



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1448

Introduced 2/20/2015, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-108

Amends the Illinois Governmental Ethics Act. Authorizes the Secretary of State, in addition to county clerks, to institute an Internet-based system for the filing of statements of economic interests. Provides that all Internet-based systems for the filing of statements of economic interests shall set forth and provide a means of generating a printable receipt page acknowledging filing. Makes other changes to be consistent with the requirements of the amendatory Act. Effective July 1, 2015.

LRB099 03998 JLK 24015 b

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 Illinois Governmental Ethics Act is amended
5 by changing Section 4A-108 as follows:

6 (5 ILCS 420/4A-108)

7 Sec. 4A-108. Internet-based systems of filing.

8 (a) Notwithstanding any other provision of this Act or any
9 other law, the Secretary of State and county clerks are a
10 county clerk is authorized to institute an Internet-based
11 system for the filing of statements of economic interests in
12 their offices his or her office. With respect to county clerk
13 systems, the ~~The~~ determination to institute such a system shall
14 be in the sole discretion of the county clerk and shall meet
15 the requirements set out in this Section. With respect to a
16 Secretary of State system, the determination to institute such
17 a system shall be in the sole discretion of the Secretary of
18 State and shall meet the requirements set out in this Section
19 and those Sections of the State Officials and Employees Ethics
20 Act requiring ethics officer review prior to filing. The system
21 shall include a means to amend a statement of economic
22 interest. When this Section does not modify or remove the
23 requirements set forth elsewhere in this Article, those

1 requirements shall apply to any system of Internet-based filing
2 authorized by this Section. When this Section does modify or
3 remove the requirements set forth elsewhere in this Article,
4 the provisions of this Section shall apply to any system of
5 Internet-based filing authorized by this Section.

6 (b) In any system of Internet-based filing of statements of
7 economic interests instituted by the Secretary of State or a
8 county clerk:

9 (1) Any filing of an Internet-based statement of
10 economic interests shall be the equivalent of the filing of
11 a verified, written statement of economic interests as
12 required by Section 4A-101 and the equivalent of the filing
13 of a verified, dated, and signed statement of economic
14 interests as required by Section 4A-104.

15 (2) The Secretary of State and county clerks who
16 institute ~~A county clerk who institutes~~ a system of
17 Internet-based filing of statements of economic interests
18 shall establish a password-protected website ~~web site~~ to
19 receive the filings of such statements. A website
20 established under this Section shall set forth and provide
21 a means of responding to the items set forth in Section
22 4A-102 that are required of a person who files a statement
23 of economic interests with that officer. A website
24 established under this Section shall set forth and provide
25 a means of generating a printable receipt page
26 acknowledging filing.

1 (3) The times for the filing of statements of economic
2 interests set forth in Section 4A-105 shall be followed in
3 any system of Internet-based filing of statements of
4 economic interests; provided that a candidate for elective
5 office who is required to file a statement of economic
6 interests in relation to his or her candidacy pursuant to
7 Section 4A-105(a) shall not use the Internet to file his or
8 her statement of economic interests but shall file his or
9 her statement of economic interests in a written or printed
10 form and shall receive a written or printed receipt for his
11 or her filing.

12 (4) In the first year of the implementation of a system
13 of Internet-based filing of statements of economic
14 interests, each person required to file such a statement is
15 to be notified in writing of his or her obligation to file
16 his or her statement of economic interests ~~and the option~~
17 ~~to file~~ by way of the Internet-based system ~~or by way of~~
18 ~~standardized form~~. If access to the web site requires a
19 code or password, this information shall be included in the
20 notice prescribed by this paragraph.

21 (5) When a person required to file a statement of
22 economic interests has supplied the Secretary of State or a
23 county clerk, as applicable, with an email address for the
24 purpose of receiving notices under this Article by email, a
25 notice sent by email to the supplied email address shall be
26 the equivalent of a notice sent by first class mail, as set

1 forth in Section 4A-106. A person who has supplied such an
2 email address shall notify the Secretary of State or county
3 clerk, as applicable, when his or her email address changes
4 or if he or she no longer wishes to receive notices by
5 email.

6 (6) If any person who is required to file a statement
7 of economic interests and who has chosen to receive notices
8 by email fails to file his or her statement by May 10, then
9 the Secretary of State or county clerk, as applicable,
10 shall send an additional email notice on that date,
11 informing the person that he or she has not filed and
12 describing the penalties for late filing and failing to
13 file. This notice shall be in addition to other notices
14 provided for in this Article.

15 (7) The Secretary of State and each ~~Each~~ county clerk
16 who institutes a system of Internet-based filing of
17 statements of economic interests may also institute an
18 Internet-based process for the filing of the list of names
19 and addresses of persons required to file statements of
20 economic interests by the chief administrative officers ~~of~~
21 ~~units of local government~~ that must file such information
22 with the Secretary of State or ~~that~~ county clerk, as
23 applicable, pursuant to Section 4A-106. Whenever the
24 Secretary of State or a county clerk institutes such a
25 system under this paragraph, every chief administrative
26 officer ~~unit of local government~~ must use the system to

1 file this information.

2 (8) The Secretary of State and any ~~Any~~ county clerk who
3 institutes a system of Internet-based filing of statements
4 of economic interests shall post the contents of such
5 statements filed with him or her available for inspection
6 and copying on a publicly accessible website. Such postings
7 shall not include the addresses or signatures of the
8 filers.

9 (Source: P.A. 96-1336, eff. 1-1-11; 97-212, eff. 7-28-11.)

10 Section 99. Effective date. This Act takes effect July 1,
11 2015.