



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3504

by Rep. Silvana Tabares

SYNOPSIS AS INTRODUCED:

25 ILCS 170/2
25 ILCS 170/6

from Ch. 63, par. 172
from Ch. 63, par. 176

Amends the Lobbyist Registration Act. Provides that beginning January 1, 2018, and for each January 1 thereafter, every lobbying business entity registered under the Act shall report its total monetary amount of expenditures related to lobbying for the previous year. Provides that the report shall be in addition to any other report required under the Act which may include the expenditures of the lobbying business entity as a client. Defines "lobbying business entity". Makes conforming change. Effective immediately.

LRB100 07311 RJF 17372 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Lobbyist Registration Act is amended by
5 changing Sections 2 and 6 as follows:

6 (25 ILCS 170/2) (from Ch. 63, par. 172)

7 Sec. 2. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 (a) "Person" means any individual, firm, partnership,
10 committee, association, corporation, or any other organization
11 or group of persons.

12 (b) "Expenditure" means a payment, distribution, loan,
13 advance, deposit, or gift of money or anything of value, and
14 includes a contract, promise, or agreement, whether or not
15 legally enforceable, to make an expenditure, for the ultimate
16 purpose of influencing executive, legislative, or
17 administrative action, other than compensation as defined in
18 subsection (d).

19 (c) "Official" means:

20 (1) the Governor, Lieutenant Governor, Secretary of
21 State, Attorney General, State Treasurer, and State
22 Comptroller;

23 (2) Chiefs of Staff for officials described in item

1 (1);

2 (3) Cabinet members of any elected constitutional
3 officer, including Directors, Assistant Directors and
4 Chief Legal Counsel or General Counsel;

5 (4) Members of the General Assembly; and

6 (5) Members of any board, commission, authority, or
7 task force of the State authorized or created by State law
8 or by executive order of the Governor.

9 (d) "Compensation" means any money, thing of value or
10 financial benefits received or to be received in return for
11 services rendered or to be rendered, for lobbying as defined in
12 subsection (e).

13 Monies paid to members of the General Assembly by the State
14 as remuneration for performance of their Constitutional and
15 statutory duties as members of the General Assembly shall not
16 constitute compensation as defined by this Act.

17 (e) "Lobby" and "lobbying" means any communication with an
18 official of the executive or legislative branch of State
19 government as defined in subsection (c) for the ultimate
20 purpose of influencing any executive, legislative, or
21 administrative action.

22 (f) "Influencing" means any communication, action,
23 reportable expenditure as prescribed in Section 6 or other
24 means used to promote, support, affect, modify, oppose or delay
25 any executive, legislative or administrative action or to
26 promote goodwill with officials as defined in subsection (c).

1 (g) "Executive action" means the proposal, drafting,
2 development, consideration, amendment, adoption, approval,
3 promulgation, issuance, modification, rejection or
4 postponement by a State entity of a rule, regulation, order,
5 decision, determination, contractual arrangement, purchasing
6 agreement or other quasi-legislative or quasi-judicial action
7 or proceeding.

8 (h) "Legislative action" means the development, drafting,
9 introduction, consideration, modification, adoption,
10 rejection, review, enactment, or passage or defeat of any bill,
11 amendment, resolution, report, nomination, administrative rule
12 or other matter by either house of the General Assembly or a
13 committee thereof, or by a legislator. Legislative action also
14 means the action of the Governor in approving or vetoing any
15 bill or portion thereof, and the action of the Governor or any
16 agency in the development of a proposal for introduction in the
17 legislature.

18 (i) "Administrative action" means the execution or
19 rejection of any rule, regulation, legislative rule, standard,
20 fee, rate, contractual arrangement, purchasing agreement or
21 other delegated legislative or quasi-legislative action to be
22 taken or withheld by any executive agency, department, board or
23 commission of the State.

24 (j) "Lobbyist" means any natural person who undertakes to
25 lobby State government as provided in subsection (e).

26 (k) "Lobbying entity" means any entity that hires, retains,

1 employs, or compensates a natural person to lobby State
2 government as provided in subsection (e).

3 (l) "Authorized agent" means the person designated by an
4 entity or lobbyist registered under this Act as the person
5 responsible for submission and retention of reports required
6 under this Act.

7 (m) "Client" means any person or entity that provides
8 compensation to a lobbyist to lobby State government as
9 provided in subsection (e) of this Section.

10 (n) "Client registrant" means a client who is required to
11 register under this Act.

12 (o) "Lobbying business entity" means any business or
13 organization with at least \$1,000,000 in yearly revenue that
14 lobbies State government, or provides compensation to a
15 lobbyist to lobby State government, as provided in subsection
16 (e).

17 (Source: P.A. 98-459, eff. 1-1-14.)

18 (25 ILCS 170/6) (from Ch. 63, par. 176)

19 Sec. 6. Reports.

20 (a) Lobbyist reports. Except as otherwise provided in this
21 Section, every lobbyist registered under this Act who is solely
22 employed by a lobbying entity shall file an affirmation,
23 verified under oath pursuant to Section 1-109 of the Code of
24 Civil Procedure, with the Secretary of State attesting to the
25 accuracy of any reports filed pursuant to subsection (b) as

1 those reports pertain to work performed by the lobbyist. Any
2 lobbyist registered under this Act who is not solely employed
3 by a lobbying entity shall personally file reports required of
4 lobbying entities pursuant to subsection (b). A lobbyist may,
5 if authorized so to do by a lobbying entity by whom he or she is
6 employed or retained, file lobbying entity reports pursuant to
7 subsection (b) provided that the lobbying entity may delegate
8 the filing of the lobbying entity report to only one lobbyist
9 in any reporting period.

10 (b) Lobbying entity reports. Every lobbying entity
11 registered under this Act shall report expenditures related to
12 lobbying. The report shall itemize each individual expenditure
13 or transaction and shall include the name of the official on
14 whose behalf the expenditure was made, the name of the client
15 if the expenditure was made on behalf of a client, the total
16 amount of the expenditure, a description of the expenditure,
17 the vendor or purveyor to whom the expenditure was made
18 (including the address or location of the expenditure), the
19 date on which the expenditure occurred and the subject matter
20 of the lobbying activity, if any. For those expenditures made
21 on behalf of a client, if the client is a client registrant,
22 the report shall also include the name and address of the
23 client or clients of the client registrant or the official or
24 officials on whose behalf the expenditure ultimately was made.
25 Each expenditure required to be reported shall include all
26 expenses made for or on behalf of an official or his or her

1 immediate family member living with the official.

2 ~~(b-1)~~ The report shall include any change or addition to
3 the client list information, required in Section 5 for
4 registration, since the last report, including the names and
5 addresses of all clients who retained the lobbying entity
6 together with an itemized description for each client of the
7 following: (1) lobbying regarding executive action, including
8 the name of any executive agency lobbied and the subject
9 matter; (2) lobbying regarding legislative action, including
10 the General Assembly and any other agencies lobbied and the
11 subject matter; and (3) lobbying regarding administrative
12 action, including the agency lobbied and the subject matter.
13 Registrants who made no reportable expenditures during a
14 reporting period shall file a report stating that no
15 expenditures were incurred.

16 (b-1) Lobbying business entity reports. Beginning January
17 1, 2018, and for each January 1 thereafter, every lobbying
18 business entity registered under this Act shall report its
19 total monetary amount of expenditures related to lobbying for
20 the previous year. This report shall be in addition to any
21 report which may include the expenditures of the lobbying
22 business entity as a client under subsection (b) of this
23 Section.

24 (b-2) Expenditures attributable to lobbying officials
25 shall be listed and reported according to the following
26 categories:

1 (1) Travel and lodging on behalf of others, including,
2 but not limited to, all travel and living accommodations
3 made for or on behalf of State officials during sessions of
4 the General Assembly.

5 (2) Meals, beverages and other entertainment.

6 (3) Gifts (indicating which, if any, are on the basis
7 of personal friendship).

8 (4) Honoraria.

9 (5) Any other thing or service of value not listed
10 under categories (1) through (4), setting forth a
11 description of the expenditure. The category travel and
12 lodging includes, but is not limited to, all travel and
13 living accommodations made for or on behalf of State
14 officials in the State capital during sessions of the
15 General Assembly.

16 (b-3) Expenditures incurred for hosting receptions,
17 benefits and other large gatherings held for purposes of
18 goodwill or otherwise to influence executive, legislative or
19 administrative action to which there are 25 or more State
20 officials invited shall be reported listing only the total
21 amount of the expenditure, the date of the event, and the
22 estimated number of officials in attendance.

23 (b-7) Matters excluded from reports. The following items
24 need not be included in the report:

25 (1) Reasonable and bona fide expenditures made by the
26 registrant who is a member of a legislative or State study

1 commission or committee while attending and participating
2 in meetings and hearings of such commission or committee.

3 (2) Reasonable and bona fide expenditures made by the
4 registrant for personal sustenance, lodging, travel,
5 office expenses and clerical or support staff.

6 (3) Salaries, fees, and other compensation paid to the
7 registrant for the purposes of lobbying.

8 (4) Any contributions required to be reported under
9 Article 9 of the Election Code.

10 (5) Expenditures made by a registrant on behalf of an
11 official that are returned or reimbursed prior to the
12 deadline for submission of the report.

13 (c) A registrant who terminates employment or duties which
14 required him to register under this Act shall give the
15 Secretary of State, within 30 days after the date of such
16 termination, written notice of such termination and shall
17 include therewith a report of the expenditures described
18 herein, covering the period of time since the filing of his
19 last report to the date of termination of employment. Such
20 notice and report shall be final and relieve such registrant of
21 further reporting under this Act, unless and until he later
22 takes employment or assumes duties requiring him to again
23 register under this Act.

24 (d) Failure to file any such report within the time
25 designated or the reporting of incomplete information shall
26 constitute a violation of this Act.

1 A registrant shall preserve for a period of 2 years all
2 receipts and records used in preparing reports under this Act.

3 (e) Within 30 days after a filing deadline or as provided
4 by rule, the lobbyist shall notify each official on whose
5 behalf an expenditure has been reported. Notification shall
6 include the name of the registrant, the total amount of the
7 expenditure, a description of the expenditure, the date on
8 which the expenditure occurred, and the subject matter of the
9 lobbying activity.

10 (f) A report for the period beginning January 1, 2010 and
11 ending on June 30, 2010 shall be filed no later than July 15,
12 2010, and a report for the period beginning July 1, 2010 and
13 ending on December 31, 2010 shall be filed no later than
14 January 15, 2011. Beginning January 1, 2011, reports shall be
15 filed semi-monthly as follows: (i) for the period beginning the
16 first day of the month through the 15th day of the month, the
17 report shall be filed no later than the 20th day of the month
18 and (ii) for the period beginning on the 16th day of the month
19 through the last day of the month, the report shall be filed no
20 later than the 5th day of the following month. A report filed
21 under this Act is due in the Office of the Secretary of State
22 no later than the close of business on the date on which it is
23 required to be filed.

24 (g) All reports filed under this Act shall be filed in a
25 format or on forms prescribed by the Secretary of State.

26 (Source: P.A. 98-459, eff. 1-1-14.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.