

1 AN ACT concerning government.

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 and by adding Section 1-21 as follows:

6 (10 ILCS 5/1-21 new)

7 Sec. 1-21. Public Financing of Judicial Elections Task
8 Force.

9 (a) The Public Financing of Judicial Elections Task Force
10 is hereby created for the purposes described in subsection

11 (b). Members of the Task Force shall be appointed as follows:

12 (1) one member appointed by the Governor;

13 (2) one member appointed by the Attorney General;

14 (3) 2 members appointed by the President of the
15 Senate;

16 (4) 2 members appointed by the Speaker of the House of
17 Representatives;

18 (5) 2 members appointed by the Minority Leader of the
19 Senate; and

20 (6) 2 members appointed by the Minority Leader of the
21 House of Representatives.

22 (b) The Task Force shall study the feasibility of
23 implementing a system of campaign finance that would allow

1 public funds to be used to subsidize campaigns for candidates
2 for judicial office in exchange for voluntary adherence by
3 those campaigns to specified expenditure limitations. In
4 conducting its study, the Task Force shall consider whether
5 implementing such a system of public financing is in the best
6 interest of the State. The Task Force may propose one or more
7 funding sources for the public financing of judicial
8 elections, including, but not limited to, fines, voluntary
9 contributions, surcharges on lobbying activities, and a
10 whistleblower fund. The Task Force shall consider the
11 following factors:

12 (1) the amount of funds raised by past candidates for
13 judicial office;

14 (2) the amount of funds expended by past candidates
15 for judicial office;

16 (3) the disparity in the amount of funds raised by
17 candidates for judicial office of different political
18 parties;

19 (4) the amount of funds expended with respect to
20 campaigns for judicial office by entities not affiliated
21 with a candidate;

22 (5) the amount of money contributed to or expended by
23 a committee of a political party to promote a candidate
24 for judicial office;

25 (6) jurisprudence concerning campaign finance and
26 public financing of political campaigns, both for judicial

1 office and generally; and

2 (7) any other factors that the Task Force determines
3 are related to the public financing of elections in this
4 State.

5 The Task Force shall also suggest changes to current law
6 that would be necessary to facilitate public financing of
7 candidates for judicial office.

8 (c) The Task Force shall complete its study no later than
9 June 30, 2023 and shall report its findings to the Governor and
10 the General Assembly as soon as possible after the study is
11 complete.

12 (d) The Members shall serve without compensation. If a
13 vacancy occurs on the Task Force, it shall be filled according
14 to the guidelines of the initial appointment.

15 (e) The State Board of Elections shall provide staff and
16 administrative support to the Task Force.

17 (f) As used in this Section, "judicial office" means
18 nomination, election, or retention to the Supreme Court, the
19 Appellate Court, or the Circuit Court.

20 (g) This Section is repealed on July 1, 2024.

21 (10 ILCS 5/9-8.5)

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

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

25 (b) During an election cycle, a candidate political

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

1 political committee established to support the nomination of a
2 candidate to any other office. A candidate political committee
3 established to elect a candidate to the General Assembly may
4 accept contributions from only one legislative caucus
5 committee. A candidate political committee may not accept
6 contributions from a ballot initiative committee or from an
7 independent expenditure committee.

8 (b-5) Judicial elections.

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

13 (A) accept contributions from any entity that does
14 not disclose the identity of those who make
15 contributions to the entity, except for contributions
16 that are not required to be itemized by this Code; or

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

19 (1.1) In addition to any other provision of this
20 Section, a political committee that is self-funding, as
21 described in subsection (h) of this Section, and is
22 established to support or oppose a candidate seeking
23 nomination, election, or retention to the Supreme Court,
24 the Appellate Court, or the Circuit Court may not accept
25 contributions from any single person, other than the
26 judicial candidate or the candidate's immediate family, in

1 a cumulative amount that exceeds \$500,000 in any election
2 cycle. Any contribution in excess of the limits in this
3 paragraph (1.1) shall escheat to the State of Illinois.
4 Any political committee that receives such a contribution
5 shall immediately forward the amount that exceeds \$500,000
6 to the State Treasurer who shall deposit the funds into
7 the State Treasury.

8 (1.2) In addition to any other provision of this
9 Section, an independent expenditure committee established
10 to support or oppose a candidate seeking nomination,
11 election, or retention to the Supreme Court, the Appellate
12 Court, or the Circuit Court may not accept contributions
13 from any single person in a cumulative amount that exceeds
14 \$500,000 in any election cycle. Any contribution in excess
15 of the limits in this paragraph (1.2) shall escheat to the
16 State of Illinois. Any independent expenditure committee
17 that receives such a contribution shall immediately
18 forward the amount that exceeds \$500,000 to the State
19 Treasurer who shall deposit the funds into the State
20 Treasury.

21 (1.3) In addition to any other provision of this
22 Section, if a political committee established to support
23 or oppose a candidate seeking nomination, election, or
24 retention to the Supreme Court, the Appellate Court, or
25 the Circuit Court receives a contribution in excess of
26 \$500 from: (i) any committee that is not required to

1 disclose its contributors under this Act; (ii) any
2 association that is not required to disclose its
3 contributors under this Act; or (iii) any other
4 organization or group of persons that is not required to
5 disclose its contributors under this Act, then that
6 contribution shall be considered an anonymous contribution
7 that shall escheat to the State, unless the political
8 committee reports to the State Board of Elections all
9 persons who have contributed in excess of \$500 during the
10 same election cycle to the committee, association,
11 organization, or group making the contribution. Any
12 political committee that receives such a contribution and
13 fails to report this information shall forward the
14 contribution amount immediately to the State Treasurer who
15 shall deposit the funds into the State Treasury.

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

19 (A) expenditures made by any person in concert or
20 cooperation with, or at the request or suggestion of,
21 a candidate, his or her designated committee, or their
22 agents; and

23 (B) the financing by any person of the
24 dissemination, distribution, or republication, in
25 whole or in part, of any broadcast or any written,
26 graphic, or other form of campaign materials prepared

1 by the candidate, his or her campaign committee, or
2 their designated agents.

3 (3) As to contributions to a candidate political
4 committee established to support a candidate seeking
5 nomination to the Supreme Court, Appellate Court, or
6 Circuit Court:

7 (A) No person shall make a contribution in the
8 name of another person or knowingly permit his or her
9 name to be used to effect such a contribution.

10 (B) No person shall knowingly accept a
11 contribution made by one person in the name of another
12 person.

13 (C) No person shall knowingly accept reimbursement
14 from another person for a contribution made in his or
15 her own name.

16 (D) No person shall make an anonymous
17 contribution.

18 (E) No person shall knowingly accept any anonymous
19 contribution.

20 (F) No person shall predicate (1) any benefit,
21 including, but not limited to, employment decisions,
22 including hiring, promotions, bonus compensation, and
23 transfers, or (2) any other gift, transfer, or
24 emolument upon:

25 (i) the decision by the recipient of that
26 benefit to donate or not to donate to a candidate;

1 or

2 (ii) the amount of any such donation.

3 (4) No judicial candidate or political committee
4 established to support a candidate seeking nomination to
5 the Supreme Court, Appellate Court, or Circuit Court shall
6 knowingly accept any contribution or make any expenditure
7 in violation of the provisions of this Section. No officer
8 or employee of a political committee established to
9 support a candidate seeking nomination to the Supreme
10 Court, Appellate Court, or Circuit Court shall knowingly
11 accept a contribution made for the benefit or use of a
12 candidate or knowingly make any expenditure in support of
13 or opposition to a candidate or for electioneering
14 communications in relation to a candidate in violation of
15 any limitation designated for contributions and
16 expenditures under this Section.

17 (5) Where the provisions of this subsection (b-5)
18 conflict with any other provision of this Code, this
19 subsection (b-5) shall control.

20 (c) During an election cycle, a political party committee
21 may not accept contributions with an aggregate value over the
22 following: (i) \$10,000 from any individual, (ii) \$20,000 from
23 any corporation, labor organization, or association, or (iii)
24 \$50,000 from a political action committee. A political party
25 committee may accept contributions in any amount from another
26 political party committee or a candidate political committee,

1 except as provided in subsection (c-5). Nothing in this
2 Section shall limit the amounts that may be transferred
3 between a political party committee established under
4 subsection (a) of Section 7-8 of this Code and an affiliated
5 federal political committee established under the Federal
6 Election Code by the same political party. A political party
7 committee may not accept contributions from a ballot
8 initiative committee or from an independent expenditure
9 committee. A political party committee established by a
10 legislative caucus may not accept contributions from another
11 political party committee established by a legislative caucus.

12 (c-5) During the period beginning on the date candidates
13 may begin circulating petitions for a primary election and
14 ending on the day of the primary election, a political party
15 committee may not accept contributions with an aggregate value
16 over \$50,000 from a candidate political committee or political
17 party committee. A political party committee may accept
18 contributions in any amount from a candidate political
19 committee or political party committee if the political party
20 committee receiving the contribution filed a statement of
21 nonparticipation in the primary as provided in subsection
22 (c-10). The Task Force on Campaign Finance Reform shall study
23 and make recommendations on the provisions of this subsection
24 to the Governor and General Assembly by September 30, 2012.
25 This subsection becomes inoperative on July 1, 2013 and
26 thereafter no longer applies.

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

23 (d) During an election cycle, a political action committee
24 may not accept contributions with an aggregate value over the
25 following: (i) \$10,000 from any individual, (ii) \$20,000 from
26 any corporation, labor organization, political party

1 committee, or association, or (iii) \$50,000 from a political
2 action committee or candidate political committee. A political
3 action committee may not accept contributions from a ballot
4 initiative committee or from an independent expenditure
5 committee.

6 (e) A ballot initiative committee may accept contributions
7 in any amount from any source, provided that the committee
8 files the document required by Section 9-3 of this Article and
9 files the disclosure reports required by the provisions of
10 this Article.

11 (e-5) An independent expenditure committee may accept
12 contributions in any amount from any source, provided that the
13 committee files the document required by Section 9-3 of this
14 Article and files the disclosure reports required by the
15 provisions of this Article.

16 (e-10) A limited activity committee shall not accept
17 contributions, except that the officer or a candidate the
18 committee has designated to support may contribute personal
19 funds in order to pay for maintenance expenses. A limited
20 activity committee may only make expenditures that are: (i)
21 necessary for maintenance of the committee; (ii) for rent or
22 lease payments until the end of the lease in effect at the time
23 the officer or candidate is confirmed by the Senate; (iii)
24 contributions to 501(c)(3) charities; or (iv) returning
25 contributions to original contributors.

26 (f) Nothing in this Section shall prohibit a political

1 committee from dividing the proceeds of joint fundraising
2 efforts; provided that no political committee may receive more
3 than the limit from any one contributor, and provided that an
4 independent expenditure committee may not conduct joint
5 fundraising efforts with a candidate political committee or a
6 political party committee.

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

14 (h) Self-funding candidates. If a public official, a
15 candidate, or the public official's or candidate's immediate
16 family contributes or loans to the public official's or
17 candidate's political committee or to other political
18 committees that transfer funds to the public official's or
19 candidate's political committee or makes independent
20 expenditures for the benefit of the public official's or
21 candidate's campaign during the 12 months prior to an election
22 in an aggregate amount of more than (i) \$250,000 for statewide
23 office or (ii) \$100,000 for all other elective offices, then
24 the public official or candidate shall file with the State
25 Board of Elections, within one day, a Notification of
26 Self-funding that shall detail each contribution or loan made

1 by the public official, the candidate, or the public
2 official's or candidate's immediate family. Within 2 business
3 days after the filing of a Notification of Self-funding, the
4 notification shall be posted on the Board's website and the
5 Board shall give official notice of the filing to each
6 candidate for the same office as the public official or
7 candidate making the filing, including the public official or
8 candidate filing the Notification of Self-funding. Notice
9 shall be sent via first class mail to the candidate and the
10 treasurer of the candidate's committee. Notice shall also be
11 sent by e-mail to the candidate and the treasurer of the
12 candidate's committee if the candidate and the treasurer, as
13 applicable, have provided the Board with an e-mail address.
14 Upon posting of the notice on the Board's website, all
15 candidates for that office, including the public official or
16 candidate who filed a Notification of Self-funding, shall be
17 permitted to accept contributions in excess of any
18 contribution limits imposed by subsection (b). If a public
19 official or candidate filed a Notification of Self-funding
20 during an election cycle that includes a general primary
21 election or consolidated primary election and that public
22 official or candidate is nominated, all candidates for that
23 office, including the nominee who filed the notification of
24 self-funding, shall be permitted to accept contributions in
25 excess of any contribution limit imposed by subsection (b) for
26 the subsequent election cycle. For the purposes of this

1 subsection, "immediate family" means the spouse, parent, or
2 child of a public official or candidate.

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

24 (h-10) If the State Board of Elections receives
25 notification or determines that a natural person or persons,
26 an independent expenditure committee or committees, or

1 combination thereof has made independent expenditures in
2 support of or in opposition to the campaign of a particular
3 public official or candidate in an aggregate amount of more
4 than (i) \$250,000 for statewide office or (ii) \$100,000 for
5 all other elective offices in an election cycle, then the
6 Board shall, within 2 business days after discovering the
7 independent expenditures that, in the aggregate, exceed the
8 threshold set forth in (i) and (ii) of this subsection, post
9 notice of this fact on the Board's website and give official
10 notice to each candidate for the same office as the public
11 official or candidate for whose benefit or detriment the
12 independent expenditures were made. Notice shall be sent via
13 first class mail to the candidate and the treasurer of the
14 candidate's committee. Notice shall also be sent by e-mail to
15 the candidate and the treasurer of the candidate's committee
16 if the candidate and the treasurer, as applicable, have
17 provided the Board with an e-mail address. Upon posting of the
18 notice on the Board's website, all candidates of that office
19 in that election, including the public official or candidate
20 for whose benefit or detriment the independent expenditures
21 were made, may accept contributions in excess of any
22 contribution limits imposed by subsection (b).

23 (i) For the purposes of this Section, a corporation, labor
24 organization, association, or a political action committee
25 established by a corporation, labor organization, or
26 association may act as a conduit in facilitating the delivery

1 to a political action committee of contributions made through
2 dues, levies, or similar assessments and the political action
3 committee may report the contributions in the aggregate,
4 provided that: (i) contributions made through dues, levies, or
5 similar assessments paid by any natural person, corporation,
6 labor organization, or association in a calendar year may not
7 exceed the limits set forth in this Section; (ii) the
8 corporation, labor organization, association, or a political
9 action committee established by a corporation, labor
10 organization, or association facilitating the delivery of
11 contributions maintains a list of natural persons,
12 corporations, labor organizations, and associations that paid
13 the dues, levies, or similar assessments from which the
14 contributions comprising the aggregate amount derive; and
15 (iii) contributions made through dues, levies, or similar
16 assessments paid by any natural person, corporation, labor
17 organization, or association that exceed \$1,000 in a quarterly
18 reporting period shall be itemized on the committee's
19 quarterly report and may not be reported in the aggregate. A
20 political action committee facilitating the delivery of
21 contributions or receiving contributions shall disclose the
22 amount of contributions made through dues delivered or
23 received and the name of the corporation, labor organization,
24 association, or political action committee delivering the
25 contributions, if applicable. On January 1 of each
26 odd-numbered year, the State Board of Elections shall adjust

1 the amounts of the contribution limitations established in
2 this subsection for inflation as determined by the Consumer
3 Price Index for All Urban Consumers as issued by the United
4 States Department of Labor and rounded to the nearest \$100.
5 The State Board shall publish this information on its official
6 website.

7 (j) A political committee that receives a contribution or
8 transfer in violation of this Section shall dispose of the
9 contribution or transfer by returning the contribution or
10 transfer, or an amount equal to the contribution or transfer,
11 to the contributor or transferor or donating the contribution
12 or transfer, or an amount equal to the contribution or
13 transfer, to a charity. A contribution or transfer received in
14 violation of this Section that is not disposed of as provided
15 in this subsection within 30 days after the Board sends
16 notification to the political committee of the excess
17 contribution by certified mail shall escheat to the General
18 Revenue Fund and the political committee shall be deemed in
19 violation of this Section and subject to a civil penalty not to
20 exceed 150% of the total amount of the contribution.

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

24 (l) This Section is repealed if and when the United States
25 Supreme Court invalidates contribution limits on committees
26 formed to assist candidates, political parties, corporations,

1 associations, or labor organizations established by or
2 pursuant to federal law.

3 (Source: P.A. 102-664, eff. 1-1-22; 102-668, eff. 11-15-21.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.