



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB3663

by Rep. Frances Ann Hurley

SYNOPSIS AS INTRODUCED:

15 ILCS 50/5
15 ILCS 50/25 new

Amends the Gubernatorial Boards and Commissions Act. Provides that a severance agreement entered into after the effective date of the amendatory Act by a board or commission and an employee of the board or commission is a public record. Prohibits boards and commissions from entering into a confidential severance agreement with employees. Provides that if a board or commission enters into a confidential severance agreement after the effective date of the amendatory Act, the agreement is void and moneys paid to an employee under that agreement shall be forfeited to the board or commission, as applicable. Requires each severance agreement entered into by a board or commission after the effective date of the amendatory Act to contain a provision authorizing public disclosure of the agreement in its entirety. Defines "severance agreement" and "confidential severance agreement". Effective immediately.

LRB098 13025 JDS 47534 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Gubernatorial Boards and Commissions Act is
5 amended by changing Section 5 and by adding Section 25 as
6 follows:

7 (15 ILCS 50/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Board" means a board authorized or created by executive
10 order of the Governor, statute, or the Illinois Constitution to
11 which the Governor has authority (whether or not exercised) to
12 appoint one or more members.

13 "Commission" means a commission or other body authorized or
14 created by executive order of the Governor, statute, or the
15 Illinois Constitution to which the Governor has authority
16 (whether or not exercised) to appoint one or more members.

17 "Confidential severance agreement" means a severance
18 agreement that contains provisions limiting the circumstances
19 under which the terms of that agreement may be disclosed.

20 "Office" means the Governor's Office of Boards and
21 Commissions, or a successor entity within the Governor's
22 administration.

23 "Severance agreement" means a written agreement between a

1 board or commission and an employee of that board or commission
2 related to the employee's termination of employment with the
3 board or commission for reasons other than the employee's
4 death, disability, or retirement.

5 (Source: P.A. 96-543, eff. 8-17-09.)

6 (15 ILCS 50/25 new)

7 Sec. 25. Severance agreements.

8 (a) A severance agreement entered into after the effective
9 date of this amendatory Act of the 98th General Assembly by a
10 board or commission and an employee of that board or commission
11 is a public record.

12 (b) No board or commission may enter into a confidential
13 severance agreement with an employee on or after the effective
14 date of this amendatory Act of the 98th General Assembly. A
15 confidential severance agreement entered into by a board or
16 commission after the effective date of this amendatory Act of
17 the 98th General Assembly is void, and any moneys paid to an
18 employee under such an agreement shall be forfeited to the
19 board or commission, as applicable.

20 (c) Each severance agreement entered into by a board or
21 commission after the effective date of this amendatory Act of
22 the 98th General Assembly shall contain a provision authorizing
23 public disclosure of that agreement in its entirety.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.