



December 13, 2010

MEDIA BRIEFING

**AN OVERVIEW OF THE NEW
CAMPAIGN FINANCE LAW**

An Overview of the New Campaign Finance Law
12/13/2010

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An Overview of the New Campaign Finance Law

1) Introduction

In 1974 the Illinois General Assembly begrudgingly gave into the reform movement of the post-Watergate era and passed a law to require the reporting of campaign receipts and expenditures (10 ILCS 5/9-1). While many other states and the federal government were placing limits on contributions and expenditures, prohibiting corporate entities from contributing or spending on politics, and adopting public financing systems, Illinois chose a different course. Illinois adopted a law which relied exclusively on two interrelated mechanisms to accomplish its purpose: disclosure and reporting.

Under the old law, candidates for public office and political party organizations were required to disclose the sources of contributions and how they spent those contributions. They did this by forming official committees and filing reports of receipts and expenditures with the Illinois State Board of Elections. Certain groups, organizations and associations were also required to form committees and file reports of receipts and expenditures, although compliance was uneven. The methods of reporting, the content of the reports, and the frequency of reporting have significantly improved since 1974. But the basic mechanisms used to achieve the purpose of the law did not change. For 35 years they remained disclosure and reporting.

On January 1, 2011, the way Illinois regulates how money is used to influence politics will fundamentally change. For the first time Illinois will impose limits on all money coming directly into the political system from private sources. The new law will also impose some limits on the movement of money between political committees.

In addition, Illinois' system of reporting and disclosure will be significantly strengthened and expanded by the new law. There will be increased disclosure and more frequent reporting of direct contributions, both cash and in-kind, and expenditures. For the first time Illinois will also require disclosure and reporting by those who make independent expenditures (expenditures made to support or oppose a candidate that are made independent of any candidate or party committee).

Strong enforcement and effective administration of any law are essential to its success. The new law provides the Illinois State Board of Elections with increased enforcement powers and the authority to conduct audits of committee financial accounts. It also provides injunctive relief against electioneering communications made by anyone who has not formed a political committee and filed reports as required by law.

This is the most significant change in Illinois' election law relating to campaign finance in decade, but it is not the first time Illinois has gone beyond disclosure and reporting in regulating how money is used to influence politics in Illinois. While

important and still part of current law, several other provisions addressed the time, place and manner of campaign fundraising without prohibiting any sources or dollar amounts:

- In 1998 the law was changed to prohibit the use of campaign funds raised after June 30, 1998 for the personal use of candidates, and to prohibit making campaign contributions on state property.
- In 2002, the law was change to prohibit soliciting of campaign contributions at any time by state or local employees from regulated businesses they oversee.
- In 2003, the law was changed to prohibit soliciting campaign contributions by public employees on public time.
- In 2007, Illinois enacted its first-ever prohibition on campaign donations when the legislature passed a “Pay-to-Play” law over the veto of then-Governor Rod Blagojevich. Some municipalities have adopted similar ordinances.

It is well worth remembering that the contribution limits that take effect on January 1, 2011 represent a sea change in the way that campaigns are financed and also in the role of state law in the day-to-day operations of campaigns. Not only has the new law not been tested in practice, but it runs counter to the customs and practices of campaign professionals and volunteers throughout the state. While the statute is clear on most of the key provisions, there remains the possibility of different interpretations of some parts of the law, particularly as the law is implemented together with other laws and procedures. This report attempts to summarize what ICPR, as an interest group actively involved in negotiating parts of the law, understands of the law's meaning. Time will tell how the law is actually implemented.

2) Changes to the structure of political committees

A) The requirement to form a political committee. The new law requires every entity other than a natural person who makes or receives contributions or makes expenditures above a \$3,000 threshold in any 12-month period in support or opposition to a candidate for public office or a question of public policy (commonly called referenda), or who engage in electioneering communications with relation to a candidate or public question, to:

- form a political committee,
- register with the Illinois State Board of Elections, and
- file reports of campaign receipts and expenditures.

B) Four Types of Political Committees. The new law creates four types of political committees: candidate political committees, political party committees, political action committees, and ballot initiative committees. The contribution limits imposed by the new law are set at different levels for the four types of political committees. Different limits apply to different types of committees. All committees must disclose and report campaign receipts and expenditures.

Candidate political committee: a candidate, or any person, group, or entity designated by the candidate, who accepts contributions or makes expenditures during a 12-month period in an aggregate amount exceeding \$3,000 on behalf of the candidate.

Political party committee: the state central committee of a political party, the county central committee of a political party, a committee formed by a ward or township committeeman of a political party, and legislative caucus committees are all designated as political party committees. Legislative caucus committees can be established to elect candidates to the General Assembly by each of the four legislative caucus leaders or by 5 or more members of the same caucus of the Senate or 10 or more members of the same caucus of the House (legislators may not belong to two caucus committees).

Political action committee: A person, group, association, corporation or organization other than a candidate, candidate political committee, political party, or political party committee that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 on behalf of or in opposition to a candidate or candidates for public office.

Ballot initiative committee: A person, group, association, or corporation that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 in support of or in opposition to any question of public policy to be submitted to the electors. Ballot initiative committees must disclose and report receipts and expenditures. Contributions to a ballot initiative committee are not subject to limits.

C) Prohibition on multiple political committees. Contribution limits would be meaningless if each person or entity wanting to participate in the political process could form multiple committees. Because of this, the new law limits those who are required to form a political committee to only one committee (with an exception for a person who is a candidate for multiple offices and an allowance for caucus committees). Any existing multiple committees formed by a single person or entity must be consolidated and a single committee designated by December 31, 2010.

3) Contribution Limits - From the Recipient's Perspective

The new law limits contributions that political committees can receive based on the source of the money and the type of committee. These limits vary between types of contributors and types of political committee. Contribution limits apply to the aggregate value of contributions made during an election cycle. Certain types of contributions from political parties or legislative caucus committees to candidates are exempted from limits.

A) Limits on contributions to candidate political committees. In general, the limits on what a candidate committee may receive are as follows:

- \$5,000 from any individual

- \$10,000 from any corporation, labor organization, or association
- \$50,000 from any candidate political committee or political action committee
- During a partisan primary candidate committees are limited to accepting no more than \$200,000 if the candidate is seeking statewide office, \$125,000 if the candidate is running for State Senator, Supreme or Appellate Court in the 1st Judicial District (Cook County) or countywide office in counties over 1 million; \$75,000 if the candidate is running for State Representative, Supreme or Appellate Court in any of the other four Judicial Districts, or countywide office in a county of less than 1 million; and \$50,000 for all other candidates.
- No limit on contributions from a political party or legislative caucus committee during the general election cycle period
- May not accept contributions from a ballot initiative committee

Broadly, limits apply per election. For giving to candidates seeking election in an even-numbered year; contributions can be made up to the limit, once for the primary election and again for the general election.

For candidates in a municipal election, which take place in odd-numbered years, candidate committees can take contributions up to the limit for the first (February) election; limits would begin anew for the second (April) election if they are participating as a candidate.

For giving to a committee supporting a judge seeking retention, the statutory limits apply for the duration of their time in office -- beginning on January 1 following their election and ending the day they file for retention, then beginning anew the day after filing for retention and ending December 31 following the retention election. In addition to statutory limits, judges and judicial candidates are covered by Rule 67 of the Supreme Court, which further restricts fundraising.

Limits would not be applied to any candidate in a contested election if any candidate, singly or together with their immediate family, makes substantial contributions, loans, or independent expenditures to benefit the candidate's campaign during the 12 months prior to the election. For the limit waiver to apply, contributions, loans or independent expenditures by the candidate and their family would have to total in aggregate more than \$250,000 for statewide office or \$100,000 for any other public office. Self-funding candidates are required to report their expenditures to the Illinois State Board of Elections

B) Limits on contributions to political party and legislative caucus committees

- \$10,000 from an individual
- \$20,000 from any corporation, labor organization, or association
- \$50,000 from a political action committee
- No limit on contributions from another political party committee or a candidate political committee during the general election cycle period, if the political party filed a statement of non-participation in the primary
- Limits apply per calendar year
- May not accept contributions from a ballot initiative committee

The law also includes a provision with special limits on contributions to a political party and legislative caucus committees during the 2012 Primary Election period

C) Limits on contributions to a Political Action Committee

- \$10,000 from an individual
- \$20,000 from any corporation, labor organization, political party committee, or association
- \$50,000 from a political action committee or candidate political committee
- Limits apply per calendar year.
- May not accept contributions from a ballot initiative committee

D) Rules on contributions to a Ballot Initiative Committee. There are no limits on contributions to a ballot initiative committee from any source. U.S. Supreme Court rulings have upheld limits on campaign contributions in relation to candidates running for public office as justified to avoid corruption or the appearance of corruption of a candidate through a quid pro quo. Since a ballot initiative does not involve candidates for public office, the logic of the Supreme Court is that no corruption from contributions, no matter how large, can occur.

4) Contribution Limits - From the Contributor's Perspective

This section will review the same rules as in the previous section, this time from the perspective of the contributor rather than the recipient. The new law has different limits on the amount donors can contribute depending on who they are.

A) Individuals may contribute no more than the following, per election cycle:

- \$5,000 to any one candidate political committee
- \$10,000 to any one political party committee or legislative caucus committee
- \$10,000 to any one political action committee
- No limit on contributions to a ballot initiative committee
- No limit on contributions for independent expenditures

B) Corporations, labor unions or associations may contribute no more than the following, per election cycle:

- \$10,000 to any one candidate political committee
- \$20,000 to any one political party committee or legislative caucus committee
- \$20,000 to any one political action committee
- No limit on contributions to a ballot initiative committee

C) Political Action Committees may contribute no more than the following per election cycle:

- \$50,000 to any one candidate political action committee

- \$50,000 to any one political party committee or legislative caucus committee
- No limit on contributions to a ballot initiative committee

D) Candidate political committees may contribute no more than the following, per election cycle:

- \$50,000 to any one other candidate political committee
- \$50,000 to any one political action committee
- \$50,000 to any one political party committee or legislative caucus committee during a primary election cycle that contains a partisan primary election. This limit may be waived if the political party committee receiving the contributions does not make any contributions to any political candidate committee during the primary election period (this limit expires July, 2013)
- No limit on contributions to a political party committee or legislative caucus committee during the general election period
- No limit on contributions to a ballot initiative committee

E) Political party committees or legislative caucus committees may contribute the following per election cycle:

- \$20,000 to any one political action committee
- No limits on contributions to a candidate political committee during the general election period
- No limits on contributions to another political party committee during the general election period
- No transfers permitted between legislative caucus committees
- No limit on contributions to a ballot initiative committee
- Limits do apply to contributions in a primary election cycle to a political candidate committee or another political party committee if the primary election is partisan.
- The consolidated primary election primary in 2011 is non-partisan. Limits do not apply to contributions to candidate political committees or political party committees in either the consolidated primary election cycle or the consolidated election cycle.
- The general primary that takes place in 2012 is a partisan primary and the following limits apply in that primary election cycle:
 - \$200,000 to a candidate for statewide office during the primary election period
 - \$125,000 to a candidate for State Senator, Supreme or Appellate Court in 1st Judicial District (Cook County) or countywide office in counties over 1 million during the primary election period
 - \$75,000 for a candidate for State Representative, Supreme or Appellate Court in 2-5th Judicial Districts, countywide office in county of less than 1 million
 - \$50,000 to a candidate for any other state office
 - \$50,000 to another political party committee. This limit can be waived if the contributing political party committee does not make any contributions

to political candidate committees during the primary election period (This limit expires July 1, 2013)

F) Ballot initiative committees, which are not subject to contribution limits, are not permitted to make contributions to:

- Candidate political committee
- Political action committee
- Political party or legislative caucus committee.

5) Increased Reporting of Receipts and Expenditures

A) Quarterly reporting of all receipts and expenditures. All political committees are required to file comprehensive reports of receipts and expenditures every three months. This replaces the current requirement that political committees file reports on a semi-annual (six-month) basis. Reports are due to be filed by: April 15, July 15, October 15 and January 15 for the three-month periods ending on March 31, June 30, September 30, and December 31, respectively.

B) Year-round reporting of large donations. All political committees will be required to report the receipt of contributions of \$1,000 or more within 5 business days year round and within 2 business days during the 30-day period prior to an election they are participating in.

6) Disclosure and Reporting of Independent Expenditures, Coordinated Expenditures, and Electioneering Communications

A) Independent expenditures. Individuals that make expenditures in support of or opposition to a candidate during a 12-month period that exceed an aggregate of \$3,000 that are not coordinated with any candidate or party must identify themselves to the Illinois State Board of Elections and make a written disclosure of their independent expenditures. "Support or oppose" is a "magic words" test -- the message must explicitly urge voters to vote a particular way. The test derives from a footnote in the Supreme Court's Buckley v. Valeo decision, which differentiated issue advertising from advertising to influence the outcome of an election by whether it includes words such as "vote for," "vote against," "elect," or "defeat."

- Individuals who make independent expenditures must only file expenditure reports.
- Corporations, unions, associations, or other groups that make independent expenditures must form committees with the Illinois State Board of Elections, file reports of receipts and expenditures, and report independent expenditures in support or opposition to a candidate within 2 business days if they occur within 30 days of an election. As political committees these groups must continue to file quarterly reports of receipts and expenditures until they dissolve.

B) Electioneering communications. Persons or groups that transmit electioneering communications must form a political committee under the election code and report their receipts and expenditures. Electioneering communications are defined as television, cable, Internet or radio messages that are aimed at voters in a district, refer to a clearly identified candidate or party, are delivered within weeks before an election, and are susceptible of no other reasonable interpretation than as an appeal to vote for or against a candidate. Electioneering communications are different from independent expenditures in that they do not need to use the "magic words" test but do have to satisfy other criteria (the audience, the timeframe "window" and be broadcast on TV, cable, or radio).

C) Distinctions between coordinated expenditures and independent expenditures. Under the old law, where there were no contribution limits, there was no need to distinguish between expenditures made to support a candidate which were coordinated with the candidate or campaign and expenditures made to support a candidate which are made independent of the candidate or the campaign. Both coordinated and uncoordinated expenditures were considered in-kind contributions. The person making the expenditure on behalf of candidate was required to notify the candidate of the expenditure so that the candidate could report the source and value as an in-kind contribution as part of their required filings.

The new law distinguishes between coordinated expenditures made on behalf of the candidate, which are subject to limits, and independent expenditures, which are not subject to limits. Under US Supreme Court rulings, it would be unconstitutional to limit independent expenditures. However, under the new law, independent expenditures above \$3,000 must be reported by those making the expenditure.

7) Auditing financial records of political committees

A) Auditing for cause. The Illinois State Board of Elections can order a political committee to conduct an audit of its financial record because of discrepancies between the ending balance of one reporting period and the beginning balance of the next reporting period, failure to account for previous reported loans or investments, or discrepancies between reports of contributions received and reports filed by another political committee, if those discrepancies reflect a willful pattern of inaccurate reporting.

B) Random audits. Each year the Illinois State Board of Elections shall randomly order no more than 3% of the registered political committees to conduct an audit.

8) Other Changes to the Election Code in the Campaign Finance Law

A) Injunctive relief with regard to electioneering communications. The new law authorizes the Attorney General, or a State's Attorney with relevant jurisdiction, to seek restraint by an injunction against anyone making, producing, publishing, republishing, or broadcasting an electioneering communication in violation of the election code. Any political committee may also seek injunctive relief in circuit court in the same situation.

B) *Open hearings.* The law requires the Illinois State Board of Elections to conduct open hearings for complaints that have proceeded beyond the preliminary hearing stage.

C) *Database of founded complaints.* The law requires the Illinois State Board of Elections to create a public database of founded complaints.

D) *Definition of receipt.* For years, Illinois law defined when a contribution was "received" by when it was "actually received" by the committee. Beginning January 1, 2011, the new law will define receipt based on these criteria: (1) when it is deposited, (2) when a committee receives notice of an electronic deposit, or (3) when the committee receives notification of a contribution of goods or services. The date a contribution is received is important both because the receipt of a contribution is what triggers the disclosure provisions and because limits start fresh after elections; donations received before an election should be counted in the appropriate election cycle.

9) Illinois' Pay-to-Play Law, and Similar Local Ordinances

In 2008, the legislature enacted a law, over the veto of then-Gov. Rod Blagojevich, to address campaign donations from state contractors. The law, known as Pay-to-Play, prohibits state contractors, related corporations, their owners, directors, and key employees, and their spouses, from making campaign contributions to the statewide official who oversees their contracts. The law applies only to contracts with an aggregate value over \$50,000, and applies while a bid is pending and, if the bid is successful, for the longer of the current term in office of the statewide official or two years beyond the end of the contract.

The state pay-to-play law differs from local ordinances in place in many municipalities, including the City of Chicago. A Chicago ordinance, enacted through procurement rules, bars contractors from giving more than \$1,500 to candidates for Chicago office. The ordinance applies only to the entity that holds the contract; unlike the state law, it does not apply to owners, directors, key employees, or parent or sibling companies.

Chicago Mayor Richard M. Daley announced a policy in 2006 that his campaign fund would not accept donations of any amount from Chicago contractors or from their owners. His campaign fund returned over \$50,000 in donations in his 2007 re-election campaign based on this policy, but his directive is not binding on other candidates for Chicago office.

10) The Impact of the US Supreme Court's Ruling in *Citizens United* on Elections in Illinois.

In early 2010, the US Supreme Court issued a new campaign finance ruling, *Citizens United v FEC*. The ruling declared that corporations had a right to make independent expenditures in relation to candidates for office.

Prior to *Citizens United*, federal law prohibited corporations (businesses and labor unions acting directly rather than through political action committees funded by individuals) from contributing directly to federal political campaigns or from making independent expenditures in support or opposition to candidates for federal office. Many states enacted similar prohibitions on corporate spending on elections, but Illinois was not one of them. The ruling in *Citizens United* struck down the federal ban on corporate entities making independent expenditures in federal campaigns. It did not strike down the ban on corporate entities contributing directly to federal campaigns.

Illinois law allows corporate entities to make direct and in-kind contributions to campaigns for state office. The ruling in *Citizens United* does not directly affect Illinois campaigns because the federal provision that was struck down was never mirrored in Illinois law.

11) Contribution Limits Per Election Cycle (see Section 13 on election cycles)

		Recipient			
		Candidate Political Committee	Political Party Committee or Legislative Caucus Committee	Political Action Committee	Ballot Initiative Committee
Donor	Individuals	\$5,000	\$10,000	\$10,000	Unlimited
	Corporations labor unions, and associations as corporate entities	\$10,000	\$20,000	\$20,000	Unlimited
	Political Action Committee	\$50,000	\$50,000	\$50,000	Unlimited
	Candidate Political Committee	\$50,000	Unlimited for general election. \$50,000 for partisan primary election, though the limit is waived if recipient declares non-participation	\$50,000	Unlimited
	Political Party Committee and Legislative Caucus Committee	\$200,000 to \$50,000 for partisan primary election depending on office. Unlimited for general election	\$50,000 for partisan primary election, though the limit is waived if recipient declares non-participation. Unlimited for general election.	\$20,000	Unlimited
	Ballot Initiative Committee	Prohibited	Prohibited	Prohibited	Not explicit, but probably unlimited

12) Examples of reports for large contributions and large independent expenditures

Type of Actor	Period outside 30 days before an election	30 days before an election
All four types of political committees receiving an aggregate contribution during a three-month reporting period of \$1,000 or more from a single source	Contribution must be reported within 5 business days after it is received	Contribution must be reported within 2 business days of after it is received if they are participating in the election; if they are not participating then they still have 5 business days.
Political action committee making an independent expenditure of \$1,000 or more	No report required	Expenditure must be reported to the Illinois State Board of Elections within 5 days of being made
A group organized exclusively as a political committee because of meeting the \$3,000 expenditure threshold making an independent expenditure of \$1,000 or more	No report required	Expenditure must be reported to the Illinois State Board of Elections within 5 days of being made
An individual who had exceeded the \$3,000 threshold for making independent expenditures	Expenditure must be reported to the Illinois State Board of Elections within 2 days of being made	Expenditure must be reported to the Illinois State Board of Elections within 2 days of being made

13) Election Cycles for Political Committees in 2011 and 2012

Type of Committee	Election Cycle Period #1	Election Cycle Period #2
<p>Political candidates running in general primary and general election</p> <p>Candidates have 2 election cycles to raise money</p>	<p>Begin: January 1, 2011</p> <p>End: the day of the 2012 primary election</p>	<p>Begin: the day after the 2012 primary election for the office being sought</p> <p>End: December 31 following the 2012 general election</p>
<p>Political candidates running for the state legislature</p> <p>Candidates have 2 election cycles to raise money</p>	<p>Begin: January 1, 2011</p> <p>End: the day of the 2012 primary election</p>	<p>Begin: the day after the 2012 primary election for the office being sought</p> <p>End: December 31 following the 2012 general election</p>
<p>Political candidates running in consolidated primary and consolidated election</p>	<p>Begin: January 1, 2011</p> <p>End: February 22, 2011</p>	<p>Begin: February 23, 2011</p> <p>End: June 30, 2011 (a new cycle begins July 1, 2011)</p>
<p>Judges running for retention in a retention election</p> <p>Judges running for retention have 2 election cycles to raise money</p> <p><i>(Judicial candidates are also bound by Rule 67 of the Supreme Court.)</i></p>	<p>Begin: January 1, 2011</p> <p>End: the day the day the candidate files for retention</p>	<p>Begin: the day after the candidates files for retention</p> <p>End: December 31 following the retention election</p>

Type of Committee	Election Cycle Period
<p>Political Action Committees</p> <p>Sources subject to contribution limits can contribute up to the limit once per calendar year</p>	<p>January 1, 2011 to December 31, 2011; and</p> <p>January 1, 2012 to December 31, 2012</p>
<p>Political Party Committees</p> <p>Sources subject to contribution limits can contribute up to the limit once per calendar year</p>	<p>January 1, 2011 to December 31, 2011; and</p> <p>January 1, 2012 to December 31, 2012</p>

14) Upcoming Dates of Interest

The table below is focused on legislative, electoral and campaign finance events.

Date	Event
Thursday, December 23, 2011	Municipal ballot certified
Monday, January 1, 2011	Contribution Limits Take Effect; A-1 changes to year-round requirement to report \$1,000 or more within 5 business days.
Wednesday, January 12, 2011	97th General Assembly Convenes
Thursday, January 20, 2011	Due date for report of receipts and expenditures between July 1, 2010 and December 31, 2010
Monday, January 24, 2011	A-1 reporting period shrinks to 2 business days for committees participating in the February municipal elections
Tuesday, February 22, 2011	Municipal Election (A-1 expands to 5 business days for all committees; limits reset for municipal candidates)
Monday, March 7, 2011	A-1 Period shrinks to 2 business days for committees participating in the April municipal elections
Tuesday, April 5, 2011	Municipal Election (Run-off, if needed), after-which A-1 expands to 5 days for all committees)
Friday, April 15, 2011	Due date for report of receipts and expenditures between January 1, 2011 and March 31, 2011

15) Frequently Asked Questions

Q. When do candidates form political committees?

A. Candidates must form political committees once they have raised \$3,000. When they meet that fundraising threshold, they have 10 days to file a Statement of Organization (Form D-1) with the State Board of Elections.

Q. When will candidates begin to report large donations?

A. All political committees must report large donations, of \$1,000 or more, beginning January 1, 2011 within 5 business days of their receipt. If the recipient is participating in the next election, and that election is within the next 30 days, then it must file within 2 business days. For more on reporting of large donations, see Sections 5 and 12, above.

Q. When do contribution limits take effect?

A. Illinois first-ever limits on contributions to political committees take effect on January 1, 2011. Committees will be allowed to retain any funds they have on-hand on December 31, 2010, and may continue to use those funds after January 1, 2011. But all money raised after January 1, 2011 will be subject to limits. For more on contribution limits, see Sections 3, 4, and 11 above.

Q. What about candidates with more than one committee?

A. Candidates will be allowed to have one committee under state law for each office they hold or seek. Candidates who have committees under federal law, organized for federal office, may continue to control those committees, but may not use those committees to evade limits. For more on candidate committees, see Section 2, above.

Q. How will limits affect candidates who are in the April 2011 election?

A. As a general rule, limits apply per election cycle. The primary election cycle for an office elected in a consolidated election would normally start July 1 of preceding odd numbered year. In this transition year, the primary election cycle where limits apply begins when the new law takes effect – January 1, 2010. The primary election cycle ends the day of the primary – February 22. Candidates for an office elected in a consolidated election can receive contributions from a single source up to the applicable limit between January 1 and February 22.

The consolidated election cycle begins February 23 and ends June 30. Candidates for an office elected in the consolidate election can receive contributions from a single source up to applicable limit between February 23 and June 30. A new election cycle for

all candidate committees organized to run for an office elected in a consolidated election begins July 1.

Q. Will limits on political party giving apply in a non-partisan election?

A. Limits on party giving to candidate committees apply only during an election cycle when the candidate is seeking nomination in a primary election. Since candidates in a non-partisan election are not seeking nomination by a party, there are no limits on giving by parties. For more on giving by political parties, see Sections 4 and 11, above.

Q. How can I access disclosure reports?

A. Reports are filed with the State Board of Elections, which posts them on its website (www.elections.il.gov). Reports from committees that are required to file electronically (those that have raised, spent, or that hold more than \$10,000) are posted to the website instantaneously in a fully searchable format. Reports filed on paper which are from committees that have not raised, or spent \$10,000 are posted to the website in PDF format. Quarterly disclosure reports must be filed by April 15, July 15, October 15 and January 15.

ICPR obtains data from the State Board of Elections and posts a processed version to its website (ilcampaign.org). ICPR's data is processed to standardize the names of the largest donors, among other enhancements, but there is a lag time between filing with the Illinois State Board of Elections and posting on ICPR's website. For more on the disclosure of campaign receipts, see Sections 5, 6, and 12 above.

Q. How can I find out who is paying for ads about candidates?

A. Information on the funding of all ads about candidates should be disclosed through the State Board of Elections. Currently, nearly all ads about candidates are reported as in-kind donations to the candidate's political committee and are reported to the State Board of Elections by the candidate's political committee. After the first of the year, entities that pay for ads will still report to the State Board of Elections, but it is possible, depending on the nature of the ad, that they will not report to the candidate.

Ads that are coordinated with the candidate will be subject to limits and may be treated as in-kinds just as they have been. Disclosure reports related to these ads will be available from the Illinois State Board of Elections by looking for the group that paid for the ad. The amount of money spent on the ad itself may be reported to the candidate as an in-kind donation, and the entities own reports will show how they raised the money to pay for the ads.

Uncoordinated ads will not be subject to limits and will not be reported by the candidate, but will still be reported to the State Board of Elections. State law requires all ads sponsored by a political committee, whether coordinated or not, to include clear mention of all groups that paid for them. If a group runs the uncoordinated ad, then that group

will be required to form a political committee and disclose the source of their funds. If the uncoordinated ad is run by a person, that person will have to file with the State Board of Elections that they paid for the ad and what they paid for the ad. In short, the State Board of Election should have records of all groups that pay for ads, whether candidates, other groups, or individuals pay them for.

For more on the disclosure of the source of funds for ads, see Sections 5, 6, and 12, above.

Additional Sources of Information:

The Illinois Campaign for Political Reform negotiated parts of the new campaign finance law and lobbied for its passage. Cindi Canary, ICPR's Executive Director, spoke at the December 13, 2010 media workshop. ICPR can be reached at (312) 335-1767 and on-line at <http://ilcampaign.org>. ICPR's website hosts the Sunshine Database, a regularly-dated copy of the data on the State Board of Elections's website (see below) with standardized names of donors, fundraising totals by candidates and other analysis of campaign finance trends.

The State Board of Elections is the official repository of campaign disclosure reports and is the arbiter of violations of the state Election Code. Andy Naumann, Deputy Director of Campaign Disclosure, spoke at the December 13 panel. The Board can be reached at (312) 814-6440 or (217) 782-4141, and on-line at <http://www.elections.il.gov>. The SBE website has searchable copies of all electronically filed reports (filed by any committee that raises, spends, or had on hand more than \$10,000) and PDFs of all reports filed on paper.

Text of the state law: The current text of the campaign finance law can be found here:

<http://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=001000050HArt.+9&ActID=170&ChapterID=3&SeqStart=40900000&SeqEnd=46700000>

Text of SB 1466: The text of the public act creating the limits and new disclosure system can be found here:

<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=76&GA=96&DocTypeId=SB&DocNum=1466&GAID=10&LegID=43015&SpecSess=&Session=>