



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4435

by Rep. Grant Wehrli

SYNOPSIS AS INTRODUCED:

5 ILCS 420/1-113
5 ILCS 420/2-104

from Ch. 127, par. 601-113
from Ch. 127, par. 602-104

Amends the Illinois Governmental Ethics Act. Provides that, among other restrictions, no legislator may accept or participate in any way in any representation case before the State of Illinois or any unit of local government in this State on any matter filed on or after February 1, 2018 that involves a challenge to any tax or proposed assessment of any tax or fee. Provides that the prohibition against participation in such a representation case does not apply in regards to a person with whom the legislator maintains a close economic association, unless a fee or compensation received regarding any matter that involves a challenge to any tax or proposed assessment of any tax or fee is received by the legislator directly or indirectly through any interest in a partnership, limited liability corporation, or other business entity. Modifies the term "representation case" to include matters before a unit of local government. Effective immediately.

LRB100 17447 RJF 32616 b

1 AN ACT concerning government.

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

4 Section 5. The Illinois Governmental Ethics Act is amended
5 by changing Sections 1-113 and 2-104 as follows:

6 (5 ILCS 420/1-113) (from Ch. 127, par. 601-113)

7 Sec. 1-113. "Representation case" means the professional
8 representation of any person, client or principal, with or
9 without compensation, in any matter before any State agency or
10 unit of local government where the action or non-action of the
11 State agency involves the exercise of substantial discretion.
12 However, the term shall not include inquiries for information
13 or other services rendered in a legislative capacity on behalf
14 of a constituent or other member of the public.

15 (Source: Laws 1967, p. 3401.)

16 (5 ILCS 420/2-104) (from Ch. 127, par. 602-104)

17 Sec. 2-104. No legislator may accept or participate in any
18 way in any representation case, as that term is defined in
19 Section 1-113, before (1) the Court of Claims of this State; ~~or~~
20 (2) ~~before~~ the Illinois Workers' Compensation Commission, when
21 the State of Illinois is the respondent; or (3) the State of
22 Illinois or any unit of local government in this State on any

1 matter filed on or after February 1, 2018 that involves a
2 challenge to any tax or proposed assessment of any tax or fee.

3 This Section does not prohibit participation in such a
4 representation case by a person with whom the legislator
5 maintains a close economic association, unless the fact of that
6 association is used to influence or attempt to influence the
7 State agency in the rendering of its decision or unless a fee
8 or compensation received regarding any matter that involves a
9 challenge to any tax or proposed assessment of any tax or fee
10 is received by the legislator directly or indirectly through
11 any interest in a partnership, limited liability corporation,
12 or other business entity.

13 A violation of this Section is a Class A misdemeanor.

14 (Source: P.A. 93-721, eff. 1-1-05.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.