



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB3162

Introduced 2/15/2018, by Sen. Michael Connelly

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/70-5

Amends the State Officials and Employees Ethics Act. Provides that within 6 months after the effective date of this amendatory Act, each governmental entity shall establish an Office of Ethics Compliance that includes an independent ethics commission and an independent Inspector General in a substantially similar format as created for the Executive and Legislative Branches of State Government under the Act. Provides that governmental entities may enter into intergovernmental agreements in order to establish ethics commissions and Inspectors General who serve multiple governmental entities. Provides that the ethics commission and Inspector General established by each governmental entity shall have jurisdiction over violations of a governmental entity's ethics ordinance, Freedom of Information Act compliance, Open Meetings Act compliance, and any allegations of fraud, waste, malfeasance, or violations of other related laws and rules.

LRB100 16614 RJF 31750 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 State Officials and Employees Ethics Act is  
5 amended by changing Section 70-5 as follows:

6 (5 ILCS 430/70-5)

7 Sec. 70-5. Adoption by governmental entities.

8 (a) Within 6 months after the effective date of this Act,  
9 each governmental entity other than a community college  
10 district, and each community college district within 6 months  
11 after the effective date of this amendatory Act of the 95th  
12 General Assembly, shall adopt an ordinance or resolution that  
13 regulates, in a manner no less restrictive than Section 5-15  
14 and Article 10 of this Act, (i) the political activities of  
15 officers and employees of the governmental entity and (ii) the  
16 soliciting and accepting of gifts by and the offering and  
17 making of gifts to officers and employees of the governmental  
18 entity. No later than 60 days after the effective date of this  
19 amendatory Act of the 100th General Assembly, each governmental  
20 unit shall adopt an ordinance or resolution establishing a  
21 policy to prohibit sexual harassment. The policy shall include,  
22 at a minimum: (i) a prohibition on sexual harassment; (ii)  
23 details on how an individual can report an allegation of sexual

1 harassment, including options for making a confidential report  
2 to a supervisor, ethics officer, Inspector General, or the  
3 Department of Human Rights; (iii) a prohibition on retaliation  
4 for reporting sexual harassment allegations, including  
5 availability of whistleblower protections under this Act, the  
6 Whistleblower Act, and the Illinois Human Rights Act; and (iv)  
7 the consequences of a violation of the prohibition on sexual  
8 harassment and the consequences for knowingly making a false  
9 report.

10 (b) Within 3 months after the effective date of this  
11 amendatory Act of the 93rd General Assembly, the Attorney  
12 General shall develop model ordinances and resolutions for the  
13 purpose of this Article. The Attorney General shall advise  
14 governmental entities on their contents and adoption.

15 (c) As used in this Article, (i) an "officer" means an  
16 elected or appointed official; regardless of whether the  
17 official is compensated, and (ii) an "employee" means a  
18 full-time, part-time, or contractual employee.

19 (d) Within 6 months after the effective date of this  
20 amendatory Act of the 100th General Assembly, each governmental  
21 entity shall establish an Office of Ethics Compliance that  
22 includes an independent ethics commission and an independent  
23 Inspector General in a substantially similar format as created  
24 for the Executive and Legislative Branches of State Government  
25 under Articles 20 and 25 of this Act. Governmental entities  
26 under this subsection (d) may enter into intergovernmental

1 agreements in order to establish ethics commissions and  
2 Inspectors General who serve multiple governmental entities.  
3 The ethics commissions and Inspectors General established  
4 under this subsection (d) shall have jurisdiction over  
5 violations of a governmental entity's ethics ordinance,  
6 Freedom of Information Act compliance, Open Meetings Act  
7 compliance, and any allegations of fraud, waste, malfeasance,  
8 or violations of other related laws and rules.

9 (Source: P.A. 100-554, eff. 11-16-17.)