**Section 100.140 Prohibited Contributions – State Property**

a) Upon receipt of a notice of violation of Section 5-35 of the State Officials and Employees Ethics Act [5 ILCS 430/5-35], the State Board of Elections may assess a penalty not to exceed 100% of the value of the contribution giving rise to the violation. In determining whether to assess a penalty and the amount of a penalty, the Board will consider any mitigating or aggravating factors contained in the notice, including but not limited to the number of past violations of Article 9 of the Election Code, the amount of the contribution and whether, in the Board's view, the violation was unintentional or willful.

b) Persons against whom a penalty has been assessed by the Board may appeal the penalty. The provisions of 26 Ill. Adm. Code 125.425 governing the appeal procedures for violations of Article 9 shall apply to appeals of penalties assessed under this Section.

(Source: Amended at 35 Ill. Reg. 2295, effective February 4, 2011)