



Sen. Sally J. Turner

Filed: 4/21/2023

10300SB1010sam001

LRB103 05429 BMS 60811 a

1 AMENDMENT TO SENATE BILL 1010

2 AMENDMENT NO. _____. Amend Senate Bill 1010 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by adding Section
5 1A-52 as follows:

6 (10 ILCS 5/1A-52 new)

7 Sec. 1A-52. Regulation and oversight of private,
8 nongovernmental funds.

9 (a) The State Board of Elections is responsible for the
10 regulation and oversight of all private, nongovernmental funds
11 from an organization or an individual that are given or
12 distributed to an election authority for the election
13 authority to use.

14 (b) An election authority may not apply for or request in
15 some other manner any private, nongovernmental funding from
16 any source.

1 (c) The Board may seek and apply for private,
2 nongovernmental grants and donations to secure funds that will
3 be distributed to election authorities to reimburse the
4 election authorities for carrying out its duties related to
5 official day-to-day operations and administering elections
6 within the election authorities' respective jurisdictions.

7 (d) All funds that are secured by the Board under
8 subsection (c) shall be deposited by the Board into the
9 Election Authority Support Fund, a special fund that is
10 created in the State treasury, and, as directed by the State
11 Board of Elections, may be disbursed and expended for the
12 purposes described in this Section.

13 (e) When funds are not designated for disbursement in the
14 Election Authority Support Fund, the Board shall publish a
15 notice of funds available to election authorities in the
16 State. The notice must list the source or sources of funds, the
17 total amount available, and how an election authority may
18 apply to be reimbursed for expenditures. The frequency of
19 notices shall be at the discretion of the Board, but shall not
20 be less than once per calendar year unless no funds are
21 available.

22 (f) Funds disbursed under this Section must be directly
23 proportional to the total population residing within the
24 jurisdiction of the selected election authority. The initial
25 amount of funds disbursed shall be calculated as if every
26 election authority will apply for reimbursement. Any funds

1 remaining due to an insufficient number of applications, or
2 another reason, shall be distributed through a second round of
3 applications in which first round applicants may apply for a
4 second time.

5 (g) The Board must disburse funds to selected election
6 authorities within 30 days of reimbursement application
7 approval by check mailed to the official business address of
8 the election authority or direct deposit into the election
9 authority's government account. The Board is required to
10 disburse all funds within 365 days of receiving the funds from
11 an outside source unless the reason for not disbursing the
12 funds is due to lack of applications from election
13 authorities. In that case, the Board shall keep the funds
14 until fully disbursed through the application process and the
15 funds shall not be used for any other purpose.

16 (h) Both the Board and all election authorities are
17 required to create and maintain records pertaining to the
18 requirements of this Section. These records include, at a
19 minimum, applications by the Board for grants and donations,
20 reimbursement applications by election authorities, and
21 records of financial transfers. Election authorities must keep
22 records on how any private, nongovernmental funds were spent.
23 Funds received through this process must only be used as noted
24 on the original reimbursement application to the Board. These
25 financial records that detail the spending of funds must be
26 made available to the Board upon request to the election

1 authority.

2 (i) The Board shall establish rules by January 1, 2024 to
3 implement this Section, including, at a minimum, procedures
4 for grant applications, the frequency of notice of available
5 funds, the reimbursement application process for election
6 authorities to secure funding, and the process through which
7 funds are distributed.

8 (j) Nothing in this Section shall be construed to
9 interfere with any funds or procedures relating to the Help
10 America Vote Act, the Help Illinois Vote Fund, or the ERIC
11 Operations Trust Fund, or any other type of funds and
12 financial procedures detailed in any other provision of law.

13 (k) If this Section conflicts with any other provision of
14 law that specifies types of private, nongovernmental funds
15 that may be used by election authorities, including, but not
16 limited to, Section 1A-50, then the other, more specific law
17 controls.

18 (l) Except for the adoption of rules under subsection (i),
19 election authorities and the Board must comply with the
20 requirements of this Section beginning January 1, 2024.
21 Nothing in this Section shall be construed to affect private,
22 nongovernmental funds granted or given to an election
23 authority or the Board prior to January 1, 2024.

24 Section 10. The State Finance Act is amended by adding
25 Section 5.990 as follows:

1 (30 ILCS 105/5.990 new)

2 Sec. 5.990. The Election Authority Support Fund.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".