



Rep. Luis Arroyo

**Filed: 3/26/2019**

10100HB3046ham001

LRB101 11087 AWJ 58448 a

1 AMENDMENT TO HOUSE BILL 3046

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3046 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Lobbyist Registration Act is amended by  
5 changing Section 2 as follows:

6 (25 ILCS 170/2) (from Ch. 63, par. 172)

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

9 (a) "Person" means any individual, firm, partnership,  
10 committee, association, corporation, or any other organization  
11 or group of persons.

12 (b) "Expenditure" means a payment, distribution, loan,  
13 advance, deposit, or gift of money or anything of value, and  
14 includes a contract, promise, or agreement, whether or not  
15 legally enforceable, to make an expenditure, for the ultimate  
16 purpose of influencing executive, legislative, or

1 administrative action, other than compensation as defined in  
2 subsection (d).

3 (c) "Official" means:

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

7 (2) Chiefs of Staff for officials described in item  
8 (1);

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

12 (4) Members of the General Assembly; ~~and~~

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

16 (6) Members of the Board of Commissioners of the  
17 Metropolitan Water Reclamation District.

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

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

26 (e) "Lobby" and "lobbying" means any communication with an

1 official of the executive or legislative branch of State  
2 government, or a member of the Board of Commissioners of the  
3 Metropolitan Water Reclamation District, as defined in  
4 subsection (c) for the ultimate purpose of influencing any  
5 executive, legislative, or administrative action.

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

11 (g) "Executive action" means the proposal, drafting,  
12 development, consideration, amendment, adoption, approval,  
13 promulgation, issuance, modification, rejection or  
14 postponement by a State entity or the Metropolitan Water  
15 Reclamation District of a rule, regulation, order, decision,  
16 determination, contractual arrangement, purchasing agreement  
17 or other quasi-legislative or quasi-judicial action or  
18 proceeding.

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

1 any agency in the development of a proposal for introduction in  
2 the legislature. "Legislative action" also means the  
3 development, drafting, introduction, consideration,  
4 modification, adoption, rejection, review, enactment, or  
5 passage or defeat of any matter before the Metropolitan Water  
6 Reclamation District Board of Commissioners.

7 (i) "Administrative action" means the execution or  
8 rejection of any rule, regulation, legislative rule, standard,  
9 fee, rate, contractual arrangement, purchasing agreement or  
10 other delegated legislative or quasi-legislative action to be  
11 taken or withheld by any executive agency, department, board or  
12 commission of the State, or by the Metropolitan Water  
13 Reclamation District Board of Commissioners.

14 (j) "Lobbyist" means any natural person who undertakes to  
15 lobby State government or the Metropolitan Water Reclamation  
16 District as provided in subsection (e).

17 (k) "Lobbying entity" means any entity that hires, retains,  
18 employs, or compensates a natural person to lobby State  
19 government or the Metropolitan Water Reclamation District as  
20 provided in subsection (e).

21 (l) "Authorized agent" means the person designated by an  
22 entity or lobbyist registered under this Act as the person  
23 responsible for submission and retention of reports required  
24 under this Act.

25 (m) "Client" means any person or entity that provides  
26 compensation to a lobbyist to lobby State government or the

1 Metropolitan Water Reclamation District as provided in  
2 subsection (e) of this Section.

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

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

6 Section 10. The Metropolitan Water Reclamation District  
7 Act is amended by adding Section 4.40 as follows:

8 (70 ILCS 2605/4.40 new)

9 Sec. 4.40. Prohibition of nepotism in hiring.

10 (a) As used in this Section:

11 "Chief Compliance Office" means the Chief Compliance  
12 Office within the Office of the Governor created by Executive  
13 Order 2018-02.

14 "Commission" means the Executive Ethics Commission.

15 "District officer" means the commissioners of a sanitary  
16 district or an officer of a sanitary district named in Section  
17 4.

18 "Labor organization" has the meaning provided in Section 3  
19 of the Illinois Public Labor Relations Act.

20 "Relative" means an individual who is related to a sanitary  
21 district commissioner, officer, or employee as father, mother,  
22 son, daughter, grandfather, grandmother, grandson,  
23 granddaughter, brother, sister, uncle, aunt, first cousin,  
24 nephew, niece, husband, wife, father-in-law, mother-in-law,

1 son-in-law, daughter-in-law, grandson-in-law,  
2 granddaughter-in-law, brother-in-law, sister-in-law,  
3 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
4 stepsister, step-grandson, step-granddaughter, half-brother,  
5 or half -sister.

6 (b) Notwithstanding any other provision in this Act, the  
7 following apply to a sanitary district organized under this  
8 Act:

9 (1) A sanitary district officer may not appoint, hire,  
10 promote, advance, or advocate for the appointment, hiring,  
11 employment, promotion, or advancement, in or to a position  
12 in any sanitary district, any individual who is a relative  
13 of the sanitary district commissioner or officer.

14 (2) An individual may not be appointed, hired,  
15 promoted, or advanced in or to a position in any sanitary  
16 district if the appointment, employment, promotion, or  
17 advancement has been advocated by a district commissioner  
18 or officer who is a relative of the individual.

19 (3) An individual may not be placed in a relative's  
20 direct line of supervision, may not evaluate a relative's  
21 job performance and may not recommend a salary increase for  
22 a relative. This paragraph applies to all sanitary district  
23 employees and officers. No sanitary district employee or  
24 officer may participate in an action relating to the  
25 discipline of a relative, including dismissal of a  
26 relative, or conduct an investigation into alleged

1 misconduct, malfeasance, or violation of any law by a  
2 relative. A sanitary district commissioner, employee, or  
3 officer may not serve on a sanitary district interview  
4 panel for any relative.

5 (4) Sanitary district employees and officers shall  
6 disclose to their supervisor and their ethics officer any  
7 anticipated or active participation by the employee or  
8 officer in any matter affecting a partnership,  
9 association, corporation, or other business entity if  
10 they, together with a relative or relatives, are entitled  
11 to receive more than 15%, in the aggregate, of the total  
12 distributable income of the partnership, association,  
13 corporation, or other business entity.

14 (5) All commissioners and officers required to file a  
15 verified written statement of economic interest under  
16 Section 4A-101 of the Illinois Government Ethics Act shall,  
17 in conjunction with such filing each year, also disclose  
18 the following information: the names and positions of all  
19 relatives employed by or serving as an employee or officer  
20 of the sanitary district. The Commission shall prepare  
21 forms or amend existing forms to be used to report the  
22 information described in this subsection and shall provide  
23 those forms or amended forms to each individual required to  
24 report such information on or before April 1 of each year.  
25 Such statement shall be filed by each commissioner with the  
26 Commission on or before May 1 of each year. The Commission

1       shall ensure that all statements filed pursuant to this  
2       paragraph are made readily available for public  
3       inspection. Each district officer required to submit a  
4       statement pursuant to this paragraph shall notify the  
5       Commission, in writing and without delay, of any material  
6       change in circumstances that might result in a change to  
7       his or her disclosures filed pursuant to this paragraph.

8       (6) All district officers who are not required to file  
9       a verified written statement of economic interest shall  
10       disclose to their supervisor and their ethics officer the  
11       names and positions of all relatives employed by or serving  
12       as a commissioner or employee of the sanitary district,  
13       upon becoming a district officer and on an ongoing basis  
14       within 30 days of change in a relative's job status that  
15       would require reporting. Supervisors and ethics officers  
16       shall maintain a list with this information which shall be  
17       subject to the Freedom of Information Act.

18       (7) No later than 30 days after the effective date of  
19       this amendatory Act of the 101st General Assembly, all  
20       sanitary districts organized under this Act shall amend  
21       their employment policies or handbooks to define nepotism,  
22       in at least as stringent terms as this Section, as a  
23       violation of sanitary district policy and file these  
24       policies or handbooks with the Chief Compliance Office and  
25       with the Commission.

26       (8) All sanitary districts, when negotiating with any



1       labor organization, shall make every reasonable effort to  
2       secure a collective bargaining agreement that meets or  
3       exceeds the objectives of this Section.

4       (9) A sanitary district may adopt policies authorizing  
5       the temporary employment, in the event of emergencies  
6       resulting from natural disasters or similar unforeseen  
7       events or circumstances, of individuals whose employment  
8       would otherwise be prohibited by this Section.

9       (c) This Section does not apply to individuals serving in a  
10      volunteer capacity or who exclusively provide emergency,  
11      medical, firefighting, police services, or any charitable  
12      service to a sanitary district."