

# SB0942



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB0942

Introduced 2/7/2017, by Sen. Andy Manar

#### SYNOPSIS AS INTRODUCED:

5 ILCS 420/1-103.5 new  
5 ILCS 420/3A-50 new

Amends the Illinois Governmental Ethics Act. Prohibits certain executive branch appointees from using official authority or influence for the purpose of interfering with or effecting the result of an election. Provides for penalties for violation of the restricted political activity by executive branch appointees. Provides that nothing in the applicable provisions prevents an affected appointee from taking an active part in political management or in political campaigns, or prevents an affected appointee from exercising the right to vote as he or she chooses, and to express his or her opinion on political subjects and candidates. Defines "affected appointee".

LRB100 09748 RJF 19917 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 Illinois Governmental Ethics Act is amended  
5 by adding Sections 1-103.5 and 3A-50 as follows:

6 (5 ILCS 420/1-103.5 new)

7 Sec. 1-103.5. "Affected appointee" means the following:

8 (a) any director, secretary, assistant director, assistant  
9 secretary, deputy director, or deputy secretary of any agency  
10 or department of State government created by statute, who is  
11 appointed by the Governor and whose appointment requires the  
12 advice and consent of the Senate; or

13 (b) any director, secretary, assistant director, assistant  
14 secretary, deputy director, or deputy secretary of any agency  
15 or department of State government created by Executive Order of  
16 the Governor, who is appointed by the Governor and whose  
17 appointment requires the advice and consent of the Senate.

18 (5 ILCS 420/3A-50 new)

19 Sec. 3A-50. Executive branch political activity.

20 (a) No affected appointee, as defined in Section 1-103.5 of  
21 this Act, may use his or her official authority or influence  
22 for the purpose of interfering with or affecting the result of

1 an election.

2 (b) A person who intentionally violates any provision of  
3 subsection (a) is guilty of a business offense and subject to a  
4 fine of at least \$1,001, but no more than \$5,000. The Executive  
5 Ethics Commission may levy an administrative fine of no more  
6 than \$5,000 against any person who: (1) violates any provision  
7 of subsection (a); (2) intentionally obstructs or interferes  
8 with an investigation conducted under this Section; or (3)  
9 intentionally makes a false, frivolous, or bad faith  
10 allegation. In addition to any other penalty that may apply, an  
11 affected appointee who intentionally violates any provision of  
12 subsection (a) is subject to discipline or discharge by the  
13 Governor.

14 (c) Subject to the provisions of subsection (a) of this  
15 Section, nothing in this Section prevents an affected appointee  
16 from taking an active part in political management or in  
17 political campaigns, or prevents an affected appointee from  
18 exercising the right to vote as he or she chooses and to  
19 express his or her opinion on political subjects and  
20 candidates.