



Sen. Andy Manar

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10000SB0942sam001

LRB100 09748 MLM 25429 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 subsection (a) is guilty of a business offense and subject to a
15 fine of at least \$1,001, but no more than \$5,000. The Executive
16 Ethics Commission may levy an administrative fine of no more
17 than \$5,000 against any person who: (1) violates any provision
18 of subsection (a); (2) intentionally obstructs or interferes
19 with an investigation conducted under this Section; or (3)
20 intentionally makes a false, frivolous, or bad faith
21 allegation. In addition to any other penalty that may apply, an
22 affected appointee who intentionally violates any provision of
23 subsection (a) is subject to discipline or discharge by the
24 Governor.

25 (d) Subject to the provisions of subsection (a) of this

1 Section, nothing in this Section prevents an affected appointee
2 from taking an active part in political management or in
3 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."