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thirty days after the chairmen have been so informed, the County Clerk or Board of Election Commissioners shall designate special judges of election for that party in whatever manner it determines.

The County Clerk or Board of Election Commissioners shall apply to the Circuit Court for the confirmation of the special judges of election designated under this Section. The court shall confirm or refuse to confirm such designations as the interest of the public may require. Those confirmed shall be officers of the court and subject to its disciplinary powers.

The County Clerk or Board of Election Commissioners shall, in the exercise of sound discretion, prescribe the forms, materials and supplies together with the procedures for completion and return thereof for use in such election by special judges of election. The special judges of election designated under this Section shall have full responsibility and authority for tallying and canvassing the votes pertaining to the retention of judges and the return of ballots and supplies.

If the County Clerk or Board of Election Commissioners decides that the counting of the retention ballots shall be performed in the precinct where such ballots were cast, at least 2 ballot boxes shall be provided for paper retention ballots, one of which shall be used from the opening of the polls until 9:00 a.m. and from 12:00 noon until 3:00 p.m. and the second of which shall be used from 9:00 a.m. until 12:00 noon and from 3:00 p.m. until the closing of the polls; provided that if additional ballot boxes are provided, the additional boxes shall be used instead of reusing boxes used earlier. At the close of each such period of use, a ballot box used for retention ballots shall be immediately unsealed and opened and the ballots therein counted and tallied by the special judges of election. After counting and tallying the retention ballots, the special judges of election shall place the counted ballots in a container provided for that purpose by the County Clerk or Board of Election Commissioners and clearly marked with the appropriate printing and shall thereupon seal such container. One such container shall be provided for each of the four time periods and clearly designated as the container for the respective period. The tally shall be recorded on sheets provided by the County Clerk or Board of Election Commissioners and designated as tally sheets for the respective time periods. Before a ballot box may be reused, it shall in the presence of all of the judges of election be verified to be empty, whereupon it shall be resealed. After the close of the polls, and after the tally of votes cast by absentee voters, the special judges of election shall add together the tallies of all the ballot boxes used throughout the day, and complete the canvass of votes for retention of judges in the manner established by this Act. All of these procedures shall be carried out within the clear view of the other judges of election. The sealed containers of used retention ballots shall be returned with other voted ballots to the County Clerk or Board of Election Commissioners in the manner provided by this Act.

The compensation of a special judge of election may not exceed \$30 per judge per precinct or district canvassed.

This Section does not affect any other office or the conduct of any other election held at the same time as the election for the retention of judges in office.

Amended by P.A. 81-850, § 1, eff. Jan. 1, 1980; P.A. 81-1149, § 1, eff. Dec. 1, 1979.

The amendments by P.A. 81-850 and P.A. 81-1149 were identical.

17-19. Tally sheets—Straight tickets—Announcement of results—Representatives in General Assembly

§ 17-19. At all general and special elections held in this State, where the law shall provide that the judges shall tally the votes received by candidates at such election it shall not be necessary for the judges of such election to mark upon the tally sheets kept by them, separate marks or tallies for each vote received by the candidates upon the ballots containing the same names, commonly known and in this Act designated as "straight tickets". But when the judges shall have counted and announced to the judges keeping the tally, as near as may be as now or hereafter provided by law, the number of votes received by each set of candidates upon such "straight tickets", the tally judges shall set such number of votes down, in figures opposite or directly below the names of the respective candidates, in a column or line provided for that purpose upon the tally sheets: which column or line shall read "number of straight votes". The same column shall be used for the candidates for Governor and Lieutenant Governor running on the same ticket. The judges shall then proceed to count and announce the votes received by each candidate upon all ballots other than "straight tickets", including all ballots known as "split tickets", and all ballots known as "scratched tickets", and the tally judges shall proceed to tally the same upon the tally sheets, and to compare and announce the result thereof; which counting, announcing and tallying shall be conducted as herein otherwise provided. The tally judges shall set down, in figures, the number of votes received by each candidate on ballots other than "straight tickets", as so ascertained and announced, in an adjoining column or line provided for that purpose upon the tally sheets, immediately opposite or below the name of each candidate which line shall read "Number of other votes". The judges keeping the tally shall then proceed to add together the number of votes received by each candidate, as shown in the column or line containing the straight votes and the number as shown in the column or line containing the votes other than straight votes; which result will show the total number of votes received by each candidate; and after comparing their results and finding that the same agree and are correct, they shall set down the same, in figures, in an adjoining column or line provided upon the tally sheets for that purpose, which shall be directly opposite or below the line for recording the votes on split and scratched ballots and shall read "candidates total vote". Whereupon one of the tally judges shall announce in a loud voice to the other judges the total number of votes received by and counted for each candidate.

Nothing in this Section contained shall be construed to authorize or permit the canvassing, counting or tallying ballots with any less degree of strictness than otherwise required by law; the intention of this Section being to dispense with the individual tally marks only so far as the so-called "straight tickets" are concerned; and all other operating of tallying, counting and canvassing and announcing the votes shall proceed as near as may be in accordance with the other provisions of this Act. Tally sheets and certificates may be prepared in book form or in accordion folds.

This Section shall apply to all elections for members of the General Assembly except as specified in Section 17-19.1.

Amended by P.A. 77-1762, § 1, eff. Dec. 8, 1971.

17-19.1. § 17-19.1. Repealed by P.A. 84-861, § 5, eff. Sept. 23, 1985.

17-19.2. Vacancy in nomination—Filing—Absentee votes

§ 17-19.2. Where a vacancy in nomination is filled pursuant to Section 7-61 or Section 10-11, the absentee votes cast for the original candidate on the first ballot shall not be counted. For this purpose, in those jurisdictions where electronic voting systems are used, the election authority shall determine a method by which the first ballots containing the name of the original candidate may be segregated from the revised ballots containing the name of the successor candidate and separately counted.

Where a vacancy in nomination is not filled pursuant to Section 7-61 or Section 10-11, all votes cast for the original candidate shall be counted for such candidate.

Amended by P.A. 84-861, § 2, eff. Sept. 23, 1985.

17-20. Precinct proclamation of result—Returning ballots—Disposition of ballots—Election contests

§ 17-20. When the canvass of the ballots has been completed, the tally judges shall announce to the judges the total number of votes received by each candidate; each judge of the election shall proclaim in a loud voice the total number of votes received by each of the persons voted for and the office for which he is designated, and the number of votes for and number of votes against any proposition which has been submitted to a vote of the people; such proclamation shall be prima facie evidence of the result of such canvass of the ballots.

Immediately after making such proclamation the judges shall designate one of their number to go to the nearest telephone and report to the office of the county clerk the results announced in such proclamation. The county clerk in such counties shall keep his office open after the close of the polls on the day of any election and thereafter until he has received from each precinct in such county the report above provided for. Immediately upon receiving such report the county clerk shall cause the same to be posted in a public place in his office for inspection by the public. Immediately after making such report such judge shall return to the polling place.

After making such proclamation and before separating, the judges of all counties shall fold or roll all of the ballots which have been counted by them, except those ballots which have been in the ballot box but have not been counted and marked "defective" or "objected to", securely bind them, lengthwise and in width, with a soft cord having a minimum tensile strength of 60 pounds, and wrap the same with heavy wrapping paper on which the judges of election shall write their signature and seal the package with filament over the signatures and around the package lengthwise and crosswise, at least twice each way, so that the ballots cannot be removed from the package without breaking the seal and the filament tape and disturbing the signatures, and enclose the ballots so wrapped, together with the envelope containing the ballots marked "defective" or "objected to", in a secure canvass covering, which the judges of election shall sign and seal with filament

tape as above specified. The precinct judges of election shall elect 2 judges (one from each of the major political parties), who shall immediately return the ballots, in such sealed canvass covering, to the election authority who shall keep their respective offices, or any receiving stations designated by them, open for at least 12 consecutive hours after the polls close, or until the ballots from all precincts within the jurisdiction of any such election authority are returned to the office of such election authority, signed and sealed as above specified. Ballots returned to the office of an election authority which are not signed and sealed as above specified shall not be accepted until the judges returning the same sign and properly seal the same. Upon acceptance of the returned ballots by the election authority, the judges returning the same shall take a receipt signed by the election authority and stamped with the time and date of such return. The election judges whose duty it is to return any ballots as above provided shall, in the event such ballots cannot be found when needed, on proper request, produce the receipt which they are to take as above provided. Upon receiving the ballots so returned, the election authority shall carefully preserve the ballots for 2 months, subject to their examination in a discovery recount proceeding in accordance with law. However, where electronic voting systems are used, the apparatus or frame in which the ballot booklet is contained shall not be subject to the 2 month preservation requirement. At the expiration of that time such election authority shall remove the same from original package and shall destroy the same, together with all unused ballots returned from the polling places. If any contest of election is pending at such time in which such ballots may be required as evidence, and such election authority has notice thereof the same shall not be destroyed until after such contest is finally determined.

Where voting machines or electronic voting systems are used, the provisions of this section may be modified as required or authorized by Article 24 or Article 24A,¹ whichever is applicable.

Amended by P.A. 83-1362, Art. II, § 55, eff. Sept. 11, 1984.

¹ Paragraphs 24-1 et seq. or 24A-1 et seq. of this chapter.

Article II of P.A. 83-1362, the First 83rd General Assembly Combining Revisory Act, resolved multiple actions in the 83rd General Assembly.

17-21. Tally sheet and certificate of results

§ 17-21. When the votes shall have been examined and counted, the judges shall set down on a sheet or return form to be supplied to them, the name of every person voted for, written or printed at full length, the office for which such person received such votes, and the number he did receive and such additional information as is necessary to complete, as nearly as circumstances will admit, the following form, to-wit:

TALLY SHEET AND CERTIFICATE OF RESULTS

We do hereby certify that at the election held in the precinct hereinafter (general or special) specified on the day of in the year of our Lord, one thousand nine hundred and, a total of voters requested and received ballots and we do further certify:

Number of blank ballots delivered to us
Number of absentee ballots delivered to us
Total number of ballots delivered to us

Number of blank and spoiled ballots returned.

- (1) Total number of ballots cast (in box)....
 - Straight Republican ballots cast
 - Straight Democratic ballots cast
 - Straight ballots of other parties cast
 - Split ballots cast
 - Defective and Objected To ballots sealed in envelope
- (2) Total number of ballots cast (in box)
Line (2) equals line (1)

We further certify that each of the candidates for representative in the General Assembly received the number of votes ascribed to him on the separate tally sheet.

We further certify that each candidate received the number of votes set forth opposite his name or in the box containing his name on the tally sheet contained in the page or pages immediately following our signatures.

The undersigned actually served as judges and counted the ballots at the election on the day of in the precinct of the (1) *township of, or (2) *City of, or (3) *.... ward in the city of and the polls were opened at 6:00 A.M. and closed at 7:00 P.M. Certified by us.

* Fill in either (1), (2) or (3)

A B, (Address)

C D, (Address)

E F, (Address)

G H, (Address)

I J, (Address) Each tally sheet shall be in substantially one of the following forms:

Name of office	Candidates Names	Number of Straight Votes	Number of Split Votes	Candidate's Total Vote	5	10	15	20
United States Senator	John Smith	66	17	77			11	

Name of office	Names of candidates and total vote for each	5	10	15	20
For United States Senator	John Smith No. of Straight votes..... No. of other votes..... Total Vote.....				

Amended by P.A. 84-861, § 2, eff. Sept. 23, 1985.

17-22. Tally sheets and certificates of results—Sealing—Disposition of sealed envelopes

§ 17-22. The judges of election shall make the tally sheet and certificate of results in triplicate. If, however, the number of established political parties, as defined in Section 10-2, exceeds 2, one additional copy shall be made for each established political party in excess of 2. One list of voters, or other proper return with such certificate written thereon, and accompanying tally sheet footed up so as to show the correct number of votes cast for each person voted for, shall be carefully enveloped and sealed up by the judges of election, 2 of whom (one from each of the 2 major political parties) shall immediately deliver same to the county clerk, or his deputy, at the office of the county clerk, or to an officially designated receiving station established by the county clerk where a duly autho-

rized representative of the county clerk shall receive said envelopes for immediate transmission to the office of county clerk, who shall safely keep them. The other certificates of results and accompanying tally sheet shall be carefully enveloped and sealed up and duly directed, respectively, to the chairman of the county central committee of each then existing established political party, and by another of the judges of election deposited immediately in the nearest United States letter deposit. However, if any county chairman notifies the county clerk not later than 10 days before the election of his desire to receive the envelope addressed to him at the point and at the time same are delivered to the county clerk, his deputy or receiving station designee the envelopes shall be delivered to such county chairman or his designee immediately upon receipt thereof by the county clerk, his deputy or his receiving station designee. The person or persons so designated by a county chairman shall sign an official receipt acknowledging receipt of said envelopes. The poll book and tally list filed with the county clerk shall be kept one year, and certified copies thereof shall be evidence in all courts, proceedings and election contests. Before the returns are sealed up, as aforesaid, the judges shall compare the tally papers, footings and certificates and see that they are correct and duplicates of each other, and certify to the correctness of the same.

At the nonpartisan and consolidated elections, the judges of election shall make a tally sheet and certificate of results for each political subdivision for which candidates or public questions are on the ballot at such election, and shall sign, seal in a marked envelope and deliver them to the county clerk with the other certificates of results herein required. Such tally sheets and certificates of results may be duplicates of the tally sheet and certificate of results otherwise required by this Section, showing all votes for all candidates and public questions voted for or upon in the precinct, or may be on separate forms prepared by the election authority and showing only those votes cast for candidates and public questions of each such political subdivision.

Within 2 days of delivery of complete returns of the consolidated and nonpartisan elections, the county clerk shall transmit an original, sealed tally sheet and certificate of results from each precinct in his jurisdiction in which candidates or public questions of a political subdivision were on the ballot to the local election official of such political subdivision. Each local election official, within 24 hours of receipt of all of the tally sheets and certificates of results for all precincts in which candidates or public questions of his political subdivision were on the ballot, shall transmit such sealed tally sheets and certificates of results to the canvassing board for that political subdivision.

In the case of referenda for the formation of a political subdivision, the tally sheets and certificates of results shall be transmitted by the county clerk to the circuit court that ordered the proposition submitted or to the officials designated by the court to conduct the canvass of votes. In the case of school referenda for which a regional superintendent of schools is responsible for the canvass of votes, the county clerk shall transmit the tally sheets and certificates of results to the regional superintendent of schools.

Where voting machines or electronic voting systems are used, the provisions of this section may be modified as

required or authorized by Article 24 or Article 24A,¹ whichever is applicable.

Amended by P.A. 80-1469, § 2, eff. Dec. 1, 1980.

¹ Paragraph 24-1 et seq. or 24A-1 et seq. of this chapter.

17-22.1. Certificate of judges upon designation of substitutes

§ 17-22.1. Whenever a substitute judge is designated pursuant to Section 13-7 or Section 14-6 of this Act, the remaining judges shall sign a certificate setting forth the pertinent facts and shall transmit such certificate to the county clerk or board of election commissioners with the tally sheets.

Added by Laws 1959, p. 1083, eff. July 15, 1959.

17-23. Pollwatchers—Credentials—Candidate credentials—Absentee ballots

§ 17-23. Pollwatchers in a general election shall be authorized in the following manner:

(1) Each established political party shall be entitled to appoint two pollwatchers per precinct. Such pollwatchers must be affiliated with the political party for which they are pollwatching. For all elections, except as provided in subsection (4), one pollwatcher must be registered to vote from a residence in the county in which he is pollwatching. The second pollwatcher must be registered to vote from a residence in the precinct or ward in which he is pollwatching.

(2) Each candidate shall be entitled to appoint two pollwatchers per precinct. For all elections, one pollwatcher must be registered to vote from a residence in the county in which he is pollwatching. The second pollwatcher must be registered to vote from a residence in the precinct or ward in which he is pollwatching.

(3) Each organization of citizens within the county or political subdivision, which has among its purposes or interests the investigation or prosecution of election frauds, and which shall have registered its name and address and the name and addresses of its principal officers with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. For all elections, such pollwatcher must be registered to vote from a residence in the county in which he is pollwatching.

(4) In any general election held to elect candidates for the offices of a municipality of less than 3,000,000 population that is situated in 2 or more counties, a pollwatcher who is a resident of a county in which any part of the municipality is situated shall be eligible to serve as a pollwatcher in any poll located within such municipality, provided that such pollwatcher otherwise complies with the respective requirements of subsections (1) through (3) of this Section and is a registered voter whose residence is within the municipality.

(5) Each organized group of proponents or opponents of a ballot proposition, which shall have registered the name and address of its organization or committee and the name and address of its chairman with the proper election authority at least 40 days before the election, shall be entitled to appoint one pollwatcher per precinct. Such pollwatcher must be registered to vote from a residence in the county in which the ballot proposition is being voted upon.

All pollwatchers shall be required to have proper credentials. Such credentials shall be printed in sufficient quantities, shall be issued by and under the facsimile signature(s) of the election authority and shall be available for distribution at least 2 weeks prior to the election. Such credentials shall be authorized by the real or facsimile signature of the State or local party official or the candidate or the presiding officer of the civic organization or the chairman of the proponent or opponent group, as the case may be.

Pollwatcher credentials shall be in substantially the following form:

POLLWATCHER CREDENTIALS

TO THE JUDGES OF ELECTION:

In accordance with the provisions of the Election Code, the undersigned hereby appoints (name of pollwatcher) who resides at (address) in the county of (township or municipality) of (name), State of Illinois and who is duly registered to vote from this address, to act as a pollwatcher in the precinct of the ward (if applicable) of the (township or municipality) of at the election to be held on, 19... (date).

.....
(Signature of Appointing Authority)

.....
TITLE (party official, candidate, civic organization president, proponent or opponent group chairman)

Under penalties provided by law pursuant to Section 29-10 of The Election Code, the undersigned pollwatcher certifies that he or she resides at (address) in the county of (township or municipality) of (name), State of Illinois, and is duly registered to vote from that address.

.....
(Precinct and/or Ward in Which Pollwatcher Resides) (Signature of Pollwatcher)

Pollwatchers must present their credentials to the Judges of Election upon entering the polling place. Pollwatcher credentials properly executed and signed shall be proof of the qualifications of the pollwatcher authorized thereby. Such credentials are retained by the Judges and returned to the Election Authority at the end of the day of election with the other election materials. Once a pollwatcher has surrendered a valid credential, he may leave and reenter the polling place provided that such continuing action does not disrupt the conduct of the election. Pollwatchers may be substituted during the course of the day, but established political parties, candidates and qualified civic organizations can have only as many pollwatchers at any given time as are authorized in this Article. A substitute must present his signed credential to the judges of election upon entering the polling place. Election authorities must provide a sufficient number of credentials to allow for substitution of pollwatchers. After the polls have closed pollwatchers shall be allowed to remain until the canvass of votes is completed; but may leave and

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the office of State Senator for the primary in the next even-numbered year following commencement of the term of office in which such vacancy occurs, the time for filing nomination papers for such office for the primary shall be not more than 91 days and not less than 85 days prior to the date of the primary election.

(3) If the vacancy in office occurs after the last day provided in Section 8-9 for filing nomination papers for the office of State Senator, a vacancy in nomination shall be deemed to have occurred and the legislative committee of each established political party shall nominate, by resolution, a candidate to fill such vacancy in nomination for the election to such office at such general election. In the proceedings to fill the vacancy in nomination the voting strength of the members of the legislative committee shall be as provided in Section 8-6. The name of the candidate so nominated shall not appear on the ballot at the general primary election. Such vacancy in nomination shall be filled prior to the date of certification of candidates for the general election.

(4) The resolution to fill the vacancy shall be duly acknowledged before an officer qualified to take acknowledgments of deeds and shall include, upon its face, the following information:

(a) the names of the original nominee and the office vacated;

(b) the date on which the vacancy occurred;

(c) the name and address of the nominee selected to fill the vacancy and the date of selection.

The resolution to fill the vacancy shall be accompanied by a Statement of Candidacy, as prescribed in Section 7-10, completed by the selected nominee and a receipt indicating that such nominee has filed a statement of economic interests as required by the Illinois Governmental Ethics Act.¹

The provisions of Sections 10-8 through 10-10.1 relating to objections to nomination papers, hearings on objections and judicial review, shall also apply to and govern objections to nomination papers and resolutions for filling vacancies in nomination filed pursuant to this Section.

Unless otherwise specified herein, the nomination and election provided for in this Section shall be governed by this Code.

Added by P.A. 84-790, § 1, eff. Sept. 21, 1985.

¹ Chapter 127, ¶ 601-101 et seq.

ARTICLE 8A. NOMINATION AND ELECTION OF REPRESENTATIVES IN THE GENERAL ASSEMBLY FROM THE STATE AT LARGE

8A-1 to 8A-19. (L.1964, First Sp.Sess., p. 711). Repealed by P.A. 77-920, § 1, eff. Aug. 17, 1971.

ARTICLE 9. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

Former Article 9, consisting of §§ 9-1 to 9-6, relating to nomination of judges, was replaced by Laws 1967, p. 7719, § 2, eff. July 1, 1967 and P.A. 77-1805, § 2, eff. Jan. 13, 1972.

Paragraph
9-1. Definitions.

- Paragraph
- 9-1.1. Board.
- 9-1.2. Repealed.
- 9-1.3. Candidate.
- 9-1.4. Contribution.
- 9-1.5. Expenditure.
- 9-1.6. Person or whoever.
- 9-1.7. Local political committee.
- 9-1.8. State political committee.
- 9-1.9. Political committee.
- 9-1.10. Public office.
- 9-1.11. Public official.
- 9-1.12. Anything of value.
- 9-1.13. Transfer of funds.
- 9-2. Officers of political committees—Vacancies—Contributions and expenditures.
- 9-3. Statement of organization—Filing.
- 9-4. Contents of statement of organization.
- 9-5. Changes in statement of organization—Final report upon dissolution—Refund of contributions.
- 9-6. Accounting for contributions.
- 9-7. Treasurer's account of contributions—Preservation.
- 9-8. Soliciting, receiving contributions or making expenditures without authority of candidate—Notice.
- 9-9. Notice on all literature and advertisements soliciting funds.
- 9-10. Reports of campaign contributions—Semi-annual Reports—Preservation.
- 9-11. Contents of reports.
- 9-12. Form of reports.
- 9-13. Disclosure in semi-annual reports.
- 9-14. Form of semi-annual report.
- 9-15. Duties of board.
- 9-16. Duties of board and county clerks.
- 9-17. Public examination and copying of statements and reports—Violations.
- 9-18. Investigations, inquiries, and hearings.
- 9-19. Employment of investigators, examiners, and hearing officers—Delegation of duties or functions.
- 9-20. Verified complaint of violations of this Article.
- 9-21. Closed preliminary hearing upon complaint—Public hearing—Orders and judgment—Disposal or withdrawal of complaint.
- 9-22. Review under Administrative Review Law.
- 9-23. Violations and failure to comply—Civil penalties—Report to Attorney General and State's Attorney.
- 9-24. Orders compelling compliance or prohibiting violations by the Circuit Court.
- 9-25. Anonymous contributions or in name of another prohibited.
- 9-26. Willful failure to file or filing of false or incomplete information—Penalty—Prosecution.
- 9-27. Venue.

Article 9 was added by P.A. 78-1183.

Effective Date

Section 5 of P.A. 78-1183, approved on Sept. 3, 1974, provided: "This amendatory Act takes effect upon becoming a law. However, the provisions of this amendatory Act with respect to obligations imposed upon local political committees and county clerks in Article 9 of The

Election Code shall take effect on January 1, 1975, and the provisions of this amendatory Act with respect to obligations imposed upon State political committees shall take effect on October 1, 1974. No statement or report filed under this amendatory Act need disclose contributions and expenditures made prior to the applicable effective date."

9-1. Definitions

§ 9-1. As used in this Article, unless the context otherwise requires, the terms defined in Sections 9-1.1 through 9-1.13, have the respective meanings as defined in those Sections.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-1.1. Board

§ 9-1.1. "Board" means the State Board of Elections. Added by P.A. 78-1183, § 1.

9-1.2. § 9-1.2. Repealed by P.A. 86-873, § 9, eff. Sept. 8, 1989.

9-1.3. Candidate

§ 9-1.3. "Candidate" means any person who seeks nomination for election, election to or retention in public office, whether or not such person is elected. A person seeks nomination for election, election or retention if he (1) takes the action necessary under the laws of this State to attempt to qualify for nomination for election, election to or retention in public office, or (2) receives contributions or makes expenditures, or gives consent for any other person to receive contributions or make expenditures with a view to bringing about his nomination for election or election to or retention in such office.

Amended by P.A. 83-259, § 1, eff. Jan. 1, 1984.

9-1.4. Contribution

§ 9-1.4. "Contribution" means—

(1) a gift, subscription, donation, dues, loan, advance, or deposit of money or anything of value, knowingly received in connection with the nomination for election, or election, of any person to public office, or in connection with any question of public policy;

(2) the purchase of tickets for fund-raising events, including but not limited to dinners, luncheons, cocktail parties, and rallies made in connection with the nomination for election, or election, of any person to public office, or in connection with any question of public policy;

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

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

(5) does not include—

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

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

Amended by P.A. 80-1166, § 1, eff. Jan. 4, 1978.

9-1.5. Expenditure

§ 9-1.5. "Expenditure" means—

(1) a payment, distribution, purchase, loan, advance, deposit, or gift of money or anything of value, in connection with the nomination for election, or election, of any person to public office or in connection with any question of public policy. However, expenditure does not include—

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

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

(2) a transfer of funds between political committees.

Amended by P.A. 80-1165, § 1, eff. Jan. 4, 1978.

9-1.6. Person or whoever

§ 9-1.6. "Person" or "whoever" means an individual, trust, partnership, committee, association, corporation, or any other organization or group of persons.

Added by P.A. 78-1183, § 1.

9-1.7. Local political committee

§ 9-1.7. "Local political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or any other organization or group of persons which—

(a) accepts contributions or grants or makes expenditures during any 12-month period in an aggregate amount exceeding \$1,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act¹ to file statements of economic interests with the county clerk,

(b) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$1,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing no more than one county, or

(c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$1,000 and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who

are required by the Illinois Governmental Ethics Act to file statements of economic interest with the County Clerk.
Added by P.A. 78-1183, § 1.

1 Chapter 127, ¶ 601-101 et seq.

9-1.8. State political committee

§ 9-1.8. "State political committee" means the candidate himself or any individual, trust, partnership, committee, association, corporation, or any other organization or group of persons which—

(a) accepts contributions or grants or makes expenditures during any 12-month period in an aggregate amount exceeding \$1,000 on behalf of or in opposition to a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act to file statements of economic interests with the Secretary of State,

(b) 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 of an area encompassing more than one county, or

(c) accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$1,000 (\$3,000 in the case of question of public policy to be submitted to the electors of an area encompassing more than one county) and has as its primary purpose the furtherance of governmental, political or social values, is organized on a not-for-profit basis, and which publicly endorses or publicly opposes a candidate or candidates for public office who are required by the Illinois Governmental Ethics Act¹ to file statements of economic interest with the Secretary of State.

Amended by P.A. 80-1495, § 22, eff. Jan. 8, 1979.

¹ Chapter 127, ¶ 601-101 et seq.

9-1.9. Political committee

§ 9-1.9. "Political committee" includes State central and county central committees of any political party, and also includes local political committees and state political committees, but does not include any candidate who does not accept contributions or make expenditures during any 12-month period in an aggregate amount exceeding \$1,000, nor does it include, with the exception of State central and county central committees of any political party, any individual, trust, partnership, committee, association, corporation, or any other organization or group of persons which does not accept contributions or make expenditures during any 12-month period in an aggregate amount exceeding \$1,000 on behalf of or in opposition to a candidate or candidates or to any question of public policy to be submitted to the electors of an area encompassing no more than one county (or \$3,000 in support of or in opposition to any question of public policy to be submitted to the electors of an area encompassing more than one county), and such candidates and persons shall not be required to comply with any filing provisions in this Article.

Amended by P.A. 80-767, § 1, eff. Sept. 18, 1977.

9-1.10. Public office

§ 9-1.10. "Public office" means any elective office for which candidates are required to file statements of economic

interests under the "Illinois Governmental Ethics Act", approved August 26, 1967, as amended.¹

Added by P.A. 78-1183, § 1.

¹ Chapter 127, ¶ 601-101 et seq.

9-1.11. Public official

§ 9-1.11. "Public official" means any person who is elected or appointed to public office.

Added by P.A. 78-1183, § 1.

9-1.12. Anything of value

§ 9-1.12. Anything of value includes all things, services, or goods, regardless of whether they may be valued in monetary terms according to ascertainable market value. Anything of value which does not have an ascertainable market value may be reported by describing the thing, services, or goods contributed.

Added by P.A. 78-1183, § 1.

9-1.13. Transfer of funds

§ 9-1.13. "Transfer of funds" means any conveyance of money or the purchase of tickets made in connection with the nomination for election, election or retention of any person to or in public office or in connection with any question of public policy from one political committee to another political committee.

Added by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-2. Officers of political committees—Vacancies—Contributions and expenditures

§ 9-2. Every political committee shall designate a chairman and a treasurer. The same person may serve as both chairman and treasurer of any political committee. A candidate who administers his own campaign contributions and expenditures shall be deemed a political committee for purposes of this Article and shall designate himself as chairman, treasurer, or both chairman and treasurer of such political committee. The treasurer of a political committee shall be responsible for keeping the records and filing the statements and reports required by this Article.

No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

Amended by P.A. 80-756, § 1, eff. Oct. 1, 1977.

9-3. Statement of organization—Filing

§ 9-3. Every state political committee and every local political committee shall file with the State Board of Elections, and every local political committee shall file with the county clerk, a statement of organization within 30 days of the creation of such committee. A political committee that acts as both a state political committee and a local political committee shall file a copy of each statement of organization with the State Board of Elections and the county clerk.

The statement of organization shall include—

- (a) the name and address of the political committee;
- (b) the scope, area of activity, party affiliation, candidate affiliation and his county of residence, and purposes of the political committee;
- (c) the name, address, and position of each custodian of the committee's books and accounts;
- (d) the name, address, and position of the committee's principal officers, including the chairman, treasurer, and officers and members of its finance committee, if any;
- (e) a statement whether the committee is a continuing one;
- (f) a statement of what specific disposition of residual fund will be made in the event of the dissolution or termination of the committee;
- (g) a listing of all banks or other financial institutions, safety deposit boxes, and any other repositories or custodians of funds used by the committee;
- (h) the amount of funds available for campaign expenditures as of the filing date of the committee's statement of organization.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-4. Contents of statement of organization

§ 9-4. The statement of organization required by this Article to be filed in accordance with Section 9-3 shall be verified, dated, and signed by either the treasurer of the political committee making the statement or the candidate on whose behalf the statement is made, and shall contain substantially the following:

STATEMENT OF ORGANIZATION

- (a) name and address of the political committee:
- (b) scope, area of activity, party affiliation, candidate affiliation and his county of residence, and purposes of the political committee:
- (c) name, address, and position of each custodian of the committee's books and accounts:
- (d) name, address, and position of the committee's principal officers, including the chairman, treasurer, and officers and members of its finance committee, if any:
- (e) a statement whether the committee is a continuing one:
- (f) a statement of what specific disposition of residual funds will be made in the event of the dissolution or termination of the committee:

- (g) a listing of all banks or other financial institutions, safety deposit boxes, and any other repositories or custodians of funds used by the committee:
- (h) the amount of funds available for campaign expenditures as of the filing date of the committee's statement of organization:

VERIFICATION:

"I declare that this statement of organization (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of organization as required by Article 9 of The Election Code. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$500 or imprisonment in a penal institution other than the penitentiary not to exceed 6 months, or both fine and imprisonment."

.....
 (date of filing) (signature of person making the statement)

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-5. Changes in statement of organization—Final report upon dissolution—Refund of contributions

§ 9-5. Any change in information previously submitted in a statement of organization except for information submitted under Section 9-3(h) shall be reported, as required of statements of organization by Section 9-3 of this Article, within 10 days following such change.

Any political committee which, after having filed a statement of organization, dissolves as a political committee or determines that it will no longer receive any campaign contributions nor make any campaign expenditures shall notify the Board, or the Board and the county clerk, as required of statements of organization by Section 9-3 of this Article, of that fact and file with the Board, or the Board and the county clerk, as required of statements of organization by Section 9-3 of this Article, a final report with respect to its contributions and expenditures, including the final disposition of its funds.

In the event that a political committee dissolves, all contributions in its possession, after payment of the committee's outstanding liabilities, including staff salaries, shall be refunded to the contributors in amounts not exceeding their individual contributions, or transferred to other political or charitable organizations consistent with the positions of the committee or the candidates it represented. In no case shall these funds be used for the personal aggrandizement of any committee member or campaign worker.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-6. Accounting for contributions

§ 9-6. Every person who receives a contribution in excess of \$20 for a political committee shall, on demand of the treasurer, and in any event within 5 days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and address of the person making such contribution, and the date on which it was received.

All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

Added by P.A. 78-1183, § 1.

9-7. Treasurer's account of contributions—Preservation

§ 9-7. The treasurer of a political committee shall keep a detailed and exact account of—

(a) the total of all contributions made to or for the committee;

(b) the full name and mailing address of every person making a contribution in excess of \$20 and the date and amount thereof;

(c) the total of all expenditures made by or on behalf of the committee;

(d) the full name and mailing address of every person to whom any expenditure in excess of \$20 is made, and the date and amount thereof;

(e) proof of payment, stating the particulars, for every expenditure in excess of \$20 made by or on behalf of the committee.

The treasurer shall preserve all records and accounts required by this section for a period of 2 years.

Amended by P.A. 79-293, § 1, eff. Oct. 1, 1975.

9-8. Soliciting, receiving contributions or making expenditures without authority of candidate—Notice

§ 9-8. Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published and following all commercials broadcast, in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.

Added by P.A. 78-1183, § 1.

9-9. Notice on all literature and advertisements soliciting funds

§ 9-9. Any State political committee shall include on all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the State Board of Elections is (or will be) available for purchase from the State Board of Elections, Springfield, Illinois."

Any local political committee shall include on all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the county clerk is (or will be) available for purchase from the county clerk, (county clerk's address), Illinois."

Any political committee that acts as both a state political committee and a local political committee shall include on all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the State Board of Elections and the county clerk is (or will be) available for purchase from the State Board of Elections, Springfield, Illinois, and from the county clerk, (county clerk's address), Illinois."

Amended by P.A. 83-259, § 1, eff. Jan. 1, 1984.

9-10. Reports of campaign contributions—Semi-annual Reports—Preservation

§ 9-10. The treasurer of every state political committee and the treasurer of every local political committee shall file with the Board, and the treasurer of every local political committee shall file with the county clerk, reports of campaign contributions and expenditures on forms to be prescribed or approved by the Board. The treasurer of every political committee that acts as both a state political committee and a local political committee shall file a copy of each report with the State Board of Elections and the county clerk.

Reports of campaign contributions shall be filed no later than the 15th day next preceding each election including a primary election in connection with which the political committee has accepted or is accepting contributions or has made or is making expenditures. Such reports shall be complete as of the 30th day next preceding each election including a primary election, except that any contribution of \$500 or more received in the interim between the last date of the period covered by the last report filed prior to the election and the date of the election shall be reported within 2 business days after its receipt. However, a continuing political committee that neither accepts contributions nor makes expenditures on behalf of or in opposition to any candidate or public question on the ballot at an election shall not be required to file the reports heretofore prescribed but may file in lieu thereof a Statement of Nonparticipation in the Election with the Board or the Board and the county clerk.

In addition to such reports the treasurer of every political committee shall file semi-annual reports of campaign contributions and expenditures no later than July 31st, covering the period from January 1st through June 30th immediately preceding, and no later than January 31st, covering the period from July 1st through December 31st of the preceding calendar year. Reports of contributions and expenditures must be filed to cover the prescribed time periods even though no contributions or expenditures may have been received or made during the period.

A copy of each report or statement filed under this Article shall be preserved by the person filing it for a period of two years from the date of filing.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-11. Contents of reports

§ 9-11. Each report of campaign contributions under Section 9-10 shall disclose—

- (1) the name and address of the political committee;
- (2) the scope, area of activity, party affiliation, candidate affiliation, and purposes of the political committee;
- (3) the amount of funds on hand at the beginning of the reporting period;
- (4) the full name and mailing address of each person who has made one or more contributions to or for such committee within the reporting period in an aggregate amount or value in excess of \$150, together with the amount and date of such contributions;
- (5) the total sum of individual contributions made to or for such committee during the reporting period and not reported under item (4);
- (6) the name and address of each political committee from which the reporting committee received, or to which that committee made, any transfer of funds, in any aggregate amount or value in excess of \$150, together with the amounts and dates of all transfers;
- (7) the total sum of transfers made to or from such committee during the reporting period and not reported under item (6);
- (8) each loan to or from any person within the reporting period by or to such committee in an aggregate amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loans;
- (9) the total amount of proceeds received by such committee from (a) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund-raising events; (b) mass collections made at such events; and (c) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;
- (10) each contribution, rebate, refund, or other receipt in excess of \$150 received by such committee not otherwise listed under items (4) through (9);
- (11) the total sum of all receipts by or for such committee or candidate during the reporting period.

The reports of campaign contributions filed under this Article shall be cumulative during the reporting period to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-12. Form of reports

§ 9-12. Each report of campaign contributions required by Section 9-10 of this Article to be filed with the Board or the Board and the county clerk shall be verified, dated, and signed by either the treasurer of the political

committee making the report or the candidate on whose behalf the report is made, and shall contain substantially the following:

REPORT OF CAMPAIGN CONTRIBUTIONS

- (1) name and address of the political committee:
- (2) scope, area of activity, party affiliation, candidate affiliation, and purposes of the political committee:
- (3) the date of the beginning of the reporting period, and the amount of funds on hand at the beginning of the reporting period:
- (4) the full name and mailing address of each person who has made one or more contributions to or for the committee within the reporting period in an aggregate amount or value in excess of \$150, together with the amount and date of such contributions:

name	address	amount	date
.....
.....
.....
.....

- (5) the total sum of individual contributions made to or for the committee during the reporting period and not reported under item (4)—
- (6) the name and address of each political committee from which the reporting committee received, or to which that committee made, any transfer of funds, in an aggregate amount or value in excess of \$150, together with the amounts and dates of all transfers:

name	address	amount	date
.....
.....
.....

- (7) the total sum of transfers made to or from such committee during the reporting period and not under item (6):
- (8) each loan to or from any person within the reporting period by or to the committee in an aggregate amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loans:
- (9) the total amount of proceeds received by the committee from (a) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund-raising events; (b) mass collections made at such events; and (c) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials:
 - (a)
 - (b)
 - (c)
- (10) each contribution, rebate, refund, or other receipt in excess of \$150 received by the committee not otherwise listed under items (4) through (9):

name	address	amount	date
.....
.....

(11) the total sum of all receipts by or for the committee during the reporting period:

VERIFICATION:

"I declare that this report of campaign contributions (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete report as required by Article 9 of The Election Code. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$500 or imprisonment in a penal institution other than the penitentiary not to exceed 6 months, or both fine and imprisonment."

(date of filing) (signature of person making the report)
Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-13. Disclosure in semi-annual reports

§ 9-13. Each semi-annual report of campaign contributions and expenditures under Section 9-10 shall disclose—

- (1) the name and address of the political committee;
- (2) the scope, area of activity, party affiliation, candidate affiliation, and purposes of the political committee;
- (3) the amount of funds on hand at the beginning of the reporting period;
- (4) the full name and mailing address of each person who has made one or more contributions to or for such committee within the reporting period in an aggregate amount or value in excess of \$150, together with the amount and date of such contributions;
- (5) the total sum of individual contributions made to or for such committee during the reporting period and not reported under item (4);
- (6) the name and address of each political committee from which the reporting committee received, or to which that committee made, any transfer of funds, in the aggregate amount or value in excess of \$150, together with the amounts and dates of all transfers;
- (7) the total sum of transfers made to or from such committee during the reporting period and not reported under item (6);
- (8) each loan to or from any person within the reporting period by or to such committee in an aggregate amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loans;
- (9) the total amount of proceeds received by such committee from (a) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund-raising events; (b) mass collections made at such events; and (c) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(10) each contribution, rebate, refund, or other receipt in excess of \$150 received by such committee not otherwise listed under items (4) through (9);

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

(12) the full name and mailing address of each person to whom expenditures have been made by such committee or candidate within the reporting period in an aggregate amount or value in excess of \$150, the amount, date, and purpose of each such expenditure and the question of public policy or the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(13) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$150 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(14) the total sum of expenditures made by such committee during the reporting period;

(15) the full name and mailing address of each person to whom the committee owes debts or obligations in excess of \$150, and the amount of such debts or obligations.
Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-14. Form of semi-annual report

§ 9-14. Each semi-annual report of campaign contributions and expenditures required by Section 9-10 of this Article to be filed with the Board or the Board and the county clerk shall be verified, dated, and signed by either the treasurer of the political committee making the report or the candidate on whose behalf the report is made, and shall contain substantially the following:

SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

- (1) name and address of the political committee:
.....
- (2) scope, area of activity, party affiliation, candidate affiliation, and purposes of the political committee:
- (3) the date of the beginning of the reporting period, and the amount of funds on hand at the beginning of the reporting period:
.....
- (4) the full name and mailing address of each person who has made one or more contributions to or for the committee within the reporting period in an aggregate amount or value in excess of \$150, together with the amount and date of such contributions:

name	address	amount	date
.....
.....
.....
.....

(5) the total sum of individual contributions made to or for the committee during the reporting period and not reported under item—(4):

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

name	address	amount	date
.....
.....
.....

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

(8) each loan to or from any person within the reporting period by or to the committee in an aggregate amount or value in excess of \$150, together with the full names and mailing addresses of the lender and endorsers, if any, and the date and amount of such loans:

name	address	amount	date	endorsers
.....
.....
.....

(9) the total amount of proceeds received by the committee from (a) the sale of tickets for each dinner, luncheon, cocktail party, rally, and other fund-raising events; (b) mass collections made at such events; and (c) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials:

- (a)
- (b)
- (c)

(10) each contribution, rebate, refund, or other receipt in excess of \$150 received by the committee not otherwise listed under items (4) through (9):

name	address	amount	date
.....
.....
.....

(11) the total sum of all receipts by or for the committee during the reporting period:

(12) the full name and mailing address of each person to whom expenditures have been made by the committee within the reporting period in an aggregate amount or value in excess of \$150, the amount, date, and purpose of each such expenditure, and the question of public policy or the name and address of, and office sought by, each candidate on whose behalf the expenditure was made:

name	address	amount	date	purpose	beneficiary
.....
.....
.....

(13) the full name and mailing address of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$150 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure:

name	address	amount	date	purpose
.....
.....
.....

(14) the total sum of expenditures made by the committee during the reporting period;

(15) the full name and mailing address of each person to whom the committee owes debts or obligations in excess of \$150, and the amount of such debts or obligations:

VERIFICATION:

"I declare that this semi-annual report of campaign contributions and expenditures (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete report as required by Article 9 of The Election Code. I understand that the penalty for willfully filing a false or incomplete report shall be a fine not to exceed \$500 or imprisonment in a penal institution other than the penitentiary not to exceed 6 months, or both fine and imprisonment."

.....
(date of filing) (signature of person making the report)

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:
"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-15. Duties of board

§ 9-15. It shall be the duty of the Board—

(1) to develop prescribed forms for notice to political committees of their obligations under this Article and for identification of persons examining statements or reports filed under this Article, and to supply such forms, and the forms for filing statements of organization, reports of campaign contributions, and annual reports of campaign contributions and expenditures to the appropriate persons and election authorities;

(2) to prepare, publish, and furnish to the appropriate persons and election authorities a manual of instructions setting forth recommended uniform methods of book-keeping and reporting under this Article;

(3) to prescribe suitable rules and regulations to carry out the provisions of this Article. Such rules and regulations shall be published and made available to the public at reasonable cost. The Board may determine which of its prescribed rules and regulations shall be binding on the county clerks in carrying out their duties under this Article;

(4) to send by first class mail, after the general primary election in even numbered years, to the chairman of each

regularly constituted State central committee, county central committee and, in counties with a population of more than 3,000,000, to the committeemen of each township and ward organization of each political party notice of their obligations under this Article, along with a form for filing the statement of organization.

Amended by P.A. 86-873, § 8, eff. Sept. 8, 1989.

9-16. Duties of board and county clerks

§ 9-16. It shall be the duty of the board and of each county clerk—

(1) to make the reports and statements filed with them available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or at cost by duplicating machine, as requested by any person, at the expense of such person;

(2) to preserve such reports and statements for a period of 2 years from the date of receipt;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this Article;

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(5) to prepare and publish such reports as the board or county clerk may deem appropriate;

(6) to report apparent violations of law to the appropriate law enforcement authorities; and

(7) to provide to each candidate at the time he files his nomination papers a notice of obligations under this Article. Said notice shall state that the manual of instructions and forms for the statements required to be filed under this Article are available from the Board or the county clerk upon request. Said notice shall be given each candidate by the Board or county clerk and the candidate shall receipt therefor. However, if a candidate files his nomination papers by mail or if an agent of the candidate files nomination papers on behalf of the candidate, the Board or the county clerk shall within 2 business days of the day and hour endorsed on the petition send such notice to the candidate by first class mail. Such notice shall briefly outline who is required to file under the campaign disclosure law and the penalties for failure to file.

Thereafter, at least 30 days before each filing date for reports of campaign contributions and for semi-annual reports of campaign contributions and expenditures, the Board shall send by first class mail to each political committee that has filed a statement of organization with the Board or the Board and the county clerk, a notice of obligations under this Article, and appropriate forms for filing the report. The notice shall contain a statement that the manual of instructions is available from the Board or the county clerk upon request.

The board or the appropriate clerk shall preserve the receipts for said packets and notices for a period of 2 years from the date of receipt.

Amended by P.A. 86-873, § 8, eff. July 1, 1990.

Section 11 of P.A. 86-873, approved Sept. 8, 1989, provided:

"This Act takes effect upon becoming law, except that the amendatory changes to Sections 9-1, 9-3, 9-4, 9-5, 9-10, 9-11, 9-12, 9-13, 9-14 and 9-16 of The Election Code and Section 9-1.13 added thereto take effect July 1, 1990."

9-17. Public examination and copying of statements and reports—Violations

§ 9-17. All statements and reports filed under this Article with the Board or county clerk shall be available for examination and copying by the public at all reasonable times. Such person examining a statement or report must first fill out a form prepared by the Board identifying the examiner by name, occupation, address and telephone number, and listing the date of examination and reason for such examination. The Board shall supply such forms to the county clerks annually and replenish such forms upon request.

The Board or county clerk, as the case may be, shall promptly notify each political committee required to file a statement or report under this Article of each instance of an examination of its statement or report by sending it a duplicate original of the identification form filled out by the person examining its report.

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

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

Amended by P.A. 81-310, § 1, eff. Aug. 30, 1979.

9-18. Investigations, inquiries, and hearings

§ 9-18. The Board may hold investigations, inquiries, and hearings concerning any matter covered by this Article, subject to such rules and regulations as the Board may establish. In the process of holding such investigations, inquiries, and hearings, the Board may administer oaths and affirmations, certify to all official acts, issue subpoenas to be authorized by a vote of 5 members of the Board, compel the attendance and testimony of witnesses, and the production of papers, books, accounts, and documents. Hearings conducted by the Board shall be open to the public.

Amended by P.A. 81-1117, § 1, eff. Nov. 21, 1979.

9-19. Employment of investigators, examiners, and hearing officers—Delegation of duties or functions

§ 9-19. The Board may hire such investigators, examiners, and hearing officers as may be necessary to carry out its functions under this Article, and may by regulation delegate any of its duties or functions under Sections 9-18 and 9-21 of this Article to such persons, except that final judgments and orders shall be issued only by the Board. Reports of violations under Section 9-23 shall be made only by the Board.

Added by P.A. 78-1183, § 1.

9-20. Verified complaint of violations of this Article

§ 9-20. Any person who believes a violation of this Article has occurred may file a verified complaint with the

Board. Such verified complaint shall be directed to a candidate or the chairman or treasurer of a political committee, and shall be subject to the following requirements:

- (1) The complaint shall be in writing.
- (2) The complaint shall state the name of the candidate or chairman or treasurer of a political committee against whom the complaint is directed.
- (3) The complaint shall state the statutory provisions which are alleged to have been violated.
- (4) The complaint shall state the time, place, and nature of the alleged offense.

The complaint shall be verified, dated, and signed by the person filing the complaint in substantially the following manner:

VERIFICATION:

"I declare that this complaint (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true and correct complaint as required by Article 9 of The Election Code. I understand that the penalty for willfully filing a false complaint shall be a fine not to exceed \$500 or imprisonment in a penal institution other than the penitentiary not to exceed 6 months, or both fine and imprisonment."

.....
(date of filing)

.....
(signature of person filing the
Complaint)

Added by P.A. 78-1183, § 1.

**9-21. Closed preliminary hearing upon complaint—
Public hearing—Orders and judgment—Dispos-
al or withdrawal of complaint**

§ 9-21. Upon receipt of such complaint, the Board shall hold a closed preliminary hearing to determine whether or not the complaint appears to have been filed on justifiable grounds. Such closed preliminary hearing shall be conducted as soon as practicable after affording reasonable notice, a copy of the complaint, and an opportunity to testify at such hearing to both the person making the complaint and the person against whom the complaint is directed. If the Board determines that the complaint has not been filed on justifiable grounds, it shall dismiss the complaint without further hearing.

Whenever in the judgment of the Board, after affording due notice and an opportunity for a public hearing, any person has engaged or is about to engage in an act or practice which constitutes or will constitute a violation of any provision of this Article or any regulation or order issued thereunder, the Board shall issue an order directing such person to take such action as the Board determines may be necessary in the public interest to correct the violation. In addition, if the act or practice engaged in consists of the failure to file any required report within the time prescribed by this Article, the Board, as part of its order, shall further provide that if, within the 12-month period following the issuance of the order, such person fails to file within the time prescribed by this Article any subsequent report as may be required, such person may be subject to a civil penalty pursuant to Section 9-23. If the complaint is directed to an elected public official or to the chairman or treasurer of his political committee during a year in which that official is not a candidate seeking nomination for, election to or retention in the same or another office, the Board shall render its final judgment

within 42 days of the date the complaint is filed. If the complaint is directed to a candidate seeking nomination for, election to or retention in public office or to the chairman or treasurer of his political committee, the Board shall render its final judgment within 21 days of the date the complaint is filed; except that during the 60 days preceding the date of the election in reference to which the complaint is filed, the Board shall render its final judgment within 7 days of the date the complaint is filed, and during the 7 days preceding such election, the Board shall render such judgment before the date of such election, if possible.

At any time prior to the issuance of the Board's final judgment, the parties may dispose of the complaint by a written stipulation, agreed settlement or consent order. Any such stipulation, settlement or order shall, however, be submitted in writing to the Board and shall become effective only if approved by the Board. If the act or practice complained of consists of the failure to file any required report within the time prescribed by this Article, such stipulation, settlement or order may provide that if, within the 12-month period following the approval of such stipulation, agreement or order, the person complained of fails to file within the time prescribed by this Article any subsequent reports as may be required, such person may be subject to a civil penalty pursuant to Section 9-23.

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

Amended by P.A. 83-1362, Art. II, § 55, eff. Sept. 11, 1984.

Article II of P.A. 83-1362, the First 83rd General Assembly Combining Revisory Act, resolved multiple actions in the 83rd General Assembly.

9-22. Review under Administrative Review Law

§ 9-22. Any party to a Board hearing, any person who files a complaint on which a hearing was denied or not acted upon within the time specified in Section 9-21 of this Act, and any party adversely affected by a judgment of the Board may obtain judicial review, which shall be governed by the provisions of the Administrative Review Law, as amended, and all amendments and modifications thereof¹ and the rules adopted pursuant thereto, except that—

(1) such judicial review shall be afforded directly in the Appellate Court for the District in which the cause of action arose and not in the Circuit Court,

(2) such judicial review shall be obtained by filing a petition for review within 7 days after entry of the order of other action complained of,

(3) the time limit for filing such petition for review may be waived with the consent of all parties involved, and

(4) if such petition for review is appealing an order of the Board, the effect of such order of the Board shall not be stayed unless the Appellate Court so orders upon the motion of the petitioner and upon prior notice to the Board.

Amended by P.A. 82-783, Art. XI, § 95, eff. July 13, 1982.

¹ Chapter 110, § 3-101 et seq.

9-23. Violations and failure to comply—Civil penalties—Report to Attorney General and State's Attorney

§ 9-23. Whenever the Board, pursuant to Section 9-21, has issued an order, or has approved a written stipulation, agreed settlement or consent order, directing a person determined by the Board to be in violation of any provision of this Article or any regulation adopted thereunder, to cease or correct such violation or otherwise comply with this Article and such person fails or refuses to comply with such order, stipulation, settlement or consent order within the time specified by the Board, the Board, after affording notice and an opportunity for a public hearing, may impose a civil penalty on such person in an amount not to exceed \$1,000.

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

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

Amended by P.A. 83-540, § 1, eff. Sept. 17, 1983.

9-24. Orders compelling compliance or prohibiting violations by the Circuit Court

§ 9-24. The Board may also petition the Circuit Court to issue an order of the Court compelling compliance with an order issued by the Board, or to restrain or prohibit a person who is engaging or has engaged in acts or practices which constitute a violation of any provision of this Article from engaging in such acts or practices. If the Court finds that it has jurisdiction over the person of the alleged violator and that a violation has occurred or is occurring by reasons of the acts or practices of such person, the Court shall issue the appropriate order.

Added by P.A. 78-1183, § 1.

9-25. Anonymous contributions or in name of another prohibited

§ 9-25. No person shall make an anonymous contribution or a contribution in the name of another person, and no person shall knowingly accept any anonymous contribution or contribution made by one person in the name of another person. Anonymous contributions shall escheat to the State of Illinois. Any political committee that receives such a contribution shall forward it immediately to the State Treasurer.

Added by P.A. 78-1183, § 1.

9-26. Willful failure to file or filing of false or incomplete information—Penalty—Prosecution

§ 9-26. Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a Class B misdemeanor.

Willful filing of a false complaint under this Article shall constitute a Class B misdemeanor.

A prosecution for any offense designated by this Article shall be commenced no later than 18 months after the commission of the offense.

The appropriate State's Attorney or the Attorney General shall bring such actions in the name of the people of the State of Illinois.

Added by P.A. 78-1183, § 1.

9-27. Venue

§ 9-27. As to any civil or criminal proceedings instituted under this Article, venue shall lie in the county where the political committee was organized or in the county where the defendant resides.

Added by P.A. 78-1183, § 1.

ARTICLE 10. MAKING OF NOMINATIONS
IN CERTAIN OTHER CASES

Paragraph

- 10-1. Article limited to minor political parties and groups—Certificates of nomination.
- 10-2. "Political party" and "established party" defined—Formation of new party—Petition—Provisional organization—Committeemen.
- 10-3. Independent candidates—Nomination papers.
- 10-3.1. Nonpartisan candidates—Petitions for nomination—Application of Article.
- 10-4. Petitions for nomination—Details.
- 10-5. Forms for petitions for nomination—Statement of economic interest.
- 10-5.1. Certificates of nomination or nomination papers—Names of candidates.
- 10-6. Certificates of nomination and nomination papers—Time and manner of filing.
- 10-6.1. Obligations under Article 9 of this Act—Notice.
- 10-6.2. Filing petitions—Breaking ties—Certification of candidates.
- 10-7. Withdrawal of candidate—Name of candidate on more than one certificate—Public inspection of certificates.
- 10-8. Objections to nomination papers, public question petitions and constitutional amendment petitions.
- 10-9. Electoral boards—Hearing on objections.
- 10-10. Notice of objections—Notice of hearings—Subpoenas—Rules of procedure—Certified copy of ruling.
- 10-10.1. Decision of electoral board—Judicial review.
- 10-11. Vacancies in nomination.
- 10-11.1. State Senate—Vacancies—Nominations—Objections—Hearings—Review.
- 10-11.2. Elective county offices—Vacancies—Nominations—Objections—Hearings—Review.
- 10-12, 10-13. Repealed.
- 10-14. Certifying nominations to county clerk—Group candidates—Printing names of nominees.
- 10-15. Consolidation and nonpartisan elections—Certification of candidates.

10-1. Article limited to minor political parties and groups—Certificates of nomination

§ 10-1. Political parties as hereinafter defined and individual voters to the number and in the manner hereinafter specified may nominate candidates for public offices