



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4134

by Rep. Litesa E. Wallace

SYNOPSIS AS INTRODUCED:

5 ILCS 430/1-5	
5 ILCS 430/5-13 new	
5 ILCS 430/25-15	
5 ILCS 430/25-20	
5 ILCS 430/25-23	
5 ILCS 430/25-50a new	
25 ILCS 170/2	from Ch. 63, par. 172
25 ILCS 170/4.7 new	
25 ILCS 170/7	from Ch. 63, par. 177

Amends the State Officials and Employees Ethics Act. Provides for the implementation of a sexual harassment training program to be completed by specified State officials and employees, and to be conducted by the appropriate State agency of those State officials and employees. Provides additional requirements for operation of the program, and for reporting and completion of sexual harassment training under the program. Authorizes the Legislative Ethics Commission to make rulings, issue recommendations, and impose administrative fines in connection with findings of sexual harassment. Authorizes the Legislative Inspector General to receive and investigate allegations of sexual harassment. Requires ethics officers to provide guidance to officers and employees in registering complaints about sexual harassment with the Legislative Inspector General. Provides for sexual harassment complaint procedures. Amends the Lobbyist Registration Act. Requires the Secretary of State to receive and investigate allegations of sexual harassment, and to immediately transmit those allegations to the Secretary of State Inspector General. Provides that each natural person required to register as a lobbyist under the Act must complete a program of sexual harassment training no later than 30 days after registration or renewal of registration under the Act. Defines terms. Effective immediately.

LRB100 15334 RJF 30298 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 State Officials and Employees Ethics Act is
5 amended by changing Sections 1-5, 25-15, 25-20, and 25-23 and
6 by adding Sections 5-13 and 25-50a as follows:

7 (5 ILCS 430/1-5)

8 Sec. 1-5. Definitions. As used in this Act:

9 "Appointee" means a person appointed to a position in or
10 with a State agency, regardless of whether the position is
11 compensated.

12 "Board members of Regional Transit Boards" means any person
13 appointed to serve on the governing board of a Regional Transit
14 Board.

15 "Campaign for elective office" means any activity in
16 furtherance of an effort to influence the selection,
17 nomination, election, or appointment of any individual to any
18 federal, State, or local public office or office in a political
19 organization, or the selection, nomination, or election of
20 Presidential or Vice-Presidential electors, but does not
21 include activities (i) relating to the support or opposition of
22 any executive, legislative, or administrative action (as those
23 terms are defined in Section 2 of the Lobbyist Registration

1 Act), (ii) relating to collective bargaining, or (iii) that are
2 otherwise in furtherance of the person's official State duties.

3 "Candidate" means a person who has filed nominating papers
4 or petitions for nomination or election to an elected State
5 office, or who has been appointed to fill a vacancy in
6 nomination, and who remains eligible for placement on the
7 ballot at either a general primary election or general
8 election.

9 "Collective bargaining" has the same meaning as that term
10 is defined in Section 3 of the Illinois Public Labor Relations
11 Act.

12 "Commission" means an ethics commission created by this
13 Act.

14 "Compensated time" means any time worked by or credited to
15 a State employee that counts toward any minimum work time
16 requirement imposed as a condition of employment with a State
17 agency, but does not include any designated State holidays or
18 any period when the employee is on a leave of absence.

19 "Compensatory time off" means authorized time off earned by
20 or awarded to a State employee to compensate in whole or in
21 part for time worked in excess of the minimum work time
22 required of that employee as a condition of employment with a
23 State agency.

24 "Contribution" has the same meaning as that term is defined
25 in Section 9-1.4 of the Election Code.

26 "Employee" means (i) any person employed full-time,

1 part-time, or pursuant to a contract and whose employment
2 duties are subject to the direction and control of an employer
3 with regard to the material details of how the work is to be
4 performed or (ii) any appointed or elected commissioner,
5 trustee, director, or board member of a board of a State
6 agency, including any retirement system or investment board
7 subject to the Illinois Pension Code or (iii) any other
8 appointee.

9 "Employment benefits" include but are not limited to the
10 following: modified compensation or benefit terms; compensated
11 time off; or change of title, job duties, or location of office
12 or employment. An employment benefit may also include favorable
13 treatment in determining whether to bring any disciplinary or
14 similar action or favorable treatment during the course of any
15 disciplinary or similar action or other performance review.

16 "Executive branch constitutional officer" means the
17 Governor, Lieutenant Governor, Attorney General, Secretary of
18 State, Comptroller, and Treasurer.

19 "Gift" means any gratuity, discount, entertainment,
20 hospitality, loan, forbearance, or other tangible or
21 intangible item having monetary value including, but not
22 limited to, cash, food and drink, and honoraria for speaking
23 engagements related to or attributable to government
24 employment or the official position of an employee, member, or
25 officer. The value of a gift may be further defined by rules
26 adopted by the appropriate ethics commission or by the Auditor

1 General for the Auditor General and for employees of the office
2 of the Auditor General.

3 "Governmental entity" means a unit of local government
4 (including a community college district) or a school district
5 but not a State agency or a Regional Transit Board.

6 "Leave of absence" means any period during which a State
7 employee does not receive (i) compensation for State
8 employment, (ii) service credit towards State pension
9 benefits, and (iii) health insurance benefits paid for by the
10 State.

11 "Legislative branch constitutional officer" means a member
12 of the General Assembly and the Auditor General.

13 "Legislative leader" means the President and Minority
14 Leader of the Senate and the Speaker and Minority Leader of the
15 House of Representatives.

16 "Member" means a member of the General Assembly.

17 "Officer" means an executive branch constitutional officer
18 or a legislative branch constitutional officer.

19 "Political" means any activity in support of or in
20 connection with any campaign for elective office or any
21 political organization, but does not include activities (i)
22 relating to the support or opposition of any executive,
23 legislative, or administrative action (as those terms are
24 defined in Section 2 of the Lobbyist Registration Act), (ii)
25 relating to collective bargaining, or (iii) that are otherwise
26 in furtherance of the person's official State duties or

1 governmental and public service functions.

2 "Political organization" means a party, committee,
3 association, fund, or other organization (whether or not
4 incorporated) that is required to file a statement of
5 organization with the State Board of Elections or a county
6 clerk under Section 9-3 of the Election Code, but only with
7 regard to those activities that require filing with the State
8 Board of Elections or a county clerk.

9 "Prohibited political activity" means:

10 (1) Preparing for, organizing, or participating in any
11 political meeting, political rally, political
12 demonstration, or other political event.

13 (2) Soliciting contributions, including but not
14 limited to the purchase of, selling, distributing, or
15 receiving payment for tickets for any political
16 fundraiser, political meeting, or other political event.

17 (3) Soliciting, planning the solicitation of, or
18 preparing any document or report regarding any thing of
19 value intended as a campaign contribution.

20 (4) Planning, conducting, or participating in a public
21 opinion poll in connection with a campaign for elective
22 office or on behalf of a political organization for
23 political purposes or for or against any referendum
24 question.

25 (5) Surveying or gathering information from potential
26 or actual voters in an election to determine probable vote

1 outcome in connection with a campaign for elective office
2 or on behalf of a political organization for political
3 purposes or for or against any referendum question.

4 (6) Assisting at the polls on election day on behalf of
5 any political organization or candidate for elective
6 office or for or against any referendum question.

7 (7) Soliciting votes on behalf of a candidate for
8 elective office or a political organization or for or
9 against any referendum question or helping in an effort to
10 get voters to the polls.

11 (8) Initiating for circulation, preparing,
12 circulating, reviewing, or filing any petition on behalf of
13 a candidate for elective office or for or against any
14 referendum question.

15 (9) Making contributions on behalf of any candidate for
16 elective office in that capacity or in connection with a
17 campaign for elective office.

18 (10) Preparing or reviewing responses to candidate
19 questionnaires in connection with a campaign for elective
20 office or on behalf of a political organization for
21 political purposes.

22 (11) Distributing, preparing for distribution, or
23 mailing campaign literature, campaign signs, or other
24 campaign material on behalf of any candidate for elective
25 office or for or against any referendum question.

26 (12) Campaigning for any elective office or for or

1 against any referendum question.

2 (13) Managing or working on a campaign for elective
3 office or for or against any referendum question.

4 (14) Serving as a delegate, alternate, or proxy to a
5 political party convention.

6 (15) Participating in any recount or challenge to the
7 outcome of any election, except to the extent that under
8 subsection (d) of Section 6 of Article IV of the Illinois
9 Constitution each house of the General Assembly shall judge
10 the elections, returns, and qualifications of its members.

11 "Prohibited source" means any person or entity who:

12 (1) is seeking official action (i) by the member or
13 officer or (ii) in the case of an employee, by the employee
14 or by the member, officer, State agency, or other employee
15 directing the employee;

16 (2) does business or seeks to do business (i) with the
17 member or officer or (ii) in the case of an employee, with
18 the employee or with the member, officer, State agency, or
19 other employee directing the employee;

20 (3) conducts activities regulated (i) by the member or
21 officer or (ii) in the case of an employee, by the employee
22 or by the member, officer, State agency, or other employee
23 directing the employee;

24 (4) has interests that may be substantially affected by
25 the performance or non-performance of the official duties
26 of the member, officer, or employee;

1 (5) is registered or required to be registered with the
2 Secretary of State under the Lobbyist Registration Act,
3 except that an entity not otherwise a prohibited source
4 does not become a prohibited source merely because a
5 registered lobbyist is one of its members or serves on its
6 board of directors; or

7 (6) is an agent of, a spouse of, or an immediate family
8 member who is living with a "prohibited source".

9 "Regional Transit Boards" means (i) the Regional
10 Transportation Authority created by the Regional
11 Transportation Authority Act, (ii) the Suburban Bus Division
12 created by the Regional Transportation Authority Act, (iii) the
13 Commuter Rail Division created by the Regional Transportation
14 Authority Act, and (iv) the Chicago Transit Authority created
15 by the Metropolitan Transit Authority Act.

16 "Sexual harassment" includes unwelcome sexual advances,
17 requests for sexual favors, and other verbal, visual and
18 physical conduct of a sexual nature. Sexual harassment
19 includes, but is not limited to:

20 (1) Verbal harassment (lewd or suggestive remarks,
21 sexual language, pranks, epithets, derogatory statements,
22 jokes, threats, slurs, demands for dates).

23 (2) Physical harassment (touching, patting, pinching,
24 or brushing against another's body).

25 (3) Visual harassment (posters, cartoons, gross or
26 lewd gestures, calendars, pictures, drawings, greeting

1 cards, leering).

2 (4) Sexual innuendo and demands for sexual favors
3 (unwelcome sexual statements or advances).

4 (5) Sexual harassment includes any form of sexually
5 oriented conduct regardless of whether it occurs face-to-
6 face, in writing, on the telephone, by electronic mail, via
7 the Internet, or by some indirect form of communication.

8 (6) Sexual harassment may involve individuals of the
9 same or different gender and is prohibited whether directed
10 toward men or women.

11 "State agency" includes all officers, boards, commissions
12 and agencies created by the Constitution, whether in the
13 executive or legislative branch; all officers, departments,
14 boards, commissions, agencies, institutions, authorities,
15 public institutions of higher learning as defined in Section 2
16 of the Higher Education Cooperation Act (except community
17 colleges), and bodies politic and corporate of the State; and
18 administrative units or corporate outgrowths of the State
19 government which are created by or pursuant to statute, other
20 than units of local government (including community college
21 districts) and their officers, school districts, and boards of
22 election commissioners; and all administrative units and
23 corporate outgrowths of the above and as may be created by
24 executive order of the Governor. "State agency" includes the
25 General Assembly, the Senate, the House of Representatives, the
26 President and Minority Leader of the Senate, the Speaker and

1 Minority Leader of the House of Representatives, the Senate
2 Operations Commission, and the legislative support services
3 agencies. "State agency" includes the Office of the Auditor
4 General. "State agency" does not include the judicial branch.

5 "State employee" means any employee of a State agency.

6 "Ultimate jurisdictional authority" means the following:

7 (1) For members, legislative partisan staff, and
8 legislative secretaries, the appropriate legislative
9 leader: President of the Senate, Minority Leader of the
10 Senate, Speaker of the House of Representatives, or
11 Minority Leader of the House of Representatives.

12 (2) For State employees who are professional staff or
13 employees of the Senate and not covered under item (1), the
14 Senate Operations Commission.

15 (3) For State employees who are professional staff or
16 employees of the House of Representatives and not covered
17 under item (1), the Speaker of the House of
18 Representatives.

19 (4) For State employees who are employees of the
20 legislative support services agencies, the Joint Committee
21 on Legislative Support Services.

22 (5) For State employees of the Auditor General, the
23 Auditor General.

24 (6) For State employees of public institutions of
25 higher learning as defined in Section 2 of the Higher
26 Education Cooperation Act (except community colleges), the

1 board of trustees of the appropriate public institution of
2 higher learning.

3 (7) For State employees of an executive branch
4 constitutional officer other than those described in
5 paragraph (6), the appropriate executive branch
6 constitutional officer.

7 (8) For State employees not under the jurisdiction of
8 paragraph (1), (2), (3), (4), (5), (6), or (7), the
9 Governor.

10 (9) For employees of Regional Transit Boards, the
11 appropriate Regional Transit Board.

12 (10) For board members of Regional Transit Boards, the
13 Governor.

14 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09; 96-1528,
15 eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff. 7-13-12.)

16 (5 ILCS 430/5-13 new)

17 Sec. 5-13. Sexual harassment training.

18 (a) Each officer, member, and employee must complete, at
19 least annually, beginning in 2017, a sexual harassment training
20 program conducted by the appropriate State agency. Each
21 ultimate jurisdictional authority must implement a sexual
22 harassment training program for its officers, members, and
23 employees. These sexual harassment training programs shall be
24 overseen by the appropriate Ethics Commission and Inspector
25 General appointed under this Act in consultation with the

1 Office of the Attorney General.

2 (b) Each ultimate jurisdictional authority subject to the
3 Executive Ethics Commission shall submit to the Executive
4 Ethics Commission, at least annually, or more frequently as
5 required by that Commission, an annual report that summarizes
6 sexual harassment training that was completed during the
7 previous year, and lays out the plan for the sexual harassment
8 training programs in the coming year.

9 (c) Each Inspector General shall set standards and
10 determine the hours and frequency of training necessary for
11 each position or category of positions. A person who fills a
12 vacancy in an elective or appointed position that requires
13 training and a person employed in a position that requires
14 training must complete his or her initial sexual harassment
15 training within 30 days after commencement of his or her office
16 or employment.

17 (d) Upon completion of the sexual harassment training
18 program, each officer, member, and employee must certify in
19 writing that the person has completed the training program.
20 Each officer, member, and employee must provide to his or her
21 ethics officer a signed copy of the certification by the
22 deadline for completion of the sexual harassment training
23 program.

24 (e) The sexual harassment training provided under this Act
25 by the Secretary of State may be expanded to satisfy the
26 requirement of Section 4.7 of the Lobbyist Registration Act.

1 (5 ILCS 430/25-15)

2 Sec. 25-15. Duties of the Legislative Ethics Commission. In
3 addition to duties otherwise assigned by law, the Legislative
4 Ethics Commission shall have the following duties:

5 (1) To promulgate rules governing the performance of
6 its duties and the exercise of its powers and governing the
7 investigations of the Legislative Inspector General.

8 (2) To conduct administrative hearings and rule on
9 matters brought before the Commission only upon the receipt
10 of pleadings filed by the Legislative Inspector General and
11 not upon its own prerogative, but may appoint special
12 Legislative Inspectors General as provided in Section
13 25-21. Any other allegations of misconduct received by the
14 Commission from a person other than the Legislative
15 Inspector General shall be referred to the Office of the
16 Legislative Inspector General.

17 (3) To prepare and publish manuals and guides and,
18 working with the Office of the Attorney General, oversee
19 training of employees under its jurisdiction that explains
20 their duties.

21 (4) To prepare public information materials to
22 facilitate compliance, implementation, and enforcement of
23 this Act.

24 (5) To submit reports as required by this Act.

25 (6) To the extent authorized by this Act, to make

1 rulings, issue recommendations, and impose administrative
2 fines, if appropriate, in connection with the
3 implementation and interpretation of this Act. The powers
4 and duties of the Commission are limited to matters clearly
5 within the purview of this Act.

6 (7) To issue subpoenas with respect to matters pending
7 before the Commission, subject to the provisions of this
8 Article and in the discretion of the Commission, to compel
9 the attendance of witnesses for purposes of testimony and
10 the production of documents and other items for inspection
11 and copying.

12 (8) To appoint special Legislative Inspectors General
13 as provided in Section 25-21.

14 (9) To the extent authorized by this Act, to make
15 rulings, issue recommendations, and impose administrative
16 fines, if appropriate, in connection with findings of
17 sexual harassment.

18 (Source: P.A. 93-617, eff. 12-9-03.)

19 (5 ILCS 430/25-20)

20 Sec. 25-20. Duties of the Legislative Inspector General. In
21 addition to duties otherwise assigned by law, the Legislative
22 Inspector General shall have the following duties:

23 (1) To receive and investigate allegations of
24 violations of this Act. An investigation may not be
25 initiated more than one year after the most recent act of

1 the alleged violation or of a series of alleged violations
2 except where there is reasonable cause to believe that
3 fraudulent concealment has occurred. To constitute
4 fraudulent concealment sufficient to toll this limitations
5 period, there must be an affirmative act or representation
6 calculated to prevent discovery of the fact that a
7 violation has occurred. The Legislative Inspector General
8 shall have the discretion to determine the appropriate
9 means of investigation as permitted by law.

10 (2) To request information relating to an
11 investigation from any person when the Legislative
12 Inspector General deems that information necessary in
13 conducting an investigation.

14 (3) To issue subpoenas, with the advance approval of
15 the Commission, to compel the attendance of witnesses for
16 the purposes of testimony and production of documents and
17 other items for inspection and copying and to make service
18 of those subpoenas and subpoenas issued under item (7) of
19 Section 25-15.

20 (4) To submit reports as required by this Act.

21 (5) To file pleadings in the name of the Legislative
22 Inspector General with the Legislative Ethics Commission,
23 through the Attorney General, as provided in this Article
24 if the Attorney General finds that reasonable cause exists
25 to believe that a violation has occurred.

26 (6) To assist and coordinate the ethics officers for

1 State agencies under the jurisdiction of the Legislative
2 Inspector General and to work with those ethics officers.

3 (7) To participate in or conduct, when appropriate,
4 multi-jurisdictional investigations.

5 (8) To request, as the Legislative Inspector General
6 deems appropriate, from ethics officers of State agencies
7 under his or her jurisdiction, reports or information on
8 (i) the content of a State agency's ethics training program
9 and (ii) the percentage of new officers and employees who
10 have completed ethics training.

11 (9) To establish a policy that ensures the appropriate
12 handling and correct recording of all investigations of
13 allegations and to ensure that the policy is accessible via
14 the Internet in order that those seeking to report those
15 allegations are familiar with the process and that the
16 subjects of those allegations are treated fairly.

17 (10) To receive and investigate allegations of sexual
18 harassment. The Legislative Inspector General shall have
19 the discretion to determine the appropriate means of
20 investigation as permitted by law.

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

22 (5 ILCS 430/25-23)

23 Sec. 25-23. Ethics Officers. The President and Minority
24 Leader of the Senate and the Speaker and Minority Leader of the
25 House of Representatives shall each appoint an ethics officer

1 for the members and employees of his or her legislative caucus.
2 No later than January 1, 2004, the head of each State agency
3 under the jurisdiction of the Legislative Ethics Commission,
4 other than the General Assembly, shall designate an ethics
5 officer for the State agency. Ethics Officers shall:

6 (1) act as liaisons between the State agency and the
7 Legislative Inspector General and between the State agency
8 and the Legislative Ethics Commission;

9 (2) review statements of economic interest and
10 disclosure forms of officers, senior employees, and
11 contract monitors before they are filed with the Secretary
12 of State; ~~and~~

13 (3) provide guidance to officers and employees in the
14 interpretation and implementation of this Act, which the
15 officer or employee may in good faith rely upon. Such
16 guidance shall be based, wherever possible, upon legal
17 precedent in court decisions, opinions of the Attorney
18 General, and the findings and opinions of the Legislative
19 Ethics Commission; and ~~and~~

20 (4) provide guidance to officers and employees in
21 registering complaints about sexual harassment with the
22 Legislative Inspector General.

23 (Source: P.A. 93-617, eff. 12-9-03.)

24 (5 ILCS 430/25-50a new)

25 Sec. 25-50a. Sexual harassment complaint procedure.

1 (a) Employees, who believe they are being sexually
2 harassed, or have witnessed such conduct, should immediately
3 report the matter to the Legislative Inspector General.

4 (b) Reports of sexual harassment will be investigated in as
5 confidential a manner as possible. The Legislative Inspector
6 General shall not permit anyone who objects to harassment,
7 makes a complaint, or assists in any investigation to be
8 subjected to any form of retaliation. If any employee believes
9 he/she is being retaliated against, the employee should report
10 the matter to the Legislative Inspector General.

11 Section 10. The Lobbyist Registration Act is amended by
12 changing Sections 2 and 7 and by adding Section 4.7 as follows:

13 (25 ILCS 170/2) (from Ch. 63, par. 172)

14 Sec. 2. Definitions. As used in this Act, unless the
15 context otherwise requires:

16 (a) "Person" means any individual, firm, partnership,
17 committee, association, corporation, or any other organization
18 or group of persons.

19 (b) "Expenditure" means a payment, distribution, loan,
20 advance, deposit, or gift of money or anything of value, and
21 includes a contract, promise, or agreement, whether or not
22 legally enforceable, to make an expenditure, for the ultimate
23 purpose of influencing executive, legislative, or
24 administrative action, other than compensation as defined in

1 subsection (d).

2 (c) "Official" means:

3 (1) the Governor, Lieutenant Governor, Secretary of
4 State, Attorney General, State Treasurer, and State
5 Comptroller;

6 (2) Chiefs of Staff for officials described in item
7 (1);

8 (3) Cabinet members of any elected constitutional
9 officer, including Directors, Assistant Directors and
10 Chief Legal Counsel or General Counsel;

11 (4) Members of the General Assembly; and

12 (5) Members of any board, commission, authority, or
13 task force of the State authorized or created by State law
14 or by executive order of the Governor.

15 (d) "Compensation" means any money, thing of value or
16 financial benefits received or to be received in return for
17 services rendered or to be rendered, for lobbying as defined in
18 subsection (e).

19 Monies paid to members of the General Assembly by the State
20 as remuneration for performance of their Constitutional and
21 statutory duties as members of the General Assembly shall not
22 constitute compensation as defined by this Act.

23 (e) "Lobby" and "lobbying" means any communication with an
24 official of the executive or legislative branch of State
25 government as defined in subsection (c) for the ultimate
26 purpose of influencing any executive, legislative, or

1 administrative action.

2 (f) "Influencing" means any communication, action,
3 reportable expenditure as prescribed in Section 6 or other
4 means used to promote, support, affect, modify, oppose or delay
5 any executive, legislative or administrative action or to
6 promote goodwill with officials as defined in subsection (c).

7 (g) "Executive action" means the proposal, drafting,
8 development, consideration, amendment, adoption, approval,
9 promulgation, issuance, modification, rejection or
10 postponement by a State entity of a rule, regulation, order,
11 decision, determination, contractual arrangement, purchasing
12 agreement or other quasi-legislative or quasi-judicial action
13 or proceeding.

14 (h) "Legislative action" means the development, drafting,
15 introduction, consideration, modification, adoption,
16 rejection, review, enactment, or passage or defeat of any bill,
17 amendment, resolution, report, nomination, administrative rule
18 or other matter by either house of the General Assembly or a
19 committee thereof, or by a legislator. Legislative action also
20 means the action of the Governor in approving or vetoing any
21 bill or portion thereof, and the action of the Governor or any
22 agency in the development of a proposal for introduction in the
23 legislature.

24 (i) "Administrative action" means the execution or
25 rejection of any rule, regulation, legislative rule, standard,
26 fee, rate, contractual arrangement, purchasing agreement or

1 other delegated legislative or quasi-legislative action to be
2 taken or withheld by any executive agency, department, board or
3 commission of the State.

4 (j) "Lobbyist" means any natural person who undertakes to
5 lobby State government as provided in subsection (e).

6 (k) "Lobbying entity" means any entity that hires, retains,
7 employs, or compensates a natural person to lobby State
8 government as provided in subsection (e).

9 (l) "Authorized agent" means the person designated by an
10 entity or lobbyist registered under this Act as the person
11 responsible for submission and retention of reports required
12 under this Act.

13 (m) "Client" means any person or entity that provides
14 compensation to a lobbyist to lobby State government as
15 provided in subsection (e) of this Section.

16 (n) "Client registrant" means a client who is required to
17 register under this Act.

18 (o) "Sexual harassment" includes unwelcome sexual
19 advances, requests for sexual favors and other verbal, visual
20 and physical conduct of a sexual nature. Sexual harassment
21 includes, but is not limited to:

22 (1) Verbal harassment (lewd or suggestive remarks,
23 sexual language, pranks, epithets, derogatory statements,
24 jokes, threats, slurs, demands for dates).

25 (2) Physical harassment (touching, patting, pinching,
26 or brushing against another's body).

1 (3) Visual harassment (posters, cartoons, gross or
2 lewd gestures, calendars, pictures, drawings, greeting
3 cards, leering).

4 (4) Sexual innuendo and demands for sexual favors
5 (unwelcome sexual statements or advances).

6 (5) Sexual harassment includes any form of sexually
7 oriented conduct regardless of whether it occurs face-to-
8 face, in writing, on the telephone, by electronic mail, via
9 the Internet, or by some indirect form of communication.

10 (6) Sexual harassment may involve individuals of the
11 same or different gender and is prohibited whether directed
12 toward men or women.

13 (Source: P.A. 98-459, eff. 1-1-14.)

14 (25 ILCS 170/4.7 new)

15 Sec. 4.7. Sexual harassment training. Each natural person
16 required to register as a lobbyist under this Act must complete
17 a program of sexual harassment training provided by the
18 Secretary of State. A natural person registered under this Act
19 must complete the training program no later than 30 days after
20 registration or renewal under this Act. If the Secretary of
21 State uses the sexual harassment training developed in
22 accordance with Section 5-13 of the State Officials and
23 Employees Ethics Act, that training may be expanded to include
24 appropriate information pertaining to sexual harassment in the
25 context of lobbying activities.

1 The Secretary of State shall adopt rules for the
2 implementation of this Section.

3 (25 ILCS 170/7) (from Ch. 63, par. 177)

4 Sec. 7. Duties of the Secretary of State.

5 (a) It shall be the duty of the Secretary of State to
6 provide appropriate forms for the registration and reporting of
7 information required by this Act and to keep such registrations
8 and reports on file in his office for 3 years from the date of
9 filing. He shall also provide and maintain a register with
10 appropriate blanks and indexes so that the information required
11 in Sections 5 and 6 of this Act may be accordingly entered.
12 Such records shall be considered public information and open to
13 public inspection.

14 (b) Within 5 business days after a filing deadline, the
15 Secretary of State shall notify persons he determines are
16 required to file but have failed to do so.

17 (c) The Secretary of State shall provide adequate software
18 to the persons required to file under this Act, and all
19 registrations, reports, statements, and amendments required to
20 be filed shall be filed electronically. The Secretary of State
21 shall promptly make all filed reports publicly available by
22 means of a searchable database that is accessible through the
23 World Wide Web. The Secretary of State shall provide all
24 software necessary to comply with this provision to all persons
25 required to file. The Secretary of State shall implement a plan

1 to provide computer access and assistance to persons required
2 to file electronically.

3 (d) The Secretary of State shall include registrants'
4 pictures when publishing or posting on his or her website the
5 information required in Section 5.

6 (e) The Secretary of State shall receive and investigate
7 allegations of violations of this Act. Any employee of the
8 Secretary of State who receives an allegation shall immediately
9 transmit it to the Secretary of State Inspector General.

10 (f) The Secretary of State shall receive and investigate
11 allegations of sexual harassment. Any employee of the Secretary
12 of State who receives an allegation shall immediately transmit
13 it to the Secretary of State Inspector General.

14 (Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.