

Campaign Finance Reform
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Regulation of Campaign Finances

In 1974 the Illinois General Assembly in the post-Watergate era reform movement passed a law to require the reporting of campaign receipts and expenditures (10 ILCS 5/9-1). While many other states and the federal government placed limits on contributions and expenditures, prohibited corporate entities from contributing or spending on politics, and adopted public financing systems, Illinois chose to adopt a law which relied exclusively on two interrelated mechanisms to accomplish its purpose: disclosure and reporting. Candidates for public office and political party organizations were required to disclose the sources of contributions and how they spent those contributions.

In the fall of 2009, the State Legislature passed and the Governor signed SB 1466 (PA 96-0832). This legislation that took effect on January 1, 2011 fundamentally changes the way Illinois regulates how money is used to influence politics. For the first time Illinois imposes limits on all money coming directly into the political system from corporate sources. The new law also imposes some limits on the movement of money between political committees.

More specifically, the legislation places limits on contributions that individual, corporations, unions and associations, and PACs can make to candidates and political parties in primary and general elections. There are also limits for contributions to candidates placed on political party and legislative caucus committees during primary elections but not in general elections. PA 96-0832 creates a framework for better disclosure and enforcement providing for contributions of \$1000 or more to be reported electronically with 5 days; campaign committees to report more detailed quarterly (rather than semi-annual) reports of contribution and expenditures; random audits conducted by the State Board of Elections to ensure compliance with the laws; and enhanced penalties for violations of the law's provisions.

It is important to note that PA 96-0832 does not provide for limits on contributions from political party and legislative caucus committees to candidate political committees in general elections. The League and our coalition partners will continue to work for this type of legislation.

FOIA - Freedom of Information Act

Legislation to strengthen the FOIA passed in 2009. However, in November 2010, HB 5154 (PA 96-1483), legislation limiting the public's right to access performance records of public employees weakening the FOIA became law. Specifically, disclosure of performance evaluations is prohibited under the Personnel Record Review Act.

DISCLOSE Act – Democracy is Strengthened by Casting Light On Spending in Elections

In *Citizens United v. FEC* (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. The Court held that there is no difference under the law between an individual citizen and a multinational corporation (or any other corporation) when it comes to independent expenditures. Corporations are now able to pay for television advertisements that directly call for the election or defeat of political candidates out of their treasury funds. The LWVUS supports the DISCLOSE Act that will require that the sources of funding of political advertising be disclosed.