



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2681

Introduced 2/24/2009, by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-17 new
5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Makes it a Class A misdemeanor for a State executive branch constitutional officer, General Assembly member, or State employee (including an appointee) to knowingly employ or seek to influence the employment or promotion of a relative of a General Assembly member in a position as a State employee.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 5-17 as
6 follows:

7 (5 ILCS 430/5-17 new)

8 Sec. 5-17. Nepotism.

9 (a) An officer, member, or State employee shall not
10 knowingly employ, or seek to influence the employment or
11 promotion of, a relative of a member in a position as a State
12 employee.

13 (b) For the purpose of this Section, a "relative" is a
14 father, mother, son, daughter, brother, sister, uncle, aunt,
15 great uncle, great aunt, first cousin, nephew, niece, husband,
16 wife, grandfather, grandmother, grandson, granddaughter,
17 father-in-law, mother-in-law, son-in-law, daughter-in-law,
18 grandfather-in-law, grandmother-in-law, brother-in-law,
19 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
20 stepbrother, stepsister, half brother, half sister, fiance,
21 fiancee, and the mother, father, grandfather, or grandmother of
22 a fiance or fiancee.

1 (5 ILCS 430/50-5)

2 Sec. 50-5. Penalties.

3 (a) A person is guilty of a Class A misdemeanor if that
4 person intentionally violates any provision of Section 5-15,
5 5-17, 5-30, 5-40, or 5-45 or Article 15.

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

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

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

17 (e) An ethics commission may levy an administrative fine of
18 up to \$5,000 against any person who violates this Act, who
19 intentionally obstructs or interferes with an investigation
20 conducted under this Act by an inspector general, or who
21 intentionally makes a false, frivolous, or bad faith
22 allegation.

23 (f) In addition to any other penalty that may apply,
24 whether criminal or civil, a State employee who intentionally
25 violates any provision of Section 5-15, 5-20, 5-30, 5-35, 5-40,
26 or 5-50, Article 10, Article 15, or Section 20-90 or 25-90 is

1 subject to discipline or discharge by the appropriate ultimate
2 jurisdictional authority.

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