



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2795

Introduced 1/13/2026, by Sen. Laura M. Murphy

SYNOPSIS AS INTRODUCED:

New Act
5 ILCS 430/25-5
5 ILCS 430/25-52

Creates the Local Government Inspector General Act. Provides that the purpose of the Act is to establish an independent entity to which allegations of incompetence, neglect of duty, malfeasance in office, corruption, or official misconduct involving units of local government, including their officers, employees, and agents, or elected or appointed local officials, may be reported and investigated with the assistance of the Attorney General. Creates the Local Government Ethics Commission and the Office of the Local Government Inspector General and provides that members of the Commission and the Inspector General shall be appointed by the Governor with the advice and consent of the Senate. Sets forth the procedures of investigating a complaint and the issuing of reports. Defines terms. Amends the State Officials and Employees Ethics Act. Requires the appointment of at least one member of the general public to the Legislative Ethics Commission. Provides that the Legislative Ethics Commission shall adopt no rule requiring the Legislative Inspector General to seek the Commission's advance approval before commencing an investigation. Provides that, within 60 days after receipt of a summary report and response from the ultimate jurisdictional authority or agency head that resulted in the subject of the investigation being found guilty of allegations of fraud, waste, abuse, mismanagement, misconduct, nonfeasance, misfeasance, malfeasance, or violations of the Act, or violations of other related laws and rules, the Legislative Inspector General (currently, Legislative Ethics Commission) shall make available to the public the report and response or a redacted version of the report and response. Allows the Legislative Inspector General to make available to the public any other summary report and response of the ultimate jurisdictional authority or agency head or a redacted version of the report and response without prior approval from the Legislative Ethics Commission. Makes conforming changes.

LRB104 16768 RTM 30177 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 1. Short title. This Act may be cited as the Local
5 Government Inspector General Act.

6 Section 5. Definitions. For purposes of this Act:

7 "Local official" means: (i) any official appointed or
8 elected to an office of a county, municipality, township,
9 special district, or unit designated as a unit of local
10 government by law or (ii) an office created by ordinance,
11 resolution, or contract of any unit of local government.

12 "Unit of local government" has the meaning provided in
13 Section 1 of Article VII of the Illinois Constitution.

14 Section 10. Scope. This Act shall apply only to those
15 units of local government that do not have their own inspector
16 general.

17 Section 15. Purpose. The purpose of this Act is to
18 establish an independent entity: (1) to which allegations of
19 incompetence, neglect of duty, malfeasance in office,
20 corruption, or official misconduct involving units of local
21 government, including their officers, employees, and agents,

1 or elected or appointed local officials may be reported; and
2 (2) that has the authority to investigate allegations of
3 incompetence, neglect of duty, malfeasance in office,
4 corruption, or official misconduct involving units of local
5 government, including their officers, employees, and agents,
6 or elected or appointed local officials, with the assistance
7 of the Attorney General.

8 Section 20. Local Government Ethics Commission.

9 (a) The Local Government Ethics Commission is created.

10 (b) The Local Government Ethics Commission shall consist
11 of 9 commissioners appointed by the Governor, with the advice
12 and consent of the Senate. Any nomination not acted upon by the
13 Senate within 60 session days of the receipt thereof shall be
14 deemed to have received the advice and consent of the Senate.
15 If, during a recess of the Senate, there is a vacancy in an
16 office of commissioner, the Governor shall make a temporary
17 appointment until the next meeting of the Senate when the
18 Governor shall make a nomination to fill that office. No
19 person rejected for an office of commissioner shall, except by
20 the Senate's request, be nominated again for that office at
21 the same session of the Senate or be appointed to that office
22 during a recess of that Senate.

23 Commissioners shall serve for 4-year terms commencing on
24 July 1 of the year of appointment and running through June 30
25 of the fourth following year. Commissioners may be reappointed

1 to one or more subsequent terms.

2 Vacancies occurring other than at the end of a term shall
3 be filled by the Governor only for the balance of the term of
4 the commissioner whose office is vacant. The Governor may
5 remove a commissioner only for cause.

6 Terms shall run regardless of whether the position is
7 filled.

8 (c) The Governor shall appoint commissioners who have
9 experience holding governmental office or employment and shall
10 appoint commissioners from the general public. A person is not
11 eligible to serve as a commissioner if that person (i) has been
12 convicted of a felony or a crime of dishonesty or moral
13 turpitude, (ii) is, or was within the preceding 12 months,
14 engaged in activities that require registration under the
15 Lobbyist Registration Act, (iii) is related to the appointing
16 authority, or (iv) is a State officer or employee.

17 (d) The Local Government Ethics Commission shall have
18 jurisdiction over all units of local government and local
19 officials as well as all vendors and others doing business
20 with any unit of local government or local official. The Local
21 Government Ethics Commission does not have jurisdiction over:
22 (i) Regional Transit Boards, as that term is defined in
23 Section 1-5 of the State Officials and Employees Ethics Act;
24 (ii) local officials of Regional Transit Boards; or (iii)
25 vendors and others doing business with a Regional Transit
26 Board. The Executive Ethics Commission and Executive Inspector

1 General have jurisdiction over Regional Transit Boards and
2 board members, employees, vendors, and others doing business
3 with the Regional Transit Boards under Article 75 of the State
4 Officials and Employees Ethics Act.

5 (e) The Local Government Ethics Commission must meet,
6 either in person or by other technological means, at least
7 monthly and as often as necessary. At the first meeting of the
8 Local Government Ethics Commission, the commissioners shall
9 choose from their number a chairperson and other officers that
10 they deem appropriate. The terms of officers shall be for 2
11 years commencing July 1 and running through June 30 of the
12 second following year. Meetings shall be held at the call of
13 the chairperson or any 3 commissioners. Official action by the
14 Commission shall require the affirmative vote of 5
15 commissioners, and a quorum shall consist of 5 commissioners.
16 Commissioners shall receive compensation in an amount equal to
17 the compensation of members of the State Board of Elections
18 and may be reimbursed for their reasonable expenses actually
19 incurred in the performance of their duties.

20 (f) No commissioner or employee of the Local Government
21 Ethics Commission may during his or her term of appointment or
22 employment:

23 (1) become a candidate for any elective office;

24 (2) hold any other elected or appointed public office
25 except for appointments on governmental advisory boards or
26 study commissions or as otherwise expressly authorized by

1 law;

2 (3) be actively involved in the affairs of any
3 political party or political organization; or

4 (4) advocate for the appointment of another person to
5 an appointed or elected office or position or actively
6 participate in any campaign for any elective office.

7 (g) The Local Government Ethics Commission shall appoint
8 an Executive Director. The compensation of the Executive
9 Director shall be as determined by the Commission. The
10 Executive Director of the Local Government Ethics Commission
11 may employ and determine the compensation of staff, as
12 appropriations permit.

13 Section 25. Local Government Inspector General.

14 (a) There is created the Office of the Local Government
15 Inspector General.

16 (b) The Local Government Inspector General shall be
17 appointed by the Governor, with the advice and consent of the
18 Senate. Any nomination not acted upon by the Senate within 60
19 session days of the receipt thereof shall be deemed to have
20 received the advice and consent of the Senate. If, during a
21 recess of the Senate, there is a vacancy in an office of Local
22 Government Inspector General, the Governor shall make a
23 temporary appointment until the next meeting of the Senate
24 when the Governor shall make a nomination to fill the office.
25 No person rejected for the office of Local Government

1 Inspector General shall, except by the Senate's request, be
2 nominated again for that office at the same session of the
3 Senate or be appointed to that office during a recess of that
4 Senate.

5 Nothing in this Act precludes the appointment by any unit
6 of local government or any local official of any other
7 inspector general required or permitted by law.

8 The Local Government Inspector General shall have the
9 following qualifications:

10 (1) the Local Government Inspector General must have
11 not been convicted of any felony under the laws of this
12 State, another State, or the United States;

13 (2) the Local Government Inspector General must have
14 earned a baccalaureate degree from an institution of
15 higher education; and

16 (3) the Local Government Inspector General must have 5
17 or more years of cumulative service (A) with a federal,
18 State, or local law enforcement agency, at least 2 years
19 of which have been in a progressive investigatory
20 capacity; (B) as a federal, State, or local prosecutor;
21 (C) as a senior manager or executive of a federal, State,
22 or local agency; (D) as a member, an officer, or a State or
23 federal judge; or (E) representing any combination of (A)
24 through (D).

25 The term of the Local Government Inspector General shall
26 be for 5 years, commencing on July 1 of the year of appointment

1 and running through June 30 of the fifth following year. The
2 Local Government Inspector General may be reappointed to one
3 or more subsequent terms. A vacancy occurring other than at
4 the end of a term shall be filled by the Governor for the
5 balance of the current term.

6 (c) The Local Government Inspector General shall have
7 jurisdiction over all units of local government and local
8 officials, as well as all vendors and others doing business
9 with any unit of local government or local official. The Local
10 Government Inspector General does not have jurisdiction over
11 Regional Transit Boards, as that term is defined in Section
12 1-5 of the State Officials and Employees Ethics Act, or local
13 officials of Regional Transit Boards. The Executive Inspector
14 General has jurisdiction over Regional Transit Boards and
15 board members, employees, vendors, and others doing business
16 with the Regional Transit Boards under Article 75 of the State
17 Officials and Employees Ethics Act.

18 If an investigation's focus is split between allegations
19 of misconduct investigated by the Executive Inspector General
20 and allegations investigated by the Local Government Inspector
21 General, the Local Government Inspector General shall take
22 reasonable steps, including continued consultation with the
23 Executive Inspector General, to ensure that his or her
24 investigation will not interfere with or disrupt any
25 investigation by the Executive Inspector General or law
26 enforcement authorities. In instances in which the Local

1 Government Inspector General continues to investigate other
2 allegations associated with allegations that have been
3 referred to the Executive Inspector General under this
4 subsection, the Local Government Inspector General shall
5 report the results of its investigation to the Executive
6 Inspector General.

7 The jurisdiction of the Local Government Inspector General
8 is to investigate allegations of fraud, waste, abuse,
9 mismanagement, misconduct, nonfeasance, misfeasance,
10 malfeasance, or violations of other related laws and rules.

11 (d) The compensation for the Local Government Inspector
12 General shall be determined by the Governor and shall be made
13 from appropriations made to the Office of the Governor for
14 this purpose. The Local Government Inspector General has full
15 authority to organize the Office of the Local Government
16 Inspector General, including the employment and determination
17 of the compensation of staff, such as deputies, assistants,
18 and other employees, as appropriations permit.

19 (e) No Local Government Inspector General or employee of
20 the Office of the Local Government Inspector General may,
21 during his or her term of appointment or employment:

22 (1) become a candidate for any elective office;

23 (2) hold any other elected or appointed public office
24 except for appointments on governmental advisory boards or
25 study commissions or as otherwise expressly authorized by
26 law;

1 (3) be actively involved in the affairs of any
2 political party or political organization; or

3 (4) advocate for the appointment of another person to
4 an appointed or elected office or position or actively
5 participate in any campaign for any elective office.

6 In this subsection, "appointed public office" means a
7 position authorized by law that is filled by an appointing
8 authority as provided by law. "Appointed public office" does
9 not include employment by hiring in the ordinary course of
10 business.

11 (f) No Local Government Inspector General or employee of
12 the Office of the Local Government Inspector General may, for
13 one year after the termination of his or her appointment or
14 employment:

15 (1) become a candidate for any elective office;

16 (2) hold any elected public office; or

17 (3) hold any appointed State, county, or local
18 judicial office.

19 (g) The Local Government Inspector General may be removed
20 only for cause and may be removed only by the Governor. At the
21 time of the removal, the Governor must report to the Senate the
22 justification for the removal.

23 Section 30. Duties of the Local Government Inspector
24 General. In addition to duties otherwise assigned by law, the
25 Local Government Inspector General shall have the following

1 duties:

2 (1) To receive and investigate allegations of
3 incompetence, neglect of duty, malfeasance in office,
4 corruption, or official misconduct by local officials. An
5 investigation may not be initiated more than one year
6 after the most recent act of the alleged violation or of a
7 series of alleged violations except where there is
8 reasonable cause to believe that fraudulent concealment
9 has occurred. To constitute fraudulent concealment
10 sufficient to toll this limitations period, there must be
11 an affirmative act or representation calculated to prevent
12 discovery of the fact that a violation has occurred. The
13 Local Government Inspector General shall have the
14 discretion to determine the appropriate means of
15 investigation as permitted by law.

16 (2) To request information relating to an
17 investigation from any person when the Local Government
18 Inspector General deems that information necessary in
19 conducting an investigation.

20 (3) To issue subpoenas to compel the attendance of
21 witnesses for the purposes of testimony and production of
22 documents and other items for inspection and copying and
23 to make service of those subpoenas.

24 (4) To submit reports as required by this Act.

25 (5) To file pleadings in the name of the Local
26 Government Inspector General with the Local Government

1 Ethics Commission, through the Attorney General, as
2 provided in this Act if the Attorney General finds that
3 reasonable cause exists to believe that a violation has
4 occurred.

5 (6) To participate in or conduct, when appropriate,
6 multi-jurisdictional investigations.

7 (7) To establish a policy that ensures the appropriate
8 handling and correct recording of all investigations
9 conducted by the Office, and to ensure that the policy is
10 accessible via the Internet in order that those seeking to
11 report those allegations are familiar with the process and
12 that the subjects of those allegations are treated fairly.

13 Section 35. Administrative subpoena; compliance. A person
14 duly subpoenaed for testimony, documents, or other items who
15 neglects or refuses to testify or produce documents or other
16 items under the requirements of the subpoena shall be subject
17 to punishment as may be determined by a court of competent
18 jurisdiction. Nothing in this Section limits or alters a
19 person's existing rights or protections under State or federal
20 law.

21 Section 40. Standing; representation.

22 (a) Only the Local Government Inspector General or the
23 Attorney General may bring actions before the Local Government
24 Ethics Commission.

1 (b) The Attorney General shall represent the Local
2 Government Inspector General in all proceedings before the
3 Commission. Whenever the Attorney General is sick or absent,
4 or is unable to attend, or is interested in any matter or
5 proceeding under this Act, upon the filing of a petition under
6 seal by any person with standing, the Supreme Court (or any
7 other court of competent jurisdiction as designated and
8 determined by rule of the Supreme Court) may appoint some
9 competent attorney to prosecute or defend that matter or
10 proceeding, and the attorney so appointed shall have the same
11 power and authority in relation to that matter or proceeding
12 as the Attorney General would have had if present and
13 attending to the same.

14 (c) Attorneys representing the Local Government Inspector
15 General in proceedings before the Local Government Ethics
16 Commission, except an attorney appointed under subsection (b),
17 shall be appointed or retained by the Attorney General, shall
18 be under the supervision, direction, and control of the
19 Attorney General, and shall serve at the pleasure of the
20 Attorney General. The compensation of any attorneys appointed
21 or retained in accordance with this subsection or subsection
22 (b) shall be paid by the appropriate Office of the Local
23 Government Inspector General.

24 Section 45. Investigation reports.

25 (a) If the Local Government Inspector General, upon the

1 conclusion of an investigation, determines that reasonable
2 cause exists to believe that a violation has occurred, then
3 the Local Government Inspector General shall issue a summary
4 report of the investigation. The report shall be delivered to
5 the appropriate ultimate jurisdictional authority affected by
6 or involved in the investigation, if appropriate. The
7 appropriate ultimate jurisdictional authority shall respond to
8 the summary report within 20 days, in writing, to the Local
9 Government Inspector General. The response shall include a
10 description of any corrective or disciplinary action to be
11 imposed.

12 (b) The summary report of the investigation shall include
13 the following:

14 (1) A description of any allegations or other
15 information received by the Local Government Inspector
16 General pertinent to the investigation.

17 (2) A description of any alleged misconduct discovered
18 in the course of the investigation.

19 (3) Recommendations for any corrective or disciplinary
20 action to be taken in response to any alleged misconduct
21 described in the report, including but not limited to
22 discharge.

23 (4) Other information the Local Government Inspector
24 General deems relevant to the investigation or resulting
25 recommendations.

26 (c) Within 30 days after receiving a response from the

1 appropriate ultimate jurisdictional authority under subsection
2 (a), the Local Government Inspector General shall notify the
3 Local Government Ethics Commission and the Attorney General if
4 the Local Government Inspector General believes that a
5 complaint should be filed with the Commission. If the Local
6 Government Inspector General desires to file a complaint with
7 the Commission, the Local Government Inspector General shall
8 submit the summary report and supporting documents to the
9 Attorney General. If the Attorney General concludes that there
10 is insufficient evidence that a violation has occurred, the
11 Attorney General shall notify the Local Government Inspector
12 General and the Local Government Inspector General shall
13 deliver to the Local Government Ethics Commission a copy of
14 the summary report and response from the ultimate
15 jurisdictional authority or agency head. If the Attorney
16 General determines that reasonable cause exists to believe
17 that a violation has occurred, then the Local Government
18 Inspector General, represented by the Attorney General, may
19 file with the Local Government Ethics Commission a complaint.
20 The complaint shall set forth the alleged violation and the
21 grounds that exist to support the complaint. The complaint
22 must be filed with the Commission within 18 months after the
23 most recent act of the alleged violation or of a series of
24 alleged violations except where there is reasonable cause to
25 believe that fraudulent concealment has occurred. To
26 constitute fraudulent concealment sufficient to toll this

1 limitations period, there must be an affirmative act or
2 representation calculated to prevent discovery of the fact
3 that a violation has occurred. If a complaint is not filed with
4 the Commission within 6 months after notice by the Local
5 Government Inspector General to the Commission and the
6 Attorney General, then the Commission may set a meeting of the
7 Commission at which the Attorney General shall appear and
8 provide a status report to the Commission.

9 (d) Within 30 days after receiving a response from the
10 appropriate ultimate jurisdictional authority under subsection
11 (a), if the Local Government Inspector General does not
12 believe that a complaint should be filed, the Local Government
13 Inspector General shall deliver to the Local Government Ethics
14 Commission a statement setting forth the basis for the
15 decision not to file a complaint and a copy of the summary
16 report and response from the ultimate jurisdictional authority
17 or agency head. The Local Government Inspector General may
18 also submit a redacted version of the summary report and
19 response from the ultimate jurisdictional authority if the
20 Local Government Inspector General believes either contains
21 information that, in the opinion of the Local Government
22 Inspector General, should be redacted prior to releasing the
23 report, may interfere with an ongoing investigation, or
24 identifies an informant or complainant.

25 (e) If, after reviewing the documents, the Commission
26 believes that further investigation is warranted, the

1 Commission may request that the Local Government Inspector
2 General provide additional information or conduct further
3 investigation. The Commission may also appoint a Special Local
4 Government Inspector General to investigate or refer the
5 summary report and response from the ultimate jurisdictional
6 authority to the Attorney General for further investigation or
7 review. If the Commission requests the Attorney General to
8 investigate or review, the Commission must notify the Attorney
9 General and the Local Government Inspector General. The
10 Attorney General may not begin an investigation or review
11 until receipt of notice from the Commission. If, after review,
12 the Attorney General determines that reasonable cause exists
13 to believe that a violation has occurred, then the Attorney
14 General may file a complaint with the Local Government Ethics
15 Commission. If the Attorney General concludes that there is
16 insufficient evidence that a violation has occurred, the
17 Attorney General shall notify the Local Government Ethics
18 Commission and the Local Government Inspector General.

19 (f) A copy of the complaint filed with the Local
20 Government Ethics Commission must be served on all respondents
21 named in the complaint and on each respondent's ultimate
22 jurisdictional authority in the same manner as process is
23 served under the Code of Civil Procedure.

24 (g) A respondent may file objections to the complaint
25 within 30 days after notice of the petition has been served on
26 the respondent.

1 (h) The Commission shall meet, either in person or by
2 telephone, at least 30 days after the complaint is served on
3 all respondents in a closed session to review the sufficiency
4 of the complaint. The Commission shall issue notice by
5 certified mail, return receipt requested, to the Local
6 Government Inspector General, Attorney General, and all
7 respondents of the Commission's ruling on the sufficiency of
8 the complaint. If the complaint is deemed to sufficiently
9 allege a violation of this Act, then the Commission shall
10 include a hearing date scheduled within 4 weeks after the date
11 of the notice, unless all of the parties consent to a later
12 date. If the complaint is deemed not to sufficiently allege a
13 violation, then the Commission shall send by certified mail,
14 return receipt requested, a notice to the Local Government
15 Inspector General, Attorney General, and all respondents of
16 the decision to dismiss the complaint.

17 (i) On the scheduled date, the Commission shall conduct a
18 closed meeting, either in person or, if the parties consent,
19 by telephone, on the complaint and allow all parties the
20 opportunity to present testimony and evidence. All such
21 proceedings shall be transcribed.

22 (j) Within an appropriate time limit set by rules of the
23 Local Government Ethics Commission, the Commission shall (i)
24 dismiss the complaint, (ii) issue a recommendation of
25 discipline to the respondent and the respondent's ultimate
26 jurisdictional authority, (iii) impose an administrative fine

1 upon the respondent, (iv) issue injunctive relief, or (v)
2 impose a combination of (ii) through (iv).

3 (k) The proceedings on any complaint filed with the
4 Commission shall be conducted pursuant to rules promulgated by
5 the Commission.

6 (l) The Commission may designate hearing officers to
7 conduct proceedings as determined by rule of the Commission.

8 (m) In all proceedings before the Commission, the standard
9 of proof is by a preponderance of the evidence.

10 (n) Within 30 days after the issuance of a final
11 administrative decision that concludes that a violation
12 occurred, the Local Government Ethics Commission shall make
13 public the entire record of proceedings before the Commission,
14 the decision, any recommendation, any discipline imposed, and
15 the response from the agency head or ultimate jurisdictional
16 authority to the Local Government Ethics Commission.

17 Section 50. Closed investigations. When the Local
18 Government Inspector General concludes that there is
19 insufficient evidence that a violation has occurred, the Local
20 Government Inspector General shall close the investigation.
21 The Local Government Inspector General shall provide the
22 Commission with a written statement of the Local Government
23 Inspector General's decision to close the investigation. At
24 the request of the subject of the investigation, the Local
25 Government Inspector General shall provide a written statement

1 to the subject of the investigation of the Inspector General's
2 decision to close the investigation. Closure by the Local
3 Government Inspector General does not bar the Local Government
4 Inspector General from resuming the investigation if
5 circumstances warrant. The Commission also has the discretion
6 to request that the Local Government Inspector General conduct
7 further investigation of any matter closed pursuant to this
8 Section, to appoint a Special Local Government Inspector
9 General to investigate, or to refer the allegations to the
10 Attorney General for further investigation or review. If the
11 Commission requests the Attorney General to investigate or
12 review, the Commission must notify the Attorney General and
13 the Inspector General. The Attorney General may not begin an
14 investigation or review until receipt of notice from the
15 Commission.

16 Section 55. Release of summary reports.

17 (a) Within 60 days after receipt of a summary report and
18 response from the ultimate jurisdictional authority or agency
19 head that resulted in a suspension of at least 3 days or
20 termination of employment, the Local Government Ethics
21 Commission shall make available to the public the report and
22 response or a redacted version of the report and response. The
23 Local Government Ethics Commission may make available to the
24 public any other summary report and response of the ultimate
25 jurisdictional authority or a redacted version of the report

1 and response.

2 (b) The Commission shall redact information in the summary
3 report that may reveal the identity of witnesses,
4 complainants, or informants or if the Commission determines it
5 is appropriate to protect the identity of a person before the
6 report is made public. The Commission may also redact any
7 information it believes should not be made public. Prior to
8 publication, the Commission shall permit the respondents, the
9 Local Government Inspector General, and Attorney General to
10 review documents to be made public and offer suggestions for
11 redaction or provide a response that shall be made public with
12 the summary report.

13 (c) The Commission may withhold publication of the report
14 or response if the Local Government Inspector General or
15 Attorney General certifies that releasing the report to the
16 public will interfere with an ongoing investigation.

17 Section 60. Cooperation in investigations. It is the duty
18 of every officer and employee under the jurisdiction of the
19 Local Government Inspector General to cooperate with the Local
20 Government Inspector General and the Attorney General in any
21 investigation undertaken pursuant to this Act. Failure to
22 cooperate includes, but is not limited to, intentional
23 omissions and knowing false statements. Failure to cooperate
24 with an investigation of the Local Government Inspector
25 General or the Attorney General is grounds for disciplinary

1 action, including dismissal. Nothing in this Section limits or
2 alters a person's existing rights or protections under State
3 or federal law.

4 Section 65. Referrals of investigations. If the Local
5 Government Inspector General determines that any alleged
6 misconduct involves any person not subject to the jurisdiction
7 of the Local Government Ethics Commission, the Local
8 Government Inspector General shall refer the reported
9 allegations to the appropriate Inspector General, appropriate
10 ethics commission, or other appropriate body, including
11 referring allegations of misconduct by State employees or
12 other individuals or entities under the jurisdiction of the
13 Executive Inspector General to the Executive Inspector General
14 for investigation. If the Local Government Inspector General
15 determines that any alleged misconduct may give rise to
16 criminal penalties, the Local Government Inspector General may
17 refer the allegations regarding that misconduct to the
18 appropriate law enforcement authority. If a Local Government
19 Inspector General determines that any alleged misconduct
20 resulted in the loss of public funds in an amount of \$5,000 or
21 greater, the Local Government Inspector General shall refer
22 the allegations regarding that misconduct to the Attorney
23 General and any other appropriate law enforcement authority.

24 Section 70. Quarterly reports by the Attorney General. The

1 Attorney General shall submit quarterly reports to the Local
2 Government Ethics Commission, on dates determined by the Local
3 Government Ethics Commission, indicating:

4 (1) the number of complaints received from the Local
5 Government Inspector General since the date of the last
6 report;

7 (2) the number of complaints for which the Attorney
8 General has determined reasonable cause exists to believe
9 that a violation has occurred since the date of the last
10 report; and

11 (3) the number of complaints still under review by the
12 Attorney General.

13 Section 75. Confidentiality.

14 (a) The identity of an individual providing information or
15 reporting possible or alleged misconduct to the Office of the
16 Local Government Inspector General or the Local Government
17 Ethics Commission shall be kept confidential and may not be
18 disclosed without the consent of that individual, unless the
19 individual consents to disclosure of his or her name or
20 disclosure of the individual's identity is otherwise required
21 by law. The confidentiality granted by this subsection does
22 not preclude the disclosure of the identity of a person in any
23 capacity other than as the source of an allegation.

24 (b) Except as provided under Section 55, commissioners,
25 employees, and agents of the Local Government Ethics

1 Commission, the Local Government Inspector General, and the
2 Office of the Attorney General shall keep confidential and
3 shall not disclose information exempted from disclosure under
4 the Freedom of Information Act or by this Act.

5 (c) In his or her discretion, the Local Government
6 Inspector General may notify complainants and subjects of an
7 investigation with an update on the status of the respective
8 investigation, including when the investigation is opened and
9 closed.

10 Section 80. Exemptions.

11 (a) Documents generated by the Offices of the Local
12 Government Inspector General or the Local Government Ethics
13 Commission under this Act are exempt from disclosure under the
14 Freedom of Information Act.

15 (b) Allegations and related documents submitted to the
16 Local Government Inspector General and pleadings and related
17 documents brought before the Local Government Ethics
18 Commission are exempt from disclosure under the Freedom of
19 Information Act if the Local Government Ethics Commission does
20 not make a finding of a violation of this Act. If the Local
21 Government Ethics Commission finds that a violation has
22 occurred, the entire record of proceedings before the
23 Commission, the decision and recommendation, and the response
24 from the agency head or ultimate jurisdictional authority to
25 the Local Government Ethics Commission are not exempt from

1 disclosure under the Freedom of Information Act, but
2 information contained therein that is otherwise exempt from
3 the Freedom of Information Act must be redacted before
4 disclosure as provided in the Freedom of Information Act. A
5 summary report released by the Local Government Ethics
6 Commission under Section 55 is a public record, but
7 information redacted by the Local Government Ethics Commission
8 is not a part of the public record.

9 (c) Meetings of the Local Government Ethics Commission are
10 exempt from the provisions of the Open Meetings Act.

11 (d) Unless otherwise provided in this Act, all
12 investigatory files and reports of the Office of Local
13 Government Inspector General, other than quarterly reports
14 required under Section 70, are confidential, are exempt from
15 disclosure under the Freedom of Information Act, and shall not
16 be divulged to any person or agency, except as necessary (i) to
17 a law enforcement authority, (ii) to the ultimate
18 jurisdictional authority, (iii) to the Local Government Ethics
19 Commission, or (iv) to the Office of the Attorney General.

20 Section 900. The State Officials and Employees Ethics Act
21 is amended by changing Sections 25-5 and 25-52 as follows:

22 (5 ILCS 430/25-5)

23 (Text of Section before amendment by P.A. 104-435)

24 Sec. 25-5. Legislative Ethics Commission.

1 (a) The Legislative Ethics Commission is created.

2 (b) The Legislative Ethics Commission shall consist of 8
3 commissioners appointed 2 each by the President and Minority
4 Leader of the Senate and the Speaker and Minority Leader of the
5 House of Representatives.

6 The terms of the initial commissioners shall commence upon
7 qualification. Each appointing authority shall designate one
8 appointee who shall serve for a 2-year term running through
9 June 30, 2005. Each appointing authority shall designate one
10 appointee who shall serve for a 4-year term running through
11 June 30, 2007. The initial appointments shall be made within
12 60 days after the effective date of this Act.

13 After the initial terms, commissioners shall serve for
14 4-year terms commencing on July 1 of the year of appointment
15 and running through June 30 of the fourth following year.
16 Commissioners may be reappointed to one or more subsequent
17 terms.

18 A vacancy shall occur upon a commissioner's death,
19 resignation, removal, disqualification, termination of
20 legislative service in the house or caucus of the appointing
21 authority, or other inability to act. Vacancies occurring
22 other than at the end of a term shall be filled by the
23 appointing authority only for the balance of the term of the
24 commissioner whose office is vacant.

25 Terms shall run regardless of whether the position is
26 filled.

1 (c) The appointing authorities shall appoint commissioners
2 who have experience holding governmental office or employment
3 and shall each appoint at least one commissioner of the
4 general public and may appoint commissioners who are members
5 of the General Assembly ~~as well as commissioners from the~~
6 ~~general public~~. A commissioner who is a member of the General
7 Assembly must recuse himself or herself from participating in
8 any matter relating to any investigation or proceeding in
9 which he or she is the subject or is a complainant. A person is
10 not eligible to serve as a commissioner if that person (i) has
11 been convicted of a felony or a crime of dishonesty or moral
12 turpitude, (ii) is, or was within the preceding 12 months,
13 engaged in activities that require registration under the
14 Lobbyist Registration Act, (iii) is a relative of the
15 appointing authority, (iv) is a State officer or employee
16 other than a member of the General Assembly, or (v) is a
17 candidate for statewide, federal, or judicial office.

18 (c-5) If a commissioner is required to recuse himself or
19 herself from participating in a matter as provided in
20 subsection (c), the recusal shall create a temporary vacancy
21 for the limited purpose of consideration of the matter for
22 which the commissioner recused himself or herself, and the
23 appointing authority for the recusing commissioner shall make
24 a temporary appointment to fill the vacancy for consideration
25 of the matter for which the commissioner recused himself or
26 herself.

1 (d) The Legislative Ethics Commission shall have
2 jurisdiction over current and former members of the General
3 Assembly regarding events occurring during a member's term of
4 office and current and former State employees regarding events
5 occurring during any period of employment where the State
6 employee's ultimate jurisdictional authority is (i) a
7 legislative leader, (ii) the Senate Operations Commission, or
8 (iii) the Joint Committee on Legislative Support Services. The
9 Legislative Ethics Commission shall have jurisdiction over
10 complainants and respondents in violation of subsection (d) of
11 Section 25-90. The jurisdiction of the Commission is limited
12 to matters arising under this Act.

13 An officer or executive branch State employee serving on a
14 legislative branch board or commission remains subject to the
15 jurisdiction of the Executive Ethics Commission and is not
16 subject to the jurisdiction of the Legislative Ethics
17 Commission.

18 (e) The Legislative Ethics Commission must meet, either in
19 person or by other technological means, monthly or as often as
20 necessary. At the first meeting of the Legislative Ethics
21 Commission, the commissioners shall choose from their number a
22 chairperson and other officers that they deem appropriate. The
23 terms of officers shall be for 2 years commencing July 1 and
24 running through June 30 of the second following year. Meetings
25 shall be held at the call of the chairperson or any 3
26 commissioners. Official action by the Commission shall require

1 the affirmative vote of 5 commissioners, and a quorum shall
2 consist of 5 commissioners. Commissioners shall receive no
3 compensation but may be reimbursed for their reasonable
4 expenses actually incurred in the performance of their duties.

5 (f) No commissioner, other than a commissioner who is a
6 member of the General Assembly, or employee of the Legislative
7 Ethics Commission may during his or her term of appointment or
8 employment:

9 (1) become a candidate for any elective office;

10 (2) hold any other elected or appointed public office
11 except for appointments on governmental advisory boards or
12 study commissions or as otherwise expressly authorized by
13 law;

14 (3) be actively involved in the affairs of any
15 political party or political organization; or

16 (4) advocate for the appointment of another person to
17 an appointed or elected office or position or actively
18 participate in any campaign for any elective office.

19 (f-5) No commissioner who is a member of the General
20 Assembly may be a candidate for statewide, federal, or
21 judicial office. If a commissioner who is a member of the
22 General Assembly files petitions to be a candidate for a
23 statewide, federal, or judicial office, he or she shall be
24 deemed to have resigned from his or her position as a
25 commissioner on the date his or her name is certified for the
26 ballot by the State Board of Elections or local election

1 authority and his or her position as a commissioner shall be
2 deemed vacant. Such person may not be reappointed to the
3 Commission during any time he or she is a candidate for
4 statewide, federal, or judicial office.

5 (g) An appointing authority may remove a commissioner only
6 for cause.

7 (h) The Legislative Ethics Commission shall appoint an
8 Executive Director subject to the approval of at least 3 of the
9 4 legislative leaders. The compensation of the Executive
10 Director shall be as determined by the Commission. The
11 Executive Director of the Legislative Ethics Commission may
12 employ, subject to the approval of at least 3 of the 4
13 legislative leaders, and determine the compensation of staff,
14 as appropriations permit.

15 (i) In consultation with the Legislative Inspector
16 General, the Legislative Ethics Commission may develop
17 comprehensive training for members and employees under its
18 jurisdiction that includes, but is not limited to, sexual
19 harassment, employment discrimination, and workplace civility.
20 The training may be recommended to the ultimate jurisdictional
21 authorities and may be approved by the Commission to satisfy
22 the sexual harassment training required under Section 5-10.5
23 or be provided in addition to the annual sexual harassment
24 training required under Section 5-10.5. The Commission may
25 seek input from governmental agencies or private entities for
26 guidance in developing such training.

1 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 8-9-19;
2 101-617, eff. 12-20-19; 102-664, eff. 1-1-22.)

3 (Text of Section after amendment by P.A. 104-435)

4 Sec. 25-5. Legislative Ethics Commission.

5 (a) The Legislative Ethics Commission is created.

6 (b) The Legislative Ethics Commission shall consist of 8
7 commissioners appointed 2 each by the President and Minority
8 Leader of the Senate and the Speaker and Minority Leader of the
9 House of Representatives.

10 The terms of the initial commissioners shall commence upon
11 qualification. Each appointing authority shall designate one
12 appointee who shall serve for a 2-year term running through
13 June 30, 2005. Each appointing authority shall designate one
14 appointee who shall serve for a 4-year term running through
15 June 30, 2007. The initial appointments shall be made within
16 60 days after the effective date of this Act.

17 After the initial terms, commissioners shall serve for
18 4-year terms commencing on July 1 of the year of appointment
19 and running through June 30 of the fourth following year.
20 Commissioners may be reappointed to one or more subsequent
21 terms.

22 A vacancy shall occur upon a commissioner's death,
23 resignation, removal, disqualification, termination of
24 legislative service in the house or caucus of the appointing
25 authority, or other inability to act. Vacancies occurring

1 other than at the end of a term shall be filled by the
2 appointing authority only for the balance of the term of the
3 commissioner whose office is vacant.

4 Terms shall run regardless of whether the position is
5 filled.

6 (c) The appointing authorities shall appoint commissioners
7 who have experience holding governmental office or employment
8 and shall each appoint at least one commissioner of the
9 general public and may appoint commissioners who are members
10 of the General Assembly ~~as well as commissioners from the~~
11 ~~general public~~. A commissioner who is a member of the General
12 Assembly must recuse himself or herself from participating in
13 any matter relating to any investigation or proceeding in
14 which he or she is the subject or is a complainant. A person is
15 not eligible to serve as a commissioner if that person (i) has
16 been convicted of a felony or a crime of dishonesty or moral
17 turpitude, (ii) is, or was within the preceding 12 months,
18 engaged in activities that require registration under the
19 Lobbyist Registration Act, (iii) is a relative of the
20 appointing authority, (iv) is a State officer or employee
21 other than a member of the General Assembly, or (v) is a
22 candidate for statewide, federal, or judicial office.

23 (c-5) If a commissioner is required to recuse himself or
24 herself from participating in a matter as provided in
25 subsection (c), the recusal shall create a temporary vacancy
26 for the limited purpose of consideration of the matter for

1 which the commissioner recused himself or herself, and the
2 appointing authority for the recusing commissioner shall make
3 a temporary appointment to fill the vacancy for consideration
4 of the matter for which the commissioner recused himself or
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6 (d) The Legislative Ethics Commission shall have
7 jurisdiction over current and former members of the General
8 Assembly regarding events occurring during a member's term of
9 office and current and former State employees regarding events
10 occurring during any period of employment where the State
11 employee's ultimate jurisdictional authority is (i) a
12 legislative leader or (ii) the Joint Committee on Legislative
13 Support Services. The Legislative Ethics Commission shall have
14 jurisdiction over complainants and respondents in violation of
15 subsection (d) of Section 25-90. The jurisdiction of the
16 Commission is limited to matters arising under this Act.

17 An officer or executive branch State employee serving on a
18 legislative branch board or commission remains subject to the
19 jurisdiction of the Executive Ethics Commission and is not
20 subject to the jurisdiction of the Legislative Ethics
21 Commission.

22 (e) The Legislative Ethics Commission must meet, either in
23 person or by other technological means, monthly or as often as
24 necessary. At the first meeting of the Legislative Ethics
25 Commission, the commissioners shall choose from their number a
26 chairperson and other officers that they deem appropriate. The

1 terms of officers shall be for 2 years commencing July 1 and
2 running through June 30 of the second following year. Meetings
3 shall be held at the call of the chairperson or any 3
4 commissioners. Official action by the Commission shall require
5 the affirmative vote of 5 commissioners, and a quorum shall
6 consist of 5 commissioners. Commissioners shall receive no
7 compensation but may be reimbursed for their reasonable
8 expenses actually incurred in the performance of their duties.

9 (f) No commissioner, other than a commissioner who is a
10 member of the General Assembly, or employee of the Legislative
11 Ethics Commission may during his or her term of appointment or
12 employment:

13 (1) become a candidate for any elective office;

14 (2) hold any other elected or appointed public office
15 except for appointments on governmental advisory boards or
16 study commissions or as otherwise expressly authorized by
17 law;

18 (3) be actively involved in the affairs of any
19 political party or political organization; or

20 (4) advocate for the appointment of another person to
21 an appointed or elected office or position or actively
22 participate in any campaign for any elective office.

23 (f-5) No commissioner who is a member of the General
24 Assembly may be a candidate for statewide, federal, or
25 judicial office. If a commissioner who is a member of the
26 General Assembly files petitions to be a candidate for a

1 statewide, federal, or judicial office, he or she shall be
2 deemed to have resigned from his or her position as a
3 commissioner on the date his or her name is certified for the
4 ballot by the State Board of Elections or local election
5 authority and his or her position as a commissioner shall be
6 deemed vacant. Such person may not be reappointed to the
7 Commission during any time he or she is a candidate for
8 statewide, federal, or judicial office.

9 (g) An appointing authority may remove a commissioner only
10 for cause.

11 (h) The Legislative Ethics Commission shall appoint an
12 Executive Director subject to the approval of at least 3 of the
13 4 legislative leaders. The compensation of the Executive
14 Director shall be as determined by the Commission. The
15 Executive Director of the Legislative Ethics Commission may
16 employ, subject to the approval of at least 3 of the 4
17 legislative leaders, and determine the compensation of staff,
18 as appropriations permit.

19 (i) In consultation with the Legislative Inspector
20 General, the Legislative Ethics Commission may develop
21 comprehensive training for members and employees under its
22 jurisdiction that includes, but is not limited to, sexual
23 harassment, employment discrimination, and workplace civility.
24 The training may be recommended to the ultimate jurisdictional
25 authorities and may be approved by the Commission to satisfy
26 the sexual harassment training required under Section 5-10.5

1 or be provided in addition to the annual sexual harassment
2 training required under Section 5-10.5. The Commission may
3 seek input from governmental agencies or private entities for
4 guidance in developing such training.

5 (Source: P.A. 104-435, eff. 7-1-26.)

6 (5 ILCS 430/25-52)

7 Sec. 25-52. Release of summary reports.

8 (a) Within 60 days after receipt of a summary report and
9 response from the ultimate jurisdictional authority or agency
10 head that resulted in the subject of the investigation being
11 found guilty of allegations of fraud, waste, abuse,
12 mismanagement, misconduct, nonfeasance, misfeasance,
13 malfeasance, or violations of this Act, or violations of other
14 related laws and rules, a suspension of at least 3 days or
15 termination of employment, the Legislative Inspector General
16 ~~Ethics Commission~~ shall make available to the public the
17 report and response or a redacted version of the report and
18 response. The Legislative Inspector General ~~Ethics Commission~~
19 may make available to the public any other summary report and
20 response of the ultimate jurisdictional authority or agency
21 head or a redacted version of the report and response without
22 prior approval from the Legislative Ethics Commission. The
23 Legislative Ethics Commission shall adopt no rule requiring
24 the Legislative Inspector General to seek the Commission's
25 advance approval before publishing summary reports authorized

1 under this Article. Any existing rule, as of the effective
2 date of this amendatory Act of the 104th General Assembly,
3 requiring the Legislative Inspector General to seek the
4 Commission's advance approval before commencing any
5 investigation is void.

6 (b) The Legislative Ethics Commission shall redact
7 information in the summary report that may reveal the identity
8 of witnesses, complainants, or informants or if the Commission
9 determines it is appropriate to protect the identity of a
10 person before publication. The Commission may also redact any
11 information it believes should not be made public. Prior to
12 publication, the Commission shall permit the respondents,
13 Legislative Inspector General, and Attorney General to review
14 documents to be made public and offer suggestions for
15 redaction or provide a response that shall be made public with
16 the summary report.

17 (c) The Legislative Ethics Commission may withhold
18 publication of the report or response if the Legislative
19 Inspector General or Attorney General certifies that
20 publication will interfere with an ongoing investigation.

21 (Source: P.A. 96-555, eff. 8-18-09.)

22 Section 995. No acceleration or delay. Where this Act
23 makes changes in a statute that is represented in this Act by
24 text that is not yet or no longer in effect (for example, a
25 Section represented by multiple versions), the use of that

1 text does not accelerate or delay the taking effect of (i) the
2 changes made by this Act or (ii) provisions derived from any
3 other Public Act.