



Rep. Lou Lang

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1 AMENDMENT TO SENATE BILL 221

2 AMENDMENT NO. _____. Amend Senate Bill 221 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Officials and Employees Ethics Act is
5 amended by changing Section 25-10 as follows:

6 (5 ILCS 430/25-10)

7 Sec. 25-10. Office of Legislative Inspector General.

8 (a) The independent Office of the Legislative Inspector
9 General is created. The Office shall be under the direction and
10 supervision of the Legislative Inspector General and shall be a
11 fully independent office with its own appropriation.

12 (b) The Legislative Inspector General shall be appointed
13 without regard to political affiliation and solely on the basis
14 of integrity and demonstrated ability. The Legislative Ethics
15 Commission shall diligently search out qualified candidates
16 for Legislative Inspector General and shall make

1 recommendations to the General Assembly.

2 The Legislative Inspector General shall be appointed by a
3 joint resolution of the Senate and the House of
4 Representatives, which may specify the date on which the
5 appointment takes effect. A joint resolution, or other document
6 as may be specified by the Joint Rules of the General Assembly,
7 appointing the Legislative Inspector General must be certified
8 by the Speaker of the House of Representatives and the
9 President of the Senate as having been adopted by the
10 affirmative vote of three-fifths of the members elected to each
11 house, respectively, and be filed with the Secretary of State.
12 The appointment of the Legislative Inspector General takes
13 effect on the day the appointment is completed by the General
14 Assembly, unless the appointment specifies a later date on
15 which it is to become effective.

16 The Legislative Inspector General shall have the following
17 qualifications:

18 (1) has not been convicted of any felony under the laws
19 of this State, another state, or the United States;

20 (2) has earned a baccalaureate degree from an
21 institution of higher education; and

22 (3) has 5 or more years of cumulative service (A) with
23 a federal, State, or local law enforcement agency, at least
24 2 years of which have been in a progressive investigatory
25 capacity; (B) as a federal, State, or local prosecutor; (C)
26 as a senior manager or executive of a federal, State, or

1 local agency; (D) as a member, an officer, or a State or
2 federal judge; or (E) representing any combination of (A)
3 through (D).

4 The Legislative Inspector General may not be a relative of
5 a commissioner.

6 The term of the initial Legislative Inspector General shall
7 commence upon qualification and shall run through June 30,
8 2008.

9 After the initial term, the Legislative Inspector General
10 shall serve for 5-year terms commencing on July 1 of the year
11 of appointment and running through June 30 of the fifth
12 following year. The Legislative Inspector General may be
13 reappointed to one or more subsequent terms.

14 A vacancy occurring other than at the end of a term shall
15 be filled in the same manner as an appointment only for the
16 balance of the term of the Legislative Inspector General whose
17 office is vacant. If the Office is vacant, or if a Legislative
18 Inspector General resigns, the Commission shall designate an
19 Acting Legislative Inspector General who shall serve until the
20 vacancy is filled. The Commission shall file the designation in
21 writing with the Secretary of State.

22 Terms shall run regardless of whether the position is
23 filled.

24 (c) The Legislative Inspector General shall have
25 jurisdiction over the members of the General Assembly and all
26 State employees whose ultimate jurisdictional authority is (i)

1 a legislative leader, (ii) the Senate Operations Commission, or
2 (iii) the Joint Committee on Legislative Support Services.

3 The jurisdiction of each Legislative Inspector General is
4 to investigate allegations of fraud, waste, abuse,
5 mismanagement, misconduct, nonfeasance, misfeasance,
6 malfeasance, or violations of this Act or violations of other
7 related laws and rules.

8 (d) The compensation of the Legislative Inspector General
9 shall be the greater of an amount (i) determined by the
10 Commission or (ii) by joint resolution of the General Assembly
11 passed by a majority of members elected in each chamber.
12 Subject to Section 25-45 of this Act, the Legislative Inspector
13 General has full authority to organize the Office of the
14 Legislative Inspector General, including the employment and
15 determination of the compensation of staff, such as deputies,
16 assistants, and other employees, as appropriations permit.
17 Employment of staff is subject to the approval of at least 3 of
18 the 4 legislative leaders.

19 (e) No Legislative Inspector General or employee of the
20 Office of the Legislative Inspector General may, during his or
21 her term of appointment or employment:

22 (1) become a candidate for any elective office;

23 (2) hold any other elected or appointed public office
24 except for appointments on governmental advisory boards or
25 study commissions or as otherwise expressly authorized by
26 law;

1 (3) be actively involved in the affairs of any
2 political party or political organization; or

3 (4) actively participate in any campaign for any
4 elective office.

5 In this subsection an appointed public office means a
6 position authorized by law that is filled by an appointing
7 authority as provided by law and does not include employment by
8 hiring in the ordinary course of business.

9 (e-1) No Legislative Inspector General or employee of the
10 Office of the Legislative Inspector General may, for one year
11 after the termination of his or her appointment or employment:

12 (1) become a candidate for any elective office;

13 (2) hold any elected public office; or

14 (3) hold any appointed State, county, or local judicial
15 office.

16 (e-2) The requirements of item (3) of subsection (e-1) may
17 be waived by the Legislative Ethics Commission.

18 (f) The Commission may remove the Legislative Inspector
19 General only for cause. At the time of the removal, the
20 Commission must report to the General Assembly the
21 justification for the removal.

22 (Source: P.A. 93-617, eff. 12-9-03; 93-685, eff. 7-8-04.)

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