



Sen. Andy Manar

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LRB100 09748 RJF 25491 a

1 AMENDMENT TO SENATE BILL 942

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 942 by replacing  
3 everything after the enacting clause with the following:

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

1 appointment requires the advice and consent of the Senate.

2 (5 ILCS 420/3A-50 new)

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

4 (a) No affected appointee, as defined in Section 1-103.5 of  
5 this Act, may use his or her official authority or influence  
6 for the purpose of interfering with or affecting the result of  
7 an election.

8 (b) No affected appointee may endorse or oppose a candidate  
9 for State office in a partisan election or a candidate for  
10 party committee office in a political advertisement,  
11 broadcast, or campaign; political literature; or similar  
12 material.

13 (c) A person who intentionally violates any provision of  
14 subsections (a) or (b) is guilty of a business offense and  
15 subject to a fine of at least \$1,001, but no more than \$5,000.  
16 The Executive Ethics Commission may levy an administrative fine  
17 of no more than \$5,000 against any person who: (1) violates any  
18 provision of subsections (a) or (b); (2) intentionally  
19 obstructs or interferes with an investigation conducted under  
20 this Section; or (3) intentionally makes a false, frivolous, or  
21 bad faith allegation. In addition to any other penalty that may  
22 apply, an affected appointee who intentionally violates any  
23 provision of subsections (a) or (b) is subject to discipline or  
24 discharge by the Governor.

25 (d) Subject to the provisions of subsections (a) or (b) of

1 this Section, nothing in this Section prevents an affected  
2 appointee from taking an active part in political management or  
3 in political campaigns, or prevents an affected appointee from  
4 exercising the right to vote as he or she chooses and to  
5 express his or her opinion on political subjects and  
6 candidates."