



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0794

Introduced 2/10/2021, by Rep. Patrick Windhorst

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.

LRB102 10921 RJF 16252 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
16 in subsection (e).

17 Monies paid to members of the General Assembly by the
18 State as remuneration for performance of their Constitutional
19 and statutory duties as members of the General Assembly shall
20 not 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
3 delay any executive, legislative or administrative action or
4 to promote goodwill with officials as defined in subsection
5 (c).

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

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

26 (i) "Administrative action" means the execution or

1 rejection of any rule, regulation, legislative rule, standard,
2 fee, rate, contractual arrangement, purchasing agreement or
3 other delegated legislative or quasi-legislative action to be
4 taken or withheld by any executive agency, department, board
5 or commission of the State, a unit of local government, or a
6 school district.

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

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

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

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

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

24 (o) "Unit of local government" has the meaning ascribed to
25 it in Section 1 of Article VII of the Illinois Constitution and
26 also includes school districts and community college

1 districts.

2 (Source: P.A. 101-595, eff. 12-5-19.)

3 (25 ILCS 170/11.2)

4 Sec. 11.2. Local regulation. A unit of local government or
5 school district may adopt an ordinance or resolution
6 regulating lobbying activities with that unit of local
7 government or school district that imposes requirements
8 similar to those imposed by this Act. The changes made by this
9 amendatory Act of the 102nd General Assembly shall not
10 restrict the authority of a unit of local government or school
11 district to regulate lobbying activities under this Section.

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

13 (25 ILCS 170/11.3)

14 Sec. 11.3. Compensation from a State agency. It is a
15 violation of this Act for a person registered or required to be
16 registered under this Act to accept or agree to accept
17 compensation from a State agency, unit of local government, or
18 school district for the purpose of lobbying legislative
19 action.

20 This Section does not apply to compensation (i) that is a
21 portion of the salary of a full-time employee of a State agency
22 whose responsibility or authority includes, but is not limited
23 to, lobbying executive, legislative, or administrative action
24 or (ii) to an individual who is contractually retained by a

1 State agency that is not listed in Section 5-15 of the Civil
2 Administrative Code of Illinois.

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

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

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.