



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2361

Introduced 1/18/2006, by Sen. Iris Y. Martinez

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-60 new
5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Prohibits statewide executive branch constitutional officers and General Assembly members from accepting campaign contributions from persons holding contracts with their offices during the period of the contracts. Requires that disclosures of campaign contributions to such an officer or member, or to political organizations organized on behalf of the officer or member, must be filed by (i) a person seeking a contract with the officer's or member's office, (ii) that person's spouse and dependent children, and (iii) owners of the company of that person. Establishes penalties for violations. Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 State Officials and Employees Ethics Act is
5 amended by changing Section 50-5 and by adding Section 5-60 as
6 follows:

7 (5 ILCS 430/5-60 new)

8 Sec. 5-60. Contractor contributions.

9 (a) As used in this Section:

10 "Contract" has the meaning set forth in Section 1-15.30
11 of the Illinois Procurement Code.

12 "Contractor" means any person who has been awarded a
13 contract to do work for an officer.

14 "Officer's office" means the officer's elected office,
15 including any department, agency, or subdivision of the
16 office under the purview of the officer.

17 "Owner" means any person with an ownership or
18 beneficial interest of more than 7.5%.

19 (b) No officer shall accept a contribution from a
20 contractor during the duration of the contract with that
21 officer's office.

22 (c) Disclosure of contributions to any officer or to any
23 political organization organized on behalf of that officer
24 shall be required by the following:

25 (1) Any person seeking a contract with the officer's
26 office.

27 (2) The spouse and dependent children of any person
28 seeking a contract with the officer's office.

29 (3) Any owner of the company of the person seeking a
30 contract with the officer's office.

31 (d) Disclosure of contributions to an officer required by
32 this Section shall be made in writing to the officer prior to

1 the time that the contract is awarded.

2 (e) A disclosure required by this Section shall include the
3 date of the contribution and the amount of the contribution.

4 (f) Disclosures shall be kept on file with the officer's
5 office as a public record, except that updated disclosures of
6 contributions may replace disclosures from the same contractor
7 to the same officer.

8 (g) The requirement of disclosure of contributions under
9 this Section applies to all contributions made to any officer,
10 or to a political organization organized on behalf of the
11 officer, as of the effective date of, on, and after the
12 effective date of this amendatory Act of the 94th General
13 Assembly.

14 (5 ILCS 430/50-5)

15 Sec. 50-5. Penalties.

16 (a) A person is guilty of a Class A misdemeanor if that
17 person intentionally violates any provision of Section 5-15,
18 5-30, 5-40, or 5-45, subsection (c), (d), (e), or (f) of
19 Section 5-60, or Article 15.

20 (b) A person who intentionally violates any provision of
21 Section 5-20, 5-35, 5-50, or 5-55 or subsection (b) of Section
22 5-60 is guilty of a business offense subject to a fine of at
23 least \$1,001 and up to \$5,000.

24 (c) A person who intentionally violates any provision of
25 Article 10 is guilty of a business offense and subject to a
26 fine of at least \$1,001 and up to \$5,000.

27 (d) Any person who intentionally makes a false report
28 alleging a violation of any provision of this Act to an ethics
29 commission, an inspector general, the State Police, a State's
30 Attorney, the Attorney General, or any other law enforcement
31 official is guilty of a Class A misdemeanor.

32 (e) An ethics commission may levy an administrative fine of
33 up to \$5,000 against any person who violates this Act, who
34 intentionally obstructs or interferes with an investigation
35 conducted under this Act by an inspector general, or who

1 intentionally makes a false, frivolous, or bad faith
2 allegation.

3 (f) In addition to any other penalty that may apply,
4 whether criminal or civil, a State employee who intentionally
5 violates any provision of Section 5-15, 5-20, 5-30, 5-35, 5-40,
6 or 5-50, Article 10, Article 15, or Section 20-90 or 25-90 is
7 subject to discipline or discharge by the appropriate ultimate
8 jurisdictional authority.

9 (Source: P.A. 93-615, eff. 11-19-03; 93-617, eff. 12-9-03.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.