

SB3025



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3025

Introduced 1/28/2026, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.1036 new
35 ILCS 5/507MMM new

Creates the Illinois Clean Elections Act. Establishes a voluntary method of public financing of the campaigns of candidates for statewide constitutional offices and the General Assembly. Amends the State Finance Act to create the Illinois Clean Elections Fund as a special fund in the State treasury. Amends the Illinois Income Tax Act to create an individual tax return checkoff in support of the Fund. Effective immediately.

LRB104 19389 SPS 32837 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 1. Short title. This Act may be cited as the
5 Illinois Clean Elections Act.

6 Section 5. Definitions. As used in this Act:

7 "Certified candidate" means a candidate running for
8 Governor, Secretary of State, Attorney General, State
9 Treasurer, State Comptroller, State Senator, or State
10 Representative, in a primary election, and Governor, Secretary
11 of State, Attorney General, State Treasurer, State
12 Comptroller, State Senator, or State Representative, in a
13 general election who chooses to participate in this Act and
14 who is certified as an Illinois Clean Elections Act candidate
15 under subsection (e) of Section 20.

16 "Contribution" has the same meaning as in Article 9 of the
17 Election Code.

18 "Fund" means the Illinois Clean Elections Fund established
19 in Section 15.

20 "Nonparticipating candidate" means a candidate running for
21 Governor, Secretary of State, Attorney General, State
22 Treasurer, State Comptroller, State Senator, or State
23 Representative, in a primary election, and Governor, Secretary

1 of State, Attorney General, State Treasurer, State
2 Comptroller, State Senator, or State Representative, in a
3 general election who does not choose to participate in this
4 Act and who is not seeking to be certified as an Illinois Clean
5 Elections Act candidate.

6 "Participating candidate" means a candidate who is running
7 for Governor, Secretary of State, Attorney General, State
8 Treasurer, State Comptroller, State Senator, or State
9 Representative, in a primary election, and Governor, Secretary
10 of State, Attorney General, State Treasurer, State
11 Comptroller, State Senator, or State Representative, in a
12 general election who is seeking to be certified as an Illinois
13 Clean Elections Act candidate.

14 "Qualifying contribution" means a donation:

15 (1) Of \$5 in the form of a check or a money order
16 payable to the Fund in support of a candidate;

17 (2) Made by a registered voter within the district for
18 the office a candidate is seeking;

19 (3) Made during the designated qualifying period and
20 obtained with the knowledge and approval of the candidate;
21 and

22 (4) That is acknowledged by a written receipt that
23 identifies the name and address of the donor on forms
24 provided by the State Board.

25 "Qualifying period" means the following:

26 (1) For a participating candidate for Governor,

1 Secretary of State, Attorney General, State Treasurer, or
2 State Comptroller, the qualifying period begins November 1
3 immediately preceding the election year and ends at 5:00
4 p.m. on April 15 of the election year unless the candidate
5 is unenrolled, in which case the period ends at 5:00 p.m.
6 on June 2 of the election year.

7 (2) For State Senate or State House of Representatives
8 participating candidates, the qualifying period begins
9 January 1 of the election year and ends at 5:00 p.m. on
10 April 15 of that election year unless the candidate is
11 unenrolled, in which case the period ends at 5:00 p.m. on
12 June 2 of the election year.

13 "Seed money contribution" means a contribution of no more
14 than \$100 per individual made to a contribution from the
15 candidate or the candidate's family. To be eligible for
16 certification, a candidate may collect and spend only seed
17 money contributions subsequent to becoming a candidate as
18 defined by Article 9 of the Election Code and throughout the
19 qualifying period. A participating candidate who has accepted
20 contributions or made expenditures that do not comply with the
21 seed money restrictions under this Act may petition the State
22 Board to remain eligible for certification as an Illinois
23 Clean Elections Act candidate in accordance with rules of the
24 State Board, if the failure to comply was unintentional and
25 does not constitute a significant infraction of these
26 restrictions. Prior to certification, a candidate may obligate

1 an amount greater than the seed money collected if the value of
2 the goods and services received from a vendor does not exceed
3 the amount paid to the vendor. A candidate may not collect or
4 spend seed money contributions after certification as an
5 Illinois Clean Elections Act candidate. A seed money
6 contribution shall be reported according to procedures
7 developed by the State Board.

8 "State Board" means the State Board of Elections.

9 Section 10. Alternative campaign financing option. This
10 Act establishes an alternative campaign financing option
11 available to candidates running for Governor, Secretary of
12 State, Attorney General, State Treasurer, State Comptroller,
13 State Senator, and State Representative. This alternative
14 campaign financing option is available to candidates for
15 elections to be held beginning in the year 2028. The State
16 Board shall administer this Act and the Fund. Candidates
17 participating in this Act shall also comply with all other
18 applicable election and campaign laws and regulations.

19 Section 15. The Illinois Clean Elections Fund established;
20 sources of funding.

21 (a) The Illinois Clean Elections Fund is established as a
22 special fund in the State treasury to finance the election
23 campaigns of certified Illinois Clean Elections Act candidates
24 running for Governor, Attorney General, Secretary of State,

1 State Treasurer, State Comptroller, State Senator, and State
2 Representative and to pay administrative and enforcement costs
3 of the State Board related to this Act. Any interest generated
4 by the Fund is credited to the Fund. The State Board shall
5 administer the Fund.

6 (b) The following shall be deposited into the Fund:

7 (1) The qualifying contributions required under
8 Section 20 when those contributions are submitted to the
9 State Board.

10 (2) \$40,000,000 of the revenues from the taxes imposed
11 by the Illinois Income Tax Act and credited to the General
12 Revenue Fund, transferred to the Fund by the State
13 Treasurer on or before January 1 of each year, beginning
14 January 1, 2027. These revenues shall be offset in an
15 equitable manner by an equivalent reduction within the
16 administrative divisions of the legislative branch and
17 executive branch agencies. If the State Board determines
18 that the Fund will not have sufficient revenues to cover
19 the likely demand for funds from the Illinois Clean
20 Elections Fund in an upcoming calendar year, by January 1
21 the State Board shall provide a report of its projections
22 of the balances in the Illinois Clean Elections Fund to
23 the General Assembly and the Governor and may request that
24 the State Treasurer make the following transfers to the
25 Illinois Clean Elections Fund from the General Revenue
26 Fund:

1 (A) Up to \$20,000,000 no later than February 28,
2 2027, reflecting an advance of the transfer of the
3 amounts that would be received on or before January 1,
4 2028 under this paragraph.

5 (B) Up to \$15,000,000 no later than July 31, 2027,
6 under this paragraph reflecting an advance of the
7 transfer of the amounts that would be received on or
8 before January 1, 2028 under this paragraph.

9 (C) Up to \$5,000,000 no later than September 1,
10 2029, reflecting a partial advance of the transfer of
11 the amounts that would be received on or before
12 January 1, 2030 under this paragraph.

13 (3) Revenue from a tax checkoff program allowing a
14 resident of the State who files a tax return with the
15 Department of Revenue to designate that \$3 be paid into
16 the Fund. If a married couple files a joint return, each
17 spouse may designate that \$3 be paid. The Department of
18 Revenue shall report annually the amounts designated for
19 the Fund to the State Treasurer, who shall transfer that
20 amount to the Fund.

21 (4) Seed money contributions remaining unspent after a
22 candidate has been certified as an Illinois Clean
23 Elections Act candidate.

24 (5) Fund revenues that were distributed to an Illinois
25 Clean Elections Act candidate and that remain unspent
26 after the candidate has lost a primary election or after

1 all general elections.

2 (6) Other unspent Fund revenues distributed to any
3 Illinois Clean Elections Act candidate who does not remain
4 a candidate throughout a primary or general election
5 cycle.

6 (7) Voluntary donations made directly to the Fund.

7 (8) Fines collected under this Act.

8 (c) By September 1 preceding each election year, the State
9 Board shall publish an estimate of revenue in the Fund
10 available for distribution to certified candidates during the
11 upcoming year's elections and an estimate of the likely demand
12 for clean elections funding during that election. The State
13 Board may submit legislation to request additional funding.

14 Section 20. Terms of participation.

15 (a) A participating candidate shall file a declaration of
16 intent to seek certification as an Illinois Clean Elections
17 Act candidate and to comply with the requirements of this Act.
18 The declaration of intent shall be filed with the State Board
19 prior to or during the qualifying period, except as provided
20 in subsection (1), according to forms and procedures developed
21 by the State Board. A participating candidate shall submit a
22 declaration of intent within 5 business days after collecting
23 qualifying contributions under this Act or the qualifying
24 contributions collected before the declaration of intent has
25 been filed will not be counted toward the eligibility

1 requirement in subsection (c).

2 (b) Subsequent to becoming a candidate defined by and
3 prior to certification, a participating candidate may not
4 accept contributions, except for seed money contributions. A
5 participating candidate shall limit the candidate's seed money
6 contributions to the following amounts:

7 (1) \$50,000 for a gubernatorial candidate.

8 (2) \$25,000 for a candidate for Secretary of State,
9 Attorney General, State Treasurer, or State Comptroller.

10 (3) \$10,000 for a candidate for the State Senate.

11 (4) \$5,000 for a candidate for the State House of
12 Representatives.

13 The State Board may, by rule, revise these amounts to
14 ensure the effective implementation of this Act.

15 (c) Participating candidates shall obtain qualifying
16 contributions during the qualifying period as follows:

17 (1) For a candidate for Governor, Secretary of State,
18 Attorney General, State Treasurer, or State Comptroller,
19 the minimum number of qualifying donations from verified
20 registered voters of this State is equal to the minimum
21 number of signatures required for a candidate petition for
22 a statewide office under subsection (a) of Section 7-10 of
23 the Election Code.

24 (2) For a candidate for the State Senate, the minimum
25 number of qualifying donations from verified registered
26 voters of this State is equal to the minimum number of

1 signatures required for a candidate petition for a State
2 Senator under Section 8-8 of the Election Code.

3 (3) For a candidate for the State House of
4 Representatives, the minimum number of qualifying
5 donations from verified registered voters of this State is
6 equal to the minimum number of signatures required for a
7 candidate petition for a Representative in the General
8 Assembly under Section 8-8 of the Election Code.

9 A payment, gift, or anything of value may not be given in
10 exchange for a qualifying contribution. A candidate may pay
11 the fee for a money order in the amount of \$5, which is a
12 qualifying contribution, as long as the donor making the
13 qualifying contribution pays the \$5 amount reflected on the
14 money order. Any money order fees paid by a participating
15 candidate shall be paid for with seed money and reported in
16 accordance with rules adopted by the State Board.

17 (d) A participating candidate shall submit qualifying
18 contributions to the State Board during the qualifying period
19 according to procedures developed by the State Board, except
20 as provided under subsection (1).

21 (e) Upon receipt of a final submittal of qualifying
22 contributions by a participating candidate, the State Board
23 shall determine whether or not the candidate has:

24 (1) Signed and filed a declaration of intent to
25 participate in this Act.

26 (2) Submitted the appropriate number of valid

1 qualifying contributions.

2 (3) Qualified as a candidate by petition or other
3 means.

4 (4) Not accepted contributions, except for seed money
5 contributions, and otherwise complied with seed money
6 restrictions.

7 (5) Not run for the same office as a nonparticipating
8 candidate in a primary election in the same election year.

9 (6) Otherwise met the requirements for participation
10 in this Act.

11 The State Board shall certify a candidate complying with
12 the requirements of this Section as an Illinois Clean
13 Elections Act candidate as soon as possible and no later than 3
14 business days after final submittal of qualifying
15 contributions. Upon certification, a candidate shall transfer
16 to the Fund any unspent seed money contributions. A certified
17 candidate shall comply with all requirements of this Act after
18 certification and throughout the primary and general election
19 periods. Failure to do so is a violation of this Act.

20 (f) After certification, a candidate shall limit the
21 candidate's campaign expenditures and obligations, including
22 outstanding obligations, to the revenues distributed to the
23 candidate from the Fund and may not accept any contributions
24 unless specifically authorized by the State Board. Candidates
25 may also accept and spend interest earned on bank accounts.
26 All revenues distributed to a certified candidate from the

1 Fund shall be used for campaign-related purposes. The
2 candidate, the treasurer, the candidate's political committee,
3 or any agent of the candidate and committee may not use these
4 revenues for any but campaign-related purposes. The State
5 Board shall publish guidelines outlining permissible
6 campaign-related expenditures.

7 (g) The State Board shall distribute to certified
8 candidates revenues from the Fund in amounts determined under
9 subsection (h) in the following manner.

10 (1) Within 3 days after certification, for candidates
11 certified prior to March 15 of the election year, revenues
12 from the Fund shall be distributed as if the candidates
13 are in an uncontested primary election.

14 (2) Within 3 days after certification, for all
15 candidates certified between March 15 and April 15 of the
16 election year, revenues from the Fund shall be distributed
17 according to whether the candidate is in a contested or
18 uncontested primary election.

19 (3) For candidates in contested primary elections
20 receiving a distribution under paragraph (1), additional
21 revenues from the fund shall be distributed within 3 days
22 after March 15 after the election year.

23 (4) Within 3 days after the primary election results
24 are certified, for general election certified candidates,
25 revenues from the Fund shall be distributed according to
26 whether the candidate is in a contested or uncontested

1 general election.

2 Funds may be distributed to certified candidates under
3 this Section by any mechanism that is expeditious, ensures
4 accountability, and safeguards the integrity of the Fund.

5 (h) The candidate or committee shall deposit all revenues
6 from the Fund in a campaign account with a bank or other
7 financial institution. The campaign funds shall be segregated
8 from, and may not be commingled with, any other funds.

9 (i) By July 1, 2027 and at least every 4 years after that
10 date, the State Board shall determine the amount of funds to be
11 distributed to participating candidates based on the type of
12 election and office as follows:

13 (1) For contested legislative primary elections, the
14 amount of revenues to be distributed is the average amount
15 of campaign expenditures made by each candidate during all
16 contested primary election races for the immediately
17 preceding 2 primary elections, as reported in the initial
18 filing period subsequent to the primary election, for the
19 respective offices of State Senate and State House of
20 Representatives.

21 (2) For uncontested legislative primary elections, the
22 amount of revenues distributed is the average amount of
23 campaign expenditures made by each candidate during all
24 uncontested primary election races for the immediately
25 preceding 2 primary elections, as reported in the initial
26 filing period subsequent to the primary election, for the

1 respective offices of State Senate and State House of
2 Representatives.

3 (3) For contested legislative general elections, the
4 amount of revenues distributed is the average amount of
5 campaign expenditures made by each candidate during all
6 contested general election races for the immediately
7 preceding 2 general elections, as reported in the initial
8 filing period subsequent to the general election, for the
9 respective offices of State Senate and State House of
10 Representatives.

11 (4) For uncontested legislative general elections, the
12 amount of revenues to be distributed from the Fund is 40%
13 of the amount distributed to a participating candidate in
14 a contested general election.

15 (5) For gubernatorial primary elections, the amount of
16 revenues distributed is \$2,000,000 per candidate in the
17 primary election.

18 (6) For gubernatorial general elections, the amount of
19 revenues distributed is \$4,000,000 per candidate in the
20 general election.

21 (7) For contested primary elections for Attorney
22 General the amount of revenues distributed per candidate
23 is \$500,000 per candidate.

24 (8) For the general election for Attorney General, the
25 amount of funds distributed per candidate is \$2,000,000.

26 (9) For primary elections for Secretary of State the

1 amount of revenues distributed per candidate is \$500,000
2 per candidate.

3 (10) For the general election for Secretary of State,
4 the amount of funds distributed per candidate is
5 \$2,000,000.

6 (11) For contested primary elections for State
7 Treasurer, the amount of revenues distributed per
8 candidate is \$200,000.

9 (12) For the general election for State Treasurer, the
10 amount of funds distributed per candidate is \$800,000.

11 (13) For contested primary elections for State
12 Comptroller, the amount of revenues distributed per
13 candidate is \$200,000.

14 (14) For the general election for State Comptroller,
15 the amount of funds distributed per candidate is \$800,000.

16 (15) For any uncontested primary or general election
17 for the office of Governor, Attorney General, Secretary of
18 State, State Treasurer, or Comptroller, the amount of
19 funds distributed shall be 40% of those otherwise
20 distributed in a contested primary or general election.

21 If the immediately preceding election cycles do not
22 contain sufficient electoral data, the State Board shall use
23 information from the most recent applicable elections.

24 (j) When any campaign, finance, or election report shows
25 that the sum of a candidate's expenditures or obligations, or
26 funds raised or borrowed, whichever is greater, alone or in

1 conjunction with independent reported expenditures, exceeds
2 the distribution amount under subsection (h), the State Board
3 shall issue immediately to any opposing Illinois Clean
4 Elections Act candidate an additional amount equivalent to the
5 reported excess. Matching funds are limited to 2 times the
6 amount originally distributed under paragraph (1), (3), (5),
7 or (6) of subsection (h), whichever is applicable.

8 (k) An unenrolled candidate certified by January 15
9 preceding the primary election is eligible for revenues from
10 the Fund in the same amounts and at the same time as an
11 uncontested primary election candidate and a general election
12 candidate as specified in subsections (g) and (h). For an
13 unenrolled candidate not certified by January 15 at 5:00 p.m.
14 the deadline for filing qualifying contributions is 5:00 p.m.
15 on June 2 preceding the general election. An unenrolled
16 candidate certified after January 15 at 5:00 p.m. is eligible
17 for revenues from the Fund in the same amounts as a general
18 election candidate, as specified in subsections (g) and (h).

19 (l) The State Board shall establish by rule procedures for
20 qualification, certification, disbursement of Fund revenues,
21 and return of unspent Fund revenues for races involving
22 special elections, recounts, vacancies, withdrawals, or
23 replacement candidates.

24 (m) Notwithstanding any other provision of law,
25 participating and certified candidates shall report any money
26 collected, all campaign expenditures, obligations, and related

1 activities to the State Board according to procedures
2 developed by the State Board. Upon the filing of a final report
3 for any primary election in which the candidate was defeated
4 and for all general elections that candidate shall return all
5 unspent Fund revenues to the State Board. In developing these
6 procedures, the State Board shall utilize existing campaign
7 reporting procedures whenever practicable. The State Board
8 shall ensure timely public access to campaign finance data and
9 may utilize electronic means of reporting and storing
10 information.

11 (n) The treasurer shall obtain and keep:

12 (1) Bank or other account statements for the campaign
13 account covering the duration of the campaign.

14 (2) A vendor invoice stating the particular goods or
15 services purchased for every expenditure of \$50 or more.

16 (3) A record proving that a vendor received payment
17 for every expenditure of \$50 or more in the form of a
18 cancelled check, receipt from the vendor, or bank or
19 credit card statement identifying the vendor as the payee.

20 The treasurer shall preserve the records for 2 years
21 following the candidate's final campaign finance report for
22 the election cycle. The candidate and treasurer shall submit
23 photocopies of the records to the State Board upon its
24 request.

25 (o) The State Board may not distribute revenues to
26 certified candidates in excess of the total amount of money

1 deposited into the Fund as set forth in Section 15.
2 Notwithstanding any other provisions of this Act, if the State
3 Board determines that the revenues in the Fund are
4 insufficient to meet distributions under subsections (h) or
5 (i), the State Board may permit certified candidates to accept
6 and spend contributions, reduced by any seed money
7 contributions, aggregating no more than \$500 per donor per
8 election for gubernatorial candidates and \$250 per donor per
9 election for State Senate and State House candidates, up to
10 the applicable amounts set forth in subsections (h) and (i)
11 according to rules adopted by the State Board.

12 (p) A candidate who has been denied certification as an
13 Illinois Clean Elections Act candidate, the opponent of a
14 candidate who has been granted certification as an Illinois
15 Clean Elections Act candidate, or other interested persons may
16 challenge a certification decision by the State Board as
17 follows:

18 (1) A challenger may appeal to the full State Board
19 within 7 days after the certification decision. The appeal
20 shall be in writing and shall set forth the reasons for the
21 appeal.

22 (2) Within 5 days after an appeal is properly made and
23 after notice is given to the challenger and any opponent,
24 the State Board shall hold a hearing. The appellant has
25 the burden of providing evidence to demonstrate that the
26 State Board decision was improper. The State Board shall

1 rule on the appeal within 3 days after the completion of
2 the hearing.

3 (3) A challenger may appeal the decision of the State
4 Board in paragraph (2) by commencing an action in circuit
5 court.

6 (4) A candidate whose certification by the State Board
7 as an Illinois Clean Elections Act candidate is revoked on
8 appeal shall return to the State Board any unspent
9 revenues distributed from the Fund.

10 If the State Board or court finds that an appeal was made
11 frivolously or to cause delay or hardship, the State Board or
12 court may require the moving party to pay costs of the State
13 Board, court, and opposing parties, if any.

14 Section 25. Rules. The State Board shall adopt rules to
15 ensure effective administration of this Act. These rules shall
16 include, but not be limited to, procedures for obtaining
17 qualifying contributions, certification as an Illinois Clean
18 Elections Act candidate, circumstances involving special
19 elections, vacancies, recounts, withdrawals or replacements,
20 collection of revenues for the Fund, distribution of Fund
21 revenue to certified candidates, return of unspent Fund
22 disbursements, disposition of equipment purchased with Clean
23 Elections Funds, and compliance with this Act.

24 Section 30. Violations.

1 (a) In addition to any other penalties that may be
2 applicable, a person who violates any provision of this Act or
3 rules adopted under this Act of the State Board adopted under
4 Section 25 is subject to a fine not to exceed \$10,000 per
5 violation payable to the Fund. The State Board may assess a
6 fine of up to \$10,000 for a violation of reporting
7 requirements if it determines that the failure to file a
8 timely and accurate report resulted in the late payment of
9 matching funds. This fine is recoverable in a civil action. In
10 addition to any fine, for good cause shown, a candidate,
11 treasurer, consultant, or other agent of the candidate or the
12 committee authorized by the candidate found in violation of
13 this Act or rules adopted under this Act of the State Board may
14 be required to return to the Fund all amounts distributed to
15 the candidate from the Fund or any funds not used for
16 campaign-related purposes. If the State Board makes a
17 determination that a violation of this Act or rules adopted
18 under this Act of the State Board has occurred, the State Board
19 shall assess a fine or transmit the finding to the Attorney
20 General for prosecution. Fines paid under this Section shall
21 be deposited into the Fund. In determining whether or not a
22 candidate is in violation of the expenditure limits of this
23 Act, the State Board may consider as a mitigating factor any
24 circumstances out of the candidate's control.

25 (b) A person who willfully or knowingly violates this Act
26 or rules adopted under this Act of the State Board or who

1 willfully or knowingly makes a false statement in any report
2 required by this Act commits a business offense punishable by
3 a fine of at least \$1,001 and not more than \$5,000 and, if
4 certified as an Illinois Clean Elections Act candidate, shall
5 return to the Fund all amounts distributed to the candidate.

6 Section 35. Study report. By January 30, 2028 and every 4
7 years after that date, the State Board shall prepare for the
8 General Assembly a report documenting, evaluating, and making
9 recommendations relating to the administration,
10 implementation, and enforcement of this Act and the Illinois
11 Clean Elections Fund.

12 Section 90. The State Finance Act is amended by adding
13 Section 5.1036 as follows:

14 (30 ILCS 105/5.1036 new)

15 Sec. 5.1036. The Illinois Judicial Election Democracy
16 Trust Fund.

17 Section 95. The Illinois Income Tax Act is amended by
18 adding Section 507MMM as follows:

19 (35 ILCS 5/507MMM new)

20 Sec. 507MMM. The Illinois Clean Elections Fund checkoff.
21 For taxable years ending on or after December 31, 2026, the

1 Department shall print on its standard individual income tax
2 form a provision indicating that if the taxpayer wishes to
3 contribute to the Illinois Clean Elections Fund, as authorized
4 by the Illinois Clean Elections Act, he or she may do so by
5 stating the amount of the contribution (not less than \$3) on
6 the return and that the contribution will reduce the
7 taxpayer's refund or increase the amount of payment to
8 accompany the return. Failure to remit any amount of increased
9 payment shall reduce the contribution accordingly. This
10 Section does not apply to any amended return.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.