

SB1355



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB1355

Introduced 1/28/2025, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

New Act

Creates the Public Official Conflict of Interest and Natural Resource Misuse Act. Provides that it is unlawful for any public official, for personal gain, to offer, propose, or allow the use or allocation of a city's natural resource as a condition for settlement or compensation for damage caused to a resident's personal property, with a Class 3 felony that includes a fine not to exceed \$250,000 and restitution to the resident, as well as removal from office in the case the public official is an elected official. Provides for powers of investigation and enforcement for the Attorney General, as well as for local law enforcement agencies in consultation with the Executive Ethics Commission. Provides for protection for whistleblowers. Declares a purpose. Defines terms.

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A BILL FOR

1 AN ACT concerning ethics.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Public
5 Official Conflict of Interest and Natural Resource Misuse Act.

6 Section 5. Purpose. The purpose of this Act is to prevent
7 the misuse of public resources by public officials and to
8 protect the rights of residents. Specifically, this Act
9 criminalizes the practice of public officials offering the use
10 or allocation of a city's natural resources as a condition for
11 settlement or compensation in personal property damage cases,
12 ensuring that public assets are not used for personal or
13 improper gain.

14 Section 10. Definitions. In this Act:

15 "City natural resource" means any resource owned,
16 controlled, or managed by a municipality or unit of local
17 government, including, but not limited to, land, water,
18 mineral rights, parks, public infrastructure, or other natural
19 assets that are part of the public domain.

20 "Damage to personal property" means any harm, destruction,
21 or loss caused to the tangible property of an individual,
22 including, but not limited to, homes, vehicles, personal

1 belongings, and other possessions.

2 "Public official" means any individual holding a public
3 office or position of trust or responsibility within any
4 municipality, unit of local government, or within State
5 government, including elected officials, appointed officials,
6 and public employees.

7 "Settlement" means an agreement or arrangement intended to
8 resolve a dispute, including compensation, restitution, or any
9 other form of resolution between a public official and a
10 resident for damages caused to personal property.

11 Section 15. Criminal offense.

12 (a) It is unlawful for any public official, for personal
13 gain, to offer, propose, or allow the use or allocation of a
14 city's natural resource as a condition for settlement or
15 compensation for damage caused to a resident's personal
16 property.

17 (b) For purposes of this Section, offering a city natural
18 resource as a condition of settlement includes, but is not
19 limited to:

20 (1) promising or providing access to public land,
21 water, parks, or any city-managed natural resource to a
22 resident as a form of compensation for property damage;

23 (2) offering rights to use city property or natural
24 resources (such as mineral rights, development
25 opportunities, or land use permits) in exchange for

1 releasing claims for personal property damages; or

2 (3) agreeing to or facilitating agreements whereby the
3 resident is encouraged or pressured to accept a settlement
4 involving the use of natural resources managed by the
5 municipality or unit of local government.

6 (c) Any public official who violates this Section is
7 guilty of a Class 3 felony and shall be subject to the
8 following penalties:

9 (1) a term of imprisonment of not less than 2 years and
10 not more than 5 years;

11 (2) a fine in an amount not to exceed \$250,000; and

12 (3) restitution to the resident harmed by the illegal
13 settlement offer, which shall be determined by the court.

14 (d) If the public official is an elected official, the
15 public official shall also be removed from office upon
16 conviction of this crime.

17 Section 20. Investigation and enforcement.

18 (a) The Attorney General shall have the authority to
19 investigate alleged violations of this Act, including
20 conducting inquiries, subpoenaing witnesses, and reviewing
21 relevant public records.

22 (b) Any resident who believes that the resident has been
23 offered a city natural resource as a condition for settlement
24 of property damage claims may file a formal complaint with the
25 Executive Ethics Commission or the Attorney General's Office.

1 (c) Local law enforcement agencies, in consultation with
2 the Executive Ethics Commission, shall have the authority to
3 investigate and pursue criminal charges against public
4 officials suspected of violating this Act.

5 Section 25. Protection for whistleblowers.

6 (a) Any individual who reports a violation of this Act in
7 good faith shall be protected from retaliation by the public
8 official or the public agency involved.

9 (b) Whistleblowers who experience retaliation may seek
10 relief, including reinstatement to their position, back pay,
11 and damages, as provided under the Whistleblower Protection
12 Act.