



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3350

Introduced 2/10/2010, by Sen. Rickey R. Hendon

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5

Amends the Election Code. Provides that a candidate political committee may not accept contributions during an election cycle from the candidate or the candidate's spouse, parent, or child with a total aggregate value of more than (i) \$250,000 for a statewide office candidate or (ii) \$100,000 for a candidate for any other office. Removes provisions eliminating campaign contribution limits for all candidates for an office when one of the candidates accepts contributions from the candidate or the candidate's spouse, parent, or child with an aggregate total value of more than (i) \$250,000 for a statewide office candidate or (ii) \$100,000 for a candidate for any other office. Effective January 1, 2011.

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1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section
5 9-8.5 as follows:

6 (10 ILCS 5/9-8.5)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

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

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

12 (b) During an election cycle, a candidate political
13 committee may not accept contributions with an aggregate value
14 over the following: (i) \$5,000 from any individual, (ii)
15 \$10,000 from any corporation, labor organization, or
16 association, or (iii) \$50,000 from a candidate political
17 committee or political action committee. During an election
18 cycle, a candidate political committee may not accept
19 contributions from the candidate or the candidate's spouse,
20 parent, or child with a total aggregate value of more than (i)
21 \$250,000 if the candidate is a candidate for statewide office
22 or (ii) \$100,000 if the candidate is a candidate for any other
23 elective office. A candidate political committee may accept

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

1 from a ballot initiative 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 State
11 political committee and federal political committee. A
12 political party committee may not accept contributions from a
13 ballot initiative committee. A political party committee
14 established by a legislative caucus may not accept
15 contributions from another political party committee
16 established by a legislative caucus.

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

1 (c-10). The Task Force on Campaign Finance Reform shall study
2 and make recommendations on the provisions of this subsection
3 to the Governor and General Assembly by September 30, 2012.
4 This subsection becomes inoperative on July 1, 2013 and
5 thereafter no longer applies.

6 (c-10) A political party committee that does not intend to
7 make contributions to candidates to be nominated at a general
8 primary election or consolidated primary election may file a
9 Statement of Nonparticipation in a Primary Election with the
10 Board. The Statement of Nonparticipation shall include a
11 verification signed by the chairperson and treasurer of the
12 committee that (i) the committee will not make contributions or
13 coordinated expenditures in support of or opposition to a
14 candidate or candidates to be nominated at the general primary
15 election or consolidated primary election (select one) to be
16 held on (insert date), (ii) the political party committee may
17 accept unlimited contributions from candidate political
18 committees and political party committees, provided that the
19 political party committee does not make contributions to a
20 candidate or candidates to be nominated at the primary
21 election, and (iii) failure to abide by these requirements
22 shall deem the political party committee in violation of this
23 Article and subject the committee to a fine of no more than
24 150% of the total contributions or coordinated expenditures
25 made by the committee in violation of this Article. This
26 subsection becomes inoperative on July 1, 2013 and thereafter

1 no longer applies.

2 (d) During an election cycle, a political action 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, political party
6 committee, or association, or (iii) \$50,000 from a political
7 action committee or candidate political committee. A political
8 action committee may not accept contributions from a ballot
9 initiative committee.

10 (e) A ballot initiative committee may accept contributions
11 in any amount from any source, provided that the committee
12 files the document required by Section 9-3 of this Article.

13 (f) Nothing in this Section shall prohibit a political
14 committee from dividing the proceeds of joint fundraising
15 efforts; provided that no political committee may receive more
16 than the limit from any one contributor.

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

24 (h) (Blank.) ~~Self-funding candidates. If a public~~
25 ~~official, a candidate, or the public official's or candidate's~~
26 ~~immediate family contributes or loans to the public official's~~

~~er candidate's political committee or to other political
committees that transfer funds to the public official's or
candidate's political committee or makes independent
expenditures for the benefit of the public official's or
candidate's campaign during the 12 months prior to an election
in an aggregate amount of more than (i) \$250,000 for statewide
office or (ii) \$100,000 for all other elective offices, then
the public official or candidate shall file with the State
Board of Elections, within one day, a Notification of
Self funding that shall detail each contribution or loan made
by the public official, the candidate, or the public official's
or candidate's immediate family. Within 2 business days after
the filing of a Notification of Self funding, the notification
shall be posted on the Board's website and the Board shall give
official notice of the filing to each candidate for the same
office as the public official or candidate making the filing,
including the public official or candidate filing the
Notification of Self funding. Upon receiving notice from the
Board, all candidates for that office, including the public
official or candidate who filed a Notification of Self funding,
shall be permitted to accept contributions in excess of any
contribution limits imposed by subsection (b). For the purposes
of this subsection, "immediate family" means the spouse,
parent, or child of a public official or candidate.~~

(i) For the purposes of this Section, a corporation, labor organization, association, or a political action committee

1 established by a corporation, labor organization, or
2 association may act as a conduit in facilitating the delivery
3 to a political action committee of contributions made through
4 dues, levies, or similar assessments and the political action
5 committee may report the contributions in the aggregate,
6 provided that: (i) the dues, levies, or similar assessments
7 paid by any natural person, corporation, labor organization, or
8 association in a calendar year may not exceed the limits set
9 forth in this Section and (ii) the corporation, labor
10 organization, association, or a political action committee
11 established by a corporation, labor organization, or
12 association facilitating the delivery of contributions
13 maintains a list of natural persons, corporations, labor
14 organizations, and associations that paid the dues, levies, or
15 similar assessments from which the contributions comprising
16 the aggregate amount derive. A political action committee
17 facilitating the delivery of contributions or receiving
18 contributions shall disclose the amount of dues delivered or
19 received and the name of the corporation, labor organization,
20 association, or political action committee delivering the
21 contributions, if applicable.

22 (j) A political committee that receives a contribution or
23 transfer in violation of this Section shall dispose of the
24 contribution or transfer by returning the contribution or
25 transfer, or an amount equal to the contribution or transfer,
26 to the contributor or transferor or donating the contribution

1 or transfer, or an amount equal to the contribution or
2 transfer, to a charity. A contribution or transfer received in
3 violation of this Section that is not disposed of as provided
4 in this subsection within 15 days after its receipt shall
5 escheat to the General Revenue Fund and the political committee
6 shall be deemed in violation of this Section and subject to a
7 civil penalty not to exceed 150% of the total amount of the
8 contribution.

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

12 (l) This Section is repealed if and when the United States
13 Supreme Court invalidates contribution limits on committees
14 formed to assist candidates, political parties, corporations,
15 associations, or labor organizations established by or
16 pursuant to federal law.

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

18 Section 95. No acceleration or delay. Where this Act makes
19 changes in a statute that is represented in this Act by text
20 that is not yet or no longer in effect (for example, a Section
21 represented by multiple versions), the use of that text does
22 not accelerate or delay the taking effect of (i) the changes
23 made by this Act or (ii) provisions derived from any other
24 Public Act.

25 Section 99. Effective date. This Act takes effect January

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