

HB3213



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3213

Introduced 2/24/2011, by Rep. Pam Roth

SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-101

from Ch. 127, par. 604A-101

Amends the Illinois Governmental Ethics Act. Requires former members of the General Assembly, for a period of 2 years following the termination of their terms of office, to file verified written statements of economic interests. Effective immediately.

LRB097 09288 JDS 49423 b

A BILL FOR

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 Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file. The following
8 persons shall file verified written statements of economic
9 interests, as provided in this Article:

10 (a) Members of the General Assembly, ~~and~~ candidates for
11 nomination or election to the General Assembly, and former
12 members of the General Assembly for a period of 2 years
13 following the termination of their term of office.

14 (b) Persons holding an elected office in the Executive
15 Branch of this State, and candidates for nomination or
16 election to these offices.

17 (c) Members of a Commission or Board created by the
18 Illinois Constitution, and candidates for nomination or
19 election to such Commission or Board.

20 (d) Persons whose appointment to office is subject to
21 confirmation by the Senate and persons appointed by the
22 Governor to any other position on a board or commission
23 described in subsection (a) of Section 15 of the

1 Gubernatorial Boards and Commissions Act.

2 (e) Holders of, and candidates for nomination or
3 election to, the office of judge or associate judge of the
4 Circuit Court and the office of judge of the Appellate or
5 Supreme Court.

6 (f) Persons who are employed by any branch, agency,
7 authority or board of the government of this State,
8 including but not limited to, the Illinois State Toll
9 Highway Authority, the Illinois Housing Development
10 Authority, the Illinois Community College Board, and
11 institutions under the jurisdiction of the Board of
12 Trustees of the University of Illinois, Board of Trustees
13 of Southern Illinois University, Board of Trustees of
14 Chicago State University, Board of Trustees of Eastern
15 Illinois University, Board of Trustees of Governor's State
16 University, Board of Trustees of Illinois State
17 University, Board of Trustees of Northeastern Illinois
18 University, Board of Trustees of Northern Illinois
19 University, Board of Trustees of Western Illinois
20 University, or Board of Trustees of the Illinois
21 Mathematics and Science Academy, and are compensated for
22 services as employees and not as independent contractors
23 and who:

24 (1) are, or function as, the head of a department,
25 commission, board, division, bureau, authority or
26 other administrative unit within the government of

1 this State, or who exercise similar authority within
2 the government of this State;

3 (2) have direct supervisory authority over, or
4 direct responsibility for the formulation,
5 negotiation, issuance or execution of contracts
6 entered into by the State in the amount of \$5,000 or
7 more;

8 (3) have authority for the issuance or
9 promulgation of rules and regulations within areas
10 under the authority of the State;

11 (4) have authority for the approval of
12 professional licenses;

13 (5) have responsibility with respect to the
14 financial inspection of regulated nongovernmental
15 entities;

16 (6) adjudicate, arbitrate, or decide any judicial
17 or administrative proceeding, or review the
18 adjudication, arbitration or decision of any judicial
19 or administrative proceeding within the authority of
20 the State;

21 (7) have supervisory responsibility for 20 or more
22 employees of the State;

23 (8) negotiate, assign, authorize, or grant naming
24 rights or sponsorship rights regarding any property or
25 asset of the State, whether real, personal, tangible,
26 or intangible; or

1 (9) have responsibility with respect to the
2 procurement of goods or services.

3 (g) Persons who are elected to office in a unit of
4 local government, and candidates for nomination or
5 election to that office, including regional
6 superintendents of school districts.

7 (h) Persons appointed to the governing board of a unit
8 of local government, or of a special district, and persons
9 appointed to a zoning board, or zoning board of appeals, or
10 to a regional, county, or municipal plan commission, or to
11 a board of review of any county, and persons appointed to
12 the Board of the Metropolitan Pier and Exposition Authority
13 and any Trustee appointed under Section 22 of the
14 Metropolitan Pier and Exposition Authority Act, and
15 persons appointed to a board or commission of a unit of
16 local government who have authority to authorize the
17 expenditure of public funds. This subsection does not apply
18 to members of boards or commissions who function in an
19 advisory capacity.

20 (i) Persons who are employed by a unit of local
21 government and are compensated for services as employees
22 and not as independent contractors and who:

23 (1) are, or function as, the head of a department,
24 division, bureau, authority or other administrative
25 unit within the unit of local government, or who
26 exercise similar authority within the unit of local

1 government;

2 (2) have direct supervisory authority over, or
3 direct responsibility for the formulation,
4 negotiation, issuance or execution of contracts
5 entered into by the unit of local government in the
6 amount of \$1,000 or greater;

7 (3) have authority to approve licenses and permits
8 by the unit of local government; this item does not
9 include employees who function in a ministerial
10 capacity;

11 (4) adjudicate, arbitrate, or decide any judicial
12 or administrative proceeding, or review the
13 adjudication, arbitration or decision of any judicial
14 or administrative proceeding within the authority of
15 the unit of local government;

16 (5) have authority to issue or promulgate rules and
17 regulations within areas under the authority of the
18 unit of local government; or

19 (6) have supervisory responsibility for 20 or more
20 employees of the unit of local government.

21 (j) Persons on the Board of Trustees of the Illinois
22 Mathematics and Science Academy.

23 (k) Persons employed by a school district in positions
24 that require that person to hold an administrative or a
25 chief school business official endorsement.

26 (l) Special government agents. A "special government

1 agent" is a person who is directed, retained, designated,
2 appointed, or employed, with or without compensation, by or
3 on behalf of a statewide executive branch constitutional
4 officer to make an ex parte communication under Section
5 5-50 of the State Officials and Employees Ethics Act or
6 Section 5-165 of the Illinois Administrative Procedure
7 Act.

8 (m) Members of the board of commissioners of any flood
9 prevention district.

10 (n) Members of the board of any retirement system or
11 investment board established under the Illinois Pension
12 Code, if not required to file under any other provision of
13 this Section.

14 (o) Members of the board of any pension fund
15 established under the Illinois Pension Code, if not
16 required to file under any other provision of this Section.

17 This Section shall not be construed to prevent any unit of
18 local government from enacting financial disclosure
19 requirements that mandate more information than required by
20 this Act.

21 (Source: P.A. 95-719, eff. 5-21-08; 96-6, eff. 4-3-09; 96-543,
22 eff. 8-17-09; 96-555, eff. 8-18-09; 96-1000, eff. 7-2-10.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.