



Sen. Don Harmon

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1 AMENDMENT TO HOUSE BILL 5

2 AMENDMENT NO. _____. Amend House Bill 5, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Secretary of State Act is amended by
6 changing Section 14 as follows:

7 (15 ILCS 305/14)

8 Sec. 14. Inspector General.

9 (a) The Secretary of State must, with the advice and
10 consent of the Senate, appoint an Inspector General for the
11 purpose of detection, deterrence, and prevention of fraud,
12 corruption, mismanagement, gross or aggravated misconduct, or
13 misconduct that may be criminal in nature in the Office of the
14 Secretary of State. The Inspector General shall serve a 5-year
15 term. If no successor is appointed and qualified upon the
16 expiration of the Inspector General's term, the Office of

1 Inspector General is deemed vacant and the powers and duties
2 under this Section may be exercised only by an appointed and
3 qualified interim Inspector General until a successor
4 Inspector General is appointed and qualified. If the General
5 Assembly is not in session when a vacancy in the Office of
6 Inspector General occurs, the Secretary of State may appoint an
7 interim Inspector General whose term shall expire 2 weeks after
8 the next regularly scheduled session day of the Senate.

9 (b) The Inspector General shall have the following
10 qualifications:

11 (1) has not been convicted of any felony under the laws
12 of this State, another State, or the United States;

13 (2) has earned a baccalaureate degree from an
14 institution of higher education; and

15 (3) has either (A) 5 or more years of service with a
16 federal, State, or local law enforcement agency, at least 2
17 years of which have been in a progressive investigatory
18 capacity; (B) 5 or more years of service as a federal,
19 State, or local prosecutor; or (C) 5 or more years of
20 service as a senior manager or executive of a federal,
21 State, or local agency.

22 (c) The Inspector General may review, coordinate, and
23 recommend methods and procedures to increase the integrity of
24 the Office of the Secretary of State. The duties of the
25 Inspector General shall supplement and not supplant the duties
26 of the Chief Auditor for the Secretary of State's Office or any

1 other Inspector General that may be authorized by law. The
2 Inspector General must report directly to the Secretary of
3 State.

4 (d) In addition to the authority otherwise provided by this
5 Section, but only when investigating the Office of the
6 Secretary of State, its employees, or their actions for fraud,
7 corruption, mismanagement, gross or aggravated misconduct, or
8 misconduct that may be criminal in nature, the Inspector
9 General is authorized:

10 (1) To have access to all records, reports, audits,
11 reviews, documents, papers, recommendations, or other
12 materials available that relate to programs and operations
13 with respect to which the Inspector General has
14 responsibilities under this Section.

15 (2) To make any investigations and reports relating to
16 the administration of the programs and operations of the
17 Office of the Secretary of State that are, in the judgment
18 of the Inspector General, necessary or desirable.

19 (3) To request any information or assistance that may
20 be necessary for carrying out the duties and
21 responsibilities provided by this Section from any local,
22 State, or federal governmental agency or unit thereof.

23 (4) To require by subpoena the appearance of witnesses
24 and the production of all information, documents, reports,
25 answers, records, accounts, papers, and other data and
26 documentary evidence necessary in the performance of the

1 functions assigned by this Section, with the exception of
2 subsection (c) and with the exception of records of a labor
3 organization authorized and recognized under the Illinois
4 Public Labor Relations Act to be the exclusive bargaining
5 representative of employees of the Secretary of State,
6 including, but not limited to, records of representation of
7 employees and the negotiation of collective bargaining
8 agreements. A subpoena may be issued under this paragraph
9 (4) only by the Inspector General and not by members of the
10 Inspector General's staff. A person duly subpoenaed for
11 testimony, documents, or other items who neglects or
12 refuses to testify or produce documents or other items
13 under the requirements of the subpoena shall be subject to
14 punishment as may be determined by a court of competent
15 jurisdiction, unless (i) the testimony, documents, or
16 other items are covered by the attorney-client privilege or
17 any other privilege or right recognized by law or (ii) the
18 testimony, documents, or other items concern the
19 representation of employees and the negotiation of
20 collective bargaining agreements by a labor organization
21 authorized and recognized under the Illinois Public Labor
22 Relations Act to be the exclusive bargaining
23 representative of employees of the Secretary of State.
24 Nothing in this Section limits a person's right to
25 protection against self-incrimination under the Fifth
26 Amendment of the United States Constitution or Article I,

1 Section 10, of the Constitution of the State of Illinois.

2 (5) To have direct and prompt access to the Secretary
3 of State for any purpose pertaining to the performance of
4 functions and responsibilities under this Section.

5 (d-5) In addition to the authority otherwise provided by
6 this Section, the Secretary of State Inspector General shall
7 have jurisdiction to investigate complaints and allegations of
8 wrongdoing by any person or entity related to the Lobbyist
9 Registration Act. When investigating those complaints and
10 allegations, the Inspector General is authorized:

11 (1) To have access to all records, reports, audits,
12 reviews, documents, papers, recommendations, or other
13 materials available that relate to programs and operations
14 with respect to which the Inspector General has
15 responsibilities under this Section.

16 (2) To request any information or assistance that may
17 be necessary for carrying out the duties and
18 responsibilities provided by this Section from any local,
19 State, or federal governmental agency or unit thereof.

20 (3) To require by subpoena the appearance of witnesses
21 and the production of all information, documents, reports,
22 answers, records, accounts, papers, and other data and
23 documentary evidence necessary in the performance of the
24 functions assigned by this Section. A subpoena may be
25 issued under this paragraph (3) only by the Inspector
26 General and not by members of the Inspector General's

1 staff. A person duly subpoenaed for testimony, documents,
2 or other items who neglects or refuses to testify or
3 produce documents or other items under the requirements of
4 the subpoena shall be subject to punishment as may be
5 determined by a court of competent jurisdiction, unless the
6 testimony, documents, or other items are covered by the
7 attorney-client privilege or any other privilege or right
8 recognized by law. Nothing in this Section limits a
9 person's right to protection against self-incrimination
10 under the Fifth Amendment of the United States Constitution
11 or Section 10 of Article I of the Constitution of the State
12 of Illinois.

13 (4) To have direct and prompt access to the Secretary
14 of State for any purpose pertaining to the performance of
15 functions and responsibilities under this Section.

16 (e) The Inspector General may receive and investigate
17 complaints or information ~~from an employee of the Secretary of~~
18 ~~State~~ concerning the possible existence of an activity
19 constituting a violation of law, rules, or regulations;
20 mismanagement; abuse of authority; or substantial and specific
21 danger to the public health and safety. Any person who
22 knowingly files a false complaint or files a complaint with
23 reckless disregard for the truth or the falsity of the facts
24 underlying the complaint may be subject to discipline as set
25 forth in the rules of the Department of Personnel of the
26 Secretary of State or the Inspector General may refer the

1 matter to a State's Attorney or the Attorney General.

2 The Inspector General may not, after receipt of a complaint
3 or information, disclose the identity of the source without the
4 consent of the source, unless the Inspector General determines
5 that disclosure of the identity is reasonable and necessary for
6 the furtherance of the investigation.

7 Any employee who has the authority to recommend or approve
8 any personnel action or to direct others to recommend or
9 approve any personnel action may not, with respect to that
10 authority, take or threaten to take any action against any
11 employee as a reprisal for making a complaint or disclosing
12 information to the Inspector General, unless the complaint was
13 made or the information disclosed with the knowledge that it
14 was false or with willful disregard for its truth or falsity.

15 (f) The Inspector General must adopt rules, in accordance
16 with the provisions of the Illinois Administrative Procedure
17 Act, establishing minimum requirements for initiating,
18 conducting, and completing investigations. The rules must
19 establish criteria for determining, based upon the nature of
20 the allegation, the appropriate method of investigation, which
21 may include, but is not limited to, site visits, telephone
22 contacts, personal interviews, or requests for written
23 responses. The rules must also clarify how the Office of the
24 Inspector General shall interact with other local, State, and
25 federal law enforcement investigations.

26 Any employee of the Secretary of State subject to

1 investigation or inquiry by the Inspector General or any agent
2 or representative of the Inspector General concerning
3 misconduct that is criminal in nature shall have the right to
4 be notified of the right to remain silent during the
5 investigation or inquiry and the right to be represented in the
6 investigation or inquiry by an attorney or a representative of
7 a labor organization that is the exclusive collective
8 bargaining representative of employees of the Secretary of
9 State. Any investigation or inquiry by the Inspector General or
10 any agent or representative of the Inspector General must be
11 conducted with an awareness of the provisions of a collective
12 bargaining agreement that applies to the employees of the
13 Secretary of State and with an awareness of the rights of the
14 employees as set forth in State and federal law and applicable
15 judicial decisions. Any recommendations for discipline or any
16 action taken against any employee by the Inspector General or
17 any representative or agent of the Inspector General must
18 comply with the provisions of the collective bargaining
19 agreement that applies to the employee.

20 (g) On or before January 1 of each year, the Inspector
21 General shall report to the President of the Senate, the
22 Minority Leader of the Senate, the Speaker of the House of
23 Representatives, and the Minority Leader of the House of
24 Representatives on the types of investigations and the
25 activities undertaken by the Office of the Inspector General
26 during the previous calendar year.

1 (Source: P.A. 96-555, eff. 1-1-10.)

2 Section 10. The Lobbyist Registration Act is amended by
3 changing Sections 2, 3, 3.1, 4.5, 5, 6, 7, 11, and 11.3 as
4 follows:

5 (25 ILCS 170/2) (from Ch. 63, par. 172)

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

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

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

18 (c) "Official" means:

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

22 (2) Chiefs of Staff for officials described in item
23 (1);

24 (3) Cabinet members of any elected constitutional

1 officer, including Directors, Assistant Directors and
2 Chief Legal Counsel or General Counsel;

3 (4) Members of the General Assembly; and ~~—~~

4 (5) Members of any board, commission, or authority
5 authorized or created by law or by executive order of the
6 Governor.

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

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

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

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

25 (g) "Executive action" means the proposal, drafting,
26 development, consideration, amendment, adoption, approval,

1 promulgation, issuance, modification, rejection or
2 postponement by a State entity of a rule, regulation, order,
3 decision, determination, contractual arrangement, purchasing
4 agreement or other quasi-legislative or quasi-judicial action
5 or proceeding.

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

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

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

24 (k) "Lobbying entity" means any entity that hires, retains,
25 employs, or compensates a natural person to lobby State
26 government as provided in subsection (e).

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

5 (Source: P.A. 96-555, eff. 1-1-10.)

6 (25 ILCS 170/3) (from Ch. 63, par. 173)

7 Sec. 3. Persons required to register.

8 (a) Except as provided in Section 9, any natural person
9 who, for compensation or otherwise, undertakes to lobby, or any
10 person or entity who employs another person for the purposes of
11 lobbying, shall register with the Secretary of State as
12 provided in this Act, unless that person or entity qualifies
13 for one or more of the following exemptions.

14 (1) Persons or entities who, for the purpose of
15 influencing any executive, legislative, or administrative
16 action and who do not make expenditures that are reportable
17 pursuant to Section 6, appear without compensation or
18 promise thereof only as witnesses before committees of the
19 House and Senate for the purpose of explaining or arguing
20 for or against the passage of or action upon any
21 legislation then pending before those committees, or who
22 seek without compensation or promise thereof the approval
23 or veto of any legislation by the Governor.

24 (1.4) A unit of local government or a school district.

25 (1.5) An elected or appointed official or an employee

1 of a unit of local government or school district who, in
2 the scope of his or her public office or employment, seeks
3 to influence executive, legislative, or administrative
4 action exclusively on behalf of that unit of local
5 government or school district.

6 (2) Persons or entities who own, publish, or are
7 employed by a newspaper or other regularly published
8 periodical, or who own or are employed by a radio station,
9 television station, or other bona fide news medium that in
10 the ordinary course of business disseminates news,
11 editorial or other comment, or paid advertisements that
12 directly urge the passage or defeat of legislation. This
13 exemption is not applicable to such an individual insofar
14 as he or she receives additional compensation or expenses
15 from some source other than the bona fide news medium for
16 the purpose of influencing executive, legislative, or
17 administrative action. This exemption does not apply to
18 newspapers and periodicals owned by or published by trade
19 associations and not-for-profit corporations engaged
20 primarily in endeavors other than dissemination of news.

21 (3) Persons or entities performing professional
22 services in drafting bills or in advising and rendering
23 opinions to clients as to the construction and effect of
24 proposed or pending legislation when those professional
25 services are not otherwise, directly or indirectly,
26 connected with executive, legislative, or administrative

1 action.

2 (4) Persons or entities who are employees of
3 departments, divisions, or agencies of State government
4 and who appear before committees of the House and Senate
5 for the purpose of explaining how the passage of or action
6 upon any legislation then pending before those committees
7 will affect those departments, divisions, or agencies of
8 State government.

9 (5) Employees of the General Assembly, legislators,
10 legislative agencies, and legislative commissions who, in
11 the course of their official duties only, engage in
12 activities that otherwise qualify as lobbying.

13 (6) Persons or entities in possession of technical
14 skills and knowledge relevant to certain areas of
15 executive, legislative, or administrative actions, whose
16 skills and knowledge would be helpful to officials when
17 considering those actions, whose activities are limited to
18 making occasional appearances for or communicating on
19 behalf of a registrant, and who do not make expenditures
20 that are reportable pursuant to Section 6 even though
21 receiving expense reimbursement for those occasional
22 appearances.

23 (7) Any full-time employee of a bona fide church or
24 religious organization who represents that organization
25 solely for the purpose of protecting the right of the
26 members thereof to practice the religious doctrines of that

1 church or religious organization, or any such bona fide
2 church or religious organization.

3 (8) Persons or entities that ~~who~~ receive no
4 compensation other than reimbursement for expenses of up to
5 \$500 per year while engaged in lobbying State government,
6 unless those persons make expenditures that are reportable
7 under Section 6.

8 (9) Any attorney or group or firm of attorneys in the
9 course of representing a client in any administrative or
10 judicial proceeding, or any witness providing testimony in
11 any administrative or judicial proceeding, in which ex
12 parte communications are not allowed and who does not make
13 expenditures that are reportable pursuant to Section 6.

14 (10) Persons or entities who, in the scope of their
15 employment as a vendor, offer or solicit an official for
16 the purchase of any goods or services when (1) the
17 solicitation is limited to either an oral inquiry or
18 written advertisements and informative literature; or (2)
19 the goods and services are subject to competitive bidding
20 requirements of the Illinois Procurement Code; or (3) the
21 goods and services are for sale at a cost not to exceed
22 \$5,000; and (4) the persons or entities do not make
23 expenditures that are reportable under Section 6.

24 (b) It is a violation of this Act to engage in lobbying or
25 to employ any person for the purpose of lobbying who is not
26 registered with the Office of the Secretary of State, except

1 upon condition that the person register and the person does in
2 fact register within 2 business days after being employed or
3 retained for lobbying services.

4 (c) The Secretary may require a person or entity claiming
5 an exemption under this Section to certify the person or entity
6 is not required to register under this Act.

7 (Source: P.A. 96-555, eff. 1-1-10.)

8 (25 ILCS 170/3.1)

9 Sec. 3.1. Prohibition on serving on boards and commissions.
10 Notwithstanding any other law of this State, on and after
11 February 1, 2004, but not before that date, a person required
12 to be registered under this Act, his or her spouse, and his or
13 her immediate family members living with that person may not
14 serve on a board, commission, authority, or task force
15 authorized or created by State law or by executive order of the
16 Governor if the lobbyist is engaged in the same subject area ~~as~~
17 ~~defined in Section 5(c-6)~~ as the board or commission, as
18 disclosed on the registration or entity report; except that
19 this restriction does not apply to any of the following:

20 (1) a registered lobbyist, his or her spouse, or any
21 immediate family member living with the registered
22 lobbyist, who is serving in an elective public office,
23 whether elected or appointed to fill a vacancy; and

24 (2) a registered lobbyist, his or her spouse, or any
25 immediate family member living with the registered

1 lobbyist, who is serving on a State advisory body that
2 makes nonbinding recommendations to an agency of State
3 government but does not make binding recommendations or
4 determinations or take any other substantive action.

5 (Source: P.A. 96-555, eff. 1-1-10.)

6 (25 ILCS 170/4.5)

7 Sec. 4.5. Ethics training. Each natural person required to
8 register as a lobbyist under this Act must complete a program
9 of ethics training provided by the Secretary of State. A
10 natural person registered under this Act must complete the
11 training program within 30 days after registration or renewal
12 under this Act ~~during each calendar year the person remains~~
13 ~~registered~~. If the Secretary of State uses the ethics training
14 developed in accordance with Section 5-10 of the State
15 Officials and Employees Ethics Act, that training must be
16 expanded to include appropriate information about the
17 requirements, responsibilities, and opportunities imposed by
18 or arising under this Act, including reporting requirements.

19 The Secretary of State shall adopt rules for the
20 implementation of this Section.

21 (Source: P.A. 96-555, eff. 1-1-10.)

22 (25 ILCS 170/5)

23 Sec. 5. Lobbyist registration and disclosure. Every
24 natural person and every entity required to register under this

1 ~~Act Section 3~~ shall before any service is performed which
2 requires the natural person or entity to register, but in any
3 event not later than 2 business days after being employed or
4 retained, ~~and on or before each January 31 and July 31~~
5 ~~thereafter,~~ file in the Office of the Secretary of State a
6 statement in a format prescribed by the Secretary of State
7 containing the following information with respect to each
8 person or entity employing or retaining the natural person or
9 entity required to register:

10 (a) The registrant's name, permanent address, e-mail
11 address, if any, fax number, if any, business telephone
12 number, and temporary address, if the registrant has a
13 temporary address while lobbying.

14 (a-5) If the registrant is an ~~organization or business~~
15 entity, the information required under subsection (a) for
16 each natural person associated with the registrant who will
17 be lobbying, regardless of whether lobbying is a
18 significant part of his or her duties.

19 (b) The name and address of the client or clients
20 ~~person or persons~~ employing or retaining the registrant to
21 perform such services or on whose behalf the registrant
22 appears.

23 (c) A brief description of the executive, legislative,
24 or administrative action in reference to which such service
25 is to be rendered.

26 (c-5) Each executive and legislative branch agency the

1 registrant expects to lobby during the registration
2 period.

3 (c-6) The nature of the client's business, by
4 indicating all of the following categories that apply: (1)
5 banking and financial services, (2) manufacturing, (3)
6 education, (4) environment, (5) healthcare, (6) insurance,
7 (7) community interests, (8) labor, (9) public relations or
8 advertising, (10) marketing or sales, (11) hospitality,
9 (12) engineering, (13) information or technology products
10 or services, (14) social services, (15) public utilities,
11 (16) racing or wagering, (17) real estate or construction,
12 (18) telecommunications, (19) trade or professional
13 association, (20) travel or tourism, (21) transportation,
14 (22) agriculture, and (23) ~~(22)~~ other (setting forth the
15 nature of that other business).

16 Every natural person and every entity required to register
17 under this Act shall annually submit the registration required
18 by this Section on or before each January 31. The registrant
19 has a continuing duty to report any substantial change or
20 addition to the information contained in the registration. ~~must~~
21 ~~file an amendment to the statement within 14 calendar days to~~
22 ~~report any substantial change or addition to the information~~
23 ~~previously filed, except that a registrant must file an~~
24 ~~amendment to the statement to disclose a new agreement to~~
25 ~~retain the registrant for lobbying services before any service~~
26 ~~is performed which requires the person to register, but in any~~

1 ~~event not later than 2 business days after entering into the~~
2 ~~retainer agreement.~~

3 The Secretary of State shall make all filed statements and
4 amendments to statements publicly available by means of a
5 searchable database that is accessible through the World Wide
6 Web. The Secretary of State shall provide all software
7 necessary to comply with this provision to all natural persons
8 and entities required to file. The Secretary of State shall
9 implement a plan to provide computer access and assistance to
10 natural persons and entities required to file electronically.

11 All natural persons and entities required to register under
12 this Act shall remit a single, annual, and nonrefundable \$1,000
13 registration fee. Each natural person ~~individual~~ required to
14 register under this Act shall submit, on an annual basis, a
15 picture of the registrant. A registrant may, in lieu of
16 submitting a picture on an annual basis, authorize the
17 Secretary of State to use any photo identification available in
18 any database maintained by the Secretary of State for other
19 purposes. Of each registration fee collected for registrations
20 on or after July 1, 2003, \$50 shall be deposited into the
21 Lobbyist Registration Administration Fund for administration
22 and enforcement of this Act and is intended to be used to
23 implement and maintain electronic filing of reports under this
24 Act, the next \$100 shall be deposited into the Lobbyist
25 Registration Administration Fund for administration and
26 enforcement of this Act, and any balance shall be deposited

1 into the General Revenue Fund, except that amounts resulting
2 from the fee increase of this amendatory Act of the 96th
3 General Assembly shall be deposited into the Lobbyist
4 Registration Administration Fund to be used for the costs of
5 monitoring compliance ~~reviewing~~ and investigating allegations
6 of violations of this Act.

7 (Source: P.A. 96-555, eff. 1-1-10.)

8 (25 ILCS 170/6) (from Ch. 63, par. 176)

9 Sec. 6. Reports.

10 (a) Lobbyist reports. Except as otherwise provided in this
11 Section, every lobbyist registered under this Act who is solely
12 employed by a lobbying entity shall file an affirmation,
13 verified under oath pursuant to Section 1-109 of the Code of
14 Civil Procedure, with the Secretary of State attesting to the
15 accuracy of any reports filed pursuant to subsection (b) as
16 those reports pertain to work performed by the lobbyist. Any
17 lobbyist registered under this Act who is not solely employed
18 by a lobbying entity shall personally file reports required of
19 lobbying entities pursuant to subsection (b). A lobbyist may,
20 if authorized so to do by a lobbying entity by whom he or she is
21 employed or retained, file lobbying entity reports pursuant to
22 subsection (b) provided that the lobbying entity may delegate
23 the filing of the lobbying entity report to only one lobbyist
24 in any reporting period.

25 (b) Lobbying entity reports. Every ~~Except as otherwise~~

1 ~~provided in this Section, every~~ lobbying entity registered
2 under this Act shall report expenditures related to lobbying.
3 The report shall itemize each individual expenditure or
4 transaction and shall include the name of the official on whose
5 behalf the expenditure was made, the name of the client if the
6 expenditure was made on behalf of a client ~~on whose behalf the~~
7 ~~expenditure was made, if applicable,~~ the total amount of the
8 expenditure, a description of the expenditure, the address and
9 location of the expenditure if the expenditure was for an
10 intangible item such as lodging, the date on which the
11 expenditure occurred and the subject matter of the lobbying
12 activity, if any. Each expenditure required to be reported
13 shall include all expenses made for or on behalf of an official
14 or his or her immediate family member living with the official.

15 (b-1) The report shall include any change or addition to
16 the client list information, required in Section 5 for
17 registration, since the last report, including the names and
18 addresses of all clients who retained the lobbying entity
19 together with an itemized description for each client of the
20 following: (1) lobbying regarding executive action, including
21 the name of any executive agency lobbied and the subject
22 matter; (2) lobbying regarding legislative action, including
23 the General Assembly and any other agencies lobbied and the
24 subject matter; and (3) lobbying regarding administrative
25 action, including the agency lobbied and the subject matter.
26 Registrants who made no reportable expenditures during a

1 reporting period shall file a report stating that no
2 expenditures were incurred.

3 (b-2) Expenditures attributable to lobbying officials
4 shall be listed and reported according to the following
5 categories:

6 (1) travel and lodging on behalf of others, including,
7 but not limited to, all travel and living accommodations
8 made for or on behalf of State officials in the State
9 capital during sessions of the General Assembly.

10 (2) meals, beverages and other entertainment.

11 (3) gifts (indicating which, if any, are on the basis
12 of personal friendship).

13 (4) honoraria.

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

21 (b-3) Expenditures incurred for hosting receptions,
22 benefits and other large gatherings held for purposes of
23 goodwill or otherwise to influence executive, legislative or
24 administrative action to which there are 25 or more State
25 officials invited shall be reported listing only the total
26 amount of the expenditure, the date of the event, and the

1 estimated number of officials in attendance.

2 (b-5) A gift or honorarium returned or reimbursed to the
3 registrant shall not be included in the report unless the
4 registrant informed the official, contemporaneously with the
5 receipt of the gift or honorarium, that the gift or honorarium
6 is a reportable expenditure pursuant to this Act. Any official
7 included on a report may contest the disclosure of a gift or
8 honorarium by submitting a letter to the registrant and
9 Secretary of State. ~~Each individual expenditure required to be~~
10 ~~reported shall include all expenses made for or on behalf of~~
11 ~~State officials and their immediate family members.~~

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

14 (1) Reasonable and bona fide expenditures made by the
15 registrant who is a member of a legislative or State study
16 commission or committee while attending and participating
17 in meetings and hearings of such commission or committee
18 ~~need not be reported.~~

19 (2) Reasonable and bona fide expenditures made by the
20 registrant for personal sustenance, lodging, travel,
21 office expenses and clerical or support staff ~~need not be~~
22 ~~reported.~~

23 (3) Salaries, fees, and other compensation paid to the
24 registrant for the purposes of lobbying ~~need not be~~
25 ~~reported.~~

26 (4) Any contributions required to be reported under

1 Article 9 of the Election Code ~~need not be reported.~~

2 ~~A gift or honorarium returned or reimbursed to the~~
3 ~~registrant within 10 days after the official receives a copy of~~
4 ~~a report pursuant to Section 6.5 shall not be included in the~~
5 ~~final report unless the registrant informed the official,~~
6 ~~contemporaneously with the receipt of the gift or honorarium,~~
7 ~~that the gift or honorarium is a reportable expenditure~~
8 ~~pursuant to this Act.~~

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

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

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

25 (e) Within 30 days after a filing deadline or as provided
26 by rule, the lobbyist shall notify each official on whose

1 behalf an expenditure has been reported. Notification shall
2 include the name of the registrant, the total amount of the
3 expenditure, a description of the expenditure, the date on
4 which the expenditure occurred, and the subject matter of the
5 lobbying activity.

6 (f) A report for the period beginning January 1, 2010 and
7 ending on June 30, 2010 shall be filed on July 15, 2010.
8 Beginning July 1, 2010, reports shall be filed semi-monthly as
9 follows: (i) for the period beginning the first day of the
10 month through the 15th day of the month, the report shall be
11 filed on the 20th day of the month and (ii) for the period
12 beginning on the 16th day of the month through the last day of
13 the month, the report shall be filed on the 5th day of the
14 following month. ~~Lobbyist and lobbying entity reports shall be~~
15 ~~filed weekly when the General Assembly is in session and~~
16 ~~monthly otherwise, in accordance with rules the Secretary of~~
17 ~~State shall adopt for the implementation of this subsection.~~ A
18 report filed under this Act is due in the Office of the
19 Secretary of State no later than the close of business on the
20 date on which it is required to be filed.

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

23 (Source: P.A. 96-555, eff. 1-1-10.)

24 (25 ILCS 170/7) (from Ch. 63, par. 177)

25 Sec. 7. Duties of the Secretary of State.

1 (a) It shall be the duty of the Secretary of State to
2 provide appropriate forms for the registration and reporting of
3 information required by this Act and to keep such registrations
4 and reports on file in his office for 3 years from the date of
5 filing. He shall also provide and maintain a register with
6 appropriate blanks and indexes so that the information required
7 in Sections 5 and 6 of this Act may be accordingly entered.
8 Such records shall be considered public information and open to
9 public inspection.

10 (b) Within 5 business ~~10~~ days after a filing deadline, the
11 Secretary of State shall notify persons he determines are
12 required to file but have failed to do so.

13 (c) The Secretary of State shall provide adequate software
14 to the persons required to file under this Act, and all
15 registrations, reports, statements, and amendments required to
16 be filed shall be filed electronically. The Secretary of State
17 shall promptly make all filed reports publicly available by
18 means of a searchable database that is accessible through the
19 World Wide Web. The Secretary of State shall provide all
20 software necessary to comply with this provision to all persons
21 required to file. The Secretary of State shall implement a plan
22 to provide computer access and assistance to persons required
23 to file electronically.

24 (d) ~~The Not later than 12 months after the effective date~~
25 ~~of this amendatory Act of the 93rd General Assembly, the~~
26 Secretary of State shall include registrants' pictures when

1 publishing or posting on his or her website the information
2 required in Section 5.

3 (e) The Secretary of State shall receive and investigate
4 allegations of violations of this Act. Any employee of the
5 Secretary of State who receives an allegation shall immediately
6 transmit it to the Secretary of State Inspector General.

7 (Source: P.A. 96-555, eff. 1-1-10.)

8 (25 ILCS 170/11) (from Ch. 63, par. 181)

9 Sec. 11. Enforcement.

10 (a) The Secretary of State Inspector General appointed
11 under Section 14 of the Secretary of State Act shall initiate
12 investigations of violations of this Act upon receipt of an
13 allegation. If the Inspector General finds credible evidence of
14 a violation, he or she shall make the information available to
15 the public and transmit copies of the evidence to the alleged
16 violator. If the violator does not correct the violation within
17 30 calendar days, the Inspector General shall transmit the full
18 record of the investigation to any appropriate State's Attorney
19 or to the Attorney General. However, if the violator is working
20 in conjunction with the Inspector General to correct the
21 violation, the Inspector General may extend this time period
22 for an additional 30 calendar days.

23 (b) Any violation of this Act may be prosecuted in the
24 county where the offense is committed or in Sangamon County. In
25 addition to the State's Attorney of the appropriate county, the

1 Attorney General of Illinois also is authorized to prosecute
2 any violation of this Act.

3 (Source: P.A. 96-555, eff. 1-1-10.)

4 (25 ILCS 170/11.3)

5 Sec. 11.3. Compensation from a State agency. It is a
6 violation of this Act for a person registered or required to be
7 registered under this Act to accept or agree to accept
8 compensation from a State agency for the purpose of lobbying
9 legislative action.

10 This Section does not apply to compensation (i) that is a
11 portion of the salary of a full-time employee of a State agency
12 whose responsibility or authority includes, but is not limited
13 to, lobbying executive, legislative, or administrative action
14 or (ii) to an individual who is contractually retained by a
15 State agency that is not listed in Section 5-15 of the Civil
16 Administrative Code of Illinois.

17 For the purpose of this Section, "State agency" is defined
18 as in the Civil Administrative Code of Illinois ~~State Auditing~~
19 ~~Act~~.

20 (Source: P.A. 96-555, eff. 1-1-10.)

21 (25 ILCS 170/6.5 rep.)

22 Section 15. The Lobbyist Registration Act is amended by
23 repealing Section 6.5 as of July 1, 2010.

1 Section 99. Effective date. This Act takes effect January
2 1, 2010.".