

1 AN ACT concerning campaign financing.

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 Clean Election Act.

6 Section 5. Legislative findings. It is hereby declared  
7 to be in the public interest and to be the policy of this  
8 State that primary and general election campaigns for the  
9 Offices of Governor and Lieutenant Governor shall be  
10 partially financed by public support under the provisions of  
11 this Act. It is the intention of this Act that the financing  
12 be sufficient so that candidates for election to the Offices  
13 of Governor and Lieutenant Governor may conduct their  
14 campaigns free from the predominance of special interest  
15 influence and so that persons of limited financial means may  
16 seek election to office.

17 Section 10. Definitions. As used in this Act, unless  
18 the context clearly indicates otherwise:

19 "Act" means this Act.

20 "Board" means the State Board of Elections.

21 "Candidate" means any individual who seeks nomination for  
22 election, or election, to the Office of Governor or  
23 Lieutenant Governor whether or not the individual is elected.  
24 An individual seeks nomination for election, or election, if  
25 he or she (1) takes the action necessary under the laws of  
26 this State to attempt to qualify for nomination for election,  
27 or election, to the Office of Governor or Lieutenant Governor  
28 or (2) receives contributions or makes expenditures, or gives  
29 consent for another individual or political committee to  
30 receive contributions or make expenditures with a view to

1 bring about the individual's nomination for election, or  
2 election, to office.

3 "Consumer Price Index" means the consumer price index as  
4 defined and officially reported by the United States Bureau  
5 of Labor Statistics or its successor agency.

6 "Contribution" means:

7 (1) a gift, subscription, donation, dues, loan,  
8 deposit of money, or anything of value, that is knowingly  
9 given or received in connection with the nomination or  
10 election of any individual to the Office of Governor or  
11 Lieutenant Governor;

12 (2) the purchase of tickets for fundraising events,  
13 including but not limited to, dinners, luncheons,  
14 cocktail parties, shows, and rallies;

15 (3) the payment by any individual, other than by a  
16 candidate or his or her principal campaign committee, of  
17 compensation for the personal services of another  
18 individual that are rendered without charge to the  
19 candidate;

20 (4) a transfer of funds between political  
21 committees; or

22 (5) a donation, gift, purchase of tickets,  
23 assumption of credit, or anything of value knowingly  
24 given or received in connection with the repayment of any  
25 candidate's campaign debt.

26 "Contribution" does not include services provided without  
27 compensation by individuals volunteering a portion or all of  
28 their time on behalf of any candidate or candidates.

29 "Expenditure" means any payments made, or debts and  
30 obligations incurred, by a candidate, a pair of candidates,  
31 or a principal campaign committee in connection with the  
32 election of any individuals to the Offices of Governor or  
33 Lieutenant Governor.

34 "Family" means the spouse, father, mother, father-in-law,

1 mother-in-law, children, or siblings of any candidate.

2 "General election" means the election at which the  
3 Governor and Lieutenant Governor are elected. For the  
4 purposes of this Act, the "general election" includes that  
5 period beginning with the day after the primary election and  
6 concludes July 1 of the year after the general election.

7 "Primary election" means the primary election at which  
8 nominees to the Offices of Governor and Lieutenant Governor  
9 are elected. For the purposes of this Act, the "primary  
10 election" includes that period beginning with July 1 of the  
11 year after the general election and leading up to and  
12 including the date of the next primary election.

13 "Political committee" means political committee as  
14 defined in Section 9-1.9 of the Election Code.

15 "Political party" means political party as defined in  
16 Section 7-2 of the Election Code.

17 "Principal campaign committee" means the committee  
18 designated by a candidate to the Office of Governor or  
19 Lieutenant Governor as the committee authorized to receive  
20 contributions, make expenditures, and receive public funds  
21 under this Act.

22 "Public matching funds" means any moneys disbursed under  
23 Section 60 of this Act.

24 "Eligible Governor candidate" means:

25 (1) any candidate of any political party whose name  
26 has been certified by the Board to appear on the official  
27 primary ballot for the Office of Governor and whose  
28 principal campaign committee has received contributions  
29 in amounts of \$1,000 or less, totalling \$200,000 as  
30 adjusted by Section 25, as documented by reports filed  
31 with the Board; or

32 (2) any candidate who has been nominated by primary  
33 under Article 7 of the Election Code or any candidate who  
34 has filed valid nomination papers under Article 10 of the

1 Election Code for the Office of Governor and whose  
2 principal campaign committee has received contributions  
3 in amounts of \$1,000 or less, totalling \$200,000 as  
4 adjusted by Section 25, as documented by reports filed  
5 with the Board.

6 "Eligible Lieutenant Governor candidate" means:

7 (1) any candidate of any political party whose name  
8 has been certified by the Board to appear on the official  
9 primary ballot for the Office of Lieutenant Governor and  
10 whose principal campaign committee has received  
11 contributions in amounts of \$1,000 or less, totalling  
12 \$10,000 as adjusted by Section 25, as documented by  
13 reports filed with the Board; or

14 (2) any Lieutenant Governor candidate who has been  
15 nominated by primary under Article 7 of the Election Code  
16 to run a joint election campaign with the nominated  
17 candidate for Governor of each political party or any  
18 candidate running independently.

19 "Reports" means those reports filed by political  
20 committees under Article 9 of the Election Code or any other  
21 reports required by the Board under this Act.

22 "Qualified contribution" means the entire amount of all  
23 contributions of \$1,000 or less, as adjusted by Section 25,  
24 given by an individual, corporation, or political committee  
25 in connection with the election of any candidates to the  
26 Offices of Governor or Lieutenant Governor and includes only  
27 the first \$1,000, as adjusted by Section 25, of any  
28 individual's, corporation's, or political committee's total  
29 aggregate contributions given during a primary or general  
30 election. "Qualified contribution" does not include a loan  
31 or advance or a credit, subscription, or in-kind  
32 contribution.

33 Section 15. Application of this Act. The provisions of

1 this Act shall apply to the primary and general elections  
2 held in 2002, and to all subsequent elections covered by this  
3 Act.

4 Section 20. Use of funds.

5 (a) A candidate receiving public matching funds may  
6 accept contributions from individuals, corporations, and  
7 political committees as defined by Article 9 of the Election  
8 Code as long as those contributions are within the  
9 contribution limits of this Act.

10 (b) Communications of any subject by a corporation to  
11 its stockholders and their families, or by a labor  
12 organization or association to its members and their  
13 families, and nonpartisan registration and get-out-the-vote  
14 campaigns by a corporation aimed at its stockholders or by a  
15 labor organization or association aimed at its members, shall  
16 not be construed to be in connection with the election of any  
17 candidates to the Office of Governor or Lieutenant Governor  
18 during any primary or general election.

19 (c) A knowing violation of this Section is a Class A  
20 misdemeanor.

21 Section 25. Inflationary adjustment. The dollar amounts  
22 specified in this Act are subject to a biennial inflationary  
23 adjustment to be determined by rule of the Board under this  
24 Section. The Board must determine the cumulative percentage  
25 difference in the Consumer Price Index between June 30 of  
26 each year preceding a general election and the base period of  
27 2002. All dollar amounts specified in this Act shall be  
28 adjusted by that amount by August 1 of each year before a  
29 general election, rounding to the nearest multiple of \$25.

30 Section 30. Loans to a candidate. No candidate for  
31 nomination or election to office covered under this Act may

1 accept any loan or any other form of credit under any terms  
2 in any way deviating from the regular practices of the  
3 lending institution making the loan. A knowing violation of  
4 this Section is a Class A misdemeanor.

5 Section 35. Principal campaign committee. For the  
6 purposes of this Act, the candidates for Governor and  
7 Lieutenant Governor of each political party, or any  
8 candidates running independently, must run a joint general  
9 election campaign. Each pair of candidates must jointly  
10 organize a single principal campaign committee and must  
11 jointly designate its officers, as is required under Article  
12 9 of the Election Code. A principal campaign committee shall  
13 jointly accept contributions and make expenditures in  
14 connection with the election of any pair of candidates to the  
15 Offices of Governor and Lieutenant Governor. Nothing in this  
16 Section shall require candidates to run joint primary  
17 campaigns.

18 Section 40. Campaign bank accounts.

19 (a) Each candidate in the primary election for nomination  
20 to the Office of Governor or Lieutenant Governor must create  
21 a bank account in a national or State bank or savings and  
22 loan institution. The candidate, or any official of his or  
23 her principal campaign committee, must promptly deposit all  
24 contributions and public matching funds received into the  
25 account. All campaign expenditures made by the principal  
26 campaign committee must be made out of this account.

27 (b) Each candidate in the general election for the  
28 Office of Governor or Lieutenant Governor must create a bank  
29 account in a national or State bank or savings and loan  
30 institution. The candidate or any official of his or her  
31 principal campaign committee must promptly deposit all  
32 contributions and public matching funds received into the

1 account. All campaign expenditures made by the principal  
2 campaign committee must be made out of this account.

3 (c) No moneys deposited in any candidate's account for  
4 the primary election may be commingled with general election  
5 funds or used to pay for general election expenses. A  
6 candidate may, however, transfer a combined total of not more  
7 than \$25,000, as adjusted by Section 25, from the primary  
8 election account for general election expenses. Any moneys  
9 transferred do not count toward the qualifying amount under  
10 Section 50. No moneys deposited in a candidates' account for  
11 the general election may be transferred or expended until the  
12 day following the primary election or may be expended for  
13 primary election expenses.

14 (d) No State or national bank or savings and loan  
15 institution that acts as a depository for election funds as  
16 provided in this Act may be held accountable for the proper  
17 application of funds deposited or withdrawn from the accounts  
18 by the individuals in whose name or names the accounts are  
19 opened or maintained, nor shall the State or national bank or  
20 savings and loan institution be under any duty to determine  
21 whether the funds deposited in the account are deposited,  
22 withdrawn, or transmitted for the purposes and at the time  
23 prescribed by law, or are received from sources and in amount  
24 limited by law.

25 Section 45. Clean Election Fund.

26 (a) There is established a special fund in the State  
27 Treasury known as the Clean Election Fund. The Board must  
28 maintain a separate record for each candidate or pair of  
29 candidates who is eligible under this Act.

30 (b) The Clean Election Fund is established to finance  
31 the election campaigns of eligible candidates. Money  
32 received from the following sources must be deposited into  
33 the Fund:

1           (1) voluntary tax check-off funds designated for  
2 the Clean Election Fund;

3           (2) appropriations;

4           (3) Clean Election Fund moneys distributed to  
5 eligible candidates remaining unspent after a candidate's  
6 primary loss and after the general election;

7           (4) other unspent Clean Election Fund moneys  
8 distributed to any eligible candidate who does not remain  
9 a candidate throughout a general primary or general  
10 election cycle; and

11          (5) voluntary donations made directly to the Fund.

12          (c) If, after an election and after all eligible  
13 candidates have been paid the amount which they are entitled  
14 to receive under this Act, there are moneys remaining in the  
15 Fund, the State Comptroller and State Treasurer shall  
16 transfer the remaining moneys to the General Revenue Fund.

17          (d) Upon receipt of a certification from the Board under  
18 subsection (b) of Section 60 for payment to the eligible  
19 candidates, the State Comptroller must within 5 working days  
20 pay to the candidate out of the Fund the amount certified by  
21 the Board. Amounts paid to any candidates are under the  
22 control of the candidates.

23          (e) If, after the date of the primary or general  
24 election campaign, any candidate or pair of candidates who  
25 has received public matching funds has surplus moneys in his  
26 or her account, the moneys may be retained for the  
27 liquidation of all obligations and for payment of expenses  
28 incurred during the primary or general election campaign.  
29 Moneys from the primary election campaign may be retained for  
30 a period not to exceed 6 months after the primary election.  
31 Moneys from the general election campaign may be retained for  
32 a period not to extend after June 30 of the year following an  
33 election. All moneys remaining available to any candidate or  
34 pair of candidates after all obligations have been liquidated



1 shall be paid into the Clean Election Fund, except that no  
2 candidate or pair of candidates shall pay into the Fund  
3 moneys in excess of the amount of public matching funds  
4 received from the Fund.

5 (f) No obligations may be incurred by a candidate or  
6 pair of candidates after the date of the primary or general  
7 election other than those expenses necessary to close out his  
8 or her campaign account. The Board shall determine what  
9 costs are allowable under this subsection.

10 (g) All provisions outlined in this Section shall apply  
11 equally to any candidate or pair of candidates who withdraw  
12 for any reason before the election for which public matching  
13 funds were received.

14 Section 50. Requirements for public matching funds.

15 (a) In order to receive any public matching funds under  
16 this Act, an eligible candidate or pair of candidates in a  
17 primary or general election must fulfill all the following  
18 requirements:

19 (1) Have a principal campaign committee that has  
20 accepted contributions in amounts of \$1,000 or less as  
21 adjusted by Section 25, totaling at least:

22 (i) \$200,000 as adjusted by Section 25 for the  
23 Office of Governor; and

24 (ii) \$10,000 as adjusted by Section 25 for the  
25 Office of Lieutenant Governor.

26 (2) Agree in writing to deposit all contributions  
27 and public matching funds into a single account and to  
28 make all campaign expenditures from that account.

29 (3) Agree in writing not to contribute more than  
30 \$1,000, adjusted by Section 25, of his or her own  
31 personal or family funds to his or her primary or general  
32 election campaign.

33 (4) Agree in writing to obtain and furnish to the

1 Board any evidence that it may request of the  
2 contributions of \$1,000 or less, as adjusted by Section  
3 25, with respect to which payment is sought.

4 (5) Agree in writing to keep and furnish to the  
5 Board any relevant records, books, and other information  
6 that it may request.

7 (6) Agree in writing to an audit and examination by  
8 the Board.

9 (7) Agree in writing to expend not more than:

10 (i) \$2,000,000 in a primary election and  
11 \$6,000,000 in a general election, as adjusted by  
12 Section 25, for the Office of Governor; and

13 (ii) \$100,000 in a primary election, as  
14 adjusted by Section 25, for the Office of Lieutenant  
15 Governor.

16 (b) None of these expenditure limitations shall apply to  
17 any expenditures made before the filing with the Board of the  
18 nomination petition of the candidate or pair of candidates.

19 (c) None of these requirements shall be construed to  
20 apply to any candidates who elect not to receive public  
21 matching funds.

22 Section 55. Ratio of public matching funds to funds  
23 raised by the candidate.

24 (a) Public matching funds to eligible candidates shall  
25 be made on a ratio of 4 matching dollars for every dollar  
26 raised by the candidate.

27 (b) Upon application to and approval of the Board  
28 commencing with the primary election in 2002 and in all  
29 subsequent elections, each eligible candidate in a primary  
30 election shall receive, but not before August 1 of the year  
31 before the election, public matching funds from the Clean  
32 Election Fund equal to the qualified contributions in amounts  
33 of \$1,000 or less as adjusted by Section 25 accepted by his

1 or her principal campaign committee. No public matching funds  
2 may match contributions received before the date on which the  
3 candidate files his or her nomination petition with the  
4 Board.

5 (c) Upon application to and approval of the Board,  
6 commencing with the general election in 2002 and in all  
7 subsequent elections, each eligible candidate or pair of  
8 candidates in a general election shall receive, but not  
9 before the date of the primary election, public matching  
10 funds from the Clean Election Fund equal to the qualified  
11 contributions in amounts of \$1,000 or less, as adjusted by  
12 Section 25, accepted by the principal campaign committee. No  
13 public matching funds shall be made to match contributions  
14 received before the primary date or the date on which  
15 candidate files his or her nomination petition with the  
16 Board, whichever is later.

17 Section 60. Reports.

18 (a) During a primary or general election, each eligible  
19 candidate or pair of candidates for election must, from time  
20 to time as the Board may require, furnish to the Board a  
21 detailed statement, in any form that the Board may prescribe,  
22 of all contributions of \$1,000 or less, as adjusted by  
23 Section 25, received by his or her principal campaign  
24 committee before the date of the statement. The Board shall  
25 require a statement under this Section from the candidates at  
26 least once every other week following qualification for  
27 public matching funds, at least once each week during the  
28 second, third, and fourth weeks before the day of the primary  
29 or general election, and at least twice during the week  
30 before the primary or general election day. The Board may not  
31 require any statement before the date on which the candidate  
32 or pair of candidates files its nomination petition with the  
33 Board.

1 (b) On the basis of the evidence furnished by the  
2 eligible candidates and before the examination and audit  
3 under Section 65, the Board may certify from time to time to  
4 the State Comptroller for payment to the candidates the  
5 public matching funds to which the candidates are entitled  
6 under Section 55. Where public matching funds are required,  
7 the Board must make the certifications at least once every  
8 other week after the primary date, at least once each week  
9 during the second, third, and fourth weeks before the day of  
10 the primary or general election, and at least twice during  
11 the week before the primary day.

12 (c) Certifications by the Board of public matching funds  
13 due to the candidates under this Section are final and  
14 conclusive, except to the extent that they are subject to  
15 examination and audit by the Board and to judicial review  
16 under this Act.

17 Section 65. Audit.

18 (a) After each general and primary election, the Board  
19 must conduct a thorough examination and audit of the campaign  
20 contributions to the candidates.

21 The audit following the primary election shall be  
22 conducted not later than 6 months after the date of the  
23 primary. There shall be 2 audits conducted following the  
24 general election. One of the audits must cover that period  
25 included in the Post-Election Campaign Disclosure Report.

26 A final audit must be conducted when the Board has  
27 received a certification from a candidate, pair of  
28 candidates, or the principal campaign committee, that all  
29 obligations have been met or the account is closed. The  
30 Board must receive the certification from the candidates or  
31 their principal campaign committee not later than June 30 of  
32 the year after the general election.

33 (b) If the Board determines that any portion of the

1 public matching funds made to the eligible candidates under  
2 Section 55 was in excess of the aggregate amount to which  
3 candidates were entitled under Section 50, it must notify the  
4 candidates, and the candidates must pay to the State  
5 Treasurer within 15 days an amount equal to that portion.

6 If the Board determines that any amount of any public  
7 matching funds received by the eligible candidates under  
8 Section 55 was used for any purpose other than (i) to  
9 defray the campaign expenses with respect for which the  
10 public matching funds were received, or (ii) to repay loans,  
11 the proceeds of which were used to restore funds otherwise  
12 used to defray the campaign expenses, it must notify the  
13 candidates of the amount so used, and the candidates must pay  
14 to the State Treasurer moneys equal to that amount.

15 No notification may be made by the Board under this  
16 subsection (b) with respect to an election more than 3 years  
17 after the day of the election.

18 All payments received by the State Treasurer under this  
19 subsection (b) must be deposited by him or her in the Clean  
20 Election Fund.

21 (c) All provisions outlined in this Section apply equally  
22 to any candidate or pair of candidates who withdraws for any  
23 reason prior to the election for which public matching funds  
24 were received.

25 Section 70. Report to the General Assembly. The Board  
26 must, as soon as possible after each election, submit a full  
27 report to the General Assembly setting forth:

28 (1) the aggregate amount of contributions of \$1,000  
29 or less, as adjusted by Section 25, received, shown in  
30 any detail that the Board determines necessary, by the  
31 candidates and their principal campaign committees;

32 (2) the amounts certified by it under Section 60  
33 for public matching funds to the eligible candidates; and

1           (3) the amount of payments, if any, required from  
2           the candidates under Section 60, and the reasons for each  
3           payment required.

4           Section 75. Investigations; civil court actions;  
5           advisory opinions.

6           (a) The Board may adopt rules to conduct examinations and  
7           audits in addition to the examinations and audits required by  
8           Section 65, to conduct investigations, and to require the  
9           keeping and submission of any books, records, and information  
10          that it deems necessary to carry out the functions and duties  
11          imposed on it by this Act. The Board may not require the  
12          submission of any books, records, or information concerning  
13          contributions received by a candidate or pair of candidates  
14          until the candidate or pair of candidates has filed its  
15          nomination petition with the Board.

16          (b) The Board may appear in and defend against any  
17          action filed under this Section, and may be represented in  
18          the actions either by attorneys employed in its office or by  
19          counsel whom it may appoint for that purpose without regard  
20          to the provisions of the Personnel Code.

21          (c) The Board may through attorneys and counsel appear  
22          in the circuit court in Sangamon County to seek recovery of  
23          any amounts determined to be payable to the State Treasurer  
24          as a result of examination and audit made under Section 65.

25          (d) The Board may through attorneys and counsel petition  
26          the circuit court in Sangamon County for declaratory or  
27          injunctive relief concerning any civil matter covered by the  
28          provisions of this Act. The actions shall be heard at the  
29          earliest practical date and expedited in every way possible  
30          in order to prevent injury to the respective parties.

31          (e) The Board may through attorneys and counsel appeal,  
32          or seek review of, any judgment entered with respect to  
33          actions in which it appears under this Section. The appeals

1 shall be made in the same manner and under the same  
2 conditions as provided by Supreme Court Rules for other civil  
3 actions.

4 (f) The Board, through its legal counsel, may render  
5 advisory opinions as to the interpretation and clarification  
6 of any of the provisions of this Act and as to whether a  
7 given set of facts and circumstances would constitute a  
8 violation of any provisions of this Act. The Board must  
9 render its advisory opinion within 10 working days after  
10 receipt of any request, unless an extension of time is  
11 consented to by the person making the request.

12 Section 80. Judicial review.

13 (a) Any certification or final determination by the  
14 Board made or taken under the provisions of this Act is  
15 subject to direct review by the Appellate Court in the  
16 Judicial District in which Springfield is located upon  
17 petition filed in the court by any interested person. Any  
18 petition filed under this Section must be filed within 30  
19 days after the certification, determination, or other action  
20 by the Board for which review is sought.

21 (b) The Board and individuals eligible to vote are  
22 authorized to institute any actions, including actions for  
23 declaratory judgment or injunctive relief, that may be  
24 appropriate to implement or construe any provision of this  
25 Act.

26 (c) The circuit court in Sangamon County has  
27 jurisdiction of proceedings instituted under subsection (b)  
28 and must exercise its jurisdiction without regard to whether  
29 a person asserting rights under subsection (b) has exhausted  
30 any administrative or other remedies that may be provided.  
31 The proceedings must be heard at the earliest practical date  
32 and expedited in every way possible in order to prevent  
33 injury to the respective parties. Appeals shall be as in

1 other civil cases.

2 Section 85. Violations.

3 (a) It is unlawful for any individual who receives any  
4 public matching funds under Section 55 to knowingly and  
5 willfully use, or authorize the use of, the public matching  
6 funds or any portion for any purpose other than:

7 (1) to defray the campaign expenses with respect to  
8 which the public matching funds were received, or

9 (2) to repay loans, the proceeds of which were used  
10 to restore funds otherwise used to defray qualified  
11 campaign expenses.

12 Any individual who knowingly violates this subsection (a)  
13 is guilty of a Class 4 felony.

14 (b) It is unlawful for any individual knowingly and  
15 willfully:

16 (1) to furnish any false, fictitious, or fraudulent  
17 evidence, books, or information to the Board under this  
18 Act, or to include in any evidence, books, or information  
19 so furnished any misrepresentation of a material fact, or  
20 to falsify or conceal any evidence, books, or information  
21 relevant to a certification by the Board or an  
22 examination and audit by the Board under this Act; or

23 (2) to fail to furnish to the Board any records,  
24 books, or information requested of him or her for  
25 purposes of this Act.

26 Any individual who violates this subsection (b) is guilty  
27 of a Class 4 felony.

28 (c) It is unlawful for any individual knowingly and  
29 willfully to give or accept any unreported refund or any  
30 illegal payment in connection with any campaign expense of  
31 eligible candidates.

32 Any individual who knowingly violates this subsection (c)  
33 is guilty of a Class 4 felony.



1           In addition to any penalty provided under this subsection  
 2           (c), any individual who accepts any unreported refund or  
 3           illegal payment in connection with any campaign expense of  
 4           eligible candidates shall pay to the State Treasurer, for  
 5           deposit in the Clean Election Fund, an amount equal to 200%  
 6           of the unreported refund or payment received.

7           Section 700. The State Finance Act is amended by adding  
 8           Section 5.545 as follows:

9           (30 ILCS 105/5.545 new)

10          Sec. 5.545. The Clean Election Fund.

11          Section 800. The Illinois Income Tax Act is amended by  
 12          changing Sections 509 and 510 and adding Section 507W as  
 13          follows:

14          (35 ILCS 5/507W new)

15          Sec. 507W. Clean Election Fund. The Department must  
 16          print on its standard individual income tax form a provision  
 17          indicating that if the taxpayer wishes to contribute to the  
 18          Clean Election Fund, as authorized by this amendatory Act of  
 19          the 92nd General Assembly, he or she may do so and that the  
 20          contribution will reduce the taxpayer's refund or increase  
 21          the amount of payment to accompany the return. Failure to  
 22          remit any amount of increased payment reduces the  
 23          contribution accordingly. This Section does not apply to any  
 24          amended return.

25          (35 ILCS 5/509) (from Ch. 120, par. 5-509)

26          Sec. 509. Tax checkoff explanations. All individual  
 27          income tax return forms shall contain appropriate  
 28          explanations and spaces to enable the taxpayers to designate  
 29          contributions to the Child Abuse Prevention Fund, to the

1 Community Health Center Care Fund, to the Illinois Wildlife  
2 Preservation Fund as required by the Illinois Non-Game  
3 Wildlife Protection Act, to the Alzheimer's Disease Research  
4 Fund as required by the Alzheimer's Disease Research Act, to  
5 the Assistance to the Homeless Fund as required by this Act,  
6 to the Heritage Preservation Fund as required by the Heritage  
7 Preservation Act, to the Child Care Expansion Program Fund as  
8 required by the Child Care Expansion Program Act, to the Ryan  
9 White AIDS Victims Assistance Fund, to the Assistive  
10 Technology for Persons with Disabilities Fund, to the  
11 Domestic Violence Shelter and Service Fund, to the United  
12 States Olympians Assistance Fund, to the Youth Drug Abuse  
13 Prevention Fund, to the Persian Gulf Conflict Veterans Fund,  
14 to the Literacy Advancement Fund, to the Ryan White Pediatric  
15 and Adult AIDS Fund, to the Illinois Special Olympics  
16 Checkoff Fund, to the Penny Severns Breast and Cervical  
17 Cancer Research Fund, to the Korean War Memorial Fund, to the  
18 Heart Disease Treatment and Prevention Fund, to the  
19 Hemophilia Treatment Fund, to the Mental Health Research  
20 Fund, to the Children's Cancer Fund, to the American Diabetes  
21 Association Fund, to the National World War II Memorial Fund,  
22 to the Prostate Cancer Research Fund, to the Clean Election  
23 Fund, and to the Meals on Wheels Fund. Each form shall  
24 contain a statement that the contributions will reduce the  
25 taxpayer's refund or increase the amount of payment to  
26 accompany the return. Failure to remit any amount of  
27 increased payment shall reduce the contribution accordingly.

28 If, on October 1 of any year, the total contributions to  
29 any one of the funds made under this Section do not equal  
30 \$100,000 or more, the explanations and spaces for designating  
31 contributions to the fund shall be removed from the  
32 individual income tax return forms for the following and all  
33 subsequent years and all subsequent contributions to the fund  
34 shall be refunded to the taxpayer.

1 (Source: P.A. 90-171, eff. 7-23-97; 91-104, eff. 7-13-99;  
2 91-107, eff. 7-13-99; 91-357, eff. 7-29-99; 91-833, eff.  
3 1-1-01; 91-836, eff. 1-1-01.)

4 (35 ILCS 5/510) (from Ch. 120, par. 5-510)

5 Sec. 510. Determination of amounts contributed. The  
6 Department shall determine the total amount contributed to  
7 each of the following: the Child Abuse Prevention Fund, the  
8 Illinois Wildlife Preservation Fund, the Community Health  
9 Center Care Fund, the Assistance to the Homeless Fund, the  
10 Alzheimer's Disease Research Fund, the Heritage Preservation  
11 Fund, the Child Care Expansion Program Fund, the Ryan White  
12 AIDS Victims Assistance Fund, the Assistive Technology for  
13 Persons with Disabilities Fund, the Domestic Violence Shelter  
14 and Service Fund, the United States Olympians Assistance  
15 Fund, the Youth Drug Abuse Prevention Fund, the Persian Gulf  
16 Conflict Veterans Fund, the Literacy Advancement Fund, the  
17 Ryan White Pediatric and Adult AIDS Fund, the Illinois  
18 Special Olympics Checkoff Fund, the Penny Severns Breast and  
19 Cervical Cancer Research Fund, the Korean War Memorial Fund,  
20 the Heart Disease Treatment and Prevention Fund, the  
21 Hemophilia Treatment Fund, the Mental Health Research Fund,  
22 the Children's Cancer Fund, the American Diabetes  
23 Association Fund, the National World War II Memorial Fund,  
24 the Prostate Cancer Research Fund, the Clean Election Fund,  
25 and the Meals on Wheels Fund; and shall notify the State  
26 Comptroller and the State Treasurer of the amounts to be  
27 transferred from the General Revenue Fund to each fund, and  
28 upon receipt of such notification the State Treasurer and  
29 Comptroller shall transfer the amounts.

30 (Source: P.A. 90-171, eff. 7-23-97; 91-104, eff. 7-13-99;  
31 91-107, eff. 7-13-99; 91-833, eff. 1-1-01; 91-836, eff.  
32 1-1-01.)

1           Section 900. Repeal. This Clean Election Act is  
2 repealed June 30, 2009.

3           Section 999. Effective date. This Act takes effect upon  
4 becoming law.