



Sen. Laura M. Murphy

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10100SB1223sam003

LRB101 07927 RJF 59303 a

1 AMENDMENT TO SENATE BILL 1223

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1223 by replacing  
3 everything after the enacting clause with the following:

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,

1 nomination, election, or appointment of any individual to any  
2 federal, State, or local public office or office in a political  
3 organization, or the selection, nomination, or election of  
4 Presidential or Vice-Presidential electors, but does not  
5 include activities (i) relating to the support or opposition of  
6 any executive, legislative, or administrative action (as those  
7 terms are defined in Section 2 of the Lobbyist Registration  
8 Act), (ii) relating to collective bargaining, or (iii) that are  
9 otherwise in furtherance of the person's official State duties.

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

16 "Collective bargaining" has the same meaning as that term  
17 is defined in Section 3 of the Illinois Public Labor Relations  
18 Act.

19 "Commission" means an ethics commission created by this  
20 Act.

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

26 "Compensatory time off" means authorized time off earned by

1 or awarded to a State employee to compensate in whole or in  
2 part for time worked in excess of the minimum work time  
3 required of that employee as a condition of employment with a  
4 State agency.

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

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

16 "Employment benefits" include but are not limited to the  
17 following: modified compensation or benefit terms; compensated  
18 time off; or change of title, job duties, or location of office  
19 or employment. An employment benefit may also include favorable  
20 treatment in determining whether to bring any disciplinary or  
21 similar action or favorable treatment during the course of any  
22 disciplinary or similar action or other performance review.

23 "Executive branch constitutional officer" means the  
24 Governor, Lieutenant Governor, Attorney General, Secretary of  
25 State, Comptroller, and Treasurer.

26 "Gift" means any gratuity, discount, entertainment,

1 hospitality, loan, forbearance, or other tangible or  
2 intangible item having monetary value including, but not  
3 limited to, cash, food and drink, and honoraria for speaking  
4 engagements related to or attributable to government  
5 employment or the official position of an employee, member, or  
6 officer. The value of a gift may be further defined by rules  
7 adopted by the appropriate ethics commission or by the Auditor  
8 General for the Auditor General and for employees of the office  
9 of the Auditor General.

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

13 "Leave of absence" means any period during which a State  
14 employee does not receive (i) compensation for State  
15 employment, (ii) service credit towards State pension  
16 benefits, and (iii) health insurance benefits paid for by the  
17 State.

18 "Legislative branch constitutional officer" means a member  
19 of the General Assembly and the Auditor General.

20 "Legislative leader" means the President and Minority  
21 Leader of the Senate and the Speaker and Minority Leader of the  
22 House of Representatives.

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

24 "Officer" means an executive branch constitutional officer  
25 or a legislative branch constitutional officer.

26 "Political" means any activity in support of or in

1 connection with any campaign for elective office or any  
2 political organization, but does not include activities (i)  
3 relating to the support or opposition of any executive,  
4 legislative, or administrative action (as those terms are  
5 defined in Section 2 of the Lobbyist Registration Act), (ii)  
6 relating to collective bargaining, or (iii) that are otherwise  
7 in furtherance of the person's official State duties or  
8 governmental and public service functions.

9 "Political organization" means a party, committee,  
10 association, fund, or other organization (whether or not  
11 incorporated) that is required to file a statement of  
12 organization with the State Board of Elections or a county  
13 clerk under Section 9-3 of the Election Code, but only with  
14 regard to those activities that require filing with the State  
15 Board of Elections or a county clerk.

16 "Prohibited political activity" means:

17 (1) Preparing for, organizing, or participating in any  
18 political meeting, political rally, political  
19 demonstration, or other political event.

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

24 (3) Soliciting, planning the solicitation of, or  
25 preparing any document or report regarding any thing of  
26 value intended as a campaign contribution.

1           (4) Planning, conducting, or participating in a public  
2 opinion poll in connection with a campaign for elective  
3 office or on behalf of a political organization for  
4 political purposes or for or against any referendum  
5 question.

6           (5) Surveying or gathering information from potential  
7 or actual voters in an election to determine probable vote  
8 outcome in connection with a campaign for elective office  
9 or on behalf of a political organization for political  
10 purposes or for or against any referendum question.

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

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

18           (8) Initiating for circulation, preparing,  
19 circulating, reviewing, or filing any petition on behalf of  
20 a candidate for elective office or for or against any  
21 referendum question.

22           (9) Making contributions on behalf of any candidate for  
23 elective office in that capacity or in connection with a  
24 campaign for elective office.

25           (10) Preparing or reviewing responses to candidate  
26 questionnaires in connection with a campaign for elective

1 office or on behalf of a political organization for  
2 political purposes.

3 (11) Distributing, preparing for distribution, or  
4 mailing campaign literature, campaign signs, or other  
5 campaign material on behalf of any candidate for elective  
6 office or for or against any referendum question.

7 (12) Campaigning for any elective office or for or  
8 against any referendum question.

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

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

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

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

19 (1) is seeking official action (i) by the member or  
20 officer or (ii) in the case of an employee, by the employee  
21 or by the member, officer, State agency, or other employee  
22 directing the employee;

23 (2) does business or seeks to do business (i) with the  
24 member or officer or (ii) in the case of an employee, with  
25 the employee or with the member, officer, State agency, or  
26 other employee directing the employee;

1           (3) conducts activities regulated (i) by the member or  
2           officer or (ii) in the case of an employee, by the employee  
3           or by the member, officer, State agency, or other employee  
4           directing the employee;

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

8           (5) is registered or required to be registered with the  
9           Secretary of State under the Lobbyist Registration Act,  
10          except that an entity not otherwise a prohibited source  
11          does not become a prohibited source merely because a  
12          registered lobbyist is one of its members or serves on its  
13          board of directors; or

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

16          "Regional Transit Boards" means (i) the Regional  
17          Transportation Authority created by the Regional  
18          Transportation Authority Act, (ii) the Suburban Bus Division  
19          created by the Regional Transportation Authority Act, (iii) the  
20          Commuter Rail Division created by the Regional Transportation  
21          Authority Act, and (iv) the Chicago Transit Authority created  
22          by the Metropolitan Transit Authority Act.

23          "State agency" includes all officers, boards, commissions  
24          and agencies created by the Constitution, whether in the  
25          executive or legislative branch; all officers, departments,  
26          boards, commissions, agencies, institutions, authorities,



1 public institutions of higher learning as defined in Section 2  
2 of the Higher Education Cooperation Act (except community  
3 colleges), and bodies politic and corporate of the State; and  
4 administrative units or corporate outgrowths of the State  
5 government which are created by or pursuant to statute, other  
6 than units of local government (including community college  
7 districts) and their officers, school districts, and boards of  
8 election commissioners; and all administrative units and  
9 corporate outgrowths of the above and as may be created by  
10 executive order of the Governor. "State agency" includes the  
11 General Assembly, the Senate, the House of Representatives, the  
12 President and Minority Leader of the Senate, the Speaker and  
13 Minority Leader of the House of Representatives, the Senate  
14 Operations Commission, and the legislative support services  
15 agencies. "State agency" includes the Office of the Auditor  
16 General. "State agency" does not include the judicial branch.

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

18 "Ultimate jurisdictional authority" means the following:

19 (1) For members, legislative partisan staff, and  
20 legislative secretaries, the appropriate legislative  
21 leader: President of the Senate, Minority Leader of the  
22 Senate, Speaker of the House of Representatives, or  
23 Minority Leader of the House of Representatives.

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

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

5           (4) For State employees who are employees of the  
6 legislative support services agencies, the Joint Committee  
7 on Legislative Support Services.

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

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

15          (7) For State employees of an executive branch  
16 constitutional officer other than those described in  
17 paragraph (6), the appropriate executive branch  
18 constitutional officer.

19          (8) For State employees not under the jurisdiction of  
20 paragraph (1), (2), (3), (4), (5), (6), or (7), the  
21 Governor.

22          (9) For employees of Regional Transit Boards, the  
23 appropriate Regional Transit Board.

24          (10) For board members of Regional Transit Boards, the  
25 Governor.

26          (11) For elected officials of a unit of local

1       government, the governing board of that unit of local  
2       government.

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

5           (5 ILCS 430/20-5)

6           Sec. 20-5. Executive Ethics Commission.

7           (a) The Executive Ethics Commission is created.

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

1           The terms of the initial commissioners shall commence upon  
2           qualification. Four initial appointees of the Governor, as  
3           designated by the Governor, shall serve terms running through  
4           June 30, 2007. One initial appointee of the Governor, as  
5           designated by the Governor, and the initial appointees of the  
6           Attorney General, Secretary of State, Comptroller, and  
7           Treasurer shall serve terms running through June 30, 2008. The  
8           initial appointments shall be made within 60 days after the  
9           effective date of this Act.

10          After the initial terms, commissioners shall serve for  
11          4-year terms commencing on July 1 of the year of appointment  
12          and running through June 30 of the fourth following year.  
13          Commissioners may be reappointed to one or more subsequent  
14          terms.

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

18          Terms shall run regardless of whether the position is  
19          filled.

20          (c) The appointing authorities shall appoint commissioners  
21          who have experience holding governmental office or employment  
22          and shall appoint commissioners from the general public. A  
23          person is not eligible to serve as a commissioner if that  
24          person (i) has been convicted of a felony or a crime of  
25          dishonesty or moral turpitude, (ii) is, or was within the  
26          preceding 12 months, engaged in activities that require

1 registration under the Lobbyist Registration Act, (iii) is  
2 related to the appointing authority, or (iv) is a State officer  
3 or employee.

4 (d) The Executive Ethics Commission shall have  
5 jurisdiction over all officers and employees of State agencies  
6 other than the General Assembly, the Senate, the House of  
7 Representatives, the President and Minority Leader of the  
8 Senate, the Speaker and Minority Leader of the House of  
9 Representatives, the Senate Operations Commission, the  
10 legislative support services agencies, and the Office of the  
11 Auditor General. The Executive Ethics Commission shall have  
12 jurisdiction over all board members and employees of Regional  
13 Transit Boards. The jurisdiction of the Commission is limited  
14 to matters arising under this Act, except as provided in  
15 subsection (d-5).

16 A member or legislative branch State employee serving on an  
17 executive branch board or commission remains subject to the  
18 jurisdiction of the Legislative Ethics Commission and is not  
19 subject to the jurisdiction of the Executive Ethics Commission.

20 (d-5) The Executive Ethics Commission shall have  
21 jurisdiction over all chief procurement officers and  
22 procurement compliance monitors and their respective staffs.  
23 The Executive Ethics Commission shall have jurisdiction over  
24 any matters arising under the Illinois Procurement Code if the  
25 Commission is given explicit authority in that Code.

26 (d-6) (1) The Executive Ethics Commission shall have

1 jurisdiction over the Illinois Power Agency and its staff. The  
2 Director of the Agency shall be appointed by a majority of the  
3 commissioners of the Executive Ethics Commission, subject to  
4 Senate confirmation, for a term of 2 years. The Director is  
5 removable for cause by a majority of the Commission upon a  
6 finding of neglect, malfeasance, absence, or incompetence.

7 (2) In case of a vacancy in the office of Director of the  
8 Illinois Power Agency during a recess of the Senate, the  
9 Executive Ethics Commission may make a temporary appointment  
10 until the next meeting of the Senate, at which time the  
11 Executive Ethics Commission shall nominate some person to fill  
12 the office, and any person so nominated who is confirmed by the  
13 Senate shall hold office during the remainder of the term and  
14 until his or her successor is appointed and qualified. Nothing  
15 in this subsection shall prohibit the Executive Ethics  
16 Commission from removing a temporary appointee or from  
17 appointing a temporary appointee as the Director of the  
18 Illinois Power Agency.

19 (3) Prior to June 1, 2012, the Executive Ethics Commission  
20 may, until the Director of the Illinois Power Agency is  
21 appointed and qualified or a temporary appointment is made  
22 pursuant to paragraph (2) of this subsection, designate some  
23 person as an acting Director to execute the powers and  
24 discharge the duties vested by law in that Director. An acting  
25 Director shall serve no later than 60 calendar days, or upon  
26 the making of an appointment pursuant to paragraph (1) or (2)

1 of this subsection, whichever is earlier. Nothing in this  
2 subsection shall prohibit the Executive Ethics Commission from  
3 removing an acting Director or from appointing an acting  
4 Director as the Director of the Illinois Power Agency.

5 (4) No person rejected by the Senate for the office of  
6 Director of the Illinois Power Agency shall, except at the  
7 Senate's request, be nominated again for that office at the  
8 same session or be appointed to that office during a recess of  
9 that Senate.

10 (d-7) The Executive Ethics Commission shall have  
11 jurisdiction over allegations of sexual harassment made by an  
12 elected official of a unit of local government against another  
13 elected official of a unit of local government if the unit of  
14 local government has not adopted a sexual harassment policy  
15 that includes an Inspector General with jurisdiction.

16 (e) The Executive Ethics Commission must meet, either in  
17 person or by other technological means, at least monthly and as  
18 often as necessary. At the first meeting of the Executive  
19 Ethics Commission, the commissioners shall choose from their  
20 number a chairperson and other officers that they deem  
21 appropriate. The terms of officers shall be for 2 years  
22 commencing July 1 and running through June 30 of the second  
23 following year. Meetings shall be held at the call of the  
24 chairperson or any 3 commissioners. Official action by the  
25 Commission shall require the affirmative vote of 5  
26 commissioners, and a quorum shall consist of 5 commissioners.

1 Commissioners shall receive compensation in an amount equal to  
2 the compensation of members of the State Board of Elections and  
3 may be reimbursed for their reasonable expenses actually  
4 incurred in the performance of their duties.

5 (f) No commissioner or employee of the Executive Ethics  
6 Commission may during his or her term of appointment or  
7 employment:

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

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

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

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

18 (g) An appointing authority may remove a commissioner only  
19 for cause.

20 (h) The Executive Ethics Commission shall appoint an  
21 Executive Director. The compensation of the Executive Director  
22 shall be as determined by the Commission. The Executive  
23 Director of the Executive Ethics Commission may employ and  
24 determine the compensation of staff, as appropriations permit.

25 (i) The Executive Ethics Commission shall appoint, by a  
26 majority of the members appointed to the Commission, chief



1 procurement officers and may appoint procurement compliance  
2 monitors in accordance with the provisions of the Illinois  
3 Procurement Code. The compensation of a chief procurement  
4 officer and procurement compliance monitor shall be determined  
5 by the Commission.

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

7 (5 ILCS 430/20-10)

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

9 (a) Five independent Offices of the Executive Inspector  
10 General are created, one each for the Governor, the Attorney  
11 General, the Secretary of State, the Comptroller, and the  
12 Treasurer. Each Office shall be under the direction and  
13 supervision of an Executive Inspector General and shall be a  
14 fully independent office with separate appropriations.

15 (b) The Governor, Attorney General, Secretary of State,  
16 Comptroller, and Treasurer shall each appoint an Executive  
17 Inspector General, without regard to political affiliation and  
18 solely on the basis of integrity and demonstrated ability.  
19 Appointments shall be made by and with the advice and consent  
20 of the Senate by three-fifths of the elected members concurring  
21 by record vote. Any nomination not acted upon by the Senate  
22 within 60 session days of the receipt thereof shall be deemed  
23 to have received the advice and consent of the Senate. If,  
24 during a recess of the Senate, there is a vacancy in an office  
25 of Executive Inspector General, the appointing authority shall

1 make a temporary appointment until the next meeting of the  
2 Senate when the appointing authority shall make a nomination to  
3 fill that office. No person rejected for an office of Executive  
4 Inspector General shall, except by the Senate's request, be  
5 nominated again for that office at the same session of the  
6 Senate or be appointed to that office during a recess of that  
7 Senate.

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

19 Each Executive Inspector General shall have the following  
20 qualifications:

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

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

25 (3) has 5 or more years of cumulative service (A) with  
26 a federal, State, or local law enforcement agency, at least

1           2 years of which have been in a progressive investigatory  
2           capacity; (B) as a federal, State, or local prosecutor; (C)  
3           as a senior manager or executive of a federal, State, or  
4           local agency; (D) as a member, an officer, or a State or  
5           federal judge; or (E) representing any combination of (A)  
6           through (D).

7           The term of each initial Executive Inspector General shall  
8           commence upon qualification and shall run through June 30,  
9           2008. The initial appointments shall be made within 60 days  
10          after the effective date of this Act.

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

16          A vacancy occurring other than at the end of a term shall  
17          be filled by the appointing authority only for the balance of  
18          the term of the Executive Inspector General whose office is  
19          vacant.

20          Terms shall run regardless of whether the position is  
21          filled.

22          (c) The Executive Inspector General appointed by the  
23          Attorney General shall have jurisdiction over the Attorney  
24          General and all officers and employees of, and vendors and  
25          others doing business with, State agencies within the  
26          jurisdiction of the Attorney General. The Executive Inspector

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

1 General with jurisdiction. The Executive Inspector General  
2 appointed by the Governor is not responsible for the training  
3 or implementation of sexual harassment policies adopted by  
4 units of local government.

5 The jurisdiction of each Executive Inspector General is to  
6 investigate allegations of fraud, waste, abuse, mismanagement,  
7 misconduct, nonfeasance, misfeasance, malfeasance, or  
8 violations of this Act or violations of other related laws and  
9 rules.

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

20 (e) No Executive Inspector General or employee of the  
21 Office of the Executive Inspector General may, during his or  
22 her term of appointment or 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 In this subsection an appointed public office means a  
8 position authorized by law that is filled by an appointing  
9 authority as provided by law and does not include employment by  
10 hiring in the ordinary course of business.

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

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

15 (2) hold any elected public office; or

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

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

20 (f) An Executive Inspector General may be removed only for  
21 cause and may be removed only by the appointing constitutional  
22 officer. At the time of the removal, the appointing  
23 constitutional officer must report to the Executive Ethics  
24 Commission the justification for the removal.

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

1 (5 ILCS 430/70-5)

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

3 (a) Within 6 months after the effective date of this Act,  
4 each governmental entity other than a community college  
5 district, and each community college district within 6 months  
6 after the effective date of this amendatory Act of the 95th  
7 General Assembly, shall adopt an ordinance or resolution that  
8 regulates, in a manner no less restrictive than Section 5-15  
9 and Article 10 of this Act, (i) the political activities of  
10 officers and employees of the governmental entity and (ii) the  
11 soliciting and accepting of gifts by and the offering and  
12 making of gifts to officers and employees of the governmental  
13 entity.

14 No later than 60 days after the effective date of this  
15 amendatory Act of the 100th General Assembly, each governmental  
16 unit shall adopt an ordinance or resolution establishing a  
17 policy to prohibit sexual harassment. The policy shall include,  
18 at a minimum: (i) a prohibition on sexual harassment; (ii)  
19 details on how an individual can report an allegation of sexual  
20 harassment, including options for making a confidential report  
21 to a supervisor, ethics officer, Inspector General, or the  
22 Department of Human Rights; (iii) a prohibition on retaliation  
23 for reporting sexual harassment allegations, including  
24 availability of whistleblower protections under this Act, the  
25 Whistleblower Act, and the Illinois Human Rights Act; and (iv)  
26 the consequences of a violation of the prohibition on sexual

1 harassment and the consequences for knowingly making a false  
2 report. Any policy to prohibit sexual harassment adopted by a  
3 governmental entity under this subsection (a) shall be subject  
4 to the jurisdiction of the Executive Ethics Commission and the  
5 Executive Inspector General appointed by the Governor under  
6 this Act regarding sexual harassment allegations made by an  
7 elected official of a unit of local government against another  
8 elected official of a unit of local government if the unit of  
9 local government has not adopted a sexual harassment policy  
10 that includes an Inspector General with jurisdiction.

11 (b) Within 3 months after the effective date of this  
12 amendatory Act of the 93rd General Assembly, the Attorney  
13 General shall develop model ordinances and resolutions for the  
14 purpose of this Article. The Attorney General shall advise  
15 governmental entities on their contents and adoption.

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

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