

# SB0172



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB0172

Introduced 1/17/2025, by Sen. Michael W. Halpin

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5

Amends the Election Code. Provides that a foreign national may not make, directly or indirectly, a contribution to a ballot initiative committee or an independent expenditure committee for the purpose of influencing any question of public policy to be submitted to the voters, and neither a ballot initiative committee nor an independent expenditure committee may knowingly solicit or accept a contribution from a foreign national for the purpose of influencing any question of public policy to be submitted to the voters. Provides that a foreign national may not make an independent expenditure for the purpose of influencing any question of public policy to be submitted to the voters. Effective immediately.

LRB104 06587 SPS 16623 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  
5 Section 9-8.5 as follows:

6 (10 ILCS 5/9-8.5)

7 Sec. 9-8.5. Limitations on campaign contributions.

8 (a) It is unlawful for a political committee to accept  
9 contributions except as provided in this Section.

10 (b) During an election cycle, a candidate political  
11 committee may not accept contributions with an aggregate value  
12 over the following: (i) \$5,000 from any individual, (ii)  
13 \$10,000 from any corporation, labor organization, or  
14 association, or (iii) \$50,000 from a candidate political  
15 committee or political action committee. A candidate political  
16 committee may accept contributions in any amount from a  
17 political party committee. A candidate political committee  
18 established to elect a candidate to the General Assembly may  
19 accept contributions from only one legislative caucus  
20 committee. A candidate political committee may not accept  
21 contributions from a ballot initiative committee or from an  
22 independent expenditure committee.

23 (b-5) Judicial elections.

1           (1) In addition to any other provision of this  
2 Section, a candidate political committee established to  
3 support or oppose a candidate seeking nomination to the  
4 Supreme Court, Appellate Court, or Circuit Court may not:

5           (A) accept contributions from any entity that does  
6 not disclose the identity of those who make  
7 contributions to the entity, except for contributions  
8 that are not required to be itemized by this Code; or

9           (B) accept contributions from any out-of-state  
10 person, as defined in this Article.

11           (1.1) In addition to any other provision of this  
12 Section, a political committee that is self-funding, as  
13 described in subsection (h) of this Section, and is  
14 established to support or oppose a candidate seeking  
15 nomination, election, or retention to the Supreme Court,  
16 the Appellate Court, or the Circuit Court may not accept  
17 contributions from any single person, other than the  
18 judicial candidate or the candidate's immediate family, in  
19 a cumulative amount that exceeds \$500,000 in any election  
20 cycle. Any contribution in excess of the limits in this  
21 paragraph (1.1) shall escheat to the State of Illinois.  
22 Any political committee that receives such a contribution  
23 shall immediately forward the amount that exceeds \$500,000  
24 to the State Treasurer who shall deposit the funds into  
25 the State Treasury.

26           (1.2) In addition to any other provision of this

1 Section, an independent expenditure committee established  
2 to support or oppose a candidate seeking nomination,  
3 election, or retention to the Supreme Court, the Appellate  
4 Court, or the Circuit Court may not accept contributions  
5 from any single person in a cumulative amount that exceeds  
6 \$500,000 in any election cycle. Any contribution in excess  
7 of the limits in this paragraph (1.2) shall escheat to the  
8 State of Illinois. Any independent expenditure committee  
9 that receives such a contribution shall immediately  
10 forward the amount that exceeds \$500,000 to the State  
11 Treasurer who shall deposit the funds into the State  
12 Treasury.

13 (1.3) In addition to any other provision of this  
14 Section, if a political committee established to support  
15 or oppose a candidate seeking nomination, election, or  
16 retention to the Supreme Court, the Appellate Court, or  
17 the Circuit Court receives a contribution in excess of  
18 \$500 from: (i) any committee that is not required to  
19 disclose its contributors under this Act; (ii) any  
20 association that is not required to disclose its  
21 contributors under this Act; or (iii) any other  
22 organization or group of persons that is not required to  
23 disclose its contributors under this Act, then that  
24 contribution shall be considered an anonymous contribution  
25 that shall escheat to the State, unless the political  
26 committee reports to the State Board of Elections all

1 persons who have contributed in excess of \$500 during the  
2 same election cycle to the committee, association,  
3 organization, or group making the contribution. Any  
4 political committee that receives such a contribution and  
5 fails to report this information shall forward the  
6 contribution amount immediately to the State Treasurer who  
7 shall deposit the funds into the State Treasury.

8 (2) As used in this subsection, "contribution" has the  
9 meaning provided in Section 9-1.4 and also includes the  
10 following that are subject to the limits of this Section:

11 (A) expenditures made by any person in concert or  
12 cooperation with, or at the request or suggestion of,  
13 a candidate, his or her designated committee, or their  
14 agents; and

15 (B) the financing by any person of the  
16 dissemination, distribution, or republication, in  
17 whole or in part, of any broadcast or any written,  
18 graphic, or other form of campaign materials prepared  
19 by the candidate, his or her campaign committee, or  
20 their designated agents.

21 (3) As to contributions to a candidate political  
22 committee established to support a candidate seeking  
23 nomination to the Supreme Court, Appellate Court, or  
24 Circuit Court:

25 (A) No person shall make a contribution in the  
26 name of another person or knowingly permit his or her

1 name to be used to effect such a contribution.

2 (B) No person shall knowingly accept a  
3 contribution made by one person in the name of another  
4 person.

5 (C) No person shall knowingly accept reimbursement  
6 from another person for a contribution made in his or  
7 her own name.

8 (D) No person shall make an anonymous  
9 contribution.

10 (E) No person shall knowingly accept any anonymous  
11 contribution.

12 (F) No person shall predicate (1) any benefit,  
13 including, but not limited to, employment decisions,  
14 including hiring, promotions, bonus compensation, and  
15 transfers, or (2) any other gift, transfer, or  
16 emolument upon:

17 (i) the decision by the recipient of that  
18 benefit to donate or not to donate to a candidate;  
19 or

20 (ii) the amount of any such donation.

21 (4) No judicial candidate or political committee  
22 established to support a candidate seeking nomination to  
23 the Supreme Court, Appellate Court, or Circuit Court shall  
24 knowingly accept any contribution or make any expenditure  
25 in violation of the provisions of this Section. No officer  
26 or employee of a political committee established to

1 support a candidate seeking nomination to the Supreme  
2 Court, Appellate Court, or Circuit Court shall knowingly  
3 accept a contribution made for the benefit or use of a  
4 candidate or knowingly make any expenditure in support of  
5 or opposition to a candidate or for electioneering  
6 communications in relation to a candidate in violation of  
7 any limitation designated for contributions and  
8 expenditures under this Section.

9 (5) Where the provisions of this subsection (b-5)  
10 conflict with any other provision of this Code, this  
11 subsection (b-5) shall control.

12 (c) During an election cycle, a political party committee  
13 may not accept contributions with an aggregate value over the  
14 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
15 any corporation, labor organization, or association, or (iii)  
16 \$50,000 from a political action committee. A political party  
17 committee may accept contributions in any amount from another  
18 political party committee or a candidate political committee,  
19 except as provided in subsection (c-5). Nothing in this  
20 Section shall limit the amounts that may be transferred  
21 between a political party committee established under  
22 subsection (a) of Section 7-8 of this Code and an affiliated  
23 federal political committee established under the Federal  
24 Election Code by the same political party. A political party  
25 committee may not accept contributions from a ballot  
26 initiative committee or from an independent expenditure

1 committee. A political party committee established by a  
2 legislative caucus may not accept contributions from another  
3 political party committee established by a legislative caucus.

4 (c-5) (Blank).

5 (c-10) (Blank).

6 (d) During an election cycle, a political action committee  
7 may not accept contributions with an aggregate value over the  
8 following: (i) \$10,000 from any individual, (ii) \$20,000 from  
9 any corporation, labor organization, political party  
10 committee, or association, or (iii) \$50,000 from a political  
11 action committee or candidate political committee. A political  
12 action committee may not accept contributions from a ballot  
13 initiative committee or from an independent expenditure  
14 committee.

15 (e) Except as otherwise provided in subsection (h-15), a ~~A~~  
16 ballot initiative committee may accept contributions in any  
17 amount from any source, provided that the committee files the  
18 document required by Section 9-3 of this Article and files the  
19 disclosure reports required by the provisions of this Article.

20 (e-5) Except as otherwise provided in subsection (h-15),  
21 an ~~An~~ independent expenditure committee may accept  
22 contributions in any amount from any source, provided that the  
23 committee files the document required by Section 9-3 of this  
24 Article and files the disclosure reports required by the  
25 provisions of this Article.

26 (e-10) A limited activity committee shall not accept

1 contributions, except that the officer or a candidate the  
2 committee has designated to support may contribute personal  
3 funds in order to pay for maintenance expenses. A limited  
4 activity committee may only make expenditures that are: (i)  
5 necessary for maintenance of the committee; (ii) for rent or  
6 lease payments until the end of the lease in effect at the time  
7 the officer or candidate is confirmed by the Senate; (iii)  
8 contributions to 501(c)(3) charities; or (iv) returning  
9 contributions to original contributors.

10 (f) Nothing in this Section shall prohibit a political  
11 committee from dividing the proceeds of joint fundraising  
12 efforts; provided that no political committee may receive more  
13 than the limit from any one contributor, and provided that an  
14 independent expenditure committee may not conduct joint  
15 fundraising efforts with a candidate political committee or a  
16 political party committee.

17 (g) On January 1 of each odd-numbered year, the State  
18 Board of Elections shall adjust the amounts of the  
19 contribution limitations established in this Section for  
20 inflation as determined by the Consumer Price Index for All  
21 Urban Consumers as issued by the United States Department of  
22 Labor and rounded to the nearest \$100. The State Board shall  
23 publish this information on its official website.

24 (h) Self-funding candidates. If a public official, a  
25 candidate, or the public official's or candidate's immediate  
26 family contributes or loans to the public official's or

1 candidate's political committee or to other political  
2 committees that transfer funds to the public official's or  
3 candidate's political committee or makes independent  
4 expenditures for the benefit of the public official's or  
5 candidate's campaign during the 12 months prior to an election  
6 in an aggregate amount of more than (i) \$250,000 for statewide  
7 office or (ii) \$100,000 for all other elective offices, then  
8 the public official or candidate shall file with the State  
9 Board of Elections, within one day, a Notification of  
10 Self-funding that shall detail each contribution or loan made  
11 by the public official, the candidate, or the public  
12 official's or candidate's immediate family. Within 2 business  
13 days after the filing of a Notification of Self-funding, the  
14 notification shall be posted on the Board's website and the  
15 Board shall give official notice of the filing to each  
16 candidate for the same office as the public official or  
17 candidate making the filing, including the public official or  
18 candidate filing the Notification of Self-funding. Notice  
19 shall be sent via first class mail to the candidate and the  
20 treasurer of the candidate's committee. Notice shall also be  
21 sent by e-mail to the candidate and the treasurer of the  
22 candidate's committee if the candidate and the treasurer, as  
23 applicable, have provided the Board with an e-mail address.  
24 Upon posting of the notice on the Board's website, all  
25 candidates for that office, including the public official or  
26 candidate who filed a Notification of Self-funding, shall be

1 permitted to accept contributions in excess of any  
2 contribution limits imposed by subsection (b). If a public  
3 official or candidate filed a Notification of Self-funding  
4 during an election cycle that includes a general primary  
5 election or consolidated primary election and that public  
6 official or candidate is nominated, all candidates for that  
7 office, including the nominee who filed the notification of  
8 self-funding, shall be permitted to accept contributions in  
9 excess of any contribution limit imposed by subsection (b) for  
10 the subsequent election cycle. For the purposes of this  
11 subsection, "immediate family" means the spouse, parent, or  
12 child of a public official or candidate.

13 (h-5) If a natural person or independent expenditure  
14 committee makes independent expenditures in support of or in  
15 opposition to the campaign of a particular public official or  
16 candidate in an aggregate amount of more than (i) \$250,000 for  
17 statewide office or (ii) \$100,000 for all other elective  
18 offices in an election cycle, as reported in a written  
19 disclosure filed under subsection (a) of Section 9-8.6 or  
20 subsection (e-5) of Section 9-10, then the State Board of  
21 Elections shall, within 2 business days after the filing of  
22 the disclosure, post the disclosure on the Board's website and  
23 give official notice of the disclosure to each candidate for  
24 the same office as the public official or candidate for whose  
25 benefit or detriment the natural person or independent  
26 expenditure committee made independent expenditures. Upon

1 posting of the notice on the Board's website, all candidates  
2 for that office in that election, including the public  
3 official or candidate for whose benefit or detriment the  
4 natural person or independent expenditure committee made  
5 independent expenditures, shall be permitted to accept  
6 contributions in excess of any contribution limits imposed by  
7 subsection (b).

8 (h-10) If the State Board of Elections receives  
9 notification or determines that a natural person or persons,  
10 an independent expenditure committee or committees, or  
11 combination thereof has made independent expenditures in  
12 support of or in opposition to the campaign of a particular  
13 public official or candidate in an aggregate amount of more  
14 than (i) \$250,000 for statewide office or (ii) \$100,000 for  
15 all other elective offices in an election cycle, then the  
16 Board shall, within 2 business days after discovering the  
17 independent expenditures that, in the aggregate, exceed the  
18 threshold set forth in (i) and (ii) of this subsection, post  
19 notice of this fact on the Board's website and give official  
20 notice to each candidate for the same office as the public  
21 official or candidate for whose benefit or detriment the  
22 independent expenditures were made. Notice shall be sent via  
23 first class mail to the candidate and the treasurer of the  
24 candidate's committee. Notice shall also be sent by e-mail to  
25 the candidate and the treasurer of the candidate's committee  
26 if the candidate and the treasurer, as applicable, have

1 provided the Board with an e-mail address. Upon posting of the  
2 notice on the Board's website, all candidates of that office  
3 in that election, including the public official or candidate  
4 for whose benefit or detriment the independent expenditures  
5 were made, may accept contributions in excess of any  
6 contribution limits imposed by subsection (b).

7 (h-15) Notwithstanding any other provision of law, a  
8 foreign national may not make, directly or indirectly, a  
9 contribution to a ballot initiative committee or an  
10 independent expenditure committee for the purpose of  
11 influencing any question of public policy to be submitted to  
12 the voters, and neither a ballot initiative committee nor an  
13 independent expenditure committee may knowingly solicit or  
14 accept a contribution from a foreign national for the purpose  
15 of influencing any question of public policy to be submitted  
16 to the voters. Additionally, a foreign national may not make  
17 an independent expenditure for the purpose of influencing any  
18 question of public policy to be submitted to the voters. As  
19 used in this subsection, "foreign national" means a foreign  
20 national as defined in 52 U.S.C. 30121(b) and an entity with  
21 respect to which a foreign national holds, owns, controls, or  
22 otherwise has direct or indirect beneficial ownership of 50%  
23 or more of the total equity, outstanding voting shares,  
24 membership units, or other applicable ownership interests.

25 (i) For the purposes of this Section, a corporation, labor  
26 organization, association, or a political action committee

1 established by a corporation, labor organization, or  
2 association may act as a conduit in facilitating the delivery  
3 to a political action committee of contributions made through  
4 dues, levies, or similar assessments and the political action  
5 committee may report the contributions in the aggregate,  
6 provided that: (i) contributions made through dues, levies, or  
7 similar assessments paid by any natural person, corporation,  
8 labor organization, or association in a calendar year may not  
9 exceed the limits set forth in this Section; (ii) the  
10 corporation, labor organization, association, or a political  
11 action committee established by a corporation, labor  
12 organization, or association facilitating the delivery of  
13 contributions maintains a list of natural persons,  
14 corporations, labor organizations, and associations that paid  
15 the dues, levies, or similar assessments from which the  
16 contributions comprising the aggregate amount derive; and  
17 (iii) contributions made through dues, levies, or similar  
18 assessments paid by any natural person, corporation, labor  
19 organization, or association that exceed \$1,000 in a quarterly  
20 reporting period shall be itemized on the committee's  
21 quarterly report and may not be reported in the aggregate. A  
22 political action committee facilitating the delivery of  
23 contributions or receiving contributions shall disclose the  
24 amount of contributions made through dues delivered or  
25 received and the name of the corporation, labor organization,  
26 association, or political action committee delivering the

1 contributions, if applicable. On January 1 of each  
2 odd-numbered year, the State Board of Elections shall adjust  
3 the amounts of the contribution limitations established in  
4 this subsection for inflation as determined by the Consumer  
5 Price Index for All Urban Consumers as issued by the United  
6 States Department of Labor and rounded to the nearest \$100.  
7 The State Board shall publish this information on its official  
8 website.

9 (j) A political committee that receives a contribution or  
10 transfer in violation of this Section shall dispose of the  
11 contribution or transfer by returning the contribution or  
12 transfer, or an amount equal to the contribution or transfer,  
13 to the contributor or transferor or donating the contribution  
14 or transfer, or an amount equal to the contribution or  
15 transfer, to a charity. A contribution or transfer received in  
16 violation of this Section that is not disposed of as provided  
17 in this subsection within 30 days after the Board sends  
18 notification to the political committee of the excess  
19 contribution by certified mail shall escheat to the General  
20 Revenue Fund and the political committee shall be deemed in  
21 violation of this Section and subject to a civil penalty not to  
22 exceed 150% of the total amount of the contribution.

23 (k) For the purposes of this Section, "statewide office"  
24 means the Governor, Lieutenant Governor, Attorney General,  
25 Secretary of State, Comptroller, and Treasurer.

26 (l) This Section is repealed if and when the United States

1 Supreme Court invalidates contribution limits on committees  
2 formed to assist candidates, political parties, corporations,  
3 associations, or labor organizations established by or  
4 pursuant to federal law.

5 (Source: P.A. 102-664, eff. 1-1-22; 102-668, eff. 11-15-21;  
6 102-909, eff. 5-27-22; 103-600, eff. 7-1-24.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.