



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB5480

by Rep. Charles E. Meier

#### SYNOPSIS AS INTRODUCED:

New Act  
720 ILCS 5/33-3

from Ch. 38, par. 33-3

Creates the Executive Officer Prohibited Awards Act. Provides that no executive branch constitutional officer may accept an award presented by an agency, board, or commission under the jurisdiction of that executive branch constitutional officer during his or her term of office. Defines "executive branch constitutional officer" as the Governor, Lieutenant Governor, Attorney General, Secretary of State, Comptroller, and Treasurer. Amends the Criminal Code of 2012 to provide that a violation of the Executive Officer Prohibited Awards Act constitutes official misconduct. Effective immediately.

LRB098 15001 OMW 49957 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 1. Short title. This Act may be cited as the  
5 Executive Officer Prohibited Awards Act.

6 Section 5. Awards prohibited.

7 (a) No executive branch constitutional officer may accept  
8 an award presented by an agency, board, or commission under the  
9 jurisdiction of that executive branch constitutional officer  
10 during his or her term of office.

11 (b) For the purposes of this Act:

12 "Executive branch constitutional officer" means the  
13 Governor, Lieutenant Governor, Attorney General, Secretary of  
14 State, Comptroller, and Treasurer.

15 "Award" means a tangible token of recognition or honor,  
16 including, but not limited to, trophies, prizes, plaques,  
17 medals, and monetary awards.

18 Section 80. The Criminal Code of 2012 is amended by  
19 changing Section 33-3 as follows:

20 (720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

21 Sec. 33-3. Official Misconduct.➤ A public officer or

1 employee or special government agent commits misconduct when,  
2 in his official capacity or capacity as a special government  
3 agent, he commits any of the following acts:

4 (a) Intentionally or recklessly fails to perform any  
5 mandatory duty as required by law; or

6 (b) Knowingly performs an act which he knows he is  
7 forbidden by law to perform; or

8 (c) With intent to obtain a personal advantage for  
9 himself or another, he performs an act in excess of his  
10 lawful authority; ~~or~~

11 (d) Solicits or knowingly accepts for the performance  
12 of any act a fee or reward which he knows is not authorized  
13 by law; or ~~-~~

14 (e) Accepts an award in violation of the Executive  
15 Officer Prohibited Awards Act.

16 A public officer or employee or special government agent  
17 convicted of violating any provision of this Section forfeits  
18 his office or employment or position as a special government  
19 agent. In addition, he commits a Class 3 felony.

20 For purposes of this Section, "special government agent"  
21 has the meaning ascribed to it in subsection (1) of Section  
22 4A-101 of the Illinois Governmental Ethics Act.

23 (Source: P.A. 94-338, eff. 1-1-06.)

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