

SB2380



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2380

Introduced 2/15/2013, by Sen. Christine Radogno

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-16 new
5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Provides that grantees and employees of grantees shall not intentionally use grant funds, or goods or services purchased with grant funds, to engage, either directly or indirectly, in a prohibited political activity. Provides that grantees and employees of grantees shall not be compensated from grant funds for time spent engaging in a prohibited political activity. Specifies that a person who violates these provisions is guilty of a business offense and is subject to a fine of up to \$5,000.

LRB098 08303 JDS 38406 b

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 adding Section 5-16 and changing Section 50-5 as
6 follows:

7 (5 ILCS 430/5-16 new)

8 Sec. 5-16. Prohibition on use of grant funds for prohibited
9 political activities.

10 (a) For the purposes of this Section:

11 "Employee of a grantee" means any full-time,
12 part-time, or contractual employee of a grantee.

13 "Grant funds" has the meaning established in
14 subsection (b) of Section 2 of the Illinois Grant Funds
15 Recovery Act.

16 "Grantee" has the meaning established in subsection
17 (c) of Section 2 of the Illinois Grant Funds Recovery Act.

18 (b) Grantees and employees of grantees shall not
19 intentionally use grant funds, or goods or services purchased
20 with grant funds, to engage, either directly or indirectly, in
21 a prohibited political activity.

22 (c) Grantees and employees of grantees shall not be
23 compensated from grant funds for time spent engaging in a

1 prohibited political activity.

2 (5 ILCS 430/50-5)

3 Sec. 50-5. Penalties.

4 (a) A person is guilty of a Class A misdemeanor if that
5 person intentionally violates any provision of Section 5-15,
6 5-30, 5-40, or 5-45 or Article 15.

7 (a-1) An ethics commission may levy an administrative fine
8 for a violation of Section 5-45 of this Act of up to 3 times the
9 total annual compensation that would have been obtained in
10 violation of Section 5-45.

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

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

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

22 (e) An ethics commission may levy an administrative fine of
23 up to \$5,000 against any person who violates this Act, who
24 intentionally obstructs or interferes with an investigation
25 conducted under this Act by an inspector general, or who

1 intentionally makes a false, frivolous, or bad faith
2 allegation. A person who violates Section 5-16 and is not
3 subject to the jurisdiction of an ethics commission is guilty
4 of a business offense and is subject to a fine of up to \$5,000.

5 (f) In addition to any other penalty that may apply,
6 whether criminal or civil, a State employee who intentionally
7 violates any provision of Section 5-5, 5-15, 5-20, 5-30, 5-35,
8 5-45, or 5-50, Article 10, Article 15, or Section 20-90 or
9 25-90 is subject to discipline or discharge by the appropriate
10 ultimate jurisdictional authority.

11 (Source: P.A. 96-555, eff. 8-18-09.)