



Rep. Jack D. Franks

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09700HB1717ham002

LRB097 08733 HLH 54463 a

1 AMENDMENT TO HOUSE BILL 1717

2 AMENDMENT NO. _____. Amend House Bill 1717 by replacing
3 everything after the enacting clause with the following:

4 Section 10. The Election Code is amended by adding Section
5 9-8.7 as follows:

6 (10 ILCS 5/9-8.7 new)

7 Sec. 9-8.7. Divesting or freezing of campaign funds
8 controlled by State board and commission members.

9 (a) For the purposes of this Section:

10 "Board or commission" means any board, commission,
11 authority, or task force authorized or created by the
12 Illinois Constitution, State law, or executive order of the
13 Governor.

14 "Member" means any person appointed to a board or
15 commission.

16 (b) A member who maintains or controls a candidate

1 political committee must divest or freeze the funds in his or
2 her candidate political committee.

3 (c) A member may not establish a candidate political
4 committee for the duration of his or her term on a board or
5 commission.

6 (d) A member must:

7 (1) divest himself or herself of any funds in the
8 candidate political committee by (A) a direct return of
9 funds to contributors in amounts not to exceed his or her
10 individual contributions; (B) a transfer of funds to a
11 charitable organization or organizations; or (C) a
12 combination of items (A) and (B); or

13 (2) freeze the funds in the candidate political
14 committee by placing the funds in an account that is frozen
15 for the duration of his or her term as a member of the
16 board or commission; for the purposes of this paragraph
17 (2), an account is deemed frozen if the only activity in
18 the account is related to covering the reasonable costs of
19 maintaining the account or preparing reports required by
20 this Code; "reasonable costs" shall be defined by the State
21 Board of Elections by rule.

22 A member whose term of office begins on or after the
23 effective date of this amendatory Act of the 97th General
24 Assembly must divest or freeze those funds within 15 days after
25 the appointment is final. A member who is serving on a board or
26 commission on the effective date of this amendatory Act of the

1 97th General Assembly must divest or freeze those funds within
2 60 days after the effective date of this amendatory Act of the
3 97th General Assembly.

4 (e) A member who maintains or controls a candidate
5 political committee must submit an affidavit to the State Board
6 of Elections that states that the member maintains or controls
7 a candidate political committee, that the candidate political
8 committee has been divested or frozen, and that the member will
9 not establish a candidate political committee for the duration
10 of his or her term on the board or commission. Each other
11 member must submit an affidavit to the State Board of Elections
12 that states that the member does not maintain or control a
13 candidate political committee and will not establish such a
14 committee for the duration of his or her term on the board or
15 commission. A member whose term of office begins on or after
16 the effective date of this amendatory Act of the 97th General
17 Assembly must submit an affidavit under this subsection (e)
18 within 15 days after the appointment is final. A member who is
19 serving on a board or commission on the effective date of this
20 amendatory Act of the 97th General Assembly must submit an
21 affidavit under this subsection (e) within 60 days after the
22 effective date of this amendatory Act of the 97th General
23 Assembly.

24 (f) Failure to divest or freeze an account in accordance
25 with this Section shall result in forfeiture of all funds
26 maintained in the candidate political committee account.

1 Forfeited funds shall be deposited into the General Revenue
2 Fund. A member who establishes a candidate political committee
3 during his or her term on a board or commission is subject to a
4 \$5,000 fine.

5 (g) Nothing in this Section prevents the spouse or
6 immediate family members of a member from seeking elected
7 office or establishing or maintaining a candidate political
8 committee.

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