

1 AN ACT concerning ethics.

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

4 Section 5. The Illinois Procurement Code is amended by
5 changing Section 50-13 as follows:

6 (30 ILCS 500/50-13)

7 Sec. 50-13. Conflicts of interest.

8 (a) Prohibition. It is unlawful for any person holding
9 an elective office in this State, holding a seat in the
10 General Assembly, who is a paid member of any executive
11 branch board or commission ~~or appointed to or employed in any~~
12 ~~of the offices or agencies of State government and who~~
13 ~~receives compensation for such employment in excess of 60% of~~
14 ~~the salary of the Governor of the State of Illinois,~~ or who
15 is an officer or employee of the Capital Development Board or
16 the Illinois Toll Highway Authority, or who is the spouse or
17 immediate family member ~~minor child~~ of any such person to
18 have or acquire any contract or subcontract, or any direct
19 pecuniary interest in any contract or subcontract therein,
20 whether for stationery, printing, paper, or any services,
21 materials, or supplies, with any branch, agency, department,
22 or institution of State Government or that will be wholly or
23 partially satisfied by the payment of funds appropriated by
24 the General Assembly of the State of Illinois or in any
25 contract of the Capital Development Board or the Illinois
26 Toll Highway Authority.

27 (a-5) Prohibition. It is unlawful for any person
28 appointed to or employed in any of the offices or agencies of
29 State government and who receives compensation for such
30 employment in excess of 35% of the salary of the Governor of
31 the State of Illinois, or who is the spouse or immediate

1 family member of any such person to have or acquire any
2 contract or subcontract, or any direct pecuniary interest in
3 any contract or subcontract therein, whether for stationery,
4 printing, paper, or any services, materials, or supplies,
5 with any branch, agency, department, or institution of State
6 government or that will be wholly or partially satisfied by
7 the payment of funds appropriated by the General Assembly of
8 the State of Illinois or in any contract of the Capital
9 Development Board or the Illinois Toll Highway Authority.

10 (b) Interests. It is unlawful for any firm,
11 partnership, association, or corporation, in which any person
12 listed in subsection (a) or (a-5) is entitled to receive (i)
13 more than 7 1/2% of the total distributable income or (ii) an
14 amount in excess of the salary of the Governor, to have or
15 acquire any such contract or subcontract or direct pecuniary
16 interest therein.

17 (c) Combined interests. It is unlawful for any firm,
18 partnership, association, or corporation, in which any person
19 listed in subsection (a) or (a-5) together with his or her
20 spouse or immediate family member ~~minor-children~~ is entitled
21 to receive (i) more than 15%, in the aggregate, of the total
22 distributable income or (ii) an amount in excess of 2 times
23 the salary of the Governor, to have or acquire any such
24 contract or subcontract or direct pecuniary interest therein.

25 (d) Securities. Nothing in this Section invalidates the
26 provisions of any bond or other security previously offered
27 or to be offered for sale or sold by or for the State of
28 Illinois.

29 (e) Prior interests. This Section does not affect the
30 validity of any contract or subcontract made between the
31 State and an officer or employee of the State or member of
32 the General Assembly, his or her spouse, immediate family
33 member ~~minor--child~~ or any combination of those persons if
34 that contract was in existence before his or her election or

1 employment as an officer, member, or employee. The contract
2 is voidable, however, if it cannot be completed within 365
3 days after the officer, member, or employee takes office or
4 is employed.

5 (f) Exceptions.

6 (1) Public aid payments. This Section does not
7 apply to payments made for a public aid recipient.

8 (2) Teaching. This Section does not apply to a
9 contract or subcontract for personal services as a
10 teacher or school administrator between a member of the
11 General Assembly or his or her spouse, or a State officer
12 or employee or his or her spouse, and any school
13 district, public community college district, the
14 University of Illinois, Southern Illinois University,
15 Illinois State University, Eastern Illinois University,
16 Northern Illinois University, Western Illinois
17 University, Chicago State University, Governor State
18 University, or Northeastern Illinois University.

19 (3) Ministerial duties. This Section does not
20 apply to a contract or subcontract for personal services
21 of a wholly ministerial character, including but not
22 limited to services as a laborer, clerk, typist,
23 stenographer, page, bookkeeper, receptionist, or
24 telephone switchboard operator, made by a spouse or minor
25 child of an elective or appointive State officer or
26 employee or of a member of the General Assembly.

27 (4) Child and family services. This Section does
28 not apply to payments made to a member of the General
29 Assembly, a State officer or employee, his or her spouse
30 or immediate family member ~~minor-child~~ acting as a foster
31 parent, homemaker, advocate, or volunteer for or in
32 behalf of a child or family served by the Department of
33 Children and Family Services.

34 (5) Licensed professionals. Contracts and

1 subcontracts with licensed professionals, provided they
2 are competitively bid or part of a reimbursement program
3 for specific, customary goods and services through the
4 Department of Children and Family Services, the
5 Department of Human Services, the Department of Public
6 Aid, the Department of Public Health, or the Department
7 on Aging.

8 (g) Penalty. A person convicted of a violation of this
9 Section is guilty of a business offense and shall be fined
10 not less than \$1,000 nor more than 10% of the contract or
11 subcontract price \$5,000.

12 (Source: P.A. 90-572, eff. 2-6-98.)