

1 AN ACT concerning local 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, 20-5, 20-10, and 70-5 as
6 follows:

7 (5 ILCS 430/1-5)

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

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

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

15 "Campaign for elective office" means any activity in
16 furtherance of an effort to influence the selection,
17 nomination, election, or appointment of any individual to any
18 federal, State, or local public office or office in a political
19 organization, or the selection, nomination, or election of
20 Presidential or Vice-Presidential electors, but does not
21 include activities (i) relating to the support or opposition of
22 any executive, legislative, or administrative action (as those
23 terms are defined in Section 2 of the Lobbyist Registration

1 Act), (ii) relating to collective bargaining, or (iii) that are
2 otherwise in furtherance of the person's official State duties.

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

9 "Collective bargaining" has the same meaning as that term
10 is defined in Section 3 of the Illinois Public Labor Relations
11 Act.

12 "Commission" means an ethics commission created by this
13 Act.

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

19 "Compensatory time off" means authorized time off earned by
20 or awarded to a State employee to compensate in whole or in
21 part for time worked in excess of the minimum work time
22 required of that employee as a condition of employment with a
23 State agency.

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

26 "Employee" means (i) any person employed full-time,

1 part-time, or pursuant to a contract and whose employment
2 duties are subject to the direction and control of an employer
3 with regard to the material details of how the work is to be
4 performed or (ii) any appointed or elected commissioner,
5 trustee, director, or board member of a board of a State
6 agency, including any retirement system or investment board
7 subject to the Illinois Pension Code or (iii) any other
8 appointee.

9 "Employment benefits" include but are not limited to the
10 following: modified compensation or benefit terms; compensated
11 time off; or change of title, job duties, or location of office
12 or employment. An employment benefit may also include favorable
13 treatment in determining whether to bring any disciplinary or
14 similar action or favorable treatment during the course of any
15 disciplinary or similar action or other performance review.

16 "Executive branch constitutional officer" means the
17 Governor, Lieutenant Governor, Attorney General, Secretary of
18 State, Comptroller, and Treasurer.

19 "Gift" means any gratuity, discount, entertainment,
20 hospitality, loan, forbearance, or other tangible or
21 intangible item having monetary value including, but not
22 limited to, cash, food and drink, and honoraria for speaking
23 engagements related to or attributable to government
24 employment or the official position of an employee, member, or
25 officer. The value of a gift may be further defined by rules
26 adopted by the appropriate ethics commission or by the Auditor

1 General for the Auditor General and for employees of the office
2 of the Auditor General.

3 "Governmental entity" means a unit of local government
4 (including a community college district) or a school district
5 but not a State agency or a Regional Transit Board.

6 "Leave of absence" means any period during which a State
7 employee does not receive (i) compensation for State
8 employment, (ii) service credit towards State pension
9 benefits, and (iii) health insurance benefits paid for by the
10 State.

11 "Legislative branch constitutional officer" means a member
12 of the General Assembly and the Auditor General.

13 "Legislative leader" means the President and Minority
14 Leader of the Senate and the Speaker and Minority Leader of the
15 House of Representatives.

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

17 "Officer" means an executive branch constitutional officer
18 or a legislative branch constitutional officer.

19 "Political" means any activity in support of or in
20 connection with any campaign for elective office or any
21 political organization, but does not include activities (i)
22 relating to the support or opposition of any executive,
23 legislative, or administrative action (as those terms are
24 defined in Section 2 of the Lobbyist Registration Act), (ii)
25 relating to collective bargaining, or (iii) that are otherwise
26 in furtherance of the person's official State duties or

1 governmental and public service functions.

2 "Political organization" means a party, committee,
3 association, fund, or other organization (whether or not
4 incorporated) that is required to file a statement of
5 organization with the State Board of Elections or a county
6 clerk under Section 9-3 of the Election Code, but only with
7 regard to those activities that require filing with the State
8 Board of Elections or a county clerk.

9 "Prohibited political activity" means:

10 (1) Preparing for, organizing, or participating in any
11 political meeting, political rally, political
12 demonstration, or other political event.

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

17 (3) Soliciting, planning the solicitation of, or
18 preparing any document or report regarding any thing of
19 value intended as a campaign contribution.

20 (4) Planning, conducting, or participating in a public
21 opinion poll in connection with a campaign for elective
22 office or on behalf of a political organization for
23 political purposes or for or against any referendum
24 question.

25 (5) Surveying or gathering information from potential
26 or actual voters in an election to determine probable vote

1 outcome in connection with a campaign for elective office
2 or on behalf of a political organization for political
3 purposes or for or against any referendum question.

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

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

11 (8) Initiating for circulation, preparing,
12 circulating, reviewing, or filing any petition on behalf of
13 a candidate for elective office or for or against any
14 referendum question.

15 (9) Making contributions on behalf of any candidate for
16 elective office in that capacity or in connection with a
17 campaign for elective office.

18 (10) Preparing or reviewing responses to candidate
19 questionnaires in connection with a campaign for elective
20 office or on behalf of a political organization for
21 political purposes.

22 (11) Distributing, preparing for distribution, or
23 mailing campaign literature, campaign signs, or other
24 campaign material on behalf of any candidate for elective
25 office or for or against any referendum question.

26 (12) Campaigning for any elective office or for or

1 against any referendum question.

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

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

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

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

12 (1) is seeking official action (i) by the member or
13 officer or (ii) in the case of an employee, by the employee
14 or by the member, officer, State agency, or other employee
15 directing the employee;

16 (2) does business or seeks to do business (i) with the
17 member or officer or (ii) in the case of an employee, with
18 the employee or with the member, officer, State agency, or
19 other employee directing the employee;

20 (3) conducts activities regulated (i) by the member or
21 officer or (ii) in the case of an employee, by the employee
22 or by the member, officer, State agency, or other employee
23 directing the employee;

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

1 (5) is registered or required to be registered with the
2 Secretary of State under the Lobbyist Registration Act,
3 except that an entity not otherwise a prohibited source
4 does not become a prohibited source merely because a
5 registered lobbyist is one of its members or serves on its
6 board of directors; or

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

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

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

1 election commissioners; and all administrative units and
2 corporate outgrowths of the above and as may be created by
3 executive order of the Governor. "State agency" includes the
4 General Assembly, the Senate, the House of Representatives, the
5 President and Minority Leader of the Senate, the Speaker and
6 Minority Leader of the House of Representatives, the Senate
7 Operations Commission, and the legislative support services
8 agencies. "State agency" includes the Office of the Auditor
9 General. "State agency" does not include the judicial branch.

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

11 "Ultimate jurisdictional authority" means the following:

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

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

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

24 (4) For State employees who are employees of the
25 legislative support services agencies, the Joint Committee
26 on Legislative Support Services.

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

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

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

12 (8) For State employees not under the jurisdiction of
13 paragraph (1), (2), (3), (4), (5), (6), or (7), the
14 Governor.

15 (9) For employees of Regional Transit Boards, the
16 appropriate Regional Transit Board.

17 (10) For board members of Regional Transit Boards, the
18 Governor.

19 (11) For elected officials of a unit of local
20 government, the governing board of that unit of local
21 government.

22 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09; 96-1528,
23 eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff. 7-13-12.)

24 (5 ILCS 430/20-5)

25 Sec. 20-5. Executive Ethics Commission.

1 (a) The Executive Ethics Commission is created.

2 (b) The Executive Ethics Commission shall consist of 9
3 commissioners. The Governor shall appoint 5 commissioners, and
4 the Attorney General, Secretary of State, Comptroller, and
5 Treasurer shall each appoint one commissioner. Appointments
6 shall be made by and with the advice and consent of the Senate
7 by three-fifths of the elected members concurring by record
8 vote. Any nomination not acted upon by the Senate within 60
9 session days of the receipt thereof shall be deemed to have
10 received the advice and consent of the Senate. If, during a
11 recess of the Senate, there is a vacancy in an office of
12 commissioner, the appointing authority shall make a temporary
13 appointment until the next meeting of the Senate when the
14 appointing authority shall make a nomination to fill that
15 office. No person rejected for an office of commissioner shall,
16 except by the Senate's request, be nominated again for that
17 office at the same session of the Senate or be appointed to
18 that office during a recess of that Senate. No more than 5
19 commissioners may be of the same political party.

20 The terms of the initial commissioners shall commence upon
21 qualification. Four initial appointees of the Governor, as
22 designated by the Governor, shall serve terms running through
23 June 30, 2007. One initial appointee of the Governor, as
24 designated by the Governor, and the initial appointees of the
25 Attorney General, Secretary of State, Comptroller, and
26 Treasurer shall serve terms running through June 30, 2008. The

1 initial appointments shall be made within 60 days after the
2 effective date of this Act.

3 After the initial terms, commissioners shall serve for
4 4-year terms commencing on July 1 of the year of appointment
5 and running through June 30 of the fourth following year.
6 Commissioners may be reappointed to one or more subsequent
7 terms.

8 Vacancies occurring other than at the end of a term shall
9 be filled by the appointing authority only for the balance of
10 the term of the commissioner whose office is vacant.

11 Terms shall run regardless of whether the position is
12 filled.

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

23 (d) The Executive Ethics Commission shall have
24 jurisdiction over all officers and employees of State agencies
25 other than the General Assembly, the Senate, the House of
26 Representatives, the President and Minority Leader of the

1 Senate, the Speaker and Minority Leader of the House of
2 Representatives, the Senate Operations Commission, the
3 legislative support services agencies, and the Office of the
4 Auditor General. The Executive Ethics Commission shall have
5 jurisdiction over all board members and employees of Regional
6 Transit Boards. The jurisdiction of the Commission is limited
7 to matters arising under this Act, except as provided in
8 subsection (d-5).

9 A member or legislative branch State employee serving on an
10 executive branch board or commission remains subject to the
11 jurisdiction of the Legislative Ethics Commission and is not
12 subject to the jurisdiction of the Executive Ethics Commission.

13 (d-5) The Executive Ethics Commission shall have
14 jurisdiction over all chief procurement officers and
15 procurement compliance monitors and their respective staffs.
16 The Executive Ethics Commission shall have jurisdiction over
17 any matters arising under the Illinois Procurement Code if the
18 Commission is given explicit authority in that Code.

19 (d-6) (1) The Executive Ethics Commission shall have
20 jurisdiction over the Illinois Power Agency and its staff. The
21 Director of the Agency shall be appointed by a majority of the
22 commissioners of the Executive Ethics Commission, subject to
23 Senate confirmation, for a term of 2 years. The Director is
24 removable for cause by a majority of the Commission upon a
25 finding of neglect, malfeasance, absence, or incompetence.

26 (2) In case of a vacancy in the office of Director of the

1 Illinois Power Agency during a recess of the Senate, the
2 Executive Ethics Commission may make a temporary appointment
3 until the next meeting of the Senate, at which time the
4 Executive Ethics Commission shall nominate some person to fill
5 the office, and any person so nominated who is confirmed by the
6 Senate shall hold office during the remainder of the term and
7 until his or her successor is appointed and qualified. Nothing
8 in this subsection shall prohibit the Executive Ethics
9 Commission from removing a temporary appointee or from
10 appointing a temporary appointee as the Director of the
11 Illinois Power Agency.

12 (3) Prior to June 1, 2012, the Executive Ethics Commission
13 may, until the Director of the Illinois Power Agency is
14 appointed and qualified or a temporary appointment is made
15 pursuant to paragraph (2) of this subsection, designate some
16 person as an acting Director to execute the powers and
17 discharge the duties vested by law in that Director. An acting
18 Director shall serve no later than 60 calendar days, or upon
19 the making of an appointment pursuant to paragraph (1) or (2)
20 of this subsection, whichever is earlier. Nothing in this
21 subsection shall prohibit the Executive Ethics Commission from
22 removing an acting Director or from appointing an acting
23 Director as the Director of the Illinois Power Agency.

24 (4) No person rejected by the Senate for the office of
25 Director of the Illinois Power Agency shall, except at the
26 Senate's request, be nominated again for that office at the

1 same session or be appointed to that office during a recess of
2 that Senate.

3 (d-7) The Executive Ethics Commission shall have
4 jurisdiction over allegations of sexual harassment made by an
5 elected official of a unit of local government against another
6 elected official of a unit of local government if the unit of
7 local government has not adopted a sexual harassment policy
8 that includes an Inspector General with jurisdiction.

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

24 (f) No commissioner or employee of the Executive Ethics
25 Commission may during his or her term of appointment or
26 employment:

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

2 (2) hold any other elected or appointed public office
3 except for appointments on governmental advisory boards or
4 study commissions or as otherwise expressly authorized by
5 law;

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

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

11 (g) An appointing authority may remove a commissioner only
12 for cause.

13 (h) The Executive Ethics Commission shall appoint an
14 Executive Director. The compensation of the Executive Director
15 shall be as determined by the Commission. The Executive
16 Director of the Executive Ethics Commission may employ and
17 determine the compensation of staff, as appropriations permit.

18 (i) The Executive Ethics Commission shall appoint, by a
19 majority of the members appointed to the Commission, chief
20 procurement officers and may appoint procurement compliance
21 monitors in accordance with the provisions of the Illinois
22 Procurement Code. The compensation of a chief procurement
23 officer and procurement compliance monitor shall be determined
24 by the Commission.

25 (Source: P.A. 100-43, eff. 8-9-17.)

1 (5 ILCS 430/20-10)

2 Sec. 20-10. Offices of Executive Inspectors General.

3 (a) Five independent Offices of the Executive Inspector
4 General are created, one each for the Governor, the Attorney
5 General, the Secretary of State, the Comptroller, and the
6 Treasurer. Each Office shall be under the direction and
7 supervision of an Executive Inspector General and shall be a
8 fully independent office with separate appropriations.

9 (b) The Governor, Attorney General, Secretary of State,
10 Comptroller, and Treasurer shall each appoint an Executive
11 Inspector General, without regard to political affiliation and
12 solely on the basis of integrity and demonstrated ability.
13 Appointments shall be made by and with the advice and consent
14 of the Senate by three-fifths of the elected members concurring
15 by record vote. Any nomination not acted upon by the Senate
16 within 60 session days of the receipt thereof shall be deemed
17 to have received the advice and consent of the Senate. If,
18 during a recess of the Senate, there is a vacancy in an office
19 of Executive Inspector General, the appointing authority shall
20 make a temporary appointment until the next meeting of the
21 Senate when the appointing authority shall make a nomination to
22 fill that office. No person rejected for an office of Executive
23 Inspector General shall, except by the Senate's request, be
24 nominated again for that office at the same session of the
25 Senate or be appointed to that office during a recess of that
26 Senate.

1 Nothing in this Article precludes the appointment by the
2 Governor, Attorney General, Secretary of State, Comptroller,
3 or Treasurer of any other inspector general required or
4 permitted by law. The Governor, Attorney General, Secretary of
5 State, Comptroller, and Treasurer each may appoint an existing
6 inspector general as the Executive Inspector General required
7 by this Article, provided that such an inspector general is not
8 prohibited by law, rule, jurisdiction, qualification, or
9 interest from serving as the Executive Inspector General
10 required by this Article. An appointing authority may not
11 appoint a relative as an Executive Inspector General.

12 Each Executive Inspector General shall have the following
13 qualifications:

14 (1) has not been convicted of any felony under the laws
15 of this State, another State, or the United States;

16 (2) has earned a baccalaureate degree from an
17 institution of higher education; and

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

26 The term of each initial Executive Inspector General shall

1 commence upon qualification and shall run through June 30,
2 2008. The initial appointments shall be made within 60 days
3 after the effective date of this Act.

4 After the initial term, each Executive Inspector General
5 shall serve for 5-year terms commencing on July 1 of the year
6 of appointment and running through June 30 of the fifth
7 following year. An Executive Inspector General may be
8 reappointed to one or more subsequent terms.

9 A vacancy occurring other than at the end of a term shall
10 be filled by the appointing authority only for the balance of
11 the term of the Executive Inspector General whose office is
12 vacant.

13 Terms shall run regardless of whether the position is
14 filled.

15 (c) The Executive Inspector General appointed by the
16 Attorney General shall have jurisdiction over the Attorney
17 General and all officers and employees of, and vendors and
18 others doing business with, State agencies within the
19 jurisdiction of the Attorney General. The Executive Inspector
20 General appointed by the Secretary of State shall have
21 jurisdiction over the Secretary of State and all officers and
22 employees of, and vendors and others doing business with, State
23 agencies within the jurisdiction of the Secretary of State. The
24 Executive Inspector General appointed by the Comptroller shall
25 have jurisdiction over the Comptroller and all officers and
26 employees of, and vendors and others doing business with, State

1 agencies within the jurisdiction of the Comptroller. The
2 Executive Inspector General appointed by the Treasurer shall
3 have jurisdiction over the Treasurer and all officers and
4 employees of, and vendors and others doing business with, State
5 agencies within the jurisdiction of the Treasurer. The
6 Executive Inspector General appointed by the Governor shall
7 have jurisdiction over (i) the Governor, (ii) the Lieutenant
8 Governor, (iii) all officers and employees of, and vendors and
9 others doing business with, executive branch State agencies
10 under the jurisdiction of the Executive Ethics Commission and
11 not within the jurisdiction of the Attorney General, the
12 Secretary of State, the Comptroller, or the Treasurer, ~~and~~ (iv)
13 all board members and employees of the Regional Transit Boards
14 and all vendors and others doing business with the Regional
15 Transit Boards, and (v) investigations into allegations of
16 sexual harassment made by an elected official of a unit of
17 local government against another elected official of a unit of
18 local government if the unit of local government has not
19 adopted a sexual harassment policy that includes an Inspector
20 General with jurisdiction. The Executive Inspector General
21 appointed by the Governor is not responsible for the training
22 or implementation of sexual harassment policies adopted by
23 units of local government.

24 The jurisdiction of each Executive Inspector General is to
25 investigate allegations of fraud, waste, abuse, mismanagement,
26 misconduct, nonfeasance, misfeasance, malfeasance, or

1 violations of this Act or violations of other related laws and
2 rules.

3 (d) The compensation for each Executive Inspector General
4 shall be determined by the Executive Ethics Commission and
5 shall be made from appropriations made to the Comptroller for
6 this purpose. Subject to Section 20-45 of this Act, each
7 Executive Inspector General has full authority to organize his
8 or her Office of the Executive Inspector General, including the
9 employment and determination of the compensation of staff, such
10 as deputies, assistants, and other employees, as
11 appropriations permit. A separate appropriation shall be made
12 for each Office of Executive Inspector General.

13 (e) No Executive Inspector General or employee of the
14 Office of the Executive Inspector General may, during his or
15 her term of appointment or employment:

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

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

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

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

26 In this subsection an appointed public office means a

1 position authorized by law that is filled by an appointing
2 authority as provided by law and does not include employment by
3 hiring in the ordinary course of business.

4 (e-1) No Executive Inspector General or employee of the
5 Office of the Executive Inspector General may, for one year
6 after the termination of his or her appointment or employment:

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

8 (2) hold any elected public office; or

9 (3) hold any appointed State, county, or local judicial
10 office.

11 (e-2) The requirements of item (3) of subsection (e-1) may
12 be waived by the Executive Ethics Commission.

13 (f) An Executive Inspector General may be removed only for
14 cause and may be removed only by the appointing constitutional
15 officer. At the time of the removal, the appointing
16 constitutional officer must report to the Executive Ethics
17 Commission the justification for the removal.

18 (Source: P.A. 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11.)

19 (5 ILCS 430/70-5)

20 Sec. 70-5. Adoption by governmental entities.

21 (a) Within 6 months after the effective date of this Act,
22 each governmental entity other than a community college
23 district, and each community college district within 6 months
24 after the effective date of this amendatory Act of the 95th
25 General Assembly, shall adopt an ordinance or resolution that

1 regulates, in a manner no less restrictive than Section 5-15
2 and Article 10 of this Act, (i) the political activities of
3 officers and employees of the governmental entity and (ii) the
4 soliciting and accepting of gifts by and the offering and
5 making of gifts to officers and employees of the governmental
6 entity.

7 No later than 60 days after the effective date of this
8 amendatory Act of the 100th General Assembly, each governmental
9 unit shall adopt an ordinance or resolution establishing a
10 policy to prohibit sexual harassment. The policy shall include,
11 at a minimum: (i) a prohibition on sexual harassment; (ii)
12 details on how an individual can report an allegation of sexual
13 harassment, including options for making a confidential report
14 to a supervisor, ethics officer, Inspector General, or the
15 Department of Human Rights; (iii) a prohibition on retaliation
16 for reporting sexual harassment allegations, including
17 availability of whistleblower protections under this Act, the
18 Whistleblower Act, and the Illinois Human Rights Act; and (iv)
19 the consequences of a violation of the prohibition on sexual
20 harassment and the consequences for knowingly making a false
21 report. Any policy to prohibit sexual harassment adopted by a
22 governmental entity under this subsection (a) shall be subject
23 to the jurisdiction of the Executive Ethics Commission and the
24 Executive Inspector General appointed by the Governor under
25 this Act regarding sexual harassment allegations made by an
26 elected official of a unit of local government against another

1 elected official of a unit of local government if the unit of
2 local government has not adopted a sexual harassment policy
3 that includes an Inspector General with jurisdiction.

4 (b) Within 3 months after the effective date of this
5 amendatory Act of the 93rd General Assembly, the Attorney
6 General shall develop model ordinances and resolutions for the
7 purpose of this Article. The Attorney General shall advise
8 governmental entities on their contents and adoption.

9 (c) As used in this Article, (i) an "officer" means an
10 elected or appointed official; regardless of whether the
11 official is compensated, and (ii) an "employee" means a
12 full-time, part-time, or contractual employee.

13 (Source: P.A. 100-554, eff. 11-16-17.)