



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2248

Introduced 10/24/2017, by Sen. Daniel Biss

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/1-5	
5 ILCS 430/5-13 new	
5 ILCS 430/25-15	
5 ILCS 430/25-20	
5 ILCS 430/25-23	
5 ILCS 430/25-50a new	
25 ILCS 170/2	from Ch. 63, par. 172
25 ILCS 170/4.7 new	
25 ILCS 170/7	from Ch. 63, par. 177

Amends the State Officials and Employees Ethics Act. Provides for the implementation of a sexual harassment training program to be completed by specified State officials and employees, and to be conducted by the appropriate State agency of those State officials and employees. Provides additional requirements for operation of the program, and for reporting and completion of sexual harassment training under the program. Authorizes the Legislative Ethics Commission to make rulings, issue recommendations, and impose administrative fines in connection with findings of sexual harassment. Authorizes the Legislative Inspector General to receive and investigate allegations of sexual harassment. Requires ethics officers to provide guidance to officers and employees in registering complaints about sexual harassment with the Legislative Inspector General. Provides for sexual harassment complaint procedures. Amends the Lobbyist Registration Act. Requires the Secretary of State to receive and investigate allegations of sexual harassment, and to immediately transmit those allegations to the Secretary of State Inspector General. Provides that each natural person required to register as a lobbyist under the Act must complete a program of sexual harassment training no later than 30 days after registration or renewal of registration under the Act. Defines terms. Effective immediately.

LRB100 15333 RJF 30297 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 Sections 1-5, 25-15, 25-20, and 25-23 and  
6 by adding Sections 5-13 and 25-50a as follows:

7 (5 ILCS 430/1-5)

8 Sec. 1-5. Definitions. As used in this Act:

9 "Appointee" means a person appointed to a position in or  
10 with a State agency, regardless of whether the position is  
11 compensated.

12 "Board members of Regional Transit Boards" means any person  
13 appointed to serve on the governing board of a Regional Transit  
14 Board.

15 "Campaign for elective office" means any activity in  
16 furtherance of an effort to influence the selection,  
17 nomination, election, or appointment of any individual to any  
18 federal, State, or local public office or office in a political  
19 organization, or the selection, nomination, or election of  
20 Presidential or Vice-Presidential electors, but does not  
21 include activities (i) relating to the support or opposition of  
22 any executive, legislative, or administrative action (as those  
23 terms are defined in Section 2 of the Lobbyist Registration

1 Act), (ii) relating to collective bargaining, or (iii) that are  
2 otherwise in furtherance of the person's official State duties.

3 "Candidate" means a person who has filed nominating papers  
4 or petitions for nomination or election to an elected State  
5 office, or who has been appointed to fill a vacancy in  
6 nomination, and who remains eligible for placement on the  
7 ballot at either a general primary election or general  
8 election.

9 "Collective bargaining" has the same meaning as that term  
10 is defined in Section 3 of the Illinois Public Labor Relations  
11 Act.

12 "Commission" means an ethics commission created by this  
13 Act.

14 "Compensated time" means any time worked by or credited to  
15 a State employee that counts toward any minimum work time  
16 requirement imposed as a condition of employment with a State  
17 agency, but does not include any designated State holidays or  
18 any period when the employee is on a leave of absence.

19 "Compensatory time off" means authorized time off earned by  
20 or awarded to a State employee to compensate in whole or in  
21 part for time worked in excess of the minimum work time  
22 required of that employee as a condition of employment with a  
23 State agency.

24 "Contribution" has the same meaning as that term is defined  
25 in Section 9-1.4 of the Election Code.

26 "Employee" means (i) any person employed full-time,

1 part-time, or pursuant to a contract and whose employment  
2 duties are subject to the direction and control of an employer  
3 with regard to the material details of how the work is to be  
4 performed or (ii) any appointed or elected commissioner,  
5 trustee, director, or board member of a board of a State  
6 agency, including any retirement system or investment board  
7 subject to the Illinois Pension Code or (iii) any other  
8 appointee.

9 "Employment benefits" include but are not limited to the  
10 following: modified compensation or benefit terms; compensated  
11 time off; or change of title, job duties, or location of office  
12 or employment. An employment benefit may also include favorable  
13 treatment in determining whether to bring any disciplinary or  
14 similar action or favorable treatment during the course of any  
15 disciplinary or similar action or other performance review.

16 "Executive branch constitutional officer" means the  
17 Governor, Lieutenant Governor, Attorney General, Secretary of  
18 State, Comptroller, and Treasurer.

19 "Gift" means any gratuity, discount, entertainment,  
20 hospitality, loan, forbearance, or other tangible or  
21 intangible item having monetary value including, but not  
22 limited to, cash, food and drink, and honoraria for speaking  
23 engagements related to or attributable to government  
24 employment or the official position of an employee, member, or  
25 officer. The value of a gift may be further defined by rules  
26 adopted by the appropriate ethics commission or by the Auditor

1 General for the Auditor General and for employees of the office  
2 of the Auditor General.

3 "Governmental entity" means a unit of local government  
4 (including a community college district) or a school district  
5 but not a State agency or a Regional Transit Board.

6 "Leave of absence" means any period during which a State  
7 employee does not receive (i) compensation for State  
8 employment, (ii) service credit towards State pension  
9 benefits, and (iii) health insurance benefits paid for by the  
10 State.

11 "Legislative branch constitutional officer" means a member  
12 of the General Assembly and the Auditor General.

13 "Legislative leader" means the President and Minority  
14 Leader of the Senate and the Speaker and Minority Leader of the  
15 House of Representatives.

16 "Member" means a member of the General Assembly.

17 "Officer" means an executive branch constitutional officer  
18 or a legislative branch constitutional officer.

19 "Political" means any activity in support of or in  
20 connection with any campaign for elective office or any  
21 political organization, but does not include activities (i)  
22 relating to the support or opposition of any executive,  
23 legislative, or administrative action (as those terms are  
24 defined in Section 2 of the Lobbyist Registration Act), (ii)  
25 relating to collective bargaining, or (iii) that are otherwise  
26 in furtherance of the person's official State duties or

1 governmental and public service functions.

2 "Political organization" means a party, committee,  
3 association, fund, or other organization (whether or not  
4 incorporated) that is required to file a statement of  
5 organization with the State Board of Elections or a county  
6 clerk under Section 9-3 of the Election Code, but only with  
7 regard to those activities that require filing with the State  
8 Board of Elections or a county clerk.

9 "Prohibited political activity" means:

10 (1) Preparing for, organizing, or participating in any  
11 political meeting, political rally, political  
12 demonstration, or other political event.

13 (2) Soliciting contributions, including but not  
14 limited to the purchase of, selling, distributing, or  
15 receiving payment for tickets for any political  
16 fundraiser, political meeting, or other political event.

17 (3) Soliciting, planning the solicitation of, or  
18 preparing any document or report regarding any thing of  
19 value intended as a campaign contribution.

20 (4) Planning, conducting, or participating in a public  
21 opinion poll in connection with a campaign for elective  
22 office or on behalf of a political organization for  
23 political purposes or for or against any referendum  
24 question.

25 (5) Surveying or gathering information from potential  
26 or actual voters in an election to determine probable vote

1 outcome in connection with a campaign for elective office  
2 or on behalf of a political organization for political  
3 purposes or for or against any referendum question.

4 (6) Assisting at the polls on election day on behalf of  
5 any political organization or candidate for elective  
6 office or for or against any referendum question.

7 (7) Soliciting votes on behalf of a candidate for  
8 elective office or a political organization or for or  
9 against any referendum question or helping in an effort to  
10 get voters to the polls.

11 (8) Initiating for circulation, preparing,  
12 circulating, reviewing, or filing any petition on behalf of  
13 a candidate for elective office or for or against any  
14 referendum question.

15 (9) Making contributions on behalf of any candidate for  
16 elective office in that capacity or in connection with a  
17 campaign for elective office.

18 (10) Preparing or reviewing responses to candidate  
19 questionnaires in connection with a campaign for elective  
20 office or on behalf of a political organization for  
21 political purposes.

22 (11) Distributing, preparing for distribution, or  
23 mailing campaign literature, campaign signs, or other  
24 campaign material on behalf of any candidate for elective  
25 office or for or against any referendum question.

26 (12) Campaigning for any elective office or for or

1 against any referendum question.

2 (13) Managing or working on a campaign for elective  
3 office or for or against any referendum question.

4 (14) Serving as a delegate, alternate, or proxy to a  
5 political party convention.

6 (15) Participating in any recount or challenge to the  
7 outcome of any election, except to the extent that under  
8 subsection (d) of Section 6 of Article IV of the Illinois  
9 Constitution each house of the General Assembly shall judge  
10 the elections, returns, and qualifications of its members.

11 "Prohibited source" means any person or entity who:

12 (1) is seeking official action (i) by the member or  
13 officer or (ii) in the case of an employee, by the employee  
14 or by the member, officer, State agency, or other employee  
15 directing the employee;

16 (2) does business or seeks to do business (i) with the  
17 member or officer or (ii) in the case of an employee, with  
18 the employee or with the member, officer, State agency, or  
19 other employee directing the employee;

20 (3) conducts activities regulated (i) by the member or  
21 officer or (ii) in the case of an employee, by the employee  
22 or by the member, officer, State agency, or other employee  
23 directing the employee;

24 (4) has interests that may be substantially affected by  
25 the performance or non-performance of the official duties  
26 of the member, officer, or employee;



1 (5) is registered or required to be registered with the  
2 Secretary of State under the Lobbyist Registration Act,  
3 except that an entity not otherwise a prohibited source  
4 does not become a prohibited source merely because a  
5 registered lobbyist is one of its members or serves on its  
6 board of directors; or

7 (6) is an agent of, a spouse of, or an immediate family  
8 member who is living with a "prohibited source".

9 "Regional Transit Boards" means (i) the Regional  
10 Transportation Authority created by the Regional  
11 Transportation Authority Act, (ii) the Suburban Bus Division  
12 created by the Regional Transportation Authority Act, (iii) the  
13 Commuter Rail Division created by the Regional Transportation  
14 Authority Act, and (iv) the Chicago Transit Authority created  
15 by the Metropolitan Transit Authority Act.

16 "Sexual harassment" includes unwelcome sexual advances,  
17 requests for sexual favors, and other verbal, visual and  
18 physical conduct of a sexual nature. Sexual harassment  
19 includes, but is not limited to:

20 (1) Verbal harassment (lewd or suggestive remarks,  
21 sexual language, pranks, epithets, derogatory statements,  
22 jokes, threats, slurs, demands for dates).

23 (2) Physical harassment (touching, patting, pinching,  
24 or brushing against another's body).

25 (3) Visual harassment (posters, cartoons, gross or  
26 lewd gestures, calendars, pictures, drawings, greeting

1 cards, leering).

2 (4) Sexual innuendo and demands for sexual favors  
3 (unwelcome sexual statements or advances).

4 (5) Sexual harassment includes any form of sexually  
5 oriented conduct regardless of whether it occurs face-to-  
6 face, in writing, on the telephone, by electronic mail, via  
7 the Internet, or by some indirect form of communication.

8 (6) Sexual harassment may involve individuals of the  
9 same or different gender and is prohibited whether directed  
10 toward men or women.

11 "State agency" includes all officers, boards, commissions  
12 and agencies created by the Constitution, whether in the  
13 executive or legislative branch; all officers, departments,  
14 boards, commissions, agencies, institutions, authorities,  
15 public institutions of higher learning as defined in Section 2  
16 of the Higher Education Cooperation Act (except community  
17 colleges), and bodies politic and corporate of the State; and  
18 administrative units or corporate outgrowths of the State  
19 government which are created by or pursuant to statute, other  
20 than units of local government (including community college  
21 districts) and their officers, school districts, and boards of  
22 election commissioners; and all administrative units and  
23 corporate outgrowths of the above and as may be created by  
24 executive order of the Governor. "State agency" includes the  
25 General Assembly, the Senate, the House of Representatives, the  
26 President and Minority Leader of the Senate, the Speaker and

1 Minority Leader of the House of Representatives, the Senate  
2 Operations Commission, and the legislative support services  
3 agencies. "State agency" includes the Office of the Auditor  
4 General. "State agency" does not include the judicial branch.

5 "State employee" means any employee of a State agency.

6 "Ultimate jurisdictional authority" means the following:

7 (1) For members, legislative partisan staff, and  
8 legislative secretaries, the appropriate legislative  
9 leader: President of the Senate, Minority Leader of the  
10 Senate, Speaker of the House of Representatives, or  
11 Minority Leader of the House of Representatives.

12 (2) For State employees who are professional staff or  
13 employees of the Senate and not covered under item (1), the  
14 Senate Operations Commission.

15 (3) For State employees who are professional staff or  
16 employees of the House of Representatives and not covered  
17 under item (1), the Speaker of the House of  
18 Representatives.

19 (4) For State employees who are employees of the  
20 legislative support services agencies, the Joint Committee  
21 on Legislative Support Services.

22 (5) For State employees of the Auditor General, the  
23 Auditor General.

24 (6) For State employees of public institutions of  
25 higher learning as defined in Section 2 of the Higher  
26 Education Cooperation Act (except community colleges), the

1 board of trustees of the appropriate public institution of  
2 higher learning.

3 (7) For State employees of an executive branch  
4 constitutional officer other than those described in  
5 paragraph (6), the appropriate executive branch  
6 constitutional officer.

7 (8) For State employees not under the jurisdiction of  
8 paragraph (1), (2), (3), (4), (5), (6), or (7), the  
9 Governor.

10 (9) For employees of Regional Transit Boards, the  
11 appropriate Regional Transit Board.

12 (10) For board members of Regional Transit Boards, the  
13 Governor.

14 (Source: P.A. 96-6, eff. 4-3-09; 96-555, eff. 8-18-09; 96-1528,  
15 eff. 7-1-11; 96-1533, eff. 3-4-11; 97-813, eff. 7-13-12.)

16 (5 ILCS 430/5-13 new)

17 Sec. 5-13. Sexual harassment training.

18 (a) Each officer, member, and employee must complete, at  
19 least annually, beginning in 2017, a sexual harassment training  
20 program conducted by the appropriate State agency. Each  
21 ultimate jurisdictional authority must implement a sexual  
22 harassment training program for its officers, members, and  
23 employees. These sexual harassment training programs shall be  
24 overseen by the appropriate Ethics Commission and Inspector  
25 General appointed under this Act in consultation with the

1 Office of the Attorney General.

2 (b) Each ultimate jurisdictional authority subject to the  
3 Executive Ethics Commission shall submit to the Executive  
4 Ethics Commission, at least annually, or more frequently as  
5 required by that Commission, an annual report that summarizes  
6 sexual harassment training that was completed during the  
7 previous year, and lays out the plan for the sexual harassment  
8 training programs in the coming year.

9 (c) Each Inspector General shall set standards and  
10 determine the hours and frequency of training necessary for  
11 each position or category of positions. A person who fills a  
12 vacancy in an elective or appointed position that requires  
13 training and a person employed in a position that requires  
14 training must complete his or her initial sexual harassment  
15 training within 30 days after commencement of his or her office  
16 or employment.

17 (d) Upon completion of the sexual harassment training  
18 program, each officer, member, and employee must certify in  
19 writing that the person has completed the training program.  
20 Each officer, member, and employee must provide to his or her  
21 ethics officer a signed copy of the certification by the  
22 deadline for completion of the sexual harassment training  
23 program.

24 (e) The sexual harassment training provided under this Act  
25 by the Secretary of State may be expanded to satisfy the  
26 requirement of Section 4.7 of the Lobbyist Registration Act.

1 (5 ILCS 430/25-15)

2 Sec. 25-15. Duties of the Legislative Ethics Commission. In  
3 addition to duties otherwise assigned by law, the Legislative  
4 Ethics Commission shall have the following duties:

5 (1) To promulgate rules governing the performance of  
6 its duties and the exercise of its powers and governing the  
7 investigations of the Legislative Inspector General.

8 (2) To conduct administrative hearings and rule on  
9 matters brought before the Commission only upon the receipt  
10 of pleadings filed by the Legislative Inspector General and  
11 not upon its own prerogative, but may appoint special  
12 Legislative Inspectors General as provided in Section  
13 25-21. Any other allegations of misconduct received by the  
14 Commission from a person other than the Legislative  
15 Inspector General shall be referred to the Office of the  
16 Legislative Inspector General.

17 (3) To prepare and publish manuals and guides and,  
18 working with the Office of the Attorney General, oversee  
19 training of employees under its jurisdiction that explains  
20 their duties.

21 (4) To prepare public information materials to  
22 facilitate compliance, implementation, and enforcement of  
23 this Act.

24 (5) To submit reports as required by this Act.

25 (6) To the extent authorized by this Act, to make

1           rulings, issue recommendations, and impose administrative  
2           fines, if appropriate, in connection with the  
3           implementation and interpretation of this Act. The powers  
4           and duties of the Commission are limited to matters clearly  
5           within the purview of this Act.

6           (7) To issue subpoenas with respect to matters pending  
7           before the Commission, subject to the provisions of this  
8           Article and in the discretion of the Commission, to compel  
9           the attendance of witnesses for purposes of testimony and  
10          the production of documents and other items for inspection  
11          and copying.

12          (8) To appoint special Legislative Inspectors General  
13          as provided in Section 25-21.

14          (9) To the extent authorized by this Act, to make  
15          rulings, issue recommendations, and impose administrative  
16          fines, if appropriate, in connection with findings of  
17          sexual harassment.

18          (Source: P.A. 93-617, eff. 12-9-03.)

19          (5 ILCS 430/25-20)

20          Sec. 25-20. Duties of the Legislative Inspector General. In  
21          addition to duties otherwise assigned by law, the Legislative  
22          Inspector General shall have the following duties:

23          (1) To receive and investigate allegations of  
24          violations of this Act. An investigation may not be  
25          initiated more than one year after the most recent act of

1 the alleged violation or of a series of alleged violations  
2 except where there is reasonable cause to believe that  
3 fraudulent concealment has occurred. To constitute  
4 fraudulent concealment sufficient to toll this limitations  
5 period, there must be an affirmative act or representation  
6 calculated to prevent discovery of the fact that a  
7 violation has occurred. The Legislative Inspector General  
8 shall have the discretion to determine the appropriate  
9 means of investigation as permitted by law.

10 (2) To request information relating to an  
11 investigation from any person when the Legislative  
12 Inspector General deems that information necessary in  
13 conducting an investigation.

14 (3) To issue subpoenas, with the advance approval of  
15 the Commission, to compel the attendance of witnesses for  
16 the purposes of testimony and production of documents and  
17 other items for inspection and copying and to make service  
18 of those subpoenas and subpoenas issued under item (7) of  
19 Section 25-15.

20 (4) To submit reports as required by this Act.

21 (5) To file pleadings in the name of the Legislative  
22 Inspector General with the Legislative Ethics Commission,  
23 through the Attorney General, as provided in this Article  
24 if the Attorney General finds that reasonable cause exists  
25 to believe that a violation has occurred.

26 (6) To assist and coordinate the ethics officers for



1 State agencies under the jurisdiction of the Legislative  
2 Inspector General and to work with those ethics officers.

3 (7) To participate in or conduct, when appropriate,  
4 multi-jurisdictional investigations.

5 (8) To request, as the Legislative Inspector General  
6 deems appropriate, from ethics officers of State agencies  
7 under his or her jurisdiction, reports or information on  
8 (i) the content of a State agency's ethics training program  
9 and (ii) the percentage of new officers and employees who  
10 have completed ethics training.

11 (9) To establish a policy that ensures the appropriate  
12 handling and correct recording of all investigations of  
13 allegations and to ensure that the policy is accessible via  
14 the Internet in order that those seeking to report those  
15 allegations are familiar with the process and that the  
16 subjects of those allegations are treated fairly.

17 (10) To receive and investigate allegations of sexual  
18 harassment. The Legislative Inspector General shall have  
19 the discretion to determine the appropriate means of  
20 investigation as permitted by law.

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

22 (5 ILCS 430/25-23)

23 Sec. 25-23. Ethics Officers. The President and Minority  
24 Leader of the Senate and the Speaker and Minority Leader of the  
25 House of Representatives shall each appoint an ethics officer

1 for the members and employees of his or her legislative caucus.  
2 No later than January 1, 2004, the head of each State agency  
3 under the jurisdiction of the Legislative Ethics Commission,  
4 other than the General Assembly, shall designate an ethics  
5 officer for the State agency. Ethics Officers shall:

6 (1) act as liaisons between the State agency and the  
7 Legislative Inspector General and between the State agency  
8 and the Legislative Ethics Commission;

9 (2) review statements of economic interest and  
10 disclosure forms of officers, senior employees, and  
11 contract monitors before they are filed with the Secretary  
12 of State; ~~and~~

13 (3) provide guidance to officers and employees in the  
14 interpretation and implementation of this Act, which the  
15 officer or employee may in good faith rely upon. Such  
16 guidance shall be based, wherever possible, upon legal  
17 precedent in court decisions, opinions of the Attorney  
18 General, and the findings and opinions of the Legislative  
19 Ethics Commission; and ~~and~~

20 (4) provide guidance to officers and employees in  
21 registering complaints about sexual harassment with the  
22 Legislative Inspector General.

23 (Source: P.A. 93-617, eff. 12-9-03.)

24 (5 ILCS 430/25-50a new)

25 Sec. 25-50a. Sexual harassment complaint procedure.

1       (a) Employees, who believe they are being sexually  
2 harassed, or have witnessed such conduct, should immediately  
3 report the matter to the Legislative Inspector General.

4       (b) Reports of sexual harassment will be investigated in as  
5 confidential a manner as possible. The Legislative Inspector  
6 General shall not permit anyone who objects to harassment,  
7 makes a complaint, or assists in any investigation to be  
8 subjected to any form of retaliation. If any employee believes  
9 he/she is being retaliated against, the employee should report  
10 the matter to the Legislative Inspector General.

11       Section 10. The Lobbyist Registration Act is amended by  
12 changing Sections 2 and 7 and by adding Section 4.7 as follows:

13       (25 ILCS 170/2) (from Ch. 63, par. 172)

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

16       (a) "Person" means any individual, firm, partnership,  
17 committee, association, corporation, or any other organization  
18 or group of persons.

19       (b) "Expenditure" means a payment, distribution, loan,  
20 advance, deposit, or gift of money or anything of value, and  
21 includes a contract, promise, or agreement, whether or not  
22 legally enforceable, to make an expenditure, for the ultimate  
23 purpose of influencing executive, legislative, or  
24 administrative action, other than compensation as defined in

1 subsection (d).

2 (c) "Official" means:

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

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

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

11 (4) Members of the General Assembly; and

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

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

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

23 (e) "Lobby" and "lobbying" means any communication with an  
24 official of the executive or legislative branch of State  
25 government as defined in subsection (c) for the ultimate  
26 purpose of influencing any executive, legislative, or

1 administrative action.

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

7 (g) "Executive action" means the proposal, drafting,  
8 development, consideration, amendment, adoption, approval,  
9 promulgation, issuance, modification, rejection or  
10 postponement by a State entity of a rule, regulation, order,  
11 decision, determination, contractual arrangement, purchasing  
12 agreement or other quasi-legislative or quasi-judicial action  
13 or proceeding.

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

24 (i) "Administrative action" means the execution or  
25 rejection of any rule, regulation, legislative rule, standard,  
26 fee, rate, contractual arrangement, purchasing agreement or

1 other delegated legislative or quasi-legislative action to be  
2 taken or withheld by any executive agency, department, board or  
3 commission of the State.

4 (j) "Lobbyist" means any natural person who undertakes to  
5 lobby State government as provided in subsection (e).

6 (k) "Lobbying entity" means any entity that hires, retains,  
7 employs, or compensates a natural person to lobby State  
8 government as provided in subsection (e).

9 (l) "Authorized agent" means the person designated by an  
10 entity or lobbyist registered under this Act as the person  
11 responsible for submission and retention of reports required  
12 under this Act.

13 (m) "Client" means any person or entity that provides  
14 compensation to a lobbyist to lobby State government as  
15 provided in subsection (e) of this Section.

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

18 (o) "Sexual harassment" includes unwelcome sexual  
19 advances, requests for sexual favors and other verbal, visual  
20 and physical conduct of a sexual nature. Sexual harassment  
21 includes, but is not limited to:

22 (1) Verbal harassment (lewd or suggestive remarks,  
23 sexual language, pranks, epithets, derogatory statements,  
24 jokes, threats, slurs, demands for dates).

25 (2) Physical harassment (touching, patting, pinching,  
26 or brushing against another's body).

1           (3) Visual harassment (posters, cartoons, gross or  
2           lewd gestures, calendars, pictures, drawings, greeting  
3           cards, leering).

4           (4) Sexual innuendo and demands for sexual favors  
5           (unwelcome sexual statements or advances).

6           (5) Sexual harassment includes any form of sexually  
7           oriented conduct regardless of whether it occurs face-to-  
8           face, in writing, on the telephone, by electronic mail, via  
9           the Internet, or by some indirect form of communication.

10           (6) Sexual harassment may involve individuals of the  
11           same or different gender and is prohibited whether directed  
12           toward men or women.

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

14           (25 ILCS 170/4.7 new)

15           Sec. 4.7. Sexual harassment training. Each natural person  
16           required to register as a lobbyist under this Act must complete  
17           a program of sexual harassment training provided by the  
18           Secretary of State. A natural person registered under this Act  
19           must complete the training program no later than 30 days after  
20           registration or renewal under this Act. If the Secretary of  
21           State uses the sexual harassment training developed in  
22           accordance with Section 5-13 of the State Officials and  
23           Employees Ethics Act, that training may be expanded to include  
24           appropriate information pertaining to sexual harassment in the  
25           context of lobbying activities.

1       The Secretary of State shall adopt rules for the  
2       implementation of this Section.

3           (25 ILCS 170/7) (from Ch. 63, par. 177)

4           Sec. 7. Duties of the Secretary of State.

5           (a) It shall be the duty of the Secretary of State to  
6       provide appropriate forms for the registration and reporting of  
7       information required by this Act and to keep such registrations  
8       and reports on file in his office for 3 years from the date of  
9       filing. He shall also provide and maintain a register with  
10      appropriate blanks and indexes so that the information required  
11      in Sections 5 and 6 of this Act may be accordingly entered.  
12      Such records shall be considered public information and open to  
13      public inspection.

14          (b) Within 5 business days after a filing deadline, the  
15      Secretary of State shall notify persons he determines are  
16      required to file but have failed to do so.

17          (c) The Secretary of State shall provide adequate software  
18      to the persons required to file under this Act, and all  
19      registrations, reports, statements, and amendments required to  
20      be filed shall be filed electronically. The Secretary of State  
21      shall promptly make all filed reports publicly available by  
22      means of a searchable database that is accessible through the  
23      World Wide Web. The Secretary of State shall provide all  
24      software necessary to comply with this provision to all persons  
25      required to file. The Secretary of State shall implement a plan



1 to provide computer access and assistance to persons required  
2 to file electronically.

3 (d) The Secretary of State shall include registrants'  
4 pictures when publishing or posting on his or her website the  
5 information required in Section 5.

6 (e) The Secretary of State shall receive and investigate  
7 allegations of violations of this Act. Any employee of the  
8 Secretary of State who receives an allegation shall immediately  
9 transmit it to the Secretary of State Inspector General.

10 (f) The Secretary of State shall receive and investigate  
11 allegations of sexual harassment. Any employee of the Secretary  
12 of State who receives an allegation shall immediately transmit  
13 it to the Secretary of State Inspector General.

14 (Source: P.A. 96-555, eff. 1-1-10; 96-1358, eff. 7-28-10.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.