



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB4726

by Rep. Jerry L. Mitchell

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-60 new

Amends the State Officials and Employees Ethics Act. Provides that if any State officer or employee of the executive or legislative branch is placed on administrative leave, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution and that officer or employee is removed from office or employment for one or more reasons directly related to that criminal matter, then the officer or employee is indebted to the State for all compensation and the value of all benefits received during the administrative leave and must forthwith pay the full amount to the State. As a matter of law, applies similar restrictions on officers and employees of units of local government and school districts. Effective immediately.

LRB095 16883 BDD 42926 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning government officers and employees.

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 adding Section 5-60 as follows:

6 (5 ILCS 430/5-60 new)

7 Sec. 5-60. Administrative leave during pending criminal  
8 matter.

9 (a) If any officer or employee is placed on administrative  
10 leave, either voluntarily or involuntarily, pending the  
11 outcome of a criminal investigation or prosecution and that  
12 officer or employee is removed from office or employment for  
13 one or more reasons directly related to that criminal matter,  
14 then the officer or employee is indebted to the State for all  
15 compensation and the value of all benefits received during the  
16 administrative leave and must forthwith pay the full amount to  
17 the State.

18 (b) As a matter of law and without the necessity of the  
19 adoption of an ordinance or resolution under Section 70-5, if  
20 any officer or employee of a governmental entity is placed on  
21 administrative leave, either voluntarily or involuntarily,  
22 pending the outcome of a criminal investigation or prosecution  
23 and that officer or employee is removed from office or

1 employment for one or more reasons directly related to that  
2 criminal matter, then the officer or employee is indebted to  
3 the governmental entity for all compensation and the value of  
4 all benefits received during the administrative leave and must  
5 forthwith pay the full amount to the governmental entity.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.