

HB1765



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1765

Introduced 1/28/2025, by Rep. Christopher "C.D." Davidsmeyer

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5

Amends the Election Code. Removes a provision that provides that the State Board of Elections shall adjust the amounts of the contribution limits for inflation.

LRB104 07776 SPS 17821 b

A BILL FOR

1 AN ACT concerning elections.

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

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

6 (10 ILCS 5/9-8.5)

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

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

10 (b) During an election cycle, a candidate political
11 committee may not accept contributions with an aggregate value
12 over the following: (i) \$5,000 from any individual, (ii)
13 \$10,000 from any corporation, labor organization, or
14 association, or (iii) \$50,000 from a candidate political
15 committee or political action committee. A candidate political
16 committee may accept contributions in any amount from a
17 political party committee. A candidate political committee
18 established to elect a candidate to the General Assembly may
19 accept contributions from only one legislative caucus
20 committee. A candidate political committee may not accept
21 contributions from a ballot initiative committee or from an
22 independent expenditure committee.

23 (b-5) Judicial elections.

1 (1) In addition to any other provision of this
2 Section, a candidate political committee established to
3 support or oppose a candidate seeking nomination to the
4 Supreme Court, Appellate Court, or Circuit Court may not:

5 (A) accept contributions from any entity that does
6 not disclose the identity of those who make
7 contributions to the entity, except for contributions
8 that are not required to be itemized by this Code; or

9 (B) accept contributions from any out-of-state
10 person, as defined in this Article.

11 (1.1) In addition to any other provision of this
12 Section, a political committee that is self-funding, as
13 described in subsection (h) of this Section, and is
14 established to support or oppose a candidate seeking
15 nomination, election, or retention to the Supreme Court,
16 the Appellate Court, or the Circuit Court may not accept
17 contributions from any single person, other than the
18 judicial candidate or the candidate's immediate family, in
19 a cumulative amount that exceeds \$500,000 in any election
20 cycle. Any contribution in excess of the limits in this
21 paragraph (1.1) shall escheat to the State of Illinois.
22 Any political committee that receives such a contribution
23 shall immediately forward the amount that exceeds \$500,000
24 to the State Treasurer who shall deposit the funds into
25 the State Treasury.

26 (1.2) In addition to any other provision of this

1 Section, an independent expenditure committee established
2 to support or oppose a candidate seeking nomination,
3 election, or retention to the Supreme Court, the Appellate
4 Court, or the Circuit Court may not accept contributions
5 from any single person in a cumulative amount that exceeds
6 \$500,000 in any election cycle. Any contribution in excess
7 of the limits in this paragraph (1.2) shall escheat to the
8 State of Illinois. Any independent expenditure committee
9 that receives such a contribution shall immediately
10 forward the amount that exceeds \$500,000 to the State
11 Treasurer who shall deposit the funds into the State
12 Treasury.

13 (1.3) In addition to any other provision of this
14 Section, if a political committee established to support
15 or oppose a candidate seeking nomination, election, or
16 retention to the Supreme Court, the Appellate Court, or
17 the Circuit Court receives a contribution in excess of
18 \$500 from: (i) any committee that is not required to
19 disclose its contributors under this Act; (ii) any
20 association that is not required to disclose its
21 contributors under this Act; or (iii) any other
22 organization or group of persons that is not required to
23 disclose its contributors under this Act, then that
24 contribution shall be considered an anonymous contribution
25 that shall escheat to the State, unless the political
26 committee reports to the State Board of Elections all

1 persons who have contributed in excess of \$500 during the
2 same election cycle to the committee, association,
3 organization, or group making the contribution. Any
4 political committee that receives such a contribution and
5 fails to report this information shall forward the
6 contribution amount immediately to the State Treasurer who
7 shall deposit the funds into the State Treasury.

8 (2) As used in this subsection, "contribution" has the
9 meaning provided in Section 9-1.4 and also includes the
10 following that are subject to the limits of this Section:

11 (A) expenditures made by any person in concert or
12 cooperation with, or at the request or suggestion of,
13 a candidate, his or her designated committee, or their
14 agents; and

15 (B) the financing by any person of the
16 dissemination, distribution, or republication, in
17 whole or in part, of any broadcast or any written,
18 graphic, or other form of campaign materials prepared
19 by the candidate, his or her campaign committee, or
20 their designated agents.

21 (3) As to contributions to a candidate political
22 committee established to support a candidate seeking
23 nomination to the Supreme Court, Appellate Court, or
24 Circuit Court:

25 (A) No person shall make a contribution in the
26 name of another person or knowingly permit his or her

1 name to be used to effect such a contribution.

2 (B) No person shall knowingly accept a
3 contribution made by one person in the name of another
4 person.

5 (C) No person shall knowingly accept reimbursement
6 from another person for a contribution made in his or
7 her own name.

8 (D) No person shall make an anonymous
9 contribution.

10 (E) No person shall knowingly accept any anonymous
11 contribution.

12 (F) No person shall predicate (1) any benefit,
13 including, but not limited to, employment decisions,
14 including hiring, promotions, bonus compensation, and
15 transfers, or (2) any other gift, transfer, or
16 emolument upon:

17 (i) the decision by the recipient of that
18 benefit to donate or not to donate to a candidate;
19 or

20 (ii) the amount of any such donation.

21 (4) No judicial candidate or political committee
22 established to support a candidate seeking nomination to
23 the Supreme Court, Appellate Court, or Circuit Court shall
24 knowingly accept any contribution or make any expenditure
25 in violation of the provisions of this Section. No officer
26 or employee of a political committee established to

1 support a candidate seeking nomination to the Supreme
2 Court, Appellate Court, or Circuit Court shall knowingly
3 accept a contribution made for the benefit or use of a
4 candidate or knowingly make any expenditure in support of
5 or opposition to a candidate or for electioneering
6 communications in relation to a candidate in violation of
7 any limitation designated for contributions and
8 expenditures under this Section.

9 (5) Where the provisions of this subsection (b-5)
10 conflict with any other provision of this Code, this
11 subsection (b-5) shall control.

12 (c) During an election cycle, a political party committee
13 may not accept contributions with an aggregate value over the
14 following: (i) \$10,000 from any individual, (ii) \$20,000 from
15 any corporation, labor organization, or association, or (iii)
16 \$50,000 from a political action committee. A political party
17 committee may accept contributions in any amount from another
18 political party committee or a candidate political committee,
19 except as provided in subsection (c-5). Nothing in this
20 Section shall limit the amounts that may be transferred
21 between a political party committee established under
22 subsection (a) of Section 7-8 of this Code and an affiliated
23 federal political committee established under the Federal
24 Election Code by the same political party. A political party
25 committee may not accept contributions from a ballot
26 initiative committee or from an independent expenditure

1 committee. A political party committee established by a
2 legislative caucus may not accept contributions from another
3 political party committee established by a legislative caucus.

4 (c-5) (Blank).

5 (c-10) (Blank).

6 (d) During an election cycle, a political action committee
7 may not accept contributions with an aggregate value over the
8 following: (i) \$10,000 from any individual, (ii) \$20,000 from
9 any corporation, labor organization, political party
10 committee, or association, or (iii) \$50,000 from a political
11 action committee or candidate political committee. A political
12 action committee may not accept contributions from a ballot
13 initiative committee or from an independent expenditure
14 committee.

15 (e) A ballot initiative committee may accept contributions
16 in any amount from any source, provided that the committee
17 files the document required by Section 9-3 of this Article and
18 files the disclosure reports required by the provisions of
19 this Article.

20 (e-5) An independent expenditure committee may accept
21 contributions in any amount from any source, provided that the
22 committee files the document required by Section 9-3 of this
23 Article and files the disclosure reports required by the
24 provisions of this Article.

25 (e-10) A limited activity committee shall not accept
26 contributions, except that the officer or a candidate the

1 committee has designated to support may contribute personal
2 funds in order to pay for maintenance expenses. A limited
3 activity committee may only make expenditures that are: (i)
4 necessary for maintenance of the committee; (ii) for rent or
5 lease payments until the end of the lease in effect at the time
6 the officer or candidate is confirmed by the Senate; (iii)
7 contributions to 501(c)(3) charities; or (iv) returning
8 contributions to original contributors.

9 (f) Nothing in this Section shall prohibit a political
10 committee from dividing the proceeds of joint fundraising
11 efforts; provided that no political committee may receive more
12 than the limit from any one contributor, and provided that an
13 independent expenditure committee may not conduct joint
14 fundraising efforts with a candidate political committee or a
15 political party committee.

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

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

1 committees that transfer funds to the public official's or
2 candidate's political committee or makes independent
3 expenditures for the benefit of the public official's or
4 candidate's campaign during the 12 months prior to an election
5 in an aggregate amount of more than (i) \$250,000 for statewide
6 office or (ii) \$100,000 for all other elective offices, then
7 the public official or candidate shall file with the State
8 Board of Elections, within one day, a Notification of
9 Self-funding that shall detail each contribution or loan made
10 by the public official, the candidate, or the public
11 official's or candidate's immediate family. Within 2 business
12 days after the filing of a Notification of Self-funding, the
13 notification shall be posted on the Board's website and the
14 Board shall give official notice of the filing to each
15 candidate for the same office as the public official or
16 candidate making the filing, including the public official or
17 candidate filing the Notification of Self-funding. Notice
18 shall be sent via first class mail to the candidate and the
19 treasurer of the candidate's committee. Notice shall also be
20 sent by e-mail to the candidate and the treasurer of the
21 candidate's committee if the candidate and the treasurer, as
22 applicable, have provided the Board with an e-mail address.
23 Upon posting of the notice on the Board's website, all
24 candidates for that office, including the public official or
25 candidate who filed a Notification of Self-funding, shall be
26 permitted to accept contributions in excess of any

1 contribution limits imposed by subsection (b). If a public
2 official or candidate filed a Notification of Self-funding
3 during an election cycle that includes a general primary
4 election or consolidated primary election and that public
5 official or candidate is nominated, all candidates for that
6 office, including the nominee who filed the notification of
7 self-funding, shall be permitted to accept contributions in
8 excess of any contribution limit imposed by subsection (b) for
9 the subsequent election cycle. For the purposes of this
10 subsection, "immediate family" means the spouse, parent, or
11 child of a public official or candidate.

12 (h-5) If a natural person or independent expenditure
13 committee makes independent expenditures in support of or in
14 opposition to the campaign of a particular public official or
15 candidate in an aggregate amount of more than (i) \$250,000 for
16 statewide office or (ii) \$100,000 for all other elective
17 offices in an election cycle, as reported in a written
18 disclosure filed under subsection (a) of Section 9-8.6 or
19 subsection (e-5) of Section 9-10, then the State Board of
20 Elections shall, within 2 business days after the filing of
21 the disclosure, post the disclosure on the Board's website and
22 give official notice of the disclosure to each candidate for
23 the same office as the public official or candidate for whose
24 benefit or detriment the natural person or independent
25 expenditure committee made independent expenditures. Upon
26 posting of the notice on the Board's website, all candidates

1 for that office in that election, including the public
2 official or candidate for whose benefit or detriment the
3 natural person or independent expenditure committee made
4 independent expenditures, shall be permitted to accept
5 contributions in excess of any contribution limits imposed by
6 subsection (b).

7 (h-10) If the State Board of Elections receives
8 notification or determines that a natural person or persons,
9 an independent expenditure committee or committees, or
10 combination thereof has made independent expenditures in
11 support of or in opposition to the campaign of a particular
12 public official or candidate in an aggregate amount of more
13 than (i) \$250,000 for statewide office or (ii) \$100,000 for
14 all other elective offices in an election cycle, then the
15 Board shall, within 2 business days after discovering the
16 independent expenditures that, in the aggregate, exceed the
17 threshold set forth in (i) and (ii) of this subsection, post
18 notice of this fact on the Board's website and give official
19 notice to each candidate for the same office as the public
20 official or candidate for whose benefit or detriment the
21 independent expenditures were made. Notice shall be sent via
22 first class mail to the candidate and the treasurer of the
23 candidate's committee. Notice shall also be sent by e-mail to
24 the candidate and the treasurer of the candidate's committee
25 if the candidate and the treasurer, as applicable, have
26 provided the Board with an e-mail address. Upon posting of the

1 notice on the Board's website, all candidates of that office
2 in that election, including the public official or candidate
3 for whose benefit or detriment the independent expenditures
4 were made, may accept contributions in excess of any
5 contribution limits imposed by subsection (b).

6 (i) For the purposes of this Section, a corporation, labor
7 organization, association, or a political action committee
8 established by a corporation, labor organization, or
9 association may act as a conduit in facilitating the delivery
10 to a political action committee of contributions made through
11 dues, levies, or similar assessments and the political action
12 committee may report the contributions in the aggregate,
13 provided that: (i) contributions made through dues, levies, or
14 similar assessments paid by any natural person, corporation,
15 labor organization, or association in a calendar year may not
16 exceed the limits set forth in this Section; (ii) the
17 corporation, labor organization, association, or a political
18 action committee established by a corporation, labor
19 organization, or association facilitating the delivery of
20 contributions maintains a list of natural persons,
21 corporations, labor organizations, and associations that paid
22 the dues, levies, or similar assessments from which the
23 contributions comprising the aggregate amount derive; and
24 (iii) contributions made through dues, levies, or similar
25 assessments paid by any natural person, corporation, labor
26 organization, or association that exceed \$1,000 in a quarterly

1 reporting period shall be itemized on the committee's
2 quarterly report and may not be reported in the aggregate. A
3 political action committee facilitating the delivery of
4 contributions or receiving contributions shall disclose the
5 amount of contributions made through dues delivered or
6 received and the name of the corporation, labor organization,
7 association, or political action committee delivering the
8 contributions, if applicable. On January 1 of each
9 odd-numbered year, the State Board of Elections shall adjust
10 the amounts of the contribution limitations established in
11 this subsection for inflation as determined by the Consumer
12 Price Index for All Urban Consumers as issued by the United
13 States Department of Labor and rounded to the nearest \$100.
14 The State Board shall publish this information on its official
15 website.

16 (j) A political committee that receives a contribution or
17 transfer in violation of this Section shall dispose of the
18 contribution or transfer by returning the contribution or
19 transfer, or an amount equal to the contribution or transfer,
20 to the contributor or transferor or donating the contribution
21 or transfer, or an amount equal to the contribution or
22 transfer, to a charity. A contribution or transfer received in
23 violation of this Section that is not disposed of as provided
24 in this subsection within 30 days after the Board sends
25 notification to the political committee of the excess
26 contribution by certified mail shall escheat to the General

1 Revenue Fund and the political committee shall be deemed in
2 violation of this Section and subject to a civil penalty not to
3 exceed 150% of the total amount of the contribution.

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

7 (l) This Section is repealed if and when the United States
8 Supreme Court invalidates contribution limits on committees
9 formed to assist candidates, political parties, corporations,
10 associations, or labor organizations established by or
11 pursuant to federal law.

12 (Source: P.A. 102-664, eff. 1-1-22; 102-668, eff. 11-15-21;
13 102-909, eff. 5-27-22; 103-600, eff. 7-1-24.)