

LWVIL 2015 Issues Briefing: Campaign Finance Reform

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Over the last few years US Supreme Court Rulings have had the effect of exponentially increasing the amount of money that can be used to influence federal elections. In *Citizens United v. FEC* (Federal Election Commission), January, 2010, the US Supreme Court ruled that in the electoral context the First Amendment to the U.S. Constitution gives corporations, like people, free speech protections and spending money is a form of speech. This allows corporations, unions and other entities to make unlimited “independent expenditures” to influence elections. The April, 2014 decision in *McCutcheon v. FEC* ruled that, while total giving to each candidate remains limited, individual donors are now able to donate to each and every candidate of his or her choosing. Total aggregate limits on contributions are lifted and candidates and parties can collect substantially larger sums from individual donors.

Activity in Illinois. The first legislation in Illinois to place limits on contributions to campaigns in Illinois, PA 96-0832, took effect on January 1, 2011 and fundamentally changed the way Illinois regulates the use of money to influence politics. The *legislation placed limits on contributions that individuals, corporations, unions and associations, and PACs can make to candidates and political parties in primary and general elections. One weakness in the law is that it does not provide for limits on contributions from political party and legislative caucus committees to candidate political committees in general elections.*

LWVIL has opposed subsequent legislation weakening the contribution limits in PA 96-0832. A provision of PA 97-0766 passed in 2012 removes limits on all contributions to all candidates running in an election where spending by an independent expenditure committee (or super PAC) reaches a threshold amount of \$250,000 in support of a candidate in a statewide race or \$100,000 for all other elective offices. The 2013 Election Code Omnibus Bill (PA 98-0115) removes contribution limits in races where multiple Super PACs combine to spend above those limits. *Contribution limits in the 2014 race for Governor in Illinois were lifted since a self-funded candidate gave \$500,000 to his campaign.*

Currently in Illinois there are citizen efforts to reduce the influence of big money in elections. Illinois Campaign for Political Reform (ICPR) is working to get small donor campaign funding systems adopted in some municipalities for local elections. There was a small donor advisory referendum on the February 24 Chicago Municipal Elections ballot; voters overwhelmingly supported the referendum with almost 80% voting "YES" . There are a number of other citizen efforts encouraging local governments to adopt measures that would lessen the influence of money in politics such as increasing disclosure in campaign funding, prohibiting taking of campaign money from industries government officials regulate and prohibiting lobbying activity.

Activity at the Federal Level. The LWVUS 2014 Convention adopted a comprehensive program combining study and review of key, specific structures of American democracy, including of a study of the process of by which the U.S. Constitution is amended and constitutional convention as well as a review and update of the League position on campaign finance in an effort to enhance member understanding of current schemes and structures used to influence elections and which have the effect of eroding protections against corruption in our political process and to review possible responses to counter them.

In the area of Money in Politics LWVUS has:

- Supported the DISCLOSE Act, which would ensure that voters know the identity of donors secretly financing campaign expenditures in federal elections.
- Worked to persuade the Federal Election Commission (FEC) to set a stricter definition of disclosure and define coordination between candidates and outside spending groups, as a way of putting a lid on much of the outside spending from special interests.
- Opposed the December 2014 omnibus spending bill which authorized massive increases in the allowable contributions to political parties. Under this legislation, a single individual could give a total of \$1,555,200 to the three committees of a national party in a two-year election cycle. The previous limit was \$259,200 in a two year cycle.

Outlook: The study and review of constitutional conventions and the campaign finance position that LWVUS is undertaking will make the League better able to respond on current campaign finance issues. The most likely activity in the area of Campaign Finance and Ethics Reform in Illinois will be at the municipal level. LWVIL will support League efforts at the local level and monitor legislation at the state level and act in accordance with our current position.