

SB0034



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB0034

Introduced 1/13/2025, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

5 ILCS 430/1-5
5 ILCS 430/5-15

Amends the State Officials and Employees Ethics Act. Prohibits a member from refusing casework service to an individual who resides in the member's district based solely upon the individual's political affiliation. Defines "casework service". Effective immediately.

LRB104 05630 BDA 15660 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 Sections 1-5 and 5-15 as follows:

6 (5 ILCS 430/1-5)

7 Sec. 1-5. Definitions. As used in this Act:

8 "Appointee" means a person appointed to a position in or
9 with a State agency, regardless of whether the position is
10 compensated.

11 "Board members of Regional Development Authorities" means
12 any person appointed to serve on the governing board of a
13 Regional Development Authority.

14 "Board members of Regional Transit Boards" means any
15 person appointed to serve on the governing board of a Regional
16 Transit Board.

17 "Campaign for elective office" means any activity in
18 furtherance of an effort to influence the selection,
19 nomination, election, or appointment of any individual to any
20 federal, State, or local public office or office in a
21 political organization, or the selection, nomination, or
22 election of Presidential or Vice-Presidential electors, but
23 does not include activities (i) relating to the support or

1 opposition of any executive, legislative, or administrative
2 action (as those terms are defined in Section 2 of the Lobbyist
3 Registration Act), (ii) relating to collective bargaining, or
4 (iii) that are otherwise in furtherance of the person's
5 official State duties.

6 "Candidate" means a person who has filed nominating papers
7 or petitions for nomination or election to an elected State
8 office, or who has been appointed to fill a vacancy in
9 nomination, and who remains eligible for placement on the
10 ballot at either a general primary election or general
11 election.

12 "Casework service" means any of the following types of
13 actions taken by a member or the member's staff on behalf of an
14 individual, business, school, non-for-profit organization, or
15 governmental entity who resides in the member's district:

16 (1) requesting information or a status report from a
17 State agency in the executive branch;

18 (2) urging fair and ethical consideration of a matter
19 by a State agency in the executive branch; or

20 (3) arranging for meetings or interviews with a State
21 agency in the executive branch.

22 "Collective bargaining" has the same meaning as that term
23 is defined in Section 3 of the Illinois Public Labor Relations
24 Act.

25 "Commission" means an ethics commission created by this
26 Act.

1 "Compensated time" means any time worked by or credited to
2 a State employee that counts toward any minimum work time
3 requirement imposed as a condition of employment with a State
4 agency, but does not include any designated State holidays or
5 any period when the employee is on a leave of absence.

6 "Compensatory time off" means authorized time off earned
7 by or awarded to a State employee to compensate in whole or in
8 part for time worked in excess of the minimum work time
9 required of that employee as a condition of employment with a
10 State agency.

11 "Contribution" has the same meaning as that term is
12 defined in Section 9-1.4 of the Election Code.

13 "Employee" means (i) any person employed full-time,
14 part-time, or pursuant to a contract and whose employment
15 duties are subject to the direction and control of an employer
16 with regard to the material details of how the work is to be
17 performed or (ii) any appointed or elected commissioner,
18 trustee, director, or board member of a board of a State
19 agency, including any retirement system or investment board
20 subject to the Illinois Pension Code or (iii) any other
21 appointee.

22 "Employment benefits" include but are not limited to the
23 following: modified compensation or benefit terms; compensated
24 time off; or change of title, job duties, or location of office
25 or employment. An employment benefit may also include
26 favorable treatment in determining whether to bring any

1 disciplinary or similar action or favorable treatment during
2 the course of any disciplinary or similar action or other
3 performance review.

4 "Executive branch constitutional officer" means the
5 Governor, Lieutenant Governor, Attorney General, Secretary of
6 State, Comptroller, and Treasurer.

7 "Gift" means any gratuity, discount, entertainment,
8 hospitality, loan, forbearance, or other tangible or
9 intangible item having monetary value including, but not
10 limited to, cash, food and drink, and honoraria for speaking
11 engagements related to or attributable to government
12 employment or the official position of an employee, member, or
13 officer. The value of a gift may be further defined by rules
14 adopted by the appropriate ethics commission or by the Auditor
15 General for the Auditor General and for employees of the
16 office of the Auditor General.

17 "Governmental entity" means a unit of local government
18 (including a community college district) or a school district
19 but not a State agency, a Regional Transit Board, or a Regional
20 Development Authority.

21 "Leave of absence" means any period during which a State
22 employee does not receive (i) compensation for State
23 employment, (ii) service credit towards State pension
24 benefits, and (iii) health insurance benefits paid for by the
25 State.

26 "Legislative branch constitutional officer" means a member

1 of the General Assembly and the Auditor General.

2 "Legislative leader" means the President and Minority
3 Leader of the Senate and the Speaker and Minority Leader of the
4 House of Representatives.

5 "Member" means a member of the General Assembly.

6 "Officer" means an executive branch constitutional officer
7 or a legislative branch constitutional officer.

8 "Political" means any activity in support of or in
9 connection with any campaign for elective office or any
10 political organization, but does not include activities (i)
11 relating to the support or opposition of any executive,
12 legislative, or administrative action (as those terms are
13 defined in Section 2 of the Lobbyist Registration Act), (ii)
14 relating to collective bargaining, or (iii) that are otherwise
15 in furtherance of the person's official State duties or
16 governmental and public service functions.

17 "Political organization" means a party, committee,
18 association, fund, or other organization (whether or not
19 incorporated) that is required to file a statement of
20 organization with the State Board of Elections or a county
21 clerk under Section 9-3 of the Election Code, but only with
22 regard to those activities that require filing with the State
23 Board of Elections or a county clerk.

24 "Prohibited political activity" means:

25 (1) Preparing for, organizing, or participating in any
26 political meeting, political rally, political

1 demonstration, or other political event.

2 (2) Soliciting contributions, including but not
3 limited to the purchase of, selling, distributing, or
4 receiving payment for tickets for any political
5 fundraiser, political meeting, or other political event.

6 (3) Soliciting, planning the solicitation of, or
7 preparing any document or report regarding any thing of
8 value intended as a campaign contribution.

9 (4) Planning, conducting, or participating in a public
10 opinion poll in connection with a campaign for elective
11 office or on behalf of a political organization for
12 political purposes or for or against any referendum
13 question.

14 (5) Surveying or gathering information from potential
15 or actual voters in an election to determine probable vote
16 outcome in connection with a campaign for elective office
17 or on behalf of a political organization for political
18 purposes or for or against any referendum question.

19 (6) Assisting at the polls on election day on behalf
20 of any political organization or candidate for elective
21 office or for or against any referendum question.

22 (7) Soliciting votes on behalf of a candidate for
23 elective office or a political organization or for or
24 against any referendum question or helping in an effort to
25 get voters to the polls.

26 (8) Initiating for circulation, preparing,

1 circulating, reviewing, or filing any petition on behalf
2 of a candidate for elective office or for or against any
3 referendum question.

4 (9) Making contributions on behalf of any candidate
5 for elective office in that capacity or in connection with
6 a campaign for elective office.

7 (10) Preparing or reviewing responses to candidate
8 questionnaires in connection with a campaign for elective
9 office or on behalf of a political organization for
10 political purposes.

11 (11) Distributing, preparing for distribution, or
12 mailing campaign literature, campaign signs, or other
13 campaign material on behalf of any candidate for elective
14 office or for or against any referendum question.

15 (12) Campaigning for any elective office or for or
16 against any referendum question.

17 (13) Managing or working on a campaign for elective
18 office or for or against any referendum question.

19 (14) Serving as a delegate, alternate, or proxy to a
20 political party convention.

21 (15) Participating in any recount or challenge to the
22 outcome of any election, except to the extent that under
23 subsection (d) of Section 6 of Article IV of the Illinois
24 Constitution each house of the General Assembly shall
25 judge the elections, returns, and qualifications of its
26 members.

1 "Prohibited source" means any person or entity who:

2 (1) is seeking official action (i) by the member or
3 officer or (ii) in the case of an employee, by the employee
4 or by the member, officer, State agency, or other employee
5 directing the employee;

6 (2) does business or seeks to do business (i) with the
7 member or officer or (ii) in the case of an employee, with
8 the employee or with the member, officer, State agency, or
9 other employee directing the employee;

10 (3) conducts activities regulated (i) by the member or
11 officer or (ii) in the case of an employee, by the employee
12 or by the member, officer, State agency, or other employee
13 directing the employee;

14 (4) has interests that may be substantially affected
15 by the performance or non-performance of the official
16 duties of the member, officer, or employee;

17 (5) is registered or required to be registered with
18 the Secretary of State under the Lobbyist Registration
19 Act, except that an entity not otherwise a prohibited
20 source does not become a prohibited source merely because
21 a registered lobbyist is one of its members or serves on
22 its board of directors; or

23 (6) is an agent of, a spouse of, or an immediate family
24 member who is living with a "prohibited source".

25 "Regional Development Authority" means the following
26 regional development authorities:

1 (1) the Central Illinois Economic Development
2 Authority created by the Central Illinois Economic
3 Development Authority Act;

4 (2) the Eastern Illinois Economic Development
5 Authority created by the Eastern Illinois Economic
6 Development Authority Act;

7 (3) the Joliet Arsenal Development Authority created
8 by the Joliet Arsenal Development Authority Act;

9 (4) the Quad Cities Regional Economic Development
10 Authority created by Quad Cities Regional Economic
11 Development Authority Act, approved September 22, 1987;

12 (5) the Riverdale Development Authority created by the
13 Riverdale Development Authority Act;

14 (6) the Southeastern Illinois Economic Development
15 Authority created by the Southeastern Illinois Economic
16 Development Authority Act;

17 (7) the Southern Illinois Economic Development
18 Authority created by the Southern Illinois Economic
19 Development Authority Act;

20 (8) the Southwestern Illinois Development Authority
21 created by the Southwestern Illinois Development Authority
22 Act;

23 (9) the Tri-County River Valley Development Authority
24 created by the Tri-County River Valley Development
25 Authority Law;

26 (10) the Upper Illinois River Valley Development

1 Authority created by the Upper Illinois River Valley
2 Development Authority Act;

3 (11) the Illinois Urban Development Authority created
4 by the Illinois Urban Development Authority Act;

5 (12) the Western Illinois Economic Development
6 Authority created by the Western Illinois Economic
7 Development Authority Act; and

8 (13) the Will-Kankakee Regional Development Authority
9 created by the Will-Kankakee Regional Development
10 Authority Law.

11 "Regional Transit Boards" means (i) the Regional
12 Transportation Authority created by the Regional
13 Transportation Authority Act, (ii) the Suburban Bus Division
14 created by the Regional Transportation Authority Act, (iii)
15 the Commuter Rail Division created by the Regional
16 Transportation Authority Act, and (iv) the Chicago Transit
17 Authority created by the Metropolitan Transit Authority Act.

18 "State agency" includes all officers, boards, commissions
19 and agencies created by the Constitution, whether in the
20 executive or legislative branch; all officers, departments,
21 boards, commissions, agencies, institutions, authorities,
22 public institutions of higher learning as defined in Section 2
23 of the Higher Education Cooperation Act (except community
24 colleges), and bodies politic and corporate of the State; and
25 administrative units or corporate outgrowths of the State
26 government which are created by or pursuant to statute, other

1 than units of local government (including community college
2 districts) and their officers, school districts, and boards of
3 election commissioners; and all administrative units and
4 corporate outgrowths of the above and as may be created by
5 executive order of the Governor. "State agency" includes the
6 General Assembly, the Senate, the House of Representatives,
7 the President and Minority Leader of the Senate, the Speaker
8 and Minority Leader of the House of Representatives, the
9 Senate Operations Commission, and the legislative support
10 services agencies. "State agency" includes the Office of the
11 Auditor General. "State agency" does not include the judicial
12 branch.

13 "State employee" means any employee of a State agency.

14 "Ultimate jurisdictional authority" means the following:

15 (1) For members, legislative partisan staff, and
16 legislative secretaries, the appropriate legislative
17 leader: President of the Senate, Minority Leader of the
18 Senate, Speaker of the House of Representatives, or
19 Minority Leader of the House of Representatives.

20 (2) For State employees who are professional staff or
21 employees of the Senate and not covered under item (1),
22 the Senate Operations Commission.

23 (3) For State employees who are professional staff or
24 employees of the House of Representatives and not covered
25 under item (1), the Speaker of the House of
26 Representatives.

1 (4) For State employees who are employees of the
2 legislative support services agencies, the Joint Committee
3 on Legislative Support Services.

4 (5) For State employees of the Auditor General, the
5 Auditor General.

6 (6) For State employees of public institutions of
7 higher learning as defined in Section 2 of the Higher
8 Education Cooperation Act (except community colleges), the
9 board of trustees of the appropriate public institution of
10 higher learning.

11 (7) For State employees of an executive branch
12 constitutional officer other than those described in
13 paragraph (6), the appropriate executive branch
14 constitutional officer.

15 (8) For State employees not under the jurisdiction of
16 paragraph (1), (2), (3), (4), (5), (6), or (7), the
17 Governor.

18 (9) For employees of Regional Transit Boards, the
19 appropriate Regional Transit Board.

20 (10) For board members of Regional Transit Boards, the
21 Governor.

22 (11) For employees of Regional Development
23 Authorities, the appropriate Regional Development
24 Authority.

25 (12) For board members of Regional Development
26 Authorities, the Governor.

1 (Source: P.A. 103-517, eff. 8-11-23.)

2 (5 ILCS 430/5-15)

3 Sec. 5-15. Prohibited political activities.

4 (a) State employees shall not intentionally perform any
5 prohibited political activity during any compensated time
6 (other than vacation, personal, or compensatory time off).
7 State employees shall not intentionally misappropriate any
8 State property or resources by engaging in any prohibited
9 political activity for the benefit of any campaign for
10 elective office or any political organization.

11 (b) At no time shall any executive or legislative branch
12 constitutional officer or any official, director, supervisor,
13 or State employee intentionally misappropriate the services of
14 any State employee by requiring that State employee to perform
15 any prohibited political activity (i) as part of that
16 employee's State duties, (ii) as a condition of State
17 employment, or (iii) during any time off that is compensated
18 by the State (such as vacation, personal, or compensatory time
19 off).

20 (c) A State employee shall not be required at any time to
21 participate in any prohibited political activity in
22 consideration for that State employee being awarded any
23 additional compensation or employee benefit, in the form of a
24 salary adjustment, bonus, compensatory time off, continued
25 employment, or otherwise.

1 (d) A State employee shall not be awarded any additional
2 compensation or employee benefit, in the form of a salary
3 adjustment, bonus, compensatory time off, continued
4 employment, or otherwise, in consideration for the State
5 employee's participation in any prohibited political activity.

6 (e) Nothing in this Section prohibits activities that are
7 otherwise appropriate for a State employee to engage in as a
8 part of his or her official State employment duties or
9 activities that are undertaken by a State employee on a
10 voluntary basis as permitted by law.

11 (f) No person either (i) in a position that is subject to
12 recognized merit principles of public employment or (ii) in a
13 position the salary for which is paid in whole or in part by
14 federal funds and that is subject to the Federal Standards for
15 a Merit System of Personnel Administration applicable to
16 grant-in-aid programs, shall be denied or deprived of State
17 employment or tenure solely because he or she is a member or an
18 officer of a political committee, of a political party, or of a
19 political organization or club.

20 (g) No member shall refuse casework service to an
21 individual who resides in the member's district based solely
22 upon the individual's political affiliation.

23 (Source: P.A. 93-615, eff. 11-19-03.)

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