

LWVIL 2016 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 the total given to each candidate is still limited, individual donors are now able to donate to every candidate of their choosing. The 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, changing 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. LWVIL has opposed subsequently enacted legislation like PA 98-0115 that removes the contribution limits in races where multiple Super PACs combine to spend \$250,000 in a statewide race or \$100,000 for all other elective offices. *Contribution limits in the 2014 race for Governor in Illinois were lifted when a self-funded candidate gave \$500,000 to his campaign.*

In 2015 the League supported, PA 99-0437, legislation that closed a reporting gap and increased the frequency of reporting requirements for independent expenditures related to political campaigns. LWVIL sent a TFA to members in July 2015 asking them to urge the governor to sign this legislation. The League opposed legislation that would have exempted municipalities from disclosing key financial information about contracts and events held at publicly-owned venues, preventing the public from knowing what some municipalities are doing with tax dollars and the facilities owned and operated with tax payer money.

In February of 2015, 79% of Chicago voters supported the advisory ballot question calling for a small donor match program for aldermanic candidates. The Fair Elections ordinance being introduced to the Chicago City Council this spring will create a small donor match program, where candidates who meet a number of requirements will be able to receive matching funds on small contributions. Small donor match programs have been found to increase political participation and reduce the influence of large special interests. Common Cause is leading the effort to pass this small donor match ordinance.

Outlook

The LWVUS 2014 Convention adopted a comprehensive program combining study and review of key, specific structures of American democracy consisting of a study of the process of amending the U.S. Constitution, including constitutional conventions, and a review and update of the League position on campaign finance. Local Leagues studied these issues and held consensus meetings from August 2015 through February 2016. A new Campaign Finance position should be adopted by LWVUS this spring making the League better able to respond to current campaign finance issues at the national, state and local levels.

Currently in Illinois there are citizens' efforts to reduce the influence of big money put into elections. ICPR (Illinois Campaign for Political Reform) among others is working to get small donor campaign funding systems adopted in some municipalities for local elections. There are other citizen efforts to get local governments to adopt measures that would lessen the influence of money on our political system such as increasing disclosure in campaign funding, prohibiting taking of campaign money from industries government officials regulate and prohibiting lobbying activity.

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 positions.