

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.