

1 AN ACT concerning ethics commissions.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Gift Ban Act is amended by changing
5 Section 45 as follows:

6 (5 ILCS 425/45)

7 Sec. 45. Ethics Commissions.

8 (a) Ethics Commissions are created for the branches of
9 government as provided in this Section. The initial
10 appointments to each commission shall be made within 60 days
11 after the effective date of this Act. ~~Each~~ The appointing
12 authority ~~authorities~~ shall appoint commissioners who have
13 experience holding governmental office or employment and
14 shall appoint commissioners from the general public or from
15 within the appointing authority's branch of government. With
16 respect to each of the ethics commissions designated in items
17 (1), (2), (3), (4), and (5), no more than 4 of the 7
18 appointees shall be of the same political party. The
19 appointee shall establish his or her political party
20 affiliation by his or her last record of voting in a party
21 primary election.

22 (1) For the ethics commission of the Governor there
23 shall be 7 commissioners appointed by the Governor. This
24 ethics commission shall have jurisdiction over all of the
25 executive branch of State government except the officers
26 specified in items (2), (3), (4), and (5) and their
27 employees.

28 (2) For the ethics commission of the Attorney
29 General there shall be 7 commissioners appointed by the
30 Attorney General.

31 (3) For the ethics commission of the Secretary of

1 State there shall be 7 commissioners appointed by the
2 Secretary of State.

3 (4) For the ethics commission of the Comptroller
4 there shall be 7 commissioners appointed by the
5 Comptroller.

6 (5) For the ethics commission of the Treasurer
7 there shall be 7 commissioners appointed by the
8 Treasurer.

9 (6) For the ethics commission of the legislative
10 branch there shall be 8 commissioners. The Speaker and
11 the Minority Leader of the House of Representatives and
12 the President and the Minority Leader of the Senate shall
13 each appoint 2 commissioners.

14 (7) For the ethics commission of the judicial
15 branch there shall be 6 commissioners. The Chief Justice
16 of the Supreme Court shall appoint the commissioners with
17 the concurrence of 3 other Supreme Court Judges.

18 (b) At the first meeting of each commission, the initial
19 appointees shall draw lots to divide into 2 groups.
20 Commissioners of the first group shall serve 2-year terms,
21 and commissioners of the second group shall serve one-year
22 terms. Thereafter commissioners shall be appointed to 2-year
23 terms. Commissioners may be reappointed to serve subsequent
24 terms.

25 (c) The respective appointing authority or authorities
26 may remove a commissioner appointed by that authority or
27 those authorities in case of incompetency, neglect of duty,
28 or malfeasance in office after service on the commissioner by
29 certified mail, return receipt requested, of a copy of the
30 written charges against the commissioner and an opportunity
31 to be heard in person or by counsel upon not less than 10
32 days' notice. Vacancies shall be filled by the appropriate
33 appointing authority or authorities.

34 (d) Each commission shall meet as often as necessary to

1 perform its duties. Except for the ethics commission for the
2 legislative branch, at the first meeting of each commission
3 the commissioners shall choose a chairperson from their
4 number. For the ethics commission for the legislative branch,
5 the President of the Senate and whichever of the Speaker or
6 Minority Leader of the House is of the same political party
7 as the President shall jointly designate one member as
8 co-chair; the other 2 legislative leaders shall jointly
9 designate the other co-chair. Meetings shall be held at the
10 call of the chairperson or any 2 commissioners. Official
11 action by the commission shall require the affirmative vote
12 of the number of commissioners provided in this subsection,
13 and a quorum shall consist of the number of commissioners
14 provided in this subsection. The number of commissioners
15 required for a quorum and the affirmative vote of each ethics
16 commission shall be as follows: for the Governor, 4; for the
17 Attorney General, 4; for the Secretary of State, 4; for the
18 Treasurer, 4; for the Comptroller, 4; for the legislative
19 branch, 5; for the judicial branch, 4. Commissioners may be
20 reimbursed for their reasonable expenses actually incurred in
21 the performance of their duties.

22 (Source: P.A. 90-737, eff. 1-1-99.)