personal funds; debt.

13 (a) The candidate committee for a candidate who intends to
14 participate in the Citizens' Election Program may borrow moneys
15 on behalf of a campaign for a general primary or a general
16 election from one or more financial institutions. The amount
17 borrowed shall not constitute a qualifying contribution under
18 Section 5 of this Act.

19 (b) All such loans shall be repaid in full prior to the
20 date such candidate committee applies for a grant from the
21 Citizens' Election Fund pursuant to Section 7 of this Act. A
22 candidate who fails to repay such loans or fails to certify
23 such repayment to the Board shall not be eligible to receive
24 and shall not receive grants from the fund.

25 (c) A candidate who intends to participate in the Citizens'

1 Election Program may provide personal funds for such
2 candidate's campaign for nomination or election in an amount
3 not exceeding the following: (1) for a candidate for the office
4 of Governor, \$20,000; (2) for a candidate for the office of
5 Lieutenant Governor, Attorney General, State Comptroller,
6 State Treasurer, Secretary of the State, \$10,000; (3) for a
7 candidate for the office of State Senator, \$2,000; or (4) for a
8 candidate for the office of State Representative, \$1,000:

9 (1) Such personal funds shall not constitute a
10 qualifying contribution under Section 5 of this Act.

11 (2) The initial grant that a qualified candidate
12 committee for a candidate is eligible to receive under
13 Section 8 of this Act shall be reduced by the amount of any
14 personal funds that the candidate provides for the
15 candidate's campaign for nomination or election.

16 (d) A candidate shall not incur obligations beyond funds
17 raised or received in accordance with this Act.

18 Section 12. Matching funds.

19 (a) Clean election candidates shall qualify to receive
20 matching funds from the Citizens' Election Fund for
21 contributions received from natural persons, following receipt
22 of initial Citizens' Election Fund grants during both the
23 primary and general election cycles.

24 (b) Clean election candidates shall receive a match from
25 the Citizens' Election Fund on the portion of any given

1 contribution up to \$100 from a natural person, 90% of whom must
2 reside in Illinois.

3 (c) Clean election candidates shall disclose to the Board
4 individual contributions received following receipt of
5 Citizens' Election Fund grants during both the primary and
6 general elections, on a schedule to be adopted by rule.

7 (d) The Board shall direct the State Comptroller to
8 allocate moneys from the Citizens' Election Fund to clean
9 election candidates who have continued to receive
10 contributions following the receipt of initial Citizens'
11 Election Fund grants. The matching funds from the Citizens'
12 Election Fund shall be allocated based upon a 3-to-1 match.

13 (e) Candidates may receive up to 2 times the grant received
14 from the Citizens' Election Fund during both the general
15 primary and general election cycle.

16 (f) Clean election candidates may continue to collect
17 contributions of \$500 or less from natural persons, 90% of whom
18 must reside in Illinois, after receiving the maximum amount of
19 matching funds from the Citizens' Election Fund;
20 notwithstanding the aforementioned, no natural person may
21 contribute more than \$500 in any given general primary or
22 general election to one clean election candidate.

23 Section 13. Creating rules regarding coordination with
24 candidates.

25 (a) A contribution includes anything of value provided in

1 coordination with a candidate for the purpose of influencing
2 the outcome of an election.

3 (b) A coordinated activity is anything of value provided in
4 coordination with a candidate (or party or agent) to influence
5 an election, regardless of whether it contains express
6 advocacy, including payments: in consultation with, or at
7 request or suggestion of, a candidate, party, or agent; using
8 candidate-prepared materials; based on information provided by
9 candidate's campaign for purposes of expenditure; by a spender
10 who during that election cycle has raised funds or acted in an
11 official position for a candidate; for communications about
12 campaign plans, directly or through a party; for in-kind
13 professional services, directly or through a party, other than
14 for voter guide mailings; and in coordination with a candidate
15 to influence election regardless of whether the communication
16 contains express advocacy.

17 Section 14. Contributions in excess of limit. If a
18 contribution is found to be in excess of \$500 during the course
19 of either the primary or general election cycle, the candidate
20 shall notify the Board and turn over the excess contribution
21 within 3 business days to the Citizens' Election Fund,
22 otherwise: (1) the committee shall not receive any additional
23 grants or moneys from the fund for the remainder of the
24 election cycle if the Board determines that the candidate or
25 campaign treasurer of that committee had knowledge of the

1 excess contribution, (2) the campaign treasurer shall be
2 subject to penalties under Article 29 of the Election Code, and
3 (3) the candidate of that candidate committee shall be deemed
4 to be a non participating candidate for the purposes of
5 Sections 1 to 17, inclusive, of this Act if the Board
6 determines that the candidate or campaign treasurer of that
7 committee had knowledge of the excess expenditure. The Board
8 may waive the provisions of this subsection upon determining
9 that an excess contribution is of minor consequence. The Board
10 shall adopt rules establishing standards for making such
11 determinations.

12 Section 15. Exploratory committee. If a candidate has
13 established an exploratory committee, the campaign treasurer
14 of the committee may distribute to the clean election candidate
15 committee only that portion of such surplus that is
16 attributable to contributions that meet the criteria for
17 permissible contributions defined as \$5 to \$500 and shall
18 distribute the remainder of such surplus to the Citizens'
19 Election Fund.

20 Section 16. Board duties. The Board has the following
21 duties:

22 (a) Annually, to issue a report on the status of the
23 Citizens' Election Fund during the previous calendar year. Such
24 report shall include the amount of moneys deposited in the

1 fund, the sources of moneys received by category, the number of
2 contributions, the number of contributors, the amount of moneys
3 expended by category, the recipients of moneys distributed from
4 the fund, and an accounting of the costs incurred by the Board
5 in administering the provisions of Sections 1 to 17, inclusive,
6 of this Act.

7 (b) To establish and administer a program of voluntary
8 trainings on the Citizens' Election Program for candidates and
9 campaign treasurers.

10 (c) Not later than July 1 of the year preceding a general
11 election, to determine whether the amount of moneys in the fund
12 is sufficient to carry out the purposes of Sections 1 to 17,
13 inclusive, of this Act. If the Board determines that such
14 amount is not sufficient to carry out such purposes, the Board
15 shall, not later than 3 days after such later determination,
16 (1) determine the percentage of the fund's obligations that can
17 be met for such election, (2) recalculate the amount of each
18 payment that each qualified candidate committee is entitled to
19 receive under Section 8 of this Act by multiplying such
20 percentage by the amount that such committee would have been
21 entitled to receive under Sections 1 to 17, inclusive, of this
22 Act if there were a sufficient amount of moneys in the fund,
23 and (3) notify each such committee of such insufficiency,
24 percentage, and applicable recalculation. After a qualified
25 candidate committee under Section 8 of this Act first receives
26 any such recalculated payment, the committee may resume

1 accepting contributions. The Board shall also issue a report on
2 that determination.

3 Section 17. Application of Act. Candidates may begin
4 participating under this Act on July 1, 2011 for the 2012
5 general primary and general election cycles, unless the Board
6 declares that the Citizens' Election Fund has insufficient
7 funds.

8 Section 85. The Election Code is amended by changing the
9 heading of Article 9 and Sections 9-1, 9-1.4, and 9-1.5 and by
10 adding Sections 9-1.16, 9-1.17, 9-1.18, 9-1.19, 9-1.20,
11 9-1.21, 9-1.22, 9-1.23, 9-1.24, 9-2.5, 9-2.7, 9-8.5, 9-8.7,
12 9-25.1, and 12A-5 as follows:

13 (10 ILCS 5/Art. 9 heading)

14 ARTICLE 9. DISCLOSURE AND REGULATION OF CAMPAIGN
15 CONTRIBUTIONS AND EXPENDITURES

16 (10 ILCS 5/9-1) (from Ch. 46, par. 9-1)

17 Sec. 9-1. As used in this Article, unless the context
18 otherwise requires, the terms defined in Sections 9-1.1 through
19 9-1.24 ~~9-1.13~~, have the respective meanings as defined in those
20 Sections.

21 (Source: P.A. 86-873.)

1 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

2 Sec. 9-1.4. Contribution.

3 (A) "Contribution" means-

4 (1) a gift, subscription, donation, dues, loan,
5 advance, or deposit of money or anything of value,
6 knowingly received in connection with the nomination for
7 election, ~~or~~ election, or retention of any person to or in
8 public office, in connection with the election of any
9 person as ward or township committeeman in counties of
10 3,000,000 or more population, or in connection with any
11 question of public policy;

12 (1.5) a gift, subscription, donation, dues, loan,
13 advance, deposit of money, or anything of value that
14 constitutes an electioneering communication regardless of
15 whether the communication is made in concert or cooperation
16 with or at the request, suggestion, or knowledge of a
17 candidate, a candidate's authorized local political
18 committee, a State political committee, a political
19 committee in support of or opposition to a question of
20 public policy, or any of their agents;

21 (2) the purchase of tickets for fund-raising events,
22 including but not limited to dinners, luncheons, cocktail
23 parties, and rallies made in connection with the nomination
24 for election, ~~or~~ election, or retention of any person to or
25 in public office, in connection with the election of any
26 person as ward or township committeeman in counties of

1 3,000,000 or more population, or in connection with any
2 question of public policy;

3 (3) a transfer of funds between political committees;
4 ~~and~~

5 (4) the services of an employee donated by an employer,
6 in which case the contribution shall be listed in the name
7 of the employer, except that any individual services
8 provided voluntarily and without promise or expectation of
9 compensation from any source shall not be deemed a
10 contribution; and ~~but~~

11 (5) any expenditure made in cooperation, consultation,
12 or concert with the committee, but

13 (6) ~~(5)~~ does not include--

14 (a) the use of real or personal property and the
15 cost of invitations, food, and beverages, voluntarily
16 provided by an individual in rendering voluntary
17 personal services on the individual's residential
18 premises for candidate-related activities; provided
19 the value of the service provided does not exceed an
20 aggregate of \$150 in a reporting period;

21 (b) (blank); ~~the sale of any food or beverage by a~~
22 ~~vendor for use in a candidate's campaign at a charge~~
23 ~~less than the normal comparable charge, if such charge~~
24 ~~for use in a candidate's campaign is at least equal to~~
25 ~~the cost of such food or beverage to the vendor.~~

26 (c) communications on any subject by a corporation

1 to its stockholders and executive or administrative
2 personnel and their families, by a labor organization
3 to its members and their families, or by an association
4 to its members and their families;

5 (d) voter registration and get-out-the-vote
6 campaigns that make no mention of any clearly
7 identified candidate, public question, or political
8 party, or group or combination thereof;

9 (e) the establishment, administration, and
10 solicitation of contributions to a separate segregated
11 fund to be used for political purposes by a
12 corporation, labor organization, or association; or

13 (f) a secured loan of money by a national or State
14 bank or credit union made in accordance with the
15 applicable banking laws and regulations and in the
16 ordinary course of business; however, the use,
17 ownership, or control of any security for such a loan,
18 if provided by a person other than the candidate or his
19 or her committee, qualifies as a contribution.

20 (B) Interest or other investment income, earnings or
21 proceeds, and refunds or returns of all or part of a
22 committee's previous expenditures, shall not be considered
23 contributions for the purposes of Section 9-8.5 but shall be
24 listed with contributions on disclosure reports required by
25 this Article.

26 (Source: P.A. 94-645, eff. 8-22-05.)

1 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

2 Sec. 9-1.5. Expenditure defined.

3 "Expenditure" means-

4 (1) a payment, distribution, purchase, loan, advance,
5 deposit, or gift of money or anything of value, in connection
6 with the nomination for election, ~~or~~ election, or retention of
7 any person to or in public office, in connection with the
8 election of any person as ward or township committeeman in
9 counties of 3,000,000 or more population, or in connection with
10 any question of public policy. "Expenditure" also includes a
11 payment, distribution, purchase, loan, advance, deposit, or
12 gift of money or anything of value that constitutes an
13 electioneering communication regardless of whether the
14 communication is made in concert or cooperation with or at the
15 request, suggestion, or knowledge of a candidate, a candidate's
16 authorized local political committee, a State political
17 committee, a political committee in support of or opposition to
18 a question of public policy, or any of their agents. However,
19 expenditure does not include -

20 ~~(a)~~ the use of real or personal property and the cost
21 of invitations, food, and beverages, voluntarily provided
22 by an individual in rendering voluntary personal services
23 on the individual's residential premises for
24 candidate-related activities; provided the value of the
25 service provided does not exceed an aggregate of \$150 in a

1 reporting period. †

2 ~~(b) the sale of any food or beverage by a vendor for~~
3 ~~use in a candidate's campaign at a charge less than the~~
4 ~~normal comparable charge, if such charge for use in a~~
5 ~~candidate's campaign is at least equal to the cost of such~~
6 ~~food or beverage to the vendor.~~

7 (2) a transfer of funds between political committees.

8 (3) a payment for electioneering communications.

9 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
10 93-847, eff. 7-30-04.)

11 (10 ILCS 5/9-1.16 new)

12 Sec. 9-1.16. Independent expenditure. "Independent
13 expenditure" means an expenditure by a person:

14 (a) expressly advocating the election or defeat of a
15 clearly identified candidate; and

16 (b) that is not made in cooperation, consultation, or
17 concert with or at the request or suggestion of the candidate,
18 the candidate's authorized political committee or agents, or
19 agents thereof.

20 (10 ILCS 5/9-1.17 new)

21 Sec. 9-1.17. Clearly identified or identifiable. "Clearly
22 identified" or "clearly identifiable" means that:

23 (a) the name, voice, image, or likeness of a candidate
24 appears; or

1 (b) the identify of the candidate is apparent by
2 unambiguous reference.

3 (10 ILCS 5/9-1.18 new)

4 Sec. 9-1.18. Regular election period. "Regular election
5 period" means any of:

6 (a) the period beginning on January 1 immediately following
7 the date of the general election for the office to which a
8 candidate seeks nomination or election and ending the day of
9 the General primary election for that office;

10 (b) the period beginning on the day after the general
11 primary election for the office to which the candidate seeks
12 nomination or election and ending on the December 31 after the
13 general election for that office;

14 (c) the period beginning on the date on which a sitting
15 judge declares for retention and ending 90 days after the
16 retention election.

17 (10 ILCS 5/9-1.19 new)

18 Sec. 9-1.19. Municipal election period. "Municipal
19 election period" means the period beginning on July 1
20 immediately following the date of the consolidated primary
21 election or consolidated election at which the office for which
22 the candidate seeks nomination or election is filled and ending
23 on June 30 immediately preceding the date of the next
24 consolidated primary election for that office, unless the

1 office is not filled at the consolidated primary election, in
2 which instance candidates who will seek office in the next
3 upcoming consolidated election may begin a new municipal
4 election period the day after the consolidated primary election
5 and ending on the next June 30.

6 (10 ILCS 5/9-1.20 new)

7 Sec. 9-1.20. Labor organization. The term "labor
8 organization" means any organization of any kind or any agency
9 or employee representation committee or plan in which employees
10 participate and that exists for the purpose, in whole or in
11 part, of dealing with employers concerning grievances, labor
12 disputes, wages, rates of pay, hours of employment, or
13 conditions of work.

14 (10 ILCS 5/9-1.21 new)

15 Sec. 9-1.21. Corporation. The term "corporation" includes
16 a limited liability company, partnership, professional
17 practice, cooperative, or sole proprietorship, whether
18 organized on a for-profit or non-profit basis.

19 (10 ILCS 5/9-1.22 new)

20 Sec. 9-1.22. Association. The term "association" means any
21 group, club, meeting, collective, membership organization,
22 collection of persons, any entity organized under Section 501
23 or 527 of the Internal Revenue Code, or any other entity other

1 than a natural person, except that an association does not
2 include a political committee organized under this Article.

3 (10 ILCS 5/9-1.23 new)

4 Sec. 9-1.23. Earmarked. The term "earmarked" means a
5 designation, instruction, or encumbrance, whether direct or
6 indirect, express or implied, oral or written, that results in
7 all or any part of a contribution or expenditure being made to,
8 or expended on behalf of, a clearly identified candidate a
9 candidate's designated committee, or a committee in support of
10 or opposition to a public question.

11 (10 ILCS 5/9-1.24 new)

12 Sec. 9-1.24. Conduit and intermediary. The terms "conduit"
13 and "intermediary" are interchangeable and mean any person who
14 receives a contribution earmarked by the contributor to be
15 forwarded or transmitted to another.

16 (10 ILCS 5/9-2.5 new)

17 Sec. 9-2.5. Single political committee.

18 (a) Except as provided by this Section, no public official
19 or candidate for public office may establish more than one
20 political committee for each office that public official or
21 candidate occupies or is seeking.

22 (b) A public official with one or more pre-existing
23 committees bound by the limits of any subsection of Section

1 9-8.5 considering a candidacy for any office covered by the
2 limits of any different subsection of Section 9-8.5 must form a
3 new committee, to be termed an exploratory committee. A
4 pre-existing committee created for the primary purpose of
5 aiding that candidate's election to other offices that ceases
6 all fundraising after the creation of an exploratory committee
7 may transfer funds without limit to an exploratory committee.
8 Should the candidate decide against running for the new office,
9 fail to qualify for the ballot at the next election, or lose
10 the next election, any remaining funds held by the exploratory
11 committee shall be returned to contributors or donated to
12 charity, and the committee shall be closed, within 90 days.

13 (c) The public officials elected President of the Senate,
14 Minority Leader of the Senate, Speaker of the House of
15 Representatives, and Minority Leader of the House of
16 Representatives may each establish and operate one additional
17 political committee for the purpose of supporting the election
18 of candidates to the General Assembly. The committees provided
19 for in this subsection (c) shall not be considered established
20 by the President of the Senate, Minority Leader of the Senate,
21 Speaker of the House of Representatives, or Minority Leader of
22 the House of Representatives for purposes of Section 9-8.5.

23 (10 ILCS 5/9-2.7 new)

24 Sec. 9-2.7. Political committee designations.

25 (a) Candidate committees.

1 (1) Each candidate shall designate in writing one and
2 only one political committee to serve as the political
3 committee of the candidate. The designation shall be made
4 no later than 15 days after becoming a candidate or
5 establishing the committee and shall be filed with the
6 State Board of Election. Any committee so designated may,
7 within 10 business days after notification of the
8 designation, reject the designation. If a committee
9 rejects a candidate designation, the committee must return
10 to donors any funds raised as a result of the designation,
11 and the candidate must create and designate a new committee
12 within 5 business days after the rejection.

13 (2) The name of the designated committee shall include
14 the name of the candidate who authorized the committee
15 under paragraph (1). No political committee that is not an
16 authorized candidate committee may include the full name of
17 that candidate in its name.

18 (b) Party committees.

19 (1) Any political organization or party may designate
20 in writing one and only one political committee to serve as
21 the political committee of the party for elections to State
22 or local office. The designation shall be made no later
23 than 15 days after the effective date of this amendatory
24 Act of the 96th General Assembly, or 15 days after
25 formation of the committee, and shall be filed with the
26 State Board of Election. The designation of a party

1 committee may be changed only upon the replacement of the
2 party chairman.

3 (2) The name of the designated committee shall include
4 the name of the party that authorized the committee under
5 paragraph (1). No political committee that is not an
6 authorized party committee may include the full name of
7 that party in its name.

8 (c) Caucus committees.

9 (1) The public officials elected President of the
10 Senate, Minority Leader of the Senate, Speaker of the House
11 of Representatives, and Minority Leader of the House of
12 Representatives may each designate in writing one and only
13 one political committee to serve as the political committee
14 of his or her caucus. The designation shall be made no
15 later than 15 days after the start of the General Assembly,
16 and shall be filed with the State Board of Election. The
17 designation of a caucus committee may not be changed,
18 revoked, or altered until the start of the next General
19 Assembly unless the person elected to the office authorized
20 to designate the caucus committee also changes; the new
21 leader may designate a new committee within 15 days after
22 taking office. All contributions from all committees
23 designated the caucus committee for a particular caucus
24 made during a single election period shall be aggregated
25 for the purposes of Section 9-8.5.

26 (2) The name of the designated committee shall include

1 a clear and unambiguous reference to the caucus that
2 authorized the committee under paragraph (1). No political
3 committee that is not an authorized caucus committee may
4 include the name of that caucus in its name.

5 (d) All designations, statements, and reports required to
6 be filed under this Section shall be filed with the Board. The
7 Board shall retain and make the designations, statements, and
8 reports received under this Section available for public
9 inspection and copying in the same manner as statements of
10 organization.

11 (10 ILCS 5/9-8.5 new)

12 Sec. 9-8.5. Limitation on contributions.

13 (a) It shall be unlawful for any person to make
14 contributions to a political committee except as provided in
15 this Section.

16 (b) For political committees designated by a candidate for
17 legislative office:

18 (1) Natural persons may contribute no more than \$2,300
19 during any regular election period in which the candidate
20 who designated the committee is seeking nomination or
21 election.

22 (2) Political committees established by a State
23 political party may contribute not more than \$30,000 during
24 the regular election period that includes the general
25 election in which the candidate who designated the

1 committee is seeking election; provided that all
2 committees established by a State political party, under
3 State or federal law, shall be considered as one committee
4 for the purpose of this Section.

5 (3) Political committees established by a partisan
6 legislative caucus may contribute not more than \$30,000
7 during any regular election period in which the candidate
8 who designated the committee is seeking nomination or
9 election.

10 (4) Any other political committee not designated or
11 controlled by the candidate may contribute no more than
12 \$5,000 during a regular election period in which the
13 candidate who designated the committee is seeking
14 nomination or election.

15 (5) A corporation, labor organization, or association
16 may contribute from its own treasuries no more than \$5,000
17 during each election period. All contributions from
18 associated entities, including political committees for
19 which the corporation, labor organization, or association
20 is the sponsoring entity, shall be aggregated for the
21 purposes of this Section.

22 (c) For political committees designated by a candidate for
23 a local office or for ward or township committeeman in counties
24 of 3,000,000 or more population:

25 (1) Natural persons may contribute no more than \$2,300
26 during any regular election period in which the candidate

1 who designated the committee is seeking nomination or
2 election.

3 (2) The candidate may designate one and only one
4 political party whose political committees may contribute
5 not more than \$10,000 during the regular election period
6 that includes the general election in which the candidate
7 who designated the committee is seeking election; provided
8 that all committees established by the political party,
9 under State or federal law, shall be considered as one
10 committee for the purpose of this Section.

11 (3) Any other political committee not designated or
12 controlled by the candidate may contribute no more than
13 \$5,000 during a regular election period in which the
14 candidate who designated the committee is seeking
15 nomination or election.

16 (3.5) A corporation, labor organization, or
17 association may contribute from its own treasuries no more
18 than \$5,000 during each election period. All contributions
19 from associated entities, including political committees
20 for which the corporation, labor organization, or
21 association is the sponsoring entity, shall be aggregated
22 for the purposes of this Section.

23 (4) Committees designated by one or more candidates for
24 any office required to file a statement of economic
25 interests with a county clerk may select to follow the
26 municipal election calendar. Committees that select to

1 follow the municipal election calendar must make that
2 decision at least 18 months prior to the next consolidated
3 primary election or within 30 days after creation. The
4 selection to follow the municipal election calendar is
5 irrevocable. For committees that select to follow the
6 municipal election calendar:

7 (A) Natural persons may contribute no more than
8 \$2,300 during any Municipal election period in which
9 the candidate who designated the committee is seeking
10 nomination or election.

11 (B) The candidate may designate one and only one
12 political party whose political committees may
13 contribute not more than \$10,000 during the regular
14 election period that includes the consolidated
15 election in which the candidate who designated the
16 committee is seeking election; provided that all
17 committees established by the political party, under
18 State or federal law, shall be considered as one
19 committee for the purpose of this Section.

20 (C) Any other political committee not designated
21 or controlled by the candidate may contribute no more
22 than \$5,000 during any municipal election period in
23 which the candidate who designated the committee is
24 seeking nomination or election.

25 (D) A corporation, labor organization, or
26 association may contribute from its own treasuries no

1 more than \$5,000 during each election period. All
2 contributions from associated entities, including
3 political committees for which the corporation, labor
4 organization, or association is the sponsoring entity,
5 shall be aggregated for the purposes of this Section.

6 (d) For political committees designated by a candidate for
7 State office, other than for legislative or statewide office:

8 (1) Natural persons may contribute no more than \$2,300
9 during any regular election period in which the candidate
10 who designated the committee is seeking nomination,
11 election, or retention.

12 (2) The candidate may designate one and only one
13 political party whose political committees may contribute
14 not more than \$10,000 during the regular election period
15 that includes the general election in which the candidate
16 who designated the committee is seeking election; provided
17 that all committees established by the political party,
18 under State or federal law, shall be considered as one
19 committee for the purpose of this Section.

20 (3) Any other political committee not designated or
21 controlled by the candidate may contribute no more than
22 \$5,000 during a regular election period in which the
23 candidate who designated the committee is seeking
24 nomination, election, or retention.

25 (4) A corporation, labor organization, or association
26 may contribute from its own treasuries no more than \$5,000

1 during each election period. All contributions from
2 associated entities, including political committees for
3 which the corporation, labor organization, or association
4 is the sponsoring entity, shall be aggregated for the
5 purposes of this Section.

6 (e) For political committees designated by a candidate for
7 statewide office:

8 (1) Natural persons may contribute no more than \$2,300
9 during any regular election period.

10 (2) The candidate may designate one and only one
11 political party whose political committees may contribute
12 not more than \$125,000 during the regular election period
13 that includes the general election in which the candidate
14 who designated the committee is seeking election; provided
15 that all committees established by the political party,
16 under State or federal law, shall be considered as one
17 committee for the purpose of this Section.

18 (3) Any other political committee not designated or
19 controlled by the candidate may contribute no more than
20 \$5,000 during a regular election period.

21 (4) A corporation, labor organization, or association
22 may contribute from its own treasuries no more than \$5,000
23 during each election period. All contributions from
24 associated entities, including political committees for
25 which the corporation, labor organization, or association
26 is the sponsoring entity, shall be aggregated for the

1 purposes of this Section.

2 (f) For political committees designated by an established
3 political party:

4 (1) Natural persons may contribute no more than \$2,300
5 during any regular election period during which any
6 candidate actively supported by the party is seeking
7 nomination or election.

8 (2) Any other political committee may contribute no
9 more than \$5,000 during any regular election period during
10 which any candidate actively supported by the party is
11 seeking nomination or election.

12 (3) A corporation, labor organization, or association
13 may contribute from its own treasuries no more than \$5,000
14 during each election period. All contributions from
15 associated entities, including political committees for
16 which the corporation, labor organization, or association
17 is the sponsoring entity, shall be aggregated for the
18 purposes of this Section.

19 (g) For political committees designated by a legislative
20 caucus:

21 (1) Natural persons may contribute no more than \$2,300
22 during any regular election period during which any
23 candidate actively supported by the caucus is seeking
24 nomination or election.

25 (2) Any other political committee may contribute no
26 more than \$5,000 during any regular election period during

1 which any candidate actively supported by the caucus is
2 seeking nomination or election.

3 (3) A corporation, labor organization, or association
4 may contribute from its own treasuries no more than \$5,000
5 during each election period. All contributions from
6 associated entities, including political committees for
7 which the corporation, labor organization, or association
8 is the sponsoring entity, shall be aggregated for the
9 purposes of this Section.

10 (h) For any other political committee, natural persons may
11 contribute no more than \$2,300 during any period beginning on
12 January 1 of an odd-numbered year and ending on December 31 of
13 an even-numbered year. A corporation, labor organization,
14 association, or other political committee may contribute no
15 more than \$5,000 during each election period. All contributions
16 from associated entities, including political committees for
17 which the corporation, labor organization, or association is
18 the sponsoring entity, shall be aggregated for the purposes of
19 this Section.

20 (i) Nothing in this Section shall prohibit political
21 committees from dividing the proceeds of joint fund raising
22 efforts; provided that no political committee may receive more
23 than the limit from any one donor and all donations shall be
24 listed as from their true origin.

25 (j) No natural person, corporation, labor organization, or
26 association may contribute in aggregate more than \$80,000 to

1 political committees during any period beginning on January 1
2 of an odd-numbered year and ending on December 31 of an
3 even-numbered year.

4 (k) On January 1 of every odd-numbered year, the State
5 Board of Elections shall adjust the limits established in
6 subsections (b), (c), (d), (f), (g), (h), and (j) for inflation
7 as determined by the Consumer Price Index for All Urban
8 Consumers as issued by the United States Department of Labor
9 and rounded to the nearest \$100.

10 (l) In any instance where a corporation and any of its
11 subsidiaries, branches, divisions, departments, or local
12 units; a labor organization and any of its subsidiaries,
13 branches, divisions, departments, or local units; or an
14 association or any of its affiliates, subsidiaries, branches,
15 divisions, departments, or local units contribute to one or
16 more political committees or establish, maintain, or control
17 more than one separate segregated fund qualified as a political
18 committee, all of the related contributing entities shall be
19 treated as a single contributing entity for the purposes of the
20 limitations provided by this Section.

21 (m) Expenditures.

22 (1) Expenditures made by any person in cooperation,
23 consultation, or concert with a candidate, his or her
24 authorized committee, or their agents, shall be considered
25 a contribution to the candidate's designated political
26 committee for the purpose of this Section.

1 (2) The financing by any person of the dissemination,
2 distribution, or republication, in whole or in part, of any
3 broadcast or any written, graphic, or other form of
4 campaign materials prepared by the candidate, his or her
5 political committee, or their authorized agents shall be
6 considered to be a contribution to the candidate's
7 designated political committee for the purposes of this
8 Section.

9 (n) For the purposes of the limitations designated by this
10 Section, all contributions made by a person, either directly or
11 indirectly, to a particular candidate, including contributions
12 that are in any way earmarked or otherwise directed through an
13 intermediary or conduit to a candidate's committee, shall be
14 treated as contributions from the person to the candidate's
15 committee. The intermediary or conduit shall report the
16 original source and the intended recipient of the contribution
17 to the Board and to the intended recipient within 10 days after
18 the person made the contribution, or upon transmittal to the
19 candidate, whichever is earlier. A conduit's or intermediary's
20 contribution limits are not affected by the forwarding of an
21 earmarked contribution except where the conduit or
22 intermediary exercises any direction or control over the choice
23 of the recipient. Any person who is prohibited from making
24 contributions or expenditures in connection with a candidate or
25 public question shall be prohibited from acting as a conduit
26 for contributions earmarked for that candidate or public

1 question, and any person who is prohibited from acting as a
2 conduit who receives an earmarked contribution shall return
3 that contribution to the contributor without transmitting or
4 forwarding it to the committee of the candidate or public
5 question.

6 (o) No candidate or political committee shall knowingly
7 accept any contribution or make any expenditure in violation of
8 the provisions of this Section. No officer or employee of a
9 political committee shall knowingly accept a contribution made
10 for the benefit or use of a candidate or knowingly make any
11 expenditure on behalf of a candidate in violation of any
12 limitation designated for contributions and expenditures under
13 this Section.

14 (p) Multiple designations.

15 (1) No committee may accept donations larger than those
16 specified in this Section, regardless of the number of
17 candidates that may designate that committee under Section
18 9-2.7.

19 (2) Any committee designated by candidates who
20 individually qualify under different subsections of this
21 Section shall be bound by the lower limit.

22 (q) Complaints.

23 (1) The Board shall receive complaints alleging
24 violations of this Section. The Board may bring complaints
25 and investigations on its own initiative when the Board has
26 reason to believe that a violation of this Section has

1 occurred.

2 (2) Upon receipt of a complaint, the Board shall hold a
3 closed preliminary hearing to determine whether or not the
4 complaint appears to have been filed on justifiable
5 grounds. Such closed preliminary hearing shall be
6 conducted as soon as practicable after affording
7 reasonable notice, a copy of the complaint, and an
8 opportunity to testify at such hearing to both the person
9 making the complaint and the person against whom the
10 complaint is directed. If the Board determines that the
11 complaint has not been filed on justifiable grounds, it
12 shall issue a written order to dismiss the complaint
13 without further hearing, specifying the defect in the
14 original complaint.

15 (3) The Board shall have the authority to promulgate
16 procedural rules governing the filing and hearing of
17 complaints under this Section that are not inconsistent
18 with this Section.

19 (4) In addition to any other penalties authorized by
20 this Article, the State Board of Elections, any political
21 committee, or any person may apply to the circuit court for
22 a temporary restraining order or a preliminary or permanent
23 injunction against a political committee or any other
24 entity to cease the expenditure of funds in violation of
25 this Section and to cease operations until the Board
26 determines that the committee or entity is in compliance

1 with this Section.

2 (r) Penalties.

3 (1) Any person who violates this Section shall be fined
4 the greater of \$10,000 or 3 times the value of the excess
5 contribution or expenditure.

6 (2) The State Board of Elections shall assess a penalty
7 of up to \$5,000 for each violation against the recipient of
8 any contribution in violation of this Section if the
9 recipient knew that the donation was in violation of this
10 Section. For purposes of this Section, a recipient knew
11 that the donation was in violation of this Section if the
12 candidate, the committee chairman or treasurer, or any
13 natural person paid to perform regular campaign tasks knew
14 that the donation was in violation of this Section.

15 (10 ILCS 5/9-8.7 new)

16 Sec. 9-8.7. Soliciting of contributions by associations,
17 corporations, or labor organizations.

18 (a) It is unlawful for any person affiliated in any way
19 with a corporation knowingly soliciting an employee of that
20 corporation for a contribution to a political committee to fail
21 to inform the employee at the time of the solicitation of the
22 political purposes of the fund. It is unlawful for any person
23 affiliated in any way with a labor organization or association
24 knowingly soliciting an member of that labor organization or
25 association for a contribution to a political committee to fail

1 to inform the member at the time of the solicitation of the
2 political purposes of the fund.

3 (b) It is unlawful for any person affiliated in any way
4 with a corporation knowingly soliciting an employee of that
5 corporation for a contribution to a political committee to fail
6 to inform the employee at the time of the solicitation of the
7 employee's right to refuse to contribute without any reprisal.
8 It is unlawful for any person affiliated in any way with a
9 labor organization or association knowingly soliciting any
10 member of the same labor organization or association for a
11 contribution to a political committee to fail to inform the
12 employee at the time of the solicitation of the employee's
13 right to refuse to contribute without any reprisal.

14 (c) Complaints.

15 (1) The Board shall receive complaints alleging
16 violations of this Section. The Board may bring complaints
17 and investigations on its own initiative when the Board has
18 reason to believe that a violation of this Section has
19 occurred.

20 (2) Upon receipt of a complaint, the Board shall hold a
21 closed preliminary hearing to determine whether or not the
22 complaint appears to have been filed on justifiable
23 grounds. Such closed preliminary hearing shall be
24 conducted as soon as practicable after affording
25 reasonable notice, a copy of the complaint, and an
26 opportunity to testify at such hearing to both the person

1 making the complaint and the person against whom the
2 complaint is directed. If the Board determines that the
3 complaint has not been filed on justifiable grounds, it
4 shall issue a written order to dismiss the complaint
5 without further hearing, specifying the defect in the
6 original complaint.

7 (3) The Board shall have the authority to promulgate
8 procedural rules governing the filing and hearing of
9 complaints under this Section that are not inconsistent
10 with this Section.

11 (4) In addition to any other penalties authorized by
12 this Article, the State Board of Elections, any political
13 committee, or any person may apply to the circuit court for
14 a temporary restraining order or a preliminary or permanent
15 injunction against a political committee or any other
16 entity to cease the expenditure of funds in violation of
17 this Section and to cease operations until the Board
18 determines that the committee or entity is in compliance
19 with this Section.

20 (d) Penalties. Any person who violates this Section shall
21 be fined \$200 for each person improperly solicited.
22 Contributions received from any donor within 6 months after an
23 improper solicitation of that donor must be returned to the
24 donor.

25 (10 ILCS 5/9-25.1) (from Ch. 46, par. 9-25.1; formerly Ch.

1 46, pars. 102, 103 and 104)

2 Sec. 9-25.1. Election interference.

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

6 (b) Except as otherwise provided by statute, rule, or
7 ordinance, no ~~No~~ public funds shall be used to urge any elector
8 to vote for or against any ~~candidate or~~ proposition, or be
9 appropriated for political or campaign purposes to any
10 ~~candidate or~~ political organization. This Section shall not
11 prohibit the use of public funds for dissemination of factual
12 information relative to any proposition appearing on an
13 election ballot, or for dissemination of information and
14 arguments published and distributed under law in connection
15 with a proposition to amend the Constitution of the State of
16 Illinois.

17 (c) The first time any person violates any provision of
18 this Section, that person shall be guilty of a Class B
19 misdemeanor. Upon the second or any subsequent violation of any
20 provision of this Section, the person violating any provision
21 of this Section shall be guilty of a Class A misdemeanor.

22 (Source: P.A. 87-1052.)

23 (10 ILCS 5/12A-5)

24 Sec. 12A-5. Internet Guide. The Board shall publish, no
25 later than the 45th day before each ~~a~~ general election ~~in which~~

1 ~~a statewide candidate appears on the ballot,~~ an Internet
2 website with the following information:

3 (1) The date and time of the general election.

4 (2) Requirements for a citizen to qualify as an
5 elector.

6 (3) The deadline for registering as an elector in the
7 State of Illinois for the next election.

8 (4) Contact information for local election
9 authorities.

10 (5) A description of the following offices, when they
11 appear on the ballot, including their term of office, basic
12 duties, and base salary: United States President, United
13 States Senator, United States Representative, Governor,
14 Lieutenant Governor, Attorney General, Secretary of State,
15 Treasurer, Comptroller, Illinois Supreme Court Judge, ~~and~~
16 Illinois Appellate Court Judge, State Senator, and State
17 Representative. The Board shall not include information on
18 any office other than the offices listed in this item (5).

19 (6) The names and party affiliations of qualified
20 candidates for the following offices, when these offices
21 appear on the ballot: United States President, United
22 States Senator, United States Representative, Governor,
23 Lieutenant Governor, Attorney General, Secretary of State,
24 Treasurer, Comptroller, Illinois Supreme Court Judge, ~~and~~
25 Illinois Appellate Court Judge, State Senator, and State
26 Representative. The Board shall not include information on

1 candidates for any office other than the offices listed in
2 this item (6).

3 (7) Challenged candidates. Where a candidate's right
4 to appear on the general election ballot has been
5 challenged, and any appeal remains pending regarding those
6 challenges, the challenged candidate may appear on the
7 Internet Guide, subject to the other provisions of Section
8 12A-10. In this instance, the Board may note that the
9 candidate's candidacy has been challenged and that he or
10 she may be removed from the ballot prior to election day.
11 If the candidate is removed from the ballot prior to
12 election day, the Board shall remove the candidate's name
13 and other information from the Internet Guide.

14 (8) Any personal statement and photograph submitted by
15 a candidate named in the Internet Guide, subject to
16 Sections 12A-10 and 12A-35.

17 (9) A means by which an elector may determine what type
18 of balloting equipment is used by his or her local election
19 authority, and the instructions for properly using that
20 equipment.

21 (10) The text of any public question that may appear on
22 the ballot.

23 (11) A mechanism by which electors may determine in
24 which congressional and judicial districts they reside.
25 The Internet Guide shall allow visitors to search for
26 candidates by office (e.g., Governor or United States

1 Senator) and candidate's name.

2 (12) Information concerning how to become an election
3 judge.

4 (13) A list of the clean election candidates in that
5 general election.

6 The Board shall archive the contents of the Internet Guide
7 for a period of at least 5 years.

8 In addition, the Board has the discretion to publish a
9 voters' guide before a general primary election in the manner
10 provided in this Article.

11 (Source: P.A. 94-645, eff. 8-22-05.)

12 Section 90. The State Finance Act is amended by adding
13 Section 5.719 as follows:

14 (30 ILCS 105/5.719 new)

15 Sec. 5.719. The Citizens' Election Fund.

16 Section 95. The Illinois Income Tax Act is amended by
17 adding Section 507SS as follows:

18 (35 ILCS 5/507SS new)

19 Sec. 507SS. Citizens' Election Fund. The Department shall
20 print on its standard individual income tax form a provision
21 indicating that if the taxpayer wishes to contribute to the
22 Citizens' Election Fund, he or she may do so by stating the

1 amount of the contribution (not less than \$1) on the return and
2 that the contribution will reduce the taxpayer's refund or
3 increase the amount of payment to accompany the return. Failure
4 to remit any amount of increased payment shall reduce the
5 contribution accordingly. This Section shall not apply to any
6 amended return.

7 Section 97. Severability. The provisions of this Act are
8 severable under Section 1.31 of the Statute on Statutes.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".