

**SB2223**



**100TH GENERAL ASSEMBLY**

**State of Illinois**

**2017 and 2018**

**SB2223**

Introduced 7/3/2017, by Sen. Chris Nybo

**SYNOPSIS AS INTRODUCED:**

10 ILCS 5/9-13

from Ch. 46, par. 9-13

Amends the Election Code. Provides that a political committee that receives notification from the State Board of Elections to conduct an audit of its financial records must conduct that audit using the financial records required to be maintained by the committee for a period of 2 years from the close of the most recent reporting period (rather than for a period of 2 years). Effective immediately.

LRB100 13223 MLM 27647 b

**A BILL FOR**

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing Section  
5 9-13 as follows:

6 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

7 Sec. 9-13. Audits of political committees.

8 (a) The Board shall have the authority to order a political  
9 committee to conduct an audit of the financial records required  
10 to be maintained by the committee to ensure compliance with  
11 Sections 9-8.5 and 9-10. Audits ordered by the Board shall be  
12 conducted as provided in this Section and as provided by Board  
13 rule.

14 (b) The Board may order a political committee to conduct an  
15 audit of its financial records for any of the following  
16 reasons: (i) a discrepancy between the ending balance of a  
17 reporting period and the beginning balance of the next  
18 reporting period, (ii) failure to account for previously  
19 reported investments or loans, or (iii) a discrepancy between  
20 reporting contributions received by or expenditures made for a  
21 political committee that are reported by another political  
22 committee, except the Board shall not order an audit pursuant  
23 to this item (iii) unless there is a willful pattern of

1 inaccurate reporting or there is a pattern of similar  
2 inaccurate reporting involving similar contributions by the  
3 same contributor. Prior to ordering an audit, the Board shall  
4 afford the political committee due notice and an opportunity  
5 for a closed preliminary hearing. A political committee shall  
6 hire an entity qualified to perform an audit; except, a  
7 political committee shall not hire a person that has  
8 contributed to the political committee during the previous 4  
9 years.

10 (c) In each calendar year, the Board shall randomly order  
11 no more than 3% of registered political committees to conduct  
12 an audit. The Board shall establish a standard, scientific  
13 method of selecting the political committees that are to be  
14 audited so that every political committee has an equal  
15 mathematical chance of being selected.

16 (d) Upon receipt of notification from the Board ordering an  
17 audit, a political committee shall conduct an audit of the  
18 financial records required to be maintained by the committee to  
19 ensure compliance with the contribution limitations  
20 established in Section 9-8.5 and the reporting requirements  
21 established in Section 9-3 and Section 9-10 for a period of 2  
22 years from the close of the most recent reporting period or the  
23 period since the committee was previously ordered to conduct an  
24 audit, whichever is shorter. The entity performing the audit  
25 shall review the amount of funds and investments maintained by  
26 the political committee and ensure the financial records

1 accurately account for any contributions and expenditures made  
2 by the political committee. A certified copy of the audit shall  
3 be delivered to the Board within 60 calendar days after receipt  
4 of notice from the Board, unless the Board grants an extension  
5 to complete the audit. A political committee ordered to conduct  
6 an audit through the random selection process shall not be  
7 required to conduct another audit for a minimum of 5 years  
8 unless the Board has reason to believe the political committee  
9 is in violation of Section 9-3, 9-8.5, or 9-10.

10 (e) The Board shall not disclose the name of any political  
11 committee ordered to conduct an audit or any documents in  
12 possession of the Board related to an audit unless, after  
13 review of the audit findings, the Board has reason to believe  
14 the political committee is in violation of Section 9-3, 9-8.5,  
15 or 9-10 and the Board imposed a fine.

16 (f) Failure to deliver a certified audit in a timely manner  
17 is a business offense punishable by a fine of \$250 per day that  
18 the audit is late, up to a maximum of \$5,000.

19 (Source: P.A. 96-832, eff. 1-1-11.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.