



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1777

by Rep. Robert Martwick

SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-102	from Ch. 127, par. 604A-102
5 ILCS 420/4A-103	from Ch. 127, par. 604A-103

Amends the Illinois Governmental Ethics Act. Requires anyone required to file a disclosure under the Act to disclose the name and location of any and all assets held outside the United States from which income in excess of \$5,000 was derived during the preceding calendar year; the name of any country where the person making the statement filed an international individual income tax return during the preceding calendar year and the international individual income tax liability; and the name and country of any professional organization which filed an international corporate income tax return during the preceding calendar year in which the person making the statement was an officer, director, associate, partner, or proprietor or served in any advisory capacity as well as the amount of income tax liability. Sets forth certain requirements and forms. Effective immediately.

LRB100 07823 RJF 17890 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 Sections 4A-102 and 4A-103 as follows:

6 (5 ILCS 420/4A-102) (from Ch. 127, par. 604A-102)

7 Sec. 4A-102. The statement of economic interests required
8 by this Article shall include the economic interests of the
9 person making the statement as provided in this Section. The
10 interest (if constructively controlled by the person making the
11 statement) of a spouse or any other party, shall be considered
12 to be the same as the interest of the person making the
13 statement. Campaign receipts shall not be included in this
14 statement.

15 (a) The following interests shall be listed by all
16 persons required to file:

17 (1) The name, address and type of practice of any
18 professional organization or individual professional
19 practice in which the person making the statement was
20 an officer, director, associate, partner or
21 proprietor, or served in any advisory capacity, from
22 which income in excess of \$1200 was derived during the
23 preceding calendar year;

1 (2) The nature of professional services (other
2 than services rendered to the unit or units of
3 government in relation to which the person is required
4 to file) and the nature of the entity to which they
5 were rendered if fees exceeding \$5,000 were received
6 during the preceding calendar year from the entity for
7 professional services rendered by the person making
8 the statement.

9 (3) The identity (including the address or legal
10 description of real estate) of any capital asset from
11 which a capital gain of \$5,000 or more was realized in
12 the preceding calendar year.

13 (4) The name of any unit of government which has
14 employed the person making the statement during the
15 preceding calendar year other than the unit or units of
16 government in relation to which the person is required
17 to file.

18 (5) The name of any entity from which a gift or
19 gifts, or honorarium or honoraria, valued singly or in
20 the aggregate in excess of \$500, was received during
21 the preceding calendar year.

22 (b) The following interests shall also be listed by
23 persons listed in items (a) through (f), item (l), item
24 (n), and item (p) of Section 4A-101:

25 (1) The name and instrument of ownership in any
26 entity doing business in the State of Illinois, in

1 which an ownership interest held by the person at the
2 date of filing is in excess of \$5,000 fair market value
3 or from which dividends of in excess of \$1,200 were
4 derived during the preceding calendar year. (In the
5 case of real estate, location thereof shall be listed
6 by street address, or if none, then by legal
7 description). No time or demand deposit in a financial
8 institution, nor any debt instrument need be listed;

9 (2) Except for professional service entities, the
10 name of any entity and any position held therein from
11 which income of in excess of \$1,200 was derived during
12 the preceding calendar year, if the entity does
13 business in the State of Illinois. No time or demand
14 deposit in a financial institution, nor any debt
15 instrument need be listed.

16 (3) The identity of any compensated lobbyist with
17 whom the person making the statement maintains a close
18 economic association, including the name of the
19 lobbyist and specifying the legislative matter or
20 matters which are the object of the lobbying activity,
21 and describing the general type of economic activity of
22 the client or principal on whose behalf that person is
23 lobbying.

24 (4) The name and location of any and all assets
25 held outside the United States from which income in
26 excess of \$5,000 was derived during the preceding

1 calendar year. If the asset is held by a financial
2 institution, the name of the financial institution and
3 the city and country where the asset is held shall be
4 disclosed. In the case of real estate, the location
5 thereof shall be listed by street address or, if none,
6 then by legal description, including the city and
7 country.

8 (5) The name of any country (other than the United
9 States) where the person making the statement filed an
10 international individual income tax return during the
11 preceding calendar year and the international
12 individual income tax liability, in United States
13 dollars, of the person making the statement to the
14 foreign country. If the person making the statement
15 filed an international individual income tax return in
16 a particular foreign country, but had no international
17 individual income tax liability to the foreign
18 country, the name of the country must still be
19 disclosed and the international individual income tax
20 liability shall be listed as "\$0.00."

21 (6) The name and country (other than the United
22 States) of any professional organization in which the
23 person making the statement was an officer, director,
24 associate, partner, or proprietor or served in any
25 advisory capacity and which filed an international
26 corporate income tax return during the preceding

1 calendar year, and the international corporate income
2 tax liability, in United States dollars, of the
3 professional organization in which the person making
4 the statement was an officer, director, associate,
5 partner, or proprietor or served in any advisory
6 capacity. If the professional organization in which
7 the person making the statement was an officer,
8 director, associate, partner, or proprietor or served
9 in any advisory capacity filed an international
10 corporate income tax return in a particular foreign
11 country, but had no international corporate income tax
12 liability to that foreign country, the name of the
13 country must still be disclosed and the international
14 corporate income tax liability shall be listed as
15 "\$0.00."

16 (c) The following interests shall also be listed by
17 persons listed in items (g), (h), (i), and (o) of Section
18 4A-101:

19 (1) The name and instrument of ownership in any
20 entity doing business with a unit of local government
21 in relation to which the person is required to file if
22 the ownership interest of the person filing is greater
23 than \$5,000 fair market value as of the date of filing
24 or if dividends in excess of \$1,200 were received from
25 the entity during the preceding calendar year. (In the
26 case of real estate, location thereof shall be listed

1 by street address, or if none, then by legal
2 description). No time or demand deposit in a financial
3 institution, nor any debt instrument need be listed.

4 (2) Except for professional service entities, the
5 name of any entity and any position held therein from
6 which income in excess of \$1,200 was derived during the
7 preceding calendar year if the entity does business
8 with a unit of local government in relation to which
9 the person is required to file. No time or demand
10 deposit in a financial institution, nor any debt
11 instrument need be listed.

12 (3) The name of any entity and the nature of the
13 governmental action requested by any entity which has
14 applied to a unit of local government in relation to
15 which the person must file for any license, franchise
16 or permit for annexation, zoning or rezoning of real
17 estate during the preceding calendar year if the
18 ownership interest of the person filing is in excess of
19 \$5,000 fair market value at the time of filing or if
20 income or dividends in excess of \$1,200 were received
21 by the person filing from the entity during the
22 preceding calendar year.

23 For the purposes of this Section, the unit of local
24 government in relation to which a person required to file under
25 item (o) of Section 4A-101 shall be the unit of local
26 government that contributes to the pension fund of which such

1 person is a member of the board.

2 (Source: P.A. 96-6, eff. 4-3-09; 97-754, eff. 7-6-12.)

3 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

4 Sec. 4A-103. The statement of economic interests required
5 by this Article to be filed with the Secretary of State shall
6 be filled in by typewriting or hand printing, shall be
7 verified, dated, and signed by the person making the statement
8 and shall contain substantially the following:

9 STATEMENT OF ECONOMIC INTEREST

10 (TYPE OR HAND PRINT)

11

12 (name)

13

14 (each office or position of employment for which this statement
15 is filed)

16

17 (full mailing address)

18 GENERAL DIRECTIONS:

19 The interest (if constructively controlled by the person
20 making the statement) of a spouse or any other party, shall be
21 considered to be the same as the interest of the person making
22 the statement.

23 Campaign receipts shall not be included in this statement.

24 If additional space is needed, please attach supplemental
25 listing.

1 1. List the name and instrument of ownership in any entity
 2 doing business in the State of Illinois, in which the ownership
 3 interest held by the person at the date of filing is in excess
 4 of \$5,000 fair market value or from which dividends in excess
 5 of \$1,200 were derived during the preceding calendar year. (In
 6 the case of real estate, location thereof shall be listed by
 7 street address, or if none, then by legal description.) No time
 8 or demand deposit in a financial institution, nor any debt
 9 instrument need be listed.

10 Business Entity	Instrument of Ownership
11
12
13
14

15 2. List the name, address and type of practice of any
 16 professional organization in which the person making the
 17 statement was an officer, director, associate, partner or
 18 proprietor or served in any advisory capacity, from which
 19 income in excess of \$1,200 was derived during the preceding
 20 calendar year.

21 Name	Address	Type of Practice
22
23
24

25 3. List the nature of professional services rendered (other
 26 than to the State of Illinois) to each entity from which income

1 exceeding \$5,000 was received for professional services
 2 rendered during the preceding calendar year by the person
 3 making the statement.

4
 5

6 4. List the identity (including the address or legal
 7 description of real estate) of any capital asset from which a
 8 capital gain of \$5,000 or more was realized during the
 9 preceding calendar year.

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12 5. List the identity of any compensated lobbyist with whom
 13 the person making the statement maintains a close economic
 14 association, including the name of the lobbyist and specifying
 15 the legislative matter or matters which are the object of the
 16 lobbying activity, and describing the general type of economic
 17 activity of the client or principal on whose behalf that person
 18 is lobbying.

19	Lobbyist	Legislative Matter	Client or Principal
20	.....	.....	.....
21	.....	.....	.....

22 6. List the name of any entity doing business in the State
 23 of Illinois from which income in excess of \$1,200 was derived
 24 during the preceding calendar year other than for professional
 25 services and the title or description of any position held in
 26 that entity. (In the case of real estate, location thereof

1 shall be listed by street address, or if none, then by legal
2 description). No time or demand deposit in a financial
3 institution nor any debt instrument need be listed.

4	Entity	Position Held
5
6
7

8 7. List the name of any unit of government which employed
9 the person making the statement during the preceding calendar
10 year other than the unit or units of government in relation to
11 which the person is required to file.

12
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14 8. List the name of any entity from which a gift or gifts,
15 or honorarium or honoraria, valued singly or in the aggregate
16 in excess of \$500, was received during the preceding calendar
17 year.

18

19 9. List the name and location of any and all assets held
20 outside the United States from which income in excess of \$5,000
21 was derived during the preceding calendar year. If the asset is
22 held by a financial institution, the name of the financial
23 institution and the city and country where the asset is held
24 shall be disclosed. In the case of real estate, the location
25 thereof shall be listed by street address or, if none, then by
26 legal description, including the city and country.

1	<u>Name</u>	<u>Location (city and country)</u>
2	.....	.....
3	.....	.....
4	.....	.....

5 10. List the name of any country (other than the United
6 States) where the person making the statement filed an
7 international individual income tax return during the
8 preceding calendar year and the international individual
9 income tax liability, in United States dollars, of the person
10 making the statement to the foreign country. If the person
11 making the statement filed an international individual income
12 tax return in a particular foreign country, but had no
13 international individual income tax liability to the foreign
14 country, state the name of the country, and list "\$0.00" for
15 that foreign country's international individual income tax
16 liability.

17	<u>Country</u>	<u>Income Tax Liability (in USD)</u>
18	.....	.....
19	.....	.....
20	.....	.....

21 11. List the name and country (other than the United
22 States) of any professional organization in which the person
23 making the statement was an officer, director, associate,
24 partner, or proprietor or served in any advisory capacity and
25 which filed an international corporate income tax return during
26 the preceding calendar year, and the international corporate

1 income tax liability, in United States dollars, of the
 2 professional organization in which the person making the
 3 statement was an officer, director, associate, partner, or
 4 proprietor or served in any advisory capacity. If the
 5 professional organization in which the person making the
 6 statement was an officer, director, associate, partner, or
 7 proprietor or served in any advisory capacity filed an
 8 international corporate income tax return in a particular
 9 foreign country, but had no international corporate income tax
 10 liability to that foreign country, state the name of the
 11 country, and list "\$0.00" for that foreign country's
 12 international corporate income tax liability.

13	<u>Name</u>	<u>Country</u>	<u>Income Tax Liability</u>
14			<u>(in USD)</u>
15
16
17

18 VERIFICATION:

19 "I declare that this statement of economic interests
 20 (including any accompanying schedules and statements) has been
 21 examined by me and to the best of my knowledge and belief is a
 22 true, correct and complete statement of my economic interests
 23 as required by the Illinois Governmental Ethics Act. I
 24 understand that the penalty for willfully filing a false or
 25 incomplete statement shall be a fine not to exceed \$1,000 or
 26 imprisonment in a penal institution other than the penitentiary

1 not to exceed one year, or both fine and imprisonment."

2

3 (date of filing) (signature of person making the statement)

4 (Source: P.A. 95-173, eff. 1-1-08.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.