



LRB096 06364 RCE 27310 a

1 AMENDMENT TO SENATE BILL 350

2 AMENDMENT NO. _____. Amend Senate Bill 350 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing the
5 heading of Article 9 and Sections 9-1, 9-1.4, 9-1.5, 9-10,
6 9-18, 9-21, 9-23, and 9-28 and by adding Sections 9-1.16,
7 9-1.18, 9-1.19, 9-1.20, 9-1.21, 9-1.22, 9-1.23, 9-2.5, 9-2.7,
8 9-8.5, 9-8.6, 9-8.7, 9-8.9, and 9-23.5 as follows:

9 (10 ILCS 5/Art. 9 heading)

10 ARTICLE 9. DISCLOSURE AND REGULATION OF CAMPAIGN

11 CONTRIBUTIONS AND EXPENDITURES

12 (10 ILCS 5/9-1) (from Ch. 46, par. 9-1)

13 Sec. 9-1. As used in this Article, unless the context
14 otherwise requires, the terms defined in Sections 9-1.1 through
15 9-1.22 ~~9-1.13~~, have the respective meanings as defined in those

1 Sections.

2 (Source: P.A. 86-873.)

3 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

4 Sec. 9-1.4. "Contribution" means-

5 (1) a gift, subscription, donation, dues, loan, advance, or
6 deposit of money or anything of value, knowingly received in
7 connection with the nomination for election, ~~or~~ election, or
8 retention of any person to or in public office, in connection
9 with the election of any person as ward or township
10 committeeman in counties of 3,000,000 or more population, or in
11 connection with any question of public policy;

12 (1.5) a gift, subscription, donation, dues, loan, advance,
13 deposit of money, or anything of value that constitutes an
14 electioneering communication regardless of whether the
15 communication is made in concert or cooperation with or at the
16 request, suggestion, or knowledge of a candidate, a candidate's
17 authorized local political committee, a State political
18 committee, a political committee in support of or opposition to
19 a question of public policy, or any of their agents;

20 (2) the purchase of tickets for fund-raising events,
21 including but not limited to dinners, luncheons, cocktail
22 parties, and rallies made in connection with the nomination for
23 election, ~~or~~ election, or retention of any person to or in
24 public office, in connection with the election of any person as
25 ward or township committeeman in counties of 3,000,000 or more

1 population, or in connection with any question of public
2 policy;

3 (3) a transfer of funds between political committees; and

4 (4) the services of an employee donated by an employer, in
5 which case the contribution shall be listed in the name of the
6 employer, except that any individual services provided
7 voluntarily and without promise or expectation of compensation
8 from any source shall not be deemed a contribution; but

9 (5) does not include--

10 (a) the use of real or personal property and the cost
11 of invitations, food, and beverages, voluntarily provided
12 by an individual in rendering voluntary personal services
13 on the individual's residential premises for
14 candidate-related activities; provided the value of the
15 service provided does not exceed an aggregate of \$150 in a
16 reporting period;

17 (b) the sale of any food or beverage by a vendor for
18 use in a candidate's campaign at a charge less than the
19 normal comparable charge, if such charge for use in a
20 candidate's campaign is at least equal to the cost of such
21 food or beverage to the vendor.

22 (Source: P.A. 94-645, eff. 8-22-05.)

23 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

24 Sec. 9-1.5. Expenditure defined.

25 "Expenditure" means-

1 (1) a payment, distribution, purchase, loan, advance,
2 deposit, or gift of money or anything of value, in connection
3 with the nomination for election, ~~or~~ election, or retention of
4 any person to or in public office, in connection with the
5 election of any person as ward or township committeeman in
6 counties of 3,000,000 or more population, or in connection with
7 any question of public policy. "Expenditure" also includes a
8 payment, distribution, purchase, loan, advance, deposit, or
9 gift of money or anything of value that constitutes an
10 electioneering communication regardless of whether the
11 communication is made in concert or cooperation with or at the
12 request, suggestion, or knowledge of a candidate, a candidate's
13 authorized local political committee, a State political
14 committee, a political committee in support of or opposition to
15 a question of public policy, or any of their agents. However,
16 expenditure does not include -

17 (a) the use of real or personal property and the cost
18 of invitations, food, and beverages, voluntarily provided
19 by an individual in rendering voluntary personal services
20 on the individual's residential premises for
21 candidate-related activities; provided the value of the
22 service provided does not exceed an aggregate of \$150 in a
23 reporting period;

24 (b) the sale of any food or beverage by a vendor for
25 use in a candidate's campaign at a charge less than the
26 normal comparable charge, if such charge for use in a

1 candidate's campaign is at least equal to the cost of such
2 food or beverage to the vendor.

3 (2) a transfer of funds between political committees.

4 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
5 93-847, eff. 7-30-04.)

6 (10 ILCS 5/9-1.16 new)

7 Sec. 9-1.16. Regular election period.

8 (a) "Regular election period" means, for purposes of (i)
9 contributions to political committees designated by
10 established political parties and candidates for nomination or
11 election to offices to be filled at a general election and (ii)
12 independent expenditures benefiting candidates for nomination
13 or election to offices to be filled at a general election, each
14 of the following:

15 (1) The period beginning on January 1 immediately
16 following the date of the most recent general election for
17 the office to which a candidate seeks nomination or
18 election and ending the day of the next general primary
19 election for that office.

20 (2) The period beginning on the day after the most
21 recent general primary election for the office to which the
22 candidate seeks nomination or election and ending on the
23 December 31 after the general election for that office.

24 (b) "Regular election period" means, for purposes of (i)
25 contributions to a political committee designated by an

1 incumbent judge seeking retention in office and (ii)
2 independent expenditures benefiting incumbent judges seeking
3 retention in office, the period beginning on the date on which
4 an incumbent judge declares his or her intention to seek
5 retention in office and ending 90 days after the retention
6 election.

7 (c) "Regular election period" means, for purposes of (i)
8 contributions made to political committees designated by
9 candidates for nomination or election to offices to be filled
10 at a consolidated primary or consolidated election and (ii)
11 independent expenditures benefiting candidates for nomination
12 or election to offices to be filled at a consolidated primary
13 or consolidated election, the period beginning on July 1
14 immediately following the date of the most recent consolidated
15 primary election or consolidated election at which the office
16 for which the candidate seeks nomination or election was filled
17 and ending on June 30 immediately after the date of the next
18 consolidated primary election or consolidated election for
19 that office.

20 (10 ILCS 5/9-1.18 new)

21 Sec. 9-1.18. Labor organization. The term "labor
22 organization" means any organization of any kind or any agency
23 or employee representation committee or plan in which employees
24 participate and that exists for the purpose, in whole or in
25 part, of dealing with employers concerning grievances, labor

1 disputes, wages, rates of pay, hours of employment, or
2 conditions of work, including any parent, subsidiary,
3 affiliate, branch, division, department or local unit thereof.

4 (10 ILCS 5/9-1.19 new)

5 Sec. 9-1.19. Corporation. The term "corporation" includes
6 a corporation, limited liability company, partnership, limited
7 partnership, limited liability partnership, professional
8 association, professional corporation, professional practice,
9 cooperative, sole proprietorship, or any other
10 legally-recognized business entity, whether organized on a
11 for-profit or non-profit basis, whether organized under the
12 laws of Illinois or of another state. The term "corporation"
13 shall not include a labor organization as defined in Section
14 19-1.18.

15 (10 ILCS 5/9-1.20 new)

16 Sec. 9-1.20. Association. The term "association" means any
17 group, club, collective, membership organization, collection
18 of persons, entity organized under Section 501 or 527 of the
19 Internal Revenue Code, or other entity other than a natural
20 person; except that an association does not include a political
21 committee organized under this Article.

22 (10 ILCS 5/9-1.21 new)

23 Sec. 9-1.21. Affiliated person. "Affiliated person" means

1 (i) any person with any ownership interest or distributive
2 share of an affiliated entity in excess of 7.5% and (ii) any
3 executive employee of an affiliated entity, as defined in
4 Section 50-37 of the Illinois Procurement Code..

5 (10 ILCS 5/9-1.22 new)

6 Sec. 9-1.22. Affiliated entity. "Affiliated entity" means
7 (i) any parent or subsidiary or local of the entity, (ii) any
8 member of the same unitary business group, (iii) any
9 organization recognized by the United States Internal Revenue
10 Service as a tax-exempt organization described in Section
11 501(c) of the Internal Revenue Code of 1986 (or any successor
12 provision of federal tax law) established by the entity, or
13 (iv) any political Committee for which any of the
14 aforementioned is the sponsoring entity.

15 (10 ILCS 5/9-1.23 new)

16 Sec. 9-1.23. Statewide office. For purposes of this Article
17 9, "statewide office" means the offices of Governor, Lieutenant
18 Governor, Attorney General, Secretary of State, Comptroller,
19 and Treasurer.

20 (10 ILCS 5/9-2.5 new)

21 Sec. 9-2.5. Single political committee.
22 (a) Except as provided by this Section, no public official
23 or candidate for public office may establish more than one

1 political committee for each office that public official or
2 candidate occupies or is seeking.

3 (b) A public official with one or more pre-existing
4 committees bound by the limits of any subsection of Section
5 9-8.5 considering a candidacy for any office covered by the
6 limits of any different subsection of Section 9-8.5 must form a
7 new committee, to be termed an exploratory committee. A
8 pre-existing committee created for the primary purpose of
9 aiding that candidate's election to other offices that ceases
10 all fundraising after the creation of an exploratory committee
11 may transfer funds without limit to an exploratory committee.
12 If the candidate decides against running for the new office,
13 fails to qualify for the ballot at the next election, or loses
14 the next election, but remains in the office for which the
15 pre-existing committee was designated, the pre-existing
16 committee may be continued to be used as the designated
17 committee for that candidate. If the candidate decides against
18 running for the new office, fails to qualify for the ballot at
19 the next election, or loses the next election, then the
20 exploratory committee must return any remaining funds to
21 contributors, including returning funds to the candidate's
22 pre-existing designated committee in an amount not to exceed
23 the amount the pre-existing committee transferred to the
24 exploratory committee, or donate the funds to charity, and
25 close the exploratory committee within 90 days following the
26 candidate's decision not to run, failure to qualify, or loss.

1 (c) As described in 5/9-2.7(c), the President of the
2 Senate, Minority Leader of the Senate, Speaker of the House of
3 Representatives, and Minority Leader of the House of
4 Representatives may each establish and operate one additional
5 political committee for the purpose of supporting the election
6 of candidates to the General Assembly. The committees provided
7 for in this subsection (c) shall not be considered established
8 by the President of the Senate, Minority Leader of the Senate,
9 Speaker of the House of Representatives, or Minority Leader of
10 the House of Representatives for purposes of Section 9-2.5.

11 (10 ILCS 5/9-2.7 new)

12 Sec. 9-2.7. Designated Political Committees.

13 (a) Candidate committees.

14 (1) Each candidate shall designate in writing one and
15 only one political committee to serve as the political
16 committee of the candidate. The candidate shall file this
17 designation with the State Board of Elections no later than
18 15 business days after becoming a candidate or establishing
19 the committee. The designation shall become effective upon
20 filing with the State Board of Elections. Any committee so
21 designated may, within 10 business days after notification
22 of the designation, reject the designation. If a committee
23 rejects a candidate designation, the committee must return
24 to donors any funds raised as a result of the designation,
25 and the candidate must create and designate a new committee

1 within 5 business days after the rejection.

2 (2) The name of the designated committee shall include
3 the name of the candidate who authorized the committee
4 under paragraph (1). No political committee that is not a
5 designated candidate committee may include the full name of
6 that candidate in its name.

7 (b) Party committees.

8 (1) Any political organization or party may designate
9 in writing one and only one political committee to support
10 candidates of a specific political party seeking elective
11 office within a specific jurisdiction. The designation
12 shall be made no later than 15 business days after the
13 effective date of this amendatory Act of the 96th General
14 Assembly, or 15 business days after formation of the
15 committee, and shall be filed with the State Board of
16 Election. The designation of a party committee may be
17 changed only upon the replacement of the party chairman.

18 (2) The name of the designated committee shall include
19 the name of the party that authorized the committee under
20 paragraph (1). No political committee that is not a
21 designated party committee may include the full name of
22 that party in its name.

23 (c) Caucus committees.

24 (1) The President of the Senate, Minority Leader of the
25 Senate, Speaker of the House of Representatives, and
26 Minority Leader of the House of Representatives may each

1 designate in writing one and only one political committee
2 to serve as the political committee of his or her caucus.
3 The designation shall be made no later than 15 business
4 days after the start of the General Assembly, and shall be
5 filed with the State Board of Election. The designation of
6 a caucus committee may not be changed, revoked, or altered
7 until the start of the next General Assembly unless the
8 person elected to the office authorized to designate the
9 caucus committee also changes; the new leader may designate
10 a new committee within 15 business days after taking
11 office.

12 (2) The name of the designated committee shall include
13 a clear and unambiguous reference to the caucus that
14 authorized the committee under paragraph (1). No political
15 committee that is not a designated caucus committee may
16 include the name of that caucus in its name.

17 (d) All designations, statements, and reports required to
18 be filed under this Section shall be filed with the Board. The
19 Board shall retain and make the designations, statements, and
20 reports received under this Section available for public
21 inspection and copying on-line in the same manner as statements
22 of organization.

23 (10 ILCS 5/9-8.5 new)

24 Sec. 9-8.5. Limitation on contributions.

25 (a) It shall be unlawful for any person to make

1 contributions to a political committee except as provided in
2 this Section.

3 (b) To political committees designated by a candidate for
4 the General Assembly:

5 (1) Natural persons may contribute no more than \$2,400
6 during any regular election period.

7 (2) Political committees established by a State
8 political party may contribute no more than \$30,000 during
9 the regular election period. All committees established by
10 a State political party, under State or federal law, shall
11 be considered as one committee for the purpose of this
12 Section.

13 (3) Political committees established by a partisan
14 legislative caucus may contribute no more than \$30,000
15 during any regular election period.

16 (4) Any other political committee not designated by the
17 candidate may contribute no more than \$5,000 during a
18 regular election period.

19 (5) A corporation, labor organization, or association
20 may contribute from its own treasuries no more than \$5,000
21 during a regular election period. All contributions from
22 affiliated persons and affiliated entities shall be
23 aggregated for the purposes of this Section.

24 (c) To political committees designated by a candidate for a
25 (i) local office or (ii) for ward or township committeeman in
26 counties of 3,000,000 or more population:

1 (1) Natural persons may contribute no more than \$2,400
2 during any regular election period.

3 (2) The candidate may designate one and only one
4 political party whose political committees may contribute
5 no more than \$10,000 during the regular election period.
6 All committees established by the political party, under
7 State or federal law, shall be considered as one committee
8 for the purpose of this Section.

9 (3) Any other political committee not designated by the
10 candidate may contribute no more than \$5,000 during any
11 regular election period.

12 (3.5) A corporation, labor organization, or
13 association may contribute from its own treasuries no more
14 than \$5,000 during any regular election period. All
15 contributions from affiliated persons and affiliated
16 entities shall be aggregated for the purposes of this
17 Section.

18 (d) To political committees designated by a candidate for
19 judicial office:

20 (1) Natural persons may contribute no more than \$2,400
21 during any regular election period.

22 (2) The candidate may designate one and only one
23 political party whose political committees may contribute
24 no more than \$10,000 during the regular election period.
25 All committees established by the political party, under
26 State or federal law, shall be considered as one committee

1 for the purpose of this Section.

2 (3) Any other political committee not designated by the
3 candidate may contribute no more than \$5,000 during a
4 regular election period.

5 (4) A corporation, labor organization, or association
6 may contribute from its own treasuries no more than \$5,000
7 during a regular election period. All contributions from
8 affiliated persons and affiliated entities shall be
9 aggregated for the purposes of this Section.

10 (e) To political committees designated by a candidate for
11 statewide office:

12 (1) Natural persons may contribute no more than \$2,400
13 during any regular election period.

14 (2) The candidate may designate one and only one
15 political party whose political committees may contribute
16 no more than \$50,000 during the regular election period.
17 All committees established by the political party, under
18 State or federal law, shall be considered as one committee
19 for the purpose of this Section.

20 (3) Any other political committee not designated by the
21 candidate may contribute no more than \$5,000 during a
22 regular election period.

23 (4) A corporation, labor organization, or association
24 may contribute from its own treasuries no more than \$5,000
25 during a regular election period. All contributions from
26 affiliated persons and affiliated entities shall be

1 aggregated for the purposes of this Section.

2 (f) To political committees designated by an established
3 political party:

4 (1) Natural persons may contribute no more than \$2,400
5 during any regular election period.

6 (2) Any other political committee may contribute no
7 more than \$5,000 during any regular election period.

8 (3) A corporation, labor organization, or association
9 may contribute from its own treasuries no more than \$5,000
10 during a regular election period. All contributions from
11 affiliated persons and affiliated entities, shall be
12 aggregated for the purposes of this Section.

13 (g) To political committees designated by a legislative
14 caucus:

15 (1) Natural persons may contribute no more than \$2,400
16 during any regular election period during which any
17 candidate actively supported by the caucus is seeking
18 nomination or election.

19 (2) Any other political committee may contribute no
20 more than \$5,000 during any regular election period during
21 which any candidate actively supported by the caucus is
22 seeking nomination or election.

23 (3) A corporation, labor organization, or association
24 may contribute from its own treasuries no more than \$5,000
25 during any regular election period. All contributions from
26 affiliated persons and affiliated entities shall be

1 aggregated for the purposes of this Section.

2 (h) For any other political committee, natural persons may
3 contribute no more than \$2,400 during any period beginning on
4 January 1 of an odd-numbered year and ending on December 31 of
5 an even-numbered year. A corporation, labor organization,
6 association, or other political committee may contribute no
7 more than \$5,000 during a regular election period described in
8 subsection (a) of Section 9-1.16. All contributions from
9 affiliated persons and affiliated entities shall be aggregated
10 for the purposes of this Section.

11 (i) Political committees may divide the proceeds of joint
12 fundraising efforts but must disclose all donations as from
13 their true origin, and no political committee may receive more
14 than the aggregate limit from any one donor.

15 (j) On January 1 of every odd-numbered year, the State
16 Board of Elections shall adjust the limits established in this
17 Section for inflation as determined by the Consumer Price Index
18 for All Urban Consumers as issued by the United States
19 Department of Labor and rounded to the nearest \$100.

20 (k) In any instance when a corporation and any of its
21 subsidiaries, branches, divisions, departments, or local
22 units; a labor organization and any of its subsidiaries,
23 branches, divisions, departments, or local units; or an
24 association or any of its affiliates, subsidiaries, branches,
25 divisions, departments, or local units contribute to one or
26 more political committees or establish, maintain, or control

1 more than one separate segregated fund qualified as a political
2 committee, all of the related contributing entities shall be
3 treated as a single contributing entity for the purposes of the
4 limitations provided by this Section.

5 (l) Expenditures.

6 (1) Expenditures made by any person in cooperation,
7 consultation, or concert with a candidate, his or her
8 designated committee, State party committee, legislative
9 caucus committee or their agents, shall be considered a
10 contribution to the relevant candidate's designated
11 political committee, State party committee, or legislative
12 caucus committee for the purpose of this Section.

13 (2) The financing by any person of the dissemination,
14 distribution, or republication, in whole or in part, of any
15 broadcast or any written, graphic, or other form of
16 campaign materials prepared by the candidate, his or her
17 political committee, State party committee, legislative
18 caucus committee, or their authorized agents shall be
19 considered to be a contribution to the candidate's
20 designated political committee for the purposes of this
21 Section if the amount spent exceeds \$150 in any regular
22 election period.

23 (m) No candidate or political committee shall knowingly
24 accept any contribution in violation of the provisions of this
25 Section.

26 (n) Multiple designations.

1 (1) No committee may accept donations larger than those
2 specified in this Section, regardless of the number of
3 candidates that may designate that committee under Section
4 9-2.7.

5 (2) Any committee designated by candidates who
6 individually qualify under different subsections of this
7 Section shall be bound by the lower limit.

8 (o) The Board shall bring complaints and investigations on
9 its own initiative when the Board has reason to believe that a
10 person, candidate, or political committee has knowingly
11 violated this Section.

12 In addition to any other penalties authorized by this
13 Article, the State Board of Elections, any political committee,
14 or any person may apply to the circuit court for a temporary
15 restraining order or a preliminary or permanent injunction
16 against a political committee or any other entity to cease the
17 expenditure of contributions made or accepted in violation of
18 this Section and to cease operations until the Board determines
19 that the committee or entity is in compliance with this
20 Section.

21 (p) Penalties.

22 (1) Any person, corporation, labor organization,
23 association, or political committee, that knowingly
24 violates this Section of contributing more than amounts
25 allowed under this Section 9-8.5, shall be fined the
26 greater of \$5,000 or 3 times the value of the unlawful

1 contribution.

2 (2) The State Board of Elections shall assess a penalty
3 of up to \$5,000 for each violation against the recipient
4 political committee of any contribution in violation of
5 this Section if the recipient political committee knew that
6 the contribution was in violation of this Section. For
7 purposes of this Section, a recipient political committee
8 knew that the contribution was in violation of this Section
9 if the candidate, the committee chairman or treasurer, or
10 any natural person paid to perform regular campaign tasks
11 knew that the contribution was in violation of this
12 Section.

13 (10 ILCS 5/9-8.6 new)

14 Sec. 9-8.6. Disclosure of independent expenditures.

15 (a) As used in this Article:

16 "Benefiting public official or candidate" means the public
17 official or candidate whose nomination or election or whose
18 opponent's defeat is expressly advocated by the person making
19 the independent expenditure.

20 "Independent expenditure" means an expenditure (i) that is
21 made by a person expressly advocating the nomination, election,
22 or defeat of a clearly identifiable public official or
23 candidate and (ii) that is not made in connection,
24 consultation, or concert with or at the request or suggestion
25 of the public official or candidate, the public official's or

1 candidate's designated political committee, or the agent or
2 agents of the public official, candidate, or political
3 committee.

4 (b) A person that makes an independent expenditure with
5 respect to a benefiting public official or candidate that,
6 alone or in combination with any other independent expenditure
7 made by that person with respect to that benefiting public
8 official or candidate during the same regular election period,
9 equals an aggregate value of at least \$5,000 must file a
10 written disclosure with the benefiting public official or
11 candidate and the State Board of Elections within 5 business
12 days after making each expenditure that results in the person
13 meeting or exceeding the \$5,000 threshold. Each disclosure must
14 identify the person, his or her occupation and employer, the
15 benefiting public official or candidate, and the date, amount,
16 recipient, and nature of each independent expenditure.

17 (c) Penalties.

18 (1) Any person, corporation, labor organization,
19 association, or political committee, that knowingly
20 violates this Section by contributing more than amounts
21 allowed under this Section 9-8.6, shall be fined the
22 greater of \$5,000 or 3 times the value of the unlawful
23 contribution.

24 (2) The State Board of Elections shall assess a penalty
25 of up to \$5,000 for each violation against the recipient
26 political committee of any contribution in violation of

1 this Section if the recipient political committee knew that
2 the contribution was in violation of this Section. For
3 purposes of this Section, a recipient political committee
4 knew that the contribution was in violation of this Section
5 if the candidate, the committee chairman or treasurer, or
6 any natural person paid to perform regular campaign tasks
7 knew that the contribution was in violation of this
8 Section.

9 (10 ILCS 5/9-8.7 new)

10 Sec. 9-8.7. Disclosure by contribution coordinator.

11 (a) As used in this Section:

12 "Contribution bundle" means one or more contributions (i)
13 made by at least one contributor other than the contribution
14 coordinator and (ii) with an aggregate value of at least
15 \$16,000 during any regular election period (this amount to be
16 indexed for inflation).

17 "Contribution coordinator" means a person, other than a
18 political committee subject to the reporting requirements of
19 Section 9-10, or an employee of the political committee that:
20 (i) physically or electronically forwards contributions from
21 one or more other persons to a political committee; (ii) is
22 credited by a candidate, public official, or political
23 committee, through records, designations, or other means of
24 recognition, with raising contributions made by one or more
25 other persons to that candidate, public official, or political

1 committee; or (iii) a candidate, public official, or political
2 committee knows, or reasonably should know, has raised
3 contributions made by one or more other persons to the
4 candidate, public official, or political committee.
5 "Contribution coordinator" shall not mean any common carrier,
6 bank, other regulated financial institution, money
7 transmitter, or other person that transmits the contribution in
8 physical or electronic form in the ordinary course of its
9 business of transporting or transferring money or other
10 property.

11 (b) Contribution coordinators must include a written
12 disclosure identifying their name, occupation, and employer
13 with each contribution they forward physically or
14 electronically to a political committee.

15 (c) The political committee must disclose the name,
16 occupation, and employer of the individual contributor, the
17 date and amount of the individual contribution, and the
18 contribution coordinator's name, occupation, and employer for
19 every contribution bundle received during any regular election
20 period.

21 (d) The political committee that receives a contribution
22 bundle must electronically file the disclosure under
23 subsection (c) with the State Board of Elections within 5
24 business days after the candidate, public official, or
25 political committee receives the contribution that causes the
26 aggregate amount of contributions raised through the

1 contribution coordinator's efforts to exceed \$16,000 (as
2 indexed for inflation) and become a contribution bundle.

3 (e) For the purpose of the contribution limits established
4 by this Article, each contribution in a contribution bundle is
5 attributed to the person that made the contribution to the
6 contribution coordinator and is not attributed to the
7 contribution coordinator unless the contribution coordinator
8 personally made that contribution.

9 (f) A political committee that accepts a contribution in
10 violation of this Section shall return the contribution to the
11 contribution coordinator, or donate the contribution to a
12 charitable organization approved by the State Board of
13 elections, within 10 business days after receipt. A
14 contribution accepted in violation of this Section and not
15 disposed of as provided in this subsection shall escheat to the
16 General Revenue Fund.

17 (g) Penalties.

18 (1) Any person, corporation, labor organization,
19 association, or political committee, that knowingly
20 violates this Section by contributing more than amounts
21 allowed under this Section 9-8.7, shall be fined the
22 greater of \$5,000 or 3 times the value of the unlawful
23 contribution.

24 (2) The State Board of Elections shall assess a penalty
25 of up to \$5,000 for each violation against the recipient
26 political committee of any contribution in violation of

1 this Section if the recipient political committee knew that
2 the contribution was in violation of this Section. For
3 purposes of this Section, a recipient political committee
4 knew that the contribution was in violation of this Section
5 if the candidate, the committee chairman or treasurer, or
6 any natural person paid to perform regular campaign tasks
7 knew that the contribution was in violation of this
8 Section.

9 (10 ILCS 5/9-8.9 new)

10 Sec. 9-8.9. Certain contributions prohibited.

11 (a) For the purpose of this Section, "State employee" and
12 "executive branch constitutional officer" are defined as in the
13 State Officials and Employees Ethics Act.

14 (b) A State employee of the executive branch of State
15 government may not make a contribution to (i) the executive
16 branch constitutional officer with authority to appoint the
17 Executive Inspector General with jurisdiction over that State
18 employee, (ii) a candidate for that executive branch
19 constitutional office, or (iii) a political committee
20 established to promote the candidacy of a person described in
21 (i) or (ii). A State employee of the legislative branch of
22 State government may not make a contribution to a member of the
23 General Assembly, a General Assembly candidate, or the
24 designated political committees established to promote the
25 candidacy of a General Assembly member or General Assembly

1 candidate, the designated State party committee, or the
2 designated legislative caucus committees.

3 (c) A person that engages in an activity (i) subject to
4 regulation by the Illinois Commerce Commission or the Division
5 of Insurance or Division of Financial Institutions of the
6 Department of Financial and Professional Regulation or (ii)
7 subject to the Illinois Horse Racing Act of 1975 or the
8 Riverboat Gambling Act, and that person's affiliated persons
9 and affiliated entities, may not make a contribution to an
10 executive branch constitutional officer, a General Assembly
11 member, a candidate for an executive branch constitutional
12 office or the General Assembly, or a designated political
13 committee established to promote the candidacy of that officer,
14 member, or candidate, the designated State party committee, or
15 the designated legislative caucus committees.

16 (d) A person required to register under the Lobbyist
17 Registration Act may not make a contribution to a public
18 official, candidate, political committee, or other person.

19 (e) A trust may not make a contribution to a public
20 official, candidate, political committee, or other person.

21 (f) A candidate, public official, or political committee
22 that accepts a contribution made in violation of this Section
23 shall return the contribution to the contributor, or donate the
24 contribution to a charitable organization approved by the State
25 Board of Elections, within 10 business days after receipt. A
26 contribution made in violation of this Section and not disposed

1 of as provided in this subsection shall escheat to the State
2 treasury.

3 (g) Penalties.

4 (1) Any person, corporation, labor organization,
5 association, or political committee, that knowingly
6 violates this Section by contributing more than amounts
7 allowed under this Section 9-8.9, shall be fined the
8 greater of \$5,000 or 3 times the value of the unlawful
9 contribution.

10 (2) The State Board of Elections shall assess a penalty
11 of up to \$5,000 for each violation against the recipient
12 political committee of any contribution in violation of
13 this Section if the recipient political committee knew that
14 the contribution was in violation of this Section. For
15 purposes of this Section, a recipient political committee
16 knew that the contribution was in violation of this Section
17 if the candidate, the committee chairman or treasurer, or
18 any natural person paid to perform regular campaign tasks
19 knew that the contribution was in violation of this
20 Section.

21 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

22 Sec. 9-10. Financial reports.

23 (a) The treasurer of every state political committee and
24 the treasurer of every local political committee shall file
25 with the Board, and the treasurer of every local political

1 committee shall file with the county clerk, reports of campaign
2 contributions, and semi-annual reports of campaign
3 contributions and expenditures on forms to be prescribed or
4 approved by the Board. The treasurer of every political
5 committee that acts as both a state political committee and a
6 local political committee shall file a copy of each report with
7 the State Board of Elections and the county clerk. Entities
8 subject to Section 9-7.5 shall file reports required by that
9 Section at times provided in this Section and are subject to
10 the penalties provided in this Section.

11 (b) This subsection does not apply with respect to general
12 primary elections. Reports of campaign contributions shall be
13 filed no later than the 15th day next preceding each election
14 in connection with which the political committee has accepted
15 or is accepting contributions or has made or is making
16 expenditures. Such reports shall be complete as of the 30th day
17 next preceding each election. The Board shall assess a civil
18 penalty not to exceed \$5,000 for a violation of this
19 subsection, except that for State officers and candidates and
20 political committees formed for statewide office, the civil
21 penalty may not exceed \$10,000. The fine, however, shall not
22 exceed \$500 for a first filing violation for filing less than
23 10 days after the deadline. There shall be no fine if the
24 report is mailed and postmarked at least 72 hours prior to the
25 filing deadline. For the purpose of this subsection and
26 subsection (b-5), "statewide office" and "State officer" means

1 the Governor, Lieutenant Governor, Attorney General, Secretary
2 of State, Comptroller, and Treasurer. However, a continuing
3 political committee that does not make an expenditure or
4 expenditures in an aggregate amount of more than \$500 on behalf
5 of or in opposition to any (i) candidate or candidates, (ii)
6 public question or questions, or (iii) candidate or candidates
7 and public question or questions on the ballot at an election
8 or primary shall not be required to file the reports prescribed
9 in this subsection (b) and subsection (b-5) but may file in
10 lieu thereof a Statement of Nonparticipation in the Election or
11 Primary with the Board or the Board and the county clerk ;
12 except that if the political committee, by the terms of its
13 statement of organization filed in accordance with this
14 Article, is organized to support or oppose a candidate or
15 public question on the ballot at the next election or primary,
16 that committee must file reports required by this subsection
17 (b) and by subsection (b-5).

18 (b-5) Notwithstanding the provisions of subsection (b) and
19 Section 1.25 of the Statute on Statutes, a report of any
20 contribution of more than \$500 received ~~(i) with respect to~~
21 ~~elections other than the general primary election,~~ in the
22 interim between the last date of the period covered by the last
23 report filed under subsection (b) prior to the election or
24 primary and the date of the election or primary ~~(ii) with~~
25 ~~respect to general primary elections, in the period beginning~~
26 ~~January 1 of the year of the general primary election and prior~~

1 ~~to the date of the general primary election~~ shall be filed
2 electronically with and must actually be received by the State
3 Board of Elections within 2 business days after receipt of such
4 contribution. A report of any contribution received at any
5 other time in the amount of at least \$500, or at least \$1,000
6 in the case of a State officer or a candidate for statewide
7 office or political committee formed for a State officer or
8 candidate for statewide office, in the interim between the last
9 date of the period covered by the last report filed under
10 subsections (b) and (c) shall be filed electronically with and
11 must actually be received by the State Board of Elections
12 within 5 business days after receipt of the contribution. For
13 the purpose of this subsection, "statewide office" and "State
14 officer" means the Governor, Lieutenant Governor, Attorney
15 General, Secretary of State, Comptroller, and Treasurer. A
16 ~~continuing political committee that does not support or oppose~~
17 ~~a candidate or public question on the ballot at a general~~
18 ~~primary election and does not make expenditures in excess of~~
19 ~~\$500 on behalf of or in opposition to any candidate or public~~
20 ~~question on the ballot at the general primary election shall~~
21 ~~not be required to file the report prescribed in this~~
22 ~~subsection unless the committee makes an expenditure in excess~~
23 ~~of \$500 on behalf of or in opposition to any candidate or~~
24 ~~public question on the ballot at the general primary election.~~
25 ~~The committee shall timely file the report required under this~~
26 ~~subsection beginning with the date the expenditure that~~

1 ~~triggered participation was made. The State Board shall allow~~
2 ~~filings of reports of contributions of more than \$500 under~~
3 ~~this subsection (b-5) by political committees that are not~~
4 ~~required to file electronically to be made by facsimile~~
5 ~~transmission.~~ For the purpose of this subsection, a
6 contribution is considered received on the date the public
7 official, candidate, or political committee (or equivalent
8 person in the case of a reporting entity other than a political
9 committee) actually receives it or, in the case of goods or
10 services, 2 business days after the date the public official,
11 candidate, committee, or other reporting entity receives the
12 certification required under subsection (b) of Section 9-6.
13 Failure to report each contribution is a separate violation of
14 this subsection. In the final disposition of any matter by the
15 Board on or after the effective date of this amendatory Act of
16 the 93rd General Assembly, the Board may impose fines for
17 violations of this subsection not to exceed 100% of the total
18 amount of the contributions that were untimely reported, but in
19 no case when a fine is imposed shall it be less than 10% of the
20 total amount of the contributions that were untimely reported.
21 When considering the amount of the fine to be imposed, the
22 Board shall consider, but is not limited to, the following
23 factors:

- 24 (1) whether in the Board's opinion the violation was
25 committed inadvertently, negligently, knowingly, or
26 intentionally;

1 (2) the number of days the contribution was reported
2 late; and

3 (3) past violations of Sections 9-3 and 9-10 of this
4 Article by the committee.

5 (c) In addition to such reports the treasurer of every
6 political committee shall file semi-annual reports of campaign
7 contributions and expenditures no later than July 20th,
8 covering the period from January 1st through June 30th
9 immediately preceding, and no later than January 20th, covering
10 the period from July 1st through December 31st of the preceding
11 calendar year. Reports of contributions and expenditures must
12 be filed to cover the prescribed time periods even though no
13 contributions or expenditures may have been received or made
14 during the period. The Board shall assess a civil penalty not
15 to exceed \$5,000 for a violation of this subsection, except
16 that for State officers and candidates and political committees
17 formed for statewide office, the civil penalty may not exceed
18 \$10,000. The fine, however, shall not exceed \$500 for a first
19 filing violation for filing less than 10 business days after
20 the deadline. There shall be no fine if the report is mailed
21 and postmarked at least 72 hours prior to the filing deadline.
22 For the purpose of this subsection, "statewide office" and
23 "State officer" means the Governor, Lieutenant Governor,
24 Attorney General, Secretary of State, Comptroller, and
25 Treasurer.

26 (c-5) A political committee that acts as either (i) a State

1 and local political committee or (ii) a local political
2 committee and that files reports electronically under Section
3 9-28 is not required to file copies of the reports with the
4 appropriate county clerk if the county clerk has a system that
5 permits access to, and duplication of, reports that are filed
6 with the State Board of Elections. A State and local political
7 committee or a local political committee shall file with the
8 county clerk a copy of its statement of organization pursuant
9 to Section 9-3.

10 (d) A copy of each report or statement filed under this
11 Article shall be preserved by the person filing it for a period
12 of two years from the date of filing. Within 5 business days
13 after the Board imposes or waives fines under this Section, the
14 Board shall publish on its website a summary of fines
15 considered and imposed, identifying the person, candidate, or
16 political committee subject to the determination, the total
17 amount of contributions that were untimely reported, and the
18 amount of penalties assessed in each instance.

19 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07; 95-957,
20 eff. 1-1-09.)

21 (10 ILCS 5/9-18) (from Ch. 46, par. 9-18)

22 Sec. 9-18. The Board shall ~~may~~ hold investigations,
23 inquiries, and hearings concerning any matter covered by this
24 Article in which the Board has reason to believe this Article
25 has been knowingly violated, subject to such rules and

1 regulations as the Board may establish. In the process of
2 holding such investigations, inquiries, and hearings, the
3 Board may administer oaths and affirmations, certify to all
4 official acts, issue subpoenas ~~to be authorized by a vote of 5~~
5 ~~members of the Board~~, compel the attendance and testimony of
6 witnesses, and the production of papers, books, accounts, and
7 documents. Hearings conducted by the Board shall be open to the
8 public.

9 (Source: P.A. 81-1117.)

10 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

11 Sec. 9-21. Upon receipt of a such complaint as provided in
12 Section 9-20, the Board shall hold a public ~~closed~~ preliminary
13 hearing to determine whether or not the complaint appears to
14 have been filed on justifiable grounds. Such ~~closed~~ preliminary
15 hearing shall be conducted as soon as practicable after
16 affording reasonable notice, a copy of the complaint, and an
17 opportunity to testify at such hearing to both the person
18 making the complaint and the person against whom the complaint
19 is directed. If the Board fails to determine that the complaint
20 has been filed on justifiable grounds, it shall dismiss the
21 complaint without further hearing.

22 Whenever ~~in the judgment of~~ the Board in an open meeting
23 determines, after affording due notice and an opportunity for a
24 public hearing, any person has engaged or is about to engage in
25 an act or practice which constitutes or will constitute a

1 violation of any provision of this Article or any regulation or
2 order issued thereunder, the Board shall issue an order
3 directing such person to take such action as the Board
4 determines may be necessary in the public interest to correct
5 the violation. In addition, if the act or practice engaged in
6 consists of the failure to file any required report within the
7 time prescribed by this Article, the Board, as part of its
8 order, shall further provide that if, within the 12-month
9 period following the issuance of the order, such person fails
10 to file within the time prescribed by this Article any
11 subsequent report as may be required, such person may be
12 subject to a civil penalty pursuant to Section 9-23. The Board
13 shall render its final judgment within 60 days of the date the
14 complaint is filed; except that during the 60 days preceding
15 the date of the election in reference to which the complaint is
16 filed, the Board shall render its final judgment within 7 days
17 of the date the complaint is filed, and during the 7 days
18 preceding such election, the Board shall render such judgment
19 before the date of such election, if possible.

20 At any time prior to the issuance of the Board's final
21 judgment, the parties may dispose of the complaint by a written
22 stipulation, agreed settlement or consent order. Any such
23 stipulation, settlement or order shall, however, be submitted
24 in writing to the Board and shall become effective only if
25 approved by the Board in an open meeting. If the act or
26 practice complained of consists of the failure to file any

1 required report within the time prescribed by this Article,
2 such stipulation, settlement or order may provide that if,
3 within the 12-month period following the approval of such
4 stipulation, agreement or order, the person complained of fails
5 to file within the time prescribed by this Article any
6 subsequent reports as shall ~~may~~ be required, such person may be
7 subject to a civil penalty pursuant to Section 9-23.

8 Any person filing a complaint pursuant to Section 9-20 may,
9 upon written notice to the other parties and to the Board,
10 voluntarily withdraw the complaint at any time prior to the
11 issuance of the Board's final determination.

12 (Source: P.A. 93-574, eff. 8-21-03.)

13 (10 ILCS 5/9-23) (from Ch. 46, par. 9-23)

14 Sec. 9-23. Whenever the Board, pursuant to Section 9-21,
15 has issued an order, or has approved a written stipulation,
16 agreed settlement or consent order, directing a person
17 determined by the Board to be in violation of any provision of
18 this Article or any regulation adopted thereunder, to cease or
19 correct such violation or otherwise comply with this Article
20 and such person fails or refuses to comply with such order,
21 stipulation, settlement or consent order within the time
22 specified by the Board, the Board in an open meeting, after
23 affording notice and an opportunity for a public hearing, may
24 impose a civil penalty on such person in an amount not to
25 exceed \$5,000; except that for State officers and candidates

1 and political committees formed for statewide office, the civil
2 penalty may not exceed \$10,000. For the purpose of this
3 Section, "statewide office" and "State officer" means the
4 Governor, Lieutenant Governor, Attorney General, Secretary of
5 State, Comptroller, and Treasurer.

6 Civil penalties imposed on any such person by the Board
7 shall be enforceable in the Circuit Court. The Board shall
8 petition the Court for an order to enforce collection of the
9 penalty and, if the Court finds it has jurisdiction over the
10 person against whom the penalty was imposed, the Court shall
11 issue the appropriate order. Any civil penalties collected by
12 the Court shall be forwarded to the State Treasurer.

13 In addition to or in lieu of the imposition of a civil
14 penalty, the board may report such violation and the failure or
15 refusal to comply with the order of the Board to the Attorney
16 General and the appropriate State's Attorney.

17 (Source: P.A. 93-615, eff. 11-19-03.)

18 (10 ILCS 5/9-23.5 new)

19 Sec. 9-23.5. Public database of complaints. The State Board
20 of Elections shall establish and maintain on its official
21 website a searchable database, freely accessible to the public,
22 of each complaint filed with the Board under this Article and
23 the disposition of that complaint, including all board actions
24 and penalties imposed, if any. The Board must update the
25 database within 5 business days after a complaint is filed, an

1 action taken, or a penalty imposed to include that complaint,
2 action, or penalty in the database.

3 (10 ILCS 5/9-28)

4 Sec. 9-28. Electronic filing and availability. The Board
5 shall by rule provide for the electronic filing of expenditure
6 and contribution reports as follows:

7 Beginning July 1, 1999, or as soon thereafter as the Board
8 has provided adequate software to the political committee,
9 electronic filing is required for all political committees that
10 during the reporting period (i) had at any time a balance or an
11 accumulation of contributions of \$25,000 or more, (ii) made
12 aggregate expenditures of \$25,000 or more, or (iii) received
13 loans of an aggregate of \$25,000 or more.

14 Beginning July 1, 2003, electronic filing is required for
15 all political committees that during the reporting period (i)
16 had at any time a balance or an accumulation of contributions
17 of \$10,000 or more, (ii) made aggregate expenditures of \$10,000
18 or more, or (iii) received loans of an aggregate of \$10,000 or
19 more.

20 Notwithstanding any other provision of this Section, a
21 political committee filing a report under subsection (b-5) of
22 Section 9-10 must file that report electronically.

23 The Board may provide by rule for the optional electronic
24 filing of expenditure and contribution reports for all other
25 political committees. The Board shall promptly make all reports

1 filed under this Article by all political committees publicly
2 available by means of a searchable database that is accessible
3 through the World Wide Web.

4 The Board shall provide all software necessary to comply
5 with this Section to candidates, public officials, political
6 committees, and election authorities.

7 The Board shall implement a plan to provide computer access
8 and assistance to candidates, public officials, political
9 committees, and election authorities with respect to
10 electronic filings required under this Article.

11 For the purposes of this Section, "political committees"
12 includes entities required to report to the Board under Section
13 9-7.5.

14 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

15 Section 10. The Illinois Procurement Code is amended by
16 changing Section 50-37 as follows:

17 (30 ILCS 500/50-37)

18 Sec. 50-37. Prohibition of political contributions.

19 (a) As used in this Section:

20 The terms "contract", "State contract", and "contract
21 with a State agency" each mean any contract, as defined in
22 this Code, between a business entity and a State agency ~~let~~
23 ~~or awarded pursuant to this Code~~. The terms "contract",
24 "State contract", and "contract with a State agency" do not

1 include cost reimbursement contracts; purchase of care
2 agreements as defined in Section 1-15.68 of this Code;
3 contracts for projects eligible for full or partial
4 federal-aid funding reimbursements authorized by the
5 Federal Highway Administration; grants, including but are
6 not limited to grants for job training or transportation;
7 and grants, loans, or tax credit agreements for economic
8 development purposes.

9 "Contribution" means a contribution as defined in
10 Section 9-1.4 of the Election Code.

11 "Declared candidate" means a person who has filed a
12 statement of candidacy and petition for nomination or
13 election in the principal office of the State Board of
14 Elections.

15 "State agency" means and includes all boards,
16 commissions, agencies, institutions, authorities, and
17 bodies politic and corporate of the State, created by or in
18 accordance with the Illinois Constitution or State
19 statute, of the executive or legislative branch of State
20 government and does include colleges, universities, public
21 employee retirement systems, and institutions under the
22 jurisdiction of the governing boards of the University of
23 Illinois, Southern Illinois University, Illinois State
24 University, Eastern Illinois University, Northern Illinois
25 University, Western Illinois University, Chicago State
26 University, Governors State University, Northeastern

1 Illinois University, and the Illinois Board of Higher
2 Education.

3 "Officeholder" means the Governor, Lieutenant
4 Governor, Attorney General, Secretary of State,
5 Comptroller, or Treasurer or a member of the General
6 Assembly. The Governor shall be considered the
7 officeholder responsible for awarding all contracts by all
8 officers and employees of, and vendors and others doing
9 business with, executive branch State agencies under the
10 jurisdiction of the Executive Ethics Commission and not
11 within the jurisdiction of the Attorney General, the
12 Secretary of State, the Comptroller, or the Treasurer.

13 "Sponsoring entity" means a sponsoring entity as
14 defined in Section 9-3 of the Election Code.

15 "Affiliated person" means (i) any person with any
16 ownership interest or distributive share of the bidding or
17 contracting business entity in excess of 7.5%, (ii)
18 executive employees of the bidding or contracting business
19 entity, and (iii) the spouse and minor children of any such
20 persons.

21 "Affiliated entity" means (i) any subsidiary of the
22 bidding or contracting business entity, (ii) any member of
23 the same unitary business group, (iii) any organization
24 recognized by the United States Internal Revenue Service as
25 a tax-exempt organization described in Section 501(c) of
26 the Internal Revenue Code of 1986 (or any successor

1 provision of federal tax law) established by the bidding or
2 contracting business entity, any affiliated entity of that
3 business entity, or any affiliated person of that business
4 entity, or (iv) any political committee for which the
5 bidding or contracting business entity, or any 501(c)
6 organization described in item (iii) related to that
7 business entity, is the sponsoring entity.

8 "Business entity" means any entity doing business for
9 profit, whether organized as a corporation, partnership,
10 sole proprietorship, limited liability company or
11 partnership, or otherwise.

12 "Executive employee" means the President, Chairman,
13 Chief Executive Officer, or other employee with executive
14 decision-making authority over the long-term and
15 day-to-day affairs of the entity employing the employee, or
16 an employee whose compensation is determined directly, in
17 whole or in part, by the award or payment of contracts by a
18 State agency to the entity employing the employee.

19 (b) Any business entity whose contracts with State
20 agencies, in the aggregate, annually total more than \$50,000,
21 and any affiliated entities or affiliated persons of such
22 business entity, are prohibited from making any contributions
23 to any political committees established to promote the
24 candidacy of (i) the officeholder responsible for awarding the
25 contracts, ~~or~~ (ii) any other declared candidate for that
26 office, (iii) any State or statewide officer or candidate for

1 that office, and (iv) any legislative member of the General
2 Assembly. This prohibition shall be effective for the duration
3 of the term of office of the incumbent officeholder awarding
4 the contracts or for a period of 2 years following the
5 expiration or termination of the contracts, whichever is
6 longer.

7 (c) Any business entity whose aggregate pending bids and
8 proposals on State contracts total more than \$50,000, or whose
9 aggregate pending bids and proposals on State contracts
10 combined with the business entity's aggregate annual total
11 value of State contracts exceed \$50,000, and any affiliated
12 entities or affiliated persons of such business entity, are
13 prohibited from making any contributions to any political
14 committee established to promote the candidacy of the
15 officeholder responsible for awarding the contract on which the
16 business entity has submitted a bid or proposal, any
17 constitutional officer, or any legislative member of the
18 General Assembly, during the period beginning on the date the
19 invitation for bids or request for proposals is issued and
20 ending on the day after the date the contract is awarded.

21 (d) All contracts between State agencies and a business
22 entity that violate subsection (b) or (c) shall be voidable
23 under Section 50-60. If a business entity violates subsection
24 (b) 3 or more times within a 36-month period, then all
25 contracts between State agencies and that business entity shall
26 be void, and that business entity shall not bid or respond to

1 any invitation to bid or request for proposals from any State
2 agency or otherwise enter into any contract with any State
3 agency for 3 years from the date of the last violation. A
4 notice of each violation and the penalty imposed shall be
5 published in both the Procurement Bulletin and the Illinois
6 Register.

7 (e) Any political committee that has received a
8 contribution in violation of subsection (b) or (c) shall pay an
9 amount equal to the value of the contribution to the State no
10 more than 30 days after notice of the violation concerning the
11 contribution appears in the Illinois Register. Payments
12 received by the State pursuant to this subsection shall be
13 deposited into the general revenue fund.

14 (Source: P.A. 95-971, eff. 1-1-09; 95-1038, eff. 3-11-09.)

15 Section 97. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99. Effective date. This Act takes effect on June
18 15, 2009, but the State Board of Elections shall have 120 days
19 to implement new electronic reporting requirements and any
20 needed regulations."