

Public Act 98-0115, effective July 29, 2013, contains a number of changes to Illinois campaign disclosure law that may affect political candidates and committees in the state. Here is a brief summary:

Increased threshold for political committee filing:

The threshold for required political committee filings is now \$5,000 – up from the previous threshold of \$3,000. This means that candidates, groups or individuals who either receive contributions or make expenditures totaling more than \$5,000 in any 12-month period in support of or opposition to a candidate or question of public policy or for electioneering communication must file a Statement of Organization (Form D-1) with the State Board of Elections. This filing is normally required within 10 business days of exceeding the threshold, but must be filed within 2 business days if the threshold is exceeded in the 30 day period before an election. *The increase in the filing threshold applies only to committees created 7/29/13 or later – committees already on file with the Board are not affected, even if they have not yet reached the \$5,000 threshold.*

Changes affecting self-funding candidates:

If a candidate or their immediate family contributes more than \$250,000 (for statewide offices) or \$100,000 (for all other elective offices) to the candidate’s campaign in a single election cycle, the candidate is considered to be “self-funding”, requiring filing of a Notification of Self-Funding within one day and resulting in the lifting of contribution limits for all candidates running for the same office.

Once a candidate files a Notification of Self-Funding with the Board, the Board will give official notice to all candidates running for the same office via first class mail to each candidate and their committee treasurer, via e-mail (if the candidate and treasurer have provided an email address), and by posting a notice on the Board’s website, www.elections.il.gov. The removal of contribution limits for that race takes effect as soon as the notice is posted on the website. If the Notification of Self-Funding is filed during a primary election cycle, the removal of contribution limits will continue through the general or consolidated election cycle, provided the candidate who filed the notification wins the primary election.

Changes involving contribution limits being lifted as a result of independent expenditures:

If an individual or independent expenditure committee makes independent expenditures in an election race totaling more than \$250,000 (for statewide offices) or \$100,000 (for all other elective offices), they must file notice with the Board within 2 business days, and contribution limits will be lifted for all candidates in the same race. The Board may also make the determination that a combination of independent expenditure spending by individuals or independent expenditure committees involving a particular candidate has exceeded the \$250,000/\$100,000 threshold. In either situation, the Board will give official notice to all candidates running for the same office, via first class mail to each candidate and their committee treasurer, via e-mail (if the candidate and treasurer have provided an e-mail address), and by posting a notice on the Board’s website, www.elections.il.gov. The removal of contribution limits for that race takes effect as soon as the notice is posted on the website.

New exception for “paid for by” notice requirement:

Any political committee that makes an expenditure for a communication directed at voters and mentioning the name of a candidate in the next upcoming election must be identified within the communication as the payor (typically done by including a “paid for by” message). There is an exception for items too small to contain the required disclosure. There is also a new exception for printed communications directed at constituents of a member of the General Assembly, if they are paid for by the member’s committee as part of the customary and reasonable expenses of an officeholder in connection with the performance of governmental and public service functions.

For a more detailed description of these changes, please refer to Public Act 98-0115 or contact the Campaign Disclosure Division of the State Board of Elections – (217) 782-4141 (Springfield) or (312) 814-6440 (Chicago).