



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3946

Introduced 10/29/2019, by Rep. Tom Demmer

SYNOPSIS AS INTRODUCED:

25 ILCS 170/2
25 ILCS 170/11.2
25 ILCS 170/11.3

from Ch. 63, par. 172

Amends the Lobbyist Registration Act. Requires registration under the Act for persons lobbying units of local government and school districts (rather than only persons lobbying State government). Provides that the changes made by this amendatory Act do not restrict the authority of units of local government and school districts to regulate lobbying. Effective immediately.

LRB101 15130 JWD 64269 b

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 Lobbyist Registration Act is amended by
5 changing Sections 2, 11.2, and 11.3 as follows:

6 (25 ILCS 170/2) (from Ch. 63, par. 172)

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

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

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

19 (c) "Official" means:

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

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

1 (1);

2 (3) Cabinet members of any elected constitutional
3 officer, including Directors, Assistant Directors and
4 Chief Legal Counsel or General Counsel;

5 (4) Members of the General Assembly; ~~and~~

6 (5) Members of any board, commission, authority, or
7 task force of the State authorized or created by State law
8 or by executive order of the Governor; and.

9 (6) Any elected or appointed official of any unit of
10 local government or school district, including, but not
11 limited to, the members of any legislative body of a unit
12 of local government or school district.

13 (d) "Compensation" means any money, thing of value or
14 financial benefits received or to be received in return for
15 services rendered or to be rendered, for lobbying as defined in
16 subsection (e).

17 Monies paid to members of the General Assembly by the State
18 as remuneration for performance of their Constitutional and
19 statutory duties as members of the General Assembly shall not
20 constitute compensation as defined by this Act.

21 (e) "Lobby" and "lobbying" means any communication with an
22 official ~~of the executive or legislative branch of State~~
23 ~~government~~ as defined in subsection (c) for the ultimate
24 purpose of influencing any executive, legislative, or
25 administrative action.

26 (f) "Influencing" means any communication, action,

1 reportable expenditure as prescribed in Section 6 or other
2 means used to promote, support, affect, modify, oppose or delay
3 any executive, legislative or administrative action or to
4 promote goodwill with officials as defined in subsection (c).

5 (g) "Executive action" means the proposal, drafting,
6 development, consideration, amendment, adoption, approval,
7 promulgation, issuance, modification, rejection or
8 postponement by a State entity, unit of local government, or
9 school district of a rule, regulation, order, ordinance,
10 resolution, decision, determination, contractual arrangement,
11 purchasing agreement or other quasi-legislative or
12 quasi-judicial action or proceeding.

13 (h) "Legislative action" means the development, drafting,
14 introduction, consideration, modification, adoption,
15 rejection, review, enactment, or passage or defeat of any bill,
16 amendment, resolution, report, nomination, administrative rule
17 or other matter by either house of the General Assembly or a
18 committee thereof, ~~or~~ by a legislator, or by the legislative
19 body of a unit of local government or school district or any
20 member thereof. Legislative action also means the action of the
21 Governor in approving or vetoing any bill or portion thereof,
22 and the action of the Governor or any agency in the development
23 of a proposal for introduction in the legislature.

24 (i) "Administrative action" means the execution or
25 rejection of any rule, regulation, legislative rule, standard,
26 fee, rate, contractual arrangement, purchasing agreement or

1 other delegated legislative or quasi-legislative action to be
2 taken or withheld by any executive agency, department, board or
3 commission of the State, a unit of local government, or a
4 school district.

5 (j) "Lobbyist" means any natural person who undertakes to
6 lobby State government, a unit of local government, or a school
7 district as provided in subsection (e).

8 (k) "Lobbying entity" means any entity that hires, retains,
9 employs, or compensates a natural person to lobby State
10 government, a unit of local government, or a school district as
11 provided in subsection (e).

12 (l) "Authorized agent" means the person designated by an
13 entity or lobbyist registered under this Act as the person
14 responsible for submission and retention of reports required
15 under this Act.

16 (m) "Client" means any person or entity that provides
17 compensation to a lobbyist to lobby State government, a unit of
18 local government, or a school district as provided in
19 subsection (e) of this Section.

20 (n) "Client registrant" means a client who is required to
21 register under this Act.

22 (Source: P.A. 98-459, eff. 1-1-14.)

23 (25 ILCS 170/11.2)

24 Sec. 11.2. Local regulation. A unit of local government or
25 school district may adopt an ordinance or resolution regulating

1 lobbying activities with that unit of local government or
2 school district that imposes requirements similar to those
3 imposed by this Act. The changes made by this amendatory Act of
4 the 101st General Assembly shall not restrict the authority of
5 a unit of local government or school district to regulate
6 lobbying activities under this Section.

7 (Source: P.A. 88-187.)

8 (25 ILCS 170/11.3)

9 Sec. 11.3. Compensation from a State agency. It is a
10 violation of this Act for a person registered or required to be
11 registered under this Act to accept or agree to accept
12 compensation from a State agency, unit of local government, or
13 school district for the purpose of lobbying legislative action.

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

21 For the purpose of this Section, "State agency" is defined
22 as in the Illinois State Auditing Act.

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

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