



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3425

Introduced 1/18/2022, by Sen. John Connor

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-17	from Ch. 46, par. 9-17
10 ILCS 5/29-20.1 new	
10 ILCS 5/29-20.2 new	
10 ILCS 5/29-20.3 new	
10 ILCS 5/29-20.4 new	
10 ILCS 5/9-25.1 rep.	
10 ILCS 5/9-25.2 rep.	
10 ILCS 5/9-26 rep.	

Amends the Election Code. Moves various prohibition and penalty provisions from Article 9 to Article 29. In the transferred provisions relating to persons who alter or falsify information on a copy of a statement of a report, election interference, and candidates who knowingly receive any contribution solicited or received in violation of specified sections, provides that prosecution for such offenses shall be commenced no later than 18 months after the commission of the offense. Effective immediately.

LRB102 23393 AWJ 32562 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 changing  
5 Section 9-17 and by adding Sections 29-20.1, 29-20.2, 29-20.3,  
6 and 29-20.4 as follows:

7 (10 ILCS 5/9-17) (from Ch. 46, par. 9-17)

8 Sec. 9-17. All statements and reports filed under this  
9 Article with the board or county clerk shall be available for  
10 examination and copying by the public at all reasonable times.

11 ~~Any person who alters or falsifies information on a copy~~  
12 ~~of a statement or report obtained from the State Board of~~  
13 ~~Elections or the county clerk pursuant to Article 9 of this~~  
14 ~~Code and publishes, circulates or distributes such altered or~~  
15 ~~falsified information with the intent to misrepresent~~  
16 ~~contributions received or expenditures made by a candidate or~~  
17 ~~political committee shall be guilty of a Class B misdemeanor.~~

18 ~~Any person who shall sell or utilize information copied~~  
19 ~~from statements and reports filed with the State Board of~~  
20 ~~Elections or the county clerk pursuant to Article 9 of this~~  
21 ~~Code for the purpose of soliciting contributions or for the~~  
22 ~~purpose of business solicitation shall be guilty of a Class B~~  
23 ~~misdemeanor.~~

1 (Source: P.A. 90-495, eff. 8-17-97.)

2 (10 ILCS 5/29-20.1 new)

3 Sec. 29-20.1. Altering or falsifying information on a copy  
4 of a statement or report.

5 (a) Any person who alters or falsifies information on a  
6 copy of a statement or report obtained from the State Board of  
7 Elections or the county clerk pursuant to Article 9 of this  
8 Code and publishes, circulates, or distributes such altered or  
9 falsified information with the intent to misrepresent  
10 contributions received or expenditures made by a candidate or  
11 political committee shall be guilty of a Class B misdemeanor.

12 (b) Any person who shall sell or utilize information  
13 copied from statements and reports filed with the State Board  
14 of Elections or the county clerk pursuant to Article 9 of this  
15 Code for the purpose of soliciting contributions or for the  
16 purpose of business solicitation shall be guilty of a Class B  
17 misdemeanor.

18 (c) A prosecution for any offense designated by this  
19 Section shall be commenced no later than 18 months after the  
20 commission of the offense.

21 (10 ILCS 5/29-20.2 new)

22 Sec. 29-20.2. Election interference.

23 (a) As used in this Section, "public funds" means any  
24 funds appropriated by the Illinois General Assembly or by any

1 political subdivision of the State of Illinois.

2 (b) No public funds shall be used to urge any elector to  
3 vote for or against any candidate or proposition, or be  
4 appropriated for political or campaign purposes to any  
5 candidate or political organization. This Section shall not  
6 prohibit the use of public funds for dissemination of factual  
7 information relative to any proposition appearing on an  
8 election ballot, or for dissemination of information and  
9 arguments published and distributed under law in connection  
10 with a proposition to amend the Constitution of the State of  
11 Illinois.

12 (c) The first time any person violates any provision of  
13 this Section, that person shall be guilty of a Class B  
14 misdemeanor. Upon the second or any subsequent violation of  
15 any provision of this Section, the person violating any  
16 provision of this Section shall be guilty of a Class A  
17 misdemeanor.

18 (d) A prosecution for any offense designated by this  
19 Section shall be commenced no later than 18 months after the  
20 commission of the offense.

21 (10 ILCS 5/29-20.3 new)

22 Sec. 29-20.3. Contributions; candidate or treasurer of  
23 political committee.

24 (a) No candidate may knowingly receive any contribution  
25 solicited or received in violation of Section 33-3.1 or

1 Section 33-3.2 of the Criminal Code of 2012.

2 (b) The receipt of political contributions in violation of  
3 this Section shall constitute a Class A misdemeanor.

4 (c) A prosecution for any offense designated by this  
5 Section shall be commenced no later than 18 months after the  
6 commission of the offense. The appropriate State's Attorney or  
7 the Attorney General shall bring such actions in the name of  
8 the people of the State of Illinois.

9 (10 ILCS 5/29-20.4 new)

10 Sec. 29-20.4. Willful failure to file or willful filing.

11 (a) Willful failure to file or willful filing of false or  
12 incomplete information required by Article 9 of this Code  
13 shall constitute a business offense subject to a fine of up to  
14 \$5,000.

15 (b) Willful filing of a false complaint under Article 9 of  
16 this Code shall constitute a Class B misdemeanor.

17 (c) A prosecution for any offense designated by this  
18 Section shall be commenced no later than 18 months after the  
19 commission of the offense. The appropriate State's Attorney or  
20 the Attorney General shall bring such actions in the name of  
21 the people of the State of Illinois.

22 (10 ILCS 5/9-25.1 rep.)

23 (10 ILCS 5/9-25.2 rep.)

24 (10 ILCS 5/9-26 rep.)

1           Section 10. The Election Code is amended by repealing  
2           Sections 9-25.1, 9-25.2, and 9-26.

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