



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/4/2004, by Dan Cronin

**SYNOPSIS AS INTRODUCED:**

5 ILCS 420/4A-101

from Ch. 127, par. 604A-101

Amends the Illinois Governmental Ethics Act. Adds to the list of State employees who must file statements of economic interests those who negotiate, assign, authorize, or grant naming or sponsorship rights to State property or assets. Effective immediately.

LRB093 20434 JAM 46217 b

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 Governmental Ethics Act is amended  
5 by changing Section 4A-101 as follows:

6 (5 ILCS 420/4A-101) (from Ch. 127, par. 604A-101)

7 Sec. 4A-101. Persons required to file. The following  
8 persons shall file verified written statements of economic  
9 interests, as provided in this Article:

10 (a) Members of the General Assembly and candidates for  
11 nomination or election to the General Assembly.

12 (b) Persons holding an elected office in the Executive  
13 Branch of this State, and candidates for nomination or  
14 election to these offices.

15 (c) Members of a Commission or Board created by the  
16 Illinois Constitution, and candidates for nomination or  
17 election to such Commission or Board.

18 (d) Persons whose appointment to office is subject to  
19 confirmation by the Senate.

20 (e) Holders of, and candidates for nomination or  
21 election to, the office of judge or associate judge of the  
22 Circuit Court and the office of judge of the Appellate or  
23 Supreme Court.

24 (f) Persons who are employed by any branch, agency,  
25 authority or board of the government of this State,  
26 including but not limited to, the Illinois State Toll  
27 Highway Authority, the Illinois Housing Development  
28 Authority, the Illinois Community College Board, and  
29 institutions under the jurisdiction of the Board of  
30 Trustees of the University of Illinois, Board of Trustees  
31 of Southern Illinois University, Board of Trustees of  
32 Chicago State University, Board of Trustees of Eastern

1 Illinois University, Board of Trustees of Governor's State  
2 University, Board of Trustees of Illinois State  
3 University, Board of Trustees of Northeastern Illinois  
4 University, Board of Trustees of Northern Illinois  
5 University, Board of Trustees of Western Illinois  
6 University, or Board of Trustees of the Illinois  
7 Mathematics and Science Academy, and are compensated for  
8 services as employees and not as independent contractors  
9 and who:

10 (1) are, or function as, the head of a department,  
11 commission, board, division, bureau, authority or  
12 other administrative unit within the government of  
13 this State, or who exercise similar authority within  
14 the government of this State;

15 (2) have direct supervisory authority over, or  
16 direct responsibility for the formulation,  
17 negotiation, issuance or execution of contracts  
18 entered into by the State in the amount of \$5,000 or  
19 more;

20 (3) have authority for the issuance or  
21 promulgation of rules and regulations within areas  
22 under the authority of the State;

23 (4) have authority for the approval of  
24 professional licenses;

25 (5) have responsibility with respect to the  
26 financial inspection of regulated nongovernmental  
27 entities;

28 (6) adjudicate, arbitrate, or decide any judicial  
29 or administrative proceeding, or review the  
30 adjudication, arbitration or decision of any judicial  
31 or administrative proceeding within the authority of  
32 the State; ~~or~~

33 (7) have supervisory responsibility for 20 or more  
34 employees of the State; or

35 (8) negotiate, assign, authorize, or grant naming  
36 rights or sponsorship rights regarding any property or

1           asset of the State, whether real, personal, tangible,  
2           or intangible.

3           (g) Persons who are elected to office in a unit of  
4           local government, and candidates for nomination or  
5           election to that office, including regional  
6           superintendents of school districts.

7           (h) Persons appointed to the governing board of a unit  
8           of local government, or of a special district, and persons  
9           appointed to a zoning board, or zoning board of appeals, or  
10          to a regional, county, or municipal plan commission, or to  
11          a board of review of any county, and persons appointed to  
12          the Board of the Metropolitan Pier and Exposition Authority  
13          and any Trustee appointed under Section 22 of the  
14          Metropolitan Pier and Exposition Authority Act, and  
15          persons appointed to a board or commission of a unit of  
16          local government who have authority to authorize the  
17          expenditure of public funds. This subsection does not apply  
18          to members of boards or commissions who function in an  
19          advisory capacity.

20          (i) Persons who are employed by a unit of local  
21          government and are compensated for services as employees  
22          and not as independent contractors and who:

23               (1) are, or function as, the head of a department,  
24               division, bureau, authority or other administrative  
25               unit within the unit of local government, or who  
26               exercise similar authority within the unit of local  
27               government;

28               (2) have direct supervisory authority over, or  
29               direct responsibility for the formulation,  
30               negotiation, issuance or execution of contracts  
31               entered into by the unit of local government in the  
32               amount of \$1,000 or greater;

33               (3) have authority to approve licenses and permits  
34               by the unit of local government; this item does not  
35               include employees who function in a ministerial  
36               capacity;

1           (4) adjudicate, arbitrate, or decide any judicial  
2           or administrative proceeding, or review the  
3           adjudication, arbitration or decision of any judicial  
4           or administrative proceeding within the authority of  
5           the unit of local government;

6           (5) have authority to issue or promulgate rules and  
7           regulations within areas under the authority of the  
8           unit of local government; or

9           (6) have supervisory responsibility for 20 or more  
10          employees of the unit of local government.

11          (j) Persons on the Board of Trustees of the Illinois  
12          Mathematics and Science Academy.

13          (k) Persons employed by a school district in positions  
14          that require that person to hold an administrative or a  
15          chief school business official endorsement.

16          (l) Special government agents. A "special government  
17          agent" is a person who is directed, retained, designated,  
18          appointed, or employed, with or without compensation, by or  
19          on behalf of a statewide executive branch constitutional  
20          officer to make an ex parte communication under Section  
21          5-50 of the State Officials and Employees Ethics Act or  
22          Section 5-165 of the Illinois Administrative Procedure  
23          Act.

24          This Section shall not be construed to prevent any unit of  
25          local government from enacting financial disclosure  
26          requirements that mandate more information than required by  
27          this Act.

28          (Source: P.A. 93-617, eff. 12-9-03.)

29          Section 99. Effective date. This Act takes effect upon  
30          becoming law.