

SB2266



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2266

Introduced 11/8/2017, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

5 ILCS 430/25-5

Amends the State Officials and Employees Ethics Act. Provides that on and after the effective date of this amendatory Act, appointments to the Legislative Ethics Commission shall be gender-balanced. Effective immediately.

LRB100 15591 JWD 30682 b

A BILL FOR

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 State Officials and Employees Ethics Act is
5 amended by changing Section 25-5 as follows:

6 (5 ILCS 430/25-5)

7 Sec. 25-5. Legislative Ethics Commission.

8 (a) The Legislative Ethics Commission is created.

9 (b) The Legislative Ethics Commission shall consist of 8
10 commissioners appointed 2 each by the President and Minority
11 Leader of the Senate and the Speaker and Minority Leader of the
12 House of Representatives.

13 The terms of the initial commissioners shall commence upon
14 qualification. Each appointing authority shall designate one
15 appointee who shall serve for a 2-year term running through
16 June 30, 2005. Each appointing authority shall designate one
17 appointee who shall serve for a 4-year term running through
18 June 30, 2007. The initial appointments shall be made within 60
19 days after the effective date of this Act.

20 After the initial terms, commissioners shall serve for
21 4-year terms commencing on July 1 of the year of appointment
22 and running through June 30 of the fourth following year.
23 Commissioners may be reappointed to one or more subsequent

1 terms.

2 Appointments made on and after the effective date of this
3 amendatory Act of the 100th General Assembly, including
4 appointments to fill vacancies, shall be made so that there is
5 one female commissioner and one male commissioner appointed by
6 each appointing authority.

7 Vacancies occurring other than at the end of a term shall
8 be filled by the appointing authority only for the balance of
9 the term of the commissioner whose office is vacant.

10 Terms shall run regardless of whether the position is
11 filled.

12 (c) The appointing authorities shall appoint commissioners
13 who have experience holding governmental office or employment
14 and may appoint commissioners who are members of the General
15 Assembly as well as commissioners from the general public. A
16 commissioner who is a member of the General Assembly must
17 recuse himself or herself from participating in any matter
18 relating to any investigation or proceeding in which he or she
19 is the subject. A person is not eligible to serve as a
20 commissioner if that person (i) has been convicted of a felony
21 or a crime of dishonesty or moral turpitude, (ii) is, or was
22 within the preceding 12 months, engaged in activities that
23 require registration under the Lobbyist Registration Act,
24 (iii) is a relative of the appointing authority, or (iv) is a
25 State officer or employee other than a member of the General
26 Assembly.

1 (d) The Legislative Ethics Commission shall have
2 jurisdiction over members of the General Assembly and all State
3 employees whose ultimate jurisdictional authority is (i) a
4 legislative leader, (ii) the Senate Operations Commission, or
5 (iii) the Joint Committee on Legislative Support Services. The
6 jurisdiction of the Commission is limited to matters arising
7 under this Act.

8 An officer or executive branch State employee serving on a
9 legislative branch board or commission remains subject to the
10 jurisdiction of the Executive Ethics Commission and is not
11 subject to the jurisdiction of the Legislative Ethics
12 Commission.

13 (e) The Legislative Ethics Commission must meet, either in
14 person or by other technological means, monthly or as often as
15 necessary. At the first meeting of the Legislative Ethics
16 Commission, the commissioners shall choose from their number a
17 chairperson and other officers that they deem appropriate. The
18 terms of officers shall be for 2 years commencing July 1 and
19 running through June 30 of the second following year. Meetings
20 shall be held at the call of the chairperson or any 3
21 commissioners. Official action by the Commission shall require
22 the affirmative vote of 5 commissioners, and a quorum shall
23 consist of 5 commissioners. Commissioners shall receive no
24 compensation but may be reimbursed for their reasonable
25 expenses actually incurred in the performance of their duties.

26 (f) No commissioner, other than a commissioner who is a

1 member of the General Assembly, or employee of the Legislative
2 Ethics Commission may during his or her term of appointment or
3 employment:

4 (1) become a candidate for any elective office;

5 (2) hold any other elected or appointed public office
6 except for appointments on governmental advisory boards or
7 study commissions or as otherwise expressly authorized by
8 law;

9 (3) be actively involved in the affairs of any
10 political party or political organization; or

11 (4) advocate for the appointment of another person to
12 an appointed or elected office or position or actively
13 participate in any campaign for any elective office.

14 (g) An appointing authority may remove a commissioner only
15 for cause.

16 (h) The Legislative Ethics Commission shall appoint an
17 Executive Director subject to the approval of at least 3 of the
18 4 legislative leaders. The compensation of the Executive
19 Director shall be as determined by the Commission. The
20 Executive Director of the Legislative Ethics Commission may
21 employ, subject to the approval of at least 3 of the 4
22 legislative leaders, and determine the compensation of staff,
23 as appropriations permit.

24 (Source: P.A. 96-555, eff. 8-18-09.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.