



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/09/04, by Chapin Rose

SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-1.15 new	
10 ILCS 5/9-1.20 new	
10 ILCS 5/9-11	from Ch. 46, par. 9-11
10 ILCS 5/9-25	from Ch. 46, par. 9-25
10 ILCS 5/9-25.5 new	

Amends the Election Code. Prohibits a General Assembly candidate from accepting more contributions from corporations, trusts, labor organizations, persons not within a county of which any part is located within his or her district, and political committees than from individuals and businesses within all counties of which any part is located within the candidate's district. Provides that the prohibition does not apply to candidates for State Representative who accept less than \$30,000, and candidates for State Senator who accept less than \$45,000, in aggregated contributions from persons not within a district county, corporations, trusts, labor organizations, and political committees. Requires disclosure of persons within a district county if those person's contribution's are included in determining aggregate contributions from within the district counties. Provides that a candidate who accepts those prohibited contributions is ineligible for appointment or election to the General Assembly until the second general election after the violation occurs or, if that person is elected to the General Assembly, he or she shall be removed from office. Defines family member to include the candidate. Permits disclosure of contributors of \$150 or less. Classifies the making or acceptance of an anonymous contribution or a contribution in another's name a Class C misdemeanor. Effective January 1, 2005.

LRB093 20130 BDD 47198 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

1 AN ACT concerning campaign finance.

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 adding Sections
5 9-1.15, 9-1.20, and 9-25.5 and changing Sections 9-11 and 9-25
6 as follows:

7 (10 ILCS 5/9-1.15 new)

8 Sec. 9-1.15. Person within a district county. "Person
9 within a district county" means an individual who resides in,
10 or a business with its principal place of business located
11 within, a county of which any portion is located within the
12 district in which the candidate is seeking office. A "person
13 within a district county" does not include family members
14 within a district county, corporations, trusts, labor
15 organizations, or political committees.

16 (10 ILCS 5/9-1.20 new)

17 Sec. 9-1.20. Family member within a district county.
18 "Family member within a district county" means a candidate or a
19 candidate's spouse, parent, grandparent, child, grandchild,
20 aunt, uncle, niece, nephew, brother, sister, first cousin,
21 brother-in-law, sister-in-law, mother-in-law, father-in-law,
22 son-in-law, or daughter-in-law residing within a county of
23 which any portion is located within the district.

24 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

25 Sec. 9-11. Each report of campaign contributions under
26 Section 9-10 shall disclose:

- 27 (1) the name and address of the political committee;
- 28 (2) (Blank);
- 29 (3) the amount of funds on hand at the beginning of the
30 reporting period;

1 (4) in separate contributor categories for family members
2 within a district county, persons within a district county,
3 persons not within a district county, and corporations, trusts,
4 and labor organizations, the full name and mailing address of
5 each contributor of ~~person who has made~~ one or more
6 contributions to or for such committee within the reporting
7 period in an aggregate amount or value in excess of \$150,
8 together with the amount and date of such contributions, and if
9 a contributor is an individual who contributed more than \$500,
10 the occupation and employer of the contributor or, if the
11 occupation and employer of the contributor are unknown, a
12 statement that the committee has made a good faith effort to
13 ascertain this information;

14 (5) the total sum of individual contributions made to or
15 for such committee during the reporting period and not reported
16 under item (4);

17 (6) the name and address of each political committee from
18 which the reporting committee received, or to which that
19 committee made, any transfer of funds, in any aggregate amount
20 or value in excess of \$150, together with the amounts and dates
21 of all transfers;

22 (7) the total sum of transfers made to or from such
23 committee during the reporting period and not reported under
24 item (6);

25 (8) each loan to or from any person within the reporting
26 period by or to such committee in an aggregate amount or value
27 in excess of \$150, together with the full names and mailing
28 addresses of the lender and endorsers, if any, and the date and
29 amount of such loans, and if a lender or endorser is an
30 individual who loaned or endorsed a loan of more than \$500, the
31 occupation and employer of that individual, or if the
32 occupation and employer of the individual are unknown, a
33 statement that the committee has made a good faith effort to
34 ascertain this information;

35 (9) the total amount of proceeds received by such committee
36 from (a) the sale of tickets for each dinner, luncheon,

1 cocktail party, rally, and other fund-raising events; (b) mass
2 collections made at such events; and (c) sales of items such as
3 political campaign pins, buttons, badges, flags, emblems,
4 hats, banners, literature, and similar materials;

5 (10) each contribution, rebate, refund, or other receipt in
6 excess of \$150 received by such committee not otherwise listed
7 under items (4) through (9), and if a contributor is an
8 individual who contributed more than \$500, the occupation and
9 employer of the contributor or, if the occupation and employer
10 of the contributor are unknown, a statement that the committee
11 has made a good faith effort to ascertain this information;

12 (11) the total sum of all receipts by or for such committee
13 or candidate during the reporting period.

14 Each report of campaign contributions under Section 9-10
15 may disclose the full name and mailing address of each
16 contributor of one or more contributions to or for the
17 committee within the reporting period of an aggregate amount or
18 value of \$150 or less. Names disclosed shall be categorized as
19 family members within a district county, persons within a
20 district county, persons not within a district county, or
21 corporations, trusts, and labor organizations.

22 The Board shall by rule define a "good faith effort".

23 The reports of campaign contributions filed under this
24 Article shall be cumulative during the reporting period to
25 which they relate.

26 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

27 (10 ILCS 5/9-25) (from Ch. 46, par. 9-25)

28 Sec. 9-25. No person shall make an anonymous contribution
29 or a contribution in the name of another person, and no person
30 shall knowingly accept any anonymous contribution or
31 contribution made by one person in the name of another person.
32 Anonymous contributions shall escheat to the State of Illinois.
33 Any political committee that receives such a contribution shall
34 forward it immediately to the State Treasurer. Violation of
35 this Section is a Class C misdemeanor.

1 (Source: P.A. 78-1183.)

2 (10 ILCS 5/9-25.5 new)

3 Sec. 9-25.5. Contribution limit.

4 (a) At any time during a campaign contribution reporting
5 period prescribed in Section 9-10, a candidate for the office
6 of State Senator or State Representative may not accept
7 contributions from corporations, trusts, labor organizations,
8 persons not within a district county, and political committees
9 in an aggregate amount that exceeds the aggregate amount of
10 contributions that the candidate has received during the same
11 reporting period from all persons within all district counties.

12 (b) Subsection (a) of this Section shall not apply to
13 candidates for the office of State Representative receiving
14 less than \$30,000 in aggregated contributions from persons not
15 within a district county, corporations, trusts, labor
16 organizations, and political committees.

17 (c) Subsection (a) of this Section shall not apply to
18 candidates for the office of State Senator receiving less than
19 \$45,000 in aggregated contributions from persons not within a
20 district county, corporations, trusts, labor organizations,
21 and political committees.

22 (d) If contributions in an aggregate amount of \$150 or less
23 per contributor are included in the determination of the
24 aggregate amount of contributions from persons within a
25 district county, the full name and mailing address of each
26 person within a district county who made aggregate
27 contributions of \$150 or less during the reporting period shall
28 be disclosed in the campaign contribution report for that
29 period.

30 (e) A candidate who violates this Section is ineligible for
31 appointment or election to the General Assembly until the
32 second general election after the violation occurs. A candidate
33 who violates this Section and is elected to the General
34 Assembly shall be removed from office.

1 Section 99. Effective date. This Act takes effect January
2 1, 2005.