



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3962

Introduced 11/12/2019, by Rep. David McSweeney - Jonathan Carroll

SYNOPSIS AS INTRODUCED:

5 ILCS 430/25-52

Amends the State Officials and Employees Ethics Act. Provides that a founded summary report by the Legislative Inspector General alleging unethical or wrongful conduct on behalf of a member of the General Assembly in violation of the Act, along with any response from the ultimate jurisdictional authority or member, shall be made available to the public, regardless of whether a complaint was filed with the Legislative Ethics Commission and regardless of whether disciplinary action resulted. Provides that the release of a founded summary report shall not require the approval, by vote or otherwise, of the Legislative Ethics Commission. Provides that the Legislative Ethics Commission shall (rather than may) also make available to the public any other summary report and response of the ultimate jurisdictional authority or agency head, or a redacted version of the report and response, for which a complaint was filed, regardless of whether disciplinary action resulted.

LRB101 15350 RJF 64552 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 Section 25-52 as follows:

6 (5 ILCS 430/25-52)

7 Sec. 25-52. Release of summary reports.

8 (a) Within 60 days after receipt of a summary report and
9 response from the ultimate jurisdictional authority or agency
10 head that resulted in a suspension of at least 3 days or
11 termination of employment, the Legislative Ethics Commission
12 shall make available to the public the report and response or a
13 redacted version of the report and response. The Legislative
14 Ethics Commission shall also ~~may~~ make available to the public
15 any other summary report and response of the ultimate
16 jurisdictional authority or agency head or a redacted version
17 of the report and response for which a complaint was filed,
18 regardless of whether disciplinary action resulted.

19 (a-5) Notwithstanding any provision of law to the contrary,
20 a founded summary report by the Legislative Inspector General
21 alleging unethical or wrongful conduct on behalf of a member of
22 the General Assembly in violation of this Act, along with any
23 response from the ultimate jurisdictional authority or member,

1 shall be made available to the public, regardless of whether a
2 complaint was filed with the Legislative Ethics Commission and
3 regardless of whether disciplinary action resulted. The
4 release of a founded summary report under this subsection (a-5)
5 shall not require the approval, by vote or otherwise, of the
6 Legislative Ethics Commission.

7 (b) The Legislative Ethics Commission shall redact
8 information in the summary report that may reveal the identity
9 of witnesses, complainants, or informants or if the Commission
10 determines it is appropriate to protect the identity of a
11 person before publication. The Commission may also redact any
12 information it believes should not be made public. Prior to
13 publication, the Commission shall permit the respondents,
14 Legislative Inspector General, and Attorney General to review
15 documents to be made public and offer suggestions for redaction
16 or provide a response that shall be made public with the
17 summary report.

18 (c) The Legislative Ethics Commission may withhold
19 publication of the report or response if the Legislative
20 Inspector General or Attorney General certifies that
21 publication will interfere with an ongoing investigation.

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