



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4116

Introduced 2/27/2009, by Rep. Rosemary Mulligan

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5 new

Amends the Election Code. Prohibits media communications that refer to clearly identified candidates until specified periods before a general primary and general election, with certain exceptions. Authorizes the State Board of Elections to impose civil penalties for violations.

LRB096 08522 JAM 18642 b

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 9-8.5 as follows:

6 (10 ILCS 5/9-8.5 new)

7 Sec. 9-8.5. Restrictions on election communications.

8 (a) Any form of communication, in whatever media, including
9 but not limited to a newspaper, radio, television, or Internet
10 communication, that refers to a clearly identified candidate or
11 candidates who will appear on the ballot at the next general
12 election or general primary election is prohibited (i) with
13 respect to the general primary ballot, until January 2 before
14 the general primary election and through the day of the general
15 primary election, and (ii) with respect to the general election
16 ballot, until September 2 before the general election and
17 through the day of the general election.

18 (b) The State Board of Elections may impose a civil penalty
19 for a violation of this Section not to exceed \$5,000, except
20 that the civil penalty may not exceed \$10,000 for a violation
21 by the holder of a statewide office, a candidate for statewide
22 office, or a political committee established to promote the
23 candidacy of a statewide office holder or candidate. For

1 purposes of this Section, "statewide office" means the office
2 of Governor, Lieutenant Governor, Attorney General, Secretary
3 of State, State Comptroller, or State Treasurer.

4 (c) This Section does not apply to those communications
5 exempted from the definition of "electioneering
6 communications" under Section 9-1.14.