



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4042

Introduced 1/13/2020, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

5 ILCS 420/2-101

from Ch. 127, par. 602-101

Amends the Illinois Governmental Ethics Act. Provides that a member of the General Assembly, his or her spouse, and any immediate family member living with that member of the General Assembly shall not, for compensation: (1) act as a lobbyist or otherwise act in a capacity that would require that person to register as a lobbyist; or (2) communicate with any official of the executive or legislative branch of State government or any official of any unit of local government or school district for the ultimate purpose of influencing any executive, legislative, or administrative action. Provides that any person who violates the provisions commits a Class A misdemeanor and, if a member of the General Assembly, shall forfeit his or her office. Defines terms. Repeals current provisions banning members of the General Assembly from lobbying. Effective immediately.

LRB101 15367 RJF 64573 b

1 AN ACT concerning State 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 changing Section 2-101 as follows:

6 (5 ILCS 420/2-101) (from Ch. 127, par. 602-101)

7 Sec. 2-101. Prohibition on lobbying.

8 (a) Notwithstanding any provision of law to the contrary,
9 on and after the effective date of this amendatory Act of the
10 101st General Assembly, a member of the General Assembly, his
11 or her spouse, and any immediate family member living with that
12 member of the General Assembly shall not, for compensation:

13 (1) act as a lobbyist or otherwise act in a capacity
14 that would require that person to register as a lobbyist
15 under the Lobbyist Registration Act or any lobbyist
16 registration ordinance adopted by a unit of local
17 government or school district; or

18 (2) communicate with any official of the executive or
19 legislative branch of State government or any official of
20 any unit of local government or school district for the
21 ultimate purpose of influencing any executive,
22 legislative, or administrative action.

23 (b) Any person who violates the provisions of this Section

1 commits a Class A misdemeanor and, if a member of the General
2 Assembly, shall forfeit his or her office.

3 (c) For purposes of this Section only:

4 "Lobbyist" means an individual who, by acting directly,
5 does any of the following:

6 (1) Receives compensation to encourage the passage,
7 defeat, approval, veto, or modification of legislation, a
8 rule, or an executive order by the members of the General
9 Assembly, a State agency, or any statewide or local elected
10 official or governing body.

11 (2) Is a designated representative of an organization
12 which has as one of its purposes the encouragement of the
13 passage, defeat, approval, veto, or modification of
14 legislation, a rule, or an executive order before the
15 General Assembly, a State agency, or any statewide or local
16 elected official or governing body.

17 (3) Represents the position of a federal, State, or
18 local government body or agency, in which the person serves
19 or is employed as the designated representative, for
20 purposes of encouraging the passage, defeat, approval,
21 veto, or modification of legislation, a rule, or an
22 executive order by members of the General Assembly, a State
23 agency, or any statewide or local elected official or
24 governing body.

25 "Lobbyist" does not include an individual who is a member,
26 director, trustee, officer, or committee member of a business,

1 trade, labor, farm, professional, religious, education, or
2 charitable association, foundation, or organization who is not
3 paid compensation and is not otherwise specifically designated
4 as a lobbyist under this Act.

5 "Official of any unit of local government or school
6 district" means any elected or appointed official of a unit of
7 local government or school district.

8 "Official of the executive or legislative branch of State
9 government" has the meaning provided in subsection (c) of
10 Section 2 of the Lobbyist Registration Act.

11 ~~No legislator may engage in lobbying, as that term is defined~~
12 ~~in Section 1-109, if he accepts compensation specifically~~
13 ~~attributable to such lobbying, other than that provided by law~~
14 ~~for members of the General Assembly. Nothing in this Section~~
15 ~~prohibits a legislator from lobbying without compensation.~~

16 ~~A violation of this Section shall constitute a Class A~~
17 ~~misdemeanor.~~

18 (Source: P.A. 77-2830.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.