



State Government Administration Committee

Filed: 4/14/2010

09600SB3183ham001

LRB096 19877 JAM 39872 a

1 AMENDMENT TO SENATE BILL 3183

2 AMENDMENT NO. _____. Amend Senate Bill 3183 on page 1, in
3 line 5, by replacing "as" with "and by adding Section 4A-108
4 as"; and

5 on page 5, by inserting below line 4 the following:

6 "(5 ILCS 420/4A-108 new)

7 Sec. 4A-108. Internet-based systems of filing.

8 (a) Notwithstanding any other provision of this Act or any
9 other law, a county clerk is authorized to institute an
10 Internet-based system for the filing of statements of economic
11 interests in his or her office. The determination to institute
12 such a system shall be in the sole discretion of the county
13 clerk and shall meet the requirements set out in this Section.
14 When this Section does not modify or remove the requirements
15 set forth elsewhere in this Article, those requirements shall
16 apply to any system of Internet-based filing authorized by this

1 Section. When this Section does modify or remove the
2 requirements set forth elsewhere in this Article, the
3 provisions of this Section shall apply to any system of
4 Internet-based filing authorized by this Section.

5 (b) In any system of Internet-based filing of statements of
6 economic interests instituted by a county clerk:

7 (1) Any filing of an Internet-based statement of
8 economic interests shall be the equivalent of the filing of
9 a verified, written statement of economic interests as
10 required by Section 4A-101 and the equivalent of the filing
11 of a verified, dated, and signed statement of economic
12 interests as required by Section 4A-103.

13 (2) A county clerk who institutes a system of
14 Internet-based filing of statements of economic interests
15 shall establish a password-protected web site to receive
16 the filings of such statements. A website established under
17 this Section shall set forth and provide a means of
18 responding to the items set forth in Section 4A-102 that
19 are required of a person who files a statement of economic
20 interests with that officer.

21 (3) The times for the filing of statements of economic
22 interests set forth in Section 4A-105 shall be followed in
23 any system of Internet-based filing of statements of
24 economic interests; provided that a candidate for elective
25 office who is required to file a statement of economic
26 interests in relation to his or her candidacy pursuant to

1 Section 4A-105(a) shall not use the Internet to file his or
2 her statement of economic interests but shall file his or
3 her statement of economic interests in a written or printed
4 form and shall receive a written or printed receipt for his
5 or her filing.

6 (4) Following the institution of a system of
7 Internet-based filing of statements of economic interests
8 by a county clerk, all persons required to file a statement
9 of economic interests with that officer must do so through
10 the system of Internet-based filing of statements of
11 economic interests. As part of his or her system of
12 Internet-based filing of statements of economic interests,
13 a county clerk instituting such a system shall make
14 provision for those persons who are required to file a
15 statement of economic interests and who do not have access
16 to the Internet. In the first year of the implementation of
17 a system of Internet-based filing of statements of economic
18 interests, each person required to file such a statement is
19 to be notified in writing, by a notice deposited in the
20 U.S. mail, properly addressed, first class postage
21 prepaid, of his or her obligation to file his or her
22 statement of economic interests by way of the
23 Internet-based system instituted for that purpose. If
24 access to the web site requires a code or password, this
25 information shall be included in the notice prescribed by
26 this paragraph.

1 (5) When a person required to file a statement of
2 economic interests has supplied a county clerk with an
3 email address for the purpose of receiving notices under
4 this Article by email, a notice sent by email to the
5 supplied email address shall be the equivalent of a notice
6 sent by first class mail, as set forth in Section 4A-106. A
7 person who has supplied such an email address shall notify
8 the county clerk when his or her email address changes or
9 if he or she no longer wishes to receive notices by email.

10 (6) If any person who is required to file a statement
11 of economic interests and who has chosen to receive notices
12 by email fails to file his or her statement by May 10, then
13 the county clerk shall send an additional email notice on
14 that date, informing the person that he or she has not
15 filed and describing the penalties for late filing and
16 failing to file. This notice shall be in addition to other
17 notices provided for in this Article.

18 (7) Each county clerk who institutes a system of
19 Internet-based filing of statements of economic interests
20 may also institute an Internet-based process for the filing
21 of the list of names and addresses of persons required to
22 file statements of economic interests by the chief
23 administrative officers of units of local government that
24 must file such information with that county clerk pursuant
25 to Section 4A-106. Whenever a county clerk institutes such
26 a system under this paragraph, every unit of local

1 government must use the system to file this information.

2 (8) Any county clerk who institutes a system of
3 Internet-based filing of statements of economic interests
4 shall post the contents of such statements filed with him
5 or her available for inspection and copying on a
6 publicly-accessible website. Such postings shall not
7 include the addresses of the filers."