



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2447

by Rep. Dan Caulkins

#### SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-102  
5 ILCS 420/4A-103

from Ch. 127, par. 604A-102  
from Ch. 127, par. 604A-103

Amends the Illinois Governmental Ethics Act. Requires members of the General Assembly and candidates for nomination or election to the General Assembly to make a statement of economic interests concerning any client or entity related to the legalized marijuana industry with whom the person making the statement, or his or her spouse or immediate family member living with that person, maintains an economic association and from which he or she has derived any economic benefit other than the salary received as a member of the General Assembly during the preceding calendar year. Makes a conforming modification to the statement of economic interests disclosure form to be filed with the Secretary of State.

LRB101 04043 RJF 49051 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 Illinois Governmental Ethics Act is amended  
5 by changing Sections 4A-102 and 4A-103 as follows:

6 (5 ILCS 420/4A-102) (from Ch. 127, par. 604A-102)

7 Sec. 4A-102. The statement of economic interests required  
8 by this Article shall include the economic interests of the  
9 person making the statement as provided in this Section. The  
10 interest (if constructively controlled by the person making the  
11 statement) of a spouse or any other party, shall be considered  
12 to be the same as the interest of the person making the  
13 statement. Campaign receipts shall not be included in this  
14 statement.

15 (a) The following interests shall be listed by all  
16 persons required to file:

17 (1) The name, address and type of practice of any  
18 professional organization or individual professional  
19 practice in which the person making the statement was  
20 an officer, director, associate, partner or  
21 proprietor, or served in any advisory capacity, from  
22 which income in excess of \$1200 was derived during the  
23 preceding calendar year;

1           (2) The nature of professional services (other  
2 than services rendered to the unit or units of  
3 government in relation to which the person is required  
4 to file) and the nature of the entity to which they  
5 were rendered if fees exceeding \$5,000 were received  
6 during the preceding calendar year from the entity for  
7 professional services rendered by the person making  
8 the statement.

9           (3) The identity (including the address or legal  
10 description of real estate) of any capital asset from  
11 which a capital gain of \$5,000 or more was realized in  
12 the preceding calendar year.

13           (4) The name of any unit of government which has  
14 employed the person making the statement during the  
15 preceding calendar year other than the unit or units of  
16 government in relation to which the person is required  
17 to file.

18           (5) The name of any entity from which a gift or  
19 gifts, or honorarium or honoraria, valued singly or in  
20 the aggregate in excess of \$500, was received during  
21 the preceding calendar year.

22           (b) The following interests shall also be listed by  
23 persons listed in items (a) through (f), item (l), item  
24 (n), and item (p) of Section 4A-101:

25           (1) The name and instrument of ownership in any  
26 entity doing business in the State of Illinois, in

1           which an ownership interest held by the person at the  
2           date of filing is in excess of \$5,000 fair market value  
3           or from which dividends of in excess of \$1,200 were  
4           derived during the preceding calendar year. (In the  
5           case of real estate, location thereof shall be listed  
6           by street address, or if none, then by legal  
7           description). No time or demand deposit in a financial  
8           institution, nor any debt instrument need be listed;

9           (2) Except for professional service entities, the  
10          name of any entity and any position held therein from  
11          which income of in excess of \$1,200 was derived during  
12          the preceding calendar year, if the entity does  
13          business in the State of Illinois. No time or demand  
14          deposit in a financial institution, nor any debt  
15          instrument need be listed.

16          (3) The identity of any compensated lobbyist with  
17          whom the person making the statement maintains a close  
18          economic association, including the name of the  
19          lobbyist and specifying the legislative matter or  
20          matters which are the object of the lobbying activity,  
21          and describing the general type of economic activity of  
22          the client or principal on whose behalf that person is  
23          lobbying.

24          (4) With respect to members of the General Assembly  
25          and candidates for nomination or election to the  
26          General Assembly as listed in item (a) of Section

1           4A-101 only, the identity of any client or entity  
2           related to the legalized marijuana industry with whom  
3           the person making the statement, or his or her spouse  
4           or immediate family member living with that person,  
5           maintains an economic association and from which he or  
6           she has derived any economic benefit other than the  
7           salary received as a member of the General Assembly  
8           during the preceding calendar year.

9           (c) The following interests shall also be listed by  
10          persons listed in items (g), (h), (i), and (o) of Section  
11          4A-101:

12                 (1) The name and instrument of ownership in any  
13          entity doing business with a unit of local government  
14          in relation to which the person is required to file if  
15          the ownership interest of the person filing is greater  
16          than \$5,000 fair market value as of the date of filing  
17          or if dividends in excess of \$1,200 were received from  
18          the entity during the preceding calendar year. (In the  
19          case of real estate, location thereof shall be listed  
20          by street address, or if none, then by legal  
21          description). No time or demand deposit in a financial  
22          institution, nor any debt instrument need be listed.

23                 (2) Except for professional service entities, the  
24          name of any entity and any position held therein from  
25          which income in excess of \$1,200 was derived during the  
26          preceding calendar year if the entity does business

1 with a unit of local government in relation to which  
2 the person is required to file. No time or demand  
3 deposit in a financial institution, nor any debt  
4 instrument need be listed.

5 (3) The name of any entity and the nature of the  
6 governmental action requested by any entity which has  
7 applied to a unit of local government in relation to  
8 which the person must file for any license, franchise  
9 or permit for annexation, zoning or rezoning of real  
10 estate during the preceding calendar year if the  
11 ownership interest of the person filing is in excess of  
12 \$5,000 fair market value at the time of filing or if  
13 income or dividends in excess of \$1,200 were received  
14 by the person filing from the entity during the  
15 preceding calendar year.

16 For the purposes of this Section, the unit of local  
17 government in relation to which a person required to file under  
18 item (o) of Section 4A-101 shall be the unit of local  
19 government that contributes to the pension fund of which such  
20 person is a member of the board.

21 (Source: P.A. 96-6, eff. 4-3-09; 97-754, eff. 7-6-12.)

22 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

23 Sec. 4A-103. The statement of economic interests required  
24 by this Article to be filed with the Secretary of State shall  
25 be filled in by typewriting or hand printing, shall be

1 verified, dated, and signed by the person making the statement  
2 and shall contain substantially the following:

3 STATEMENT OF ECONOMIC INTEREST

4 (TYPE OR HAND PRINT)

5 .....

6 (name)

7 .....

8 (each office or position of employment for which this statement  
9 is filed)

10 .....

11 (full mailing address)

12 GENERAL DIRECTIONS:

13 The interest (if constructively controlled by the person  
14 making the statement) of a spouse or any other party, shall be  
15 considered to be the same as the interest of the person making  
16 the statement.

17 Campaign receipts shall not be included in this statement.

18 If additional space is needed, please attach supplemental  
19 listing.

20 1. List the name and instrument of ownership in any entity  
21 doing business in the State of Illinois, in which the ownership  
22 interest held by the person at the date of filing is in excess  
23 of \$5,000 fair market value or from which dividends in excess  
24 of \$1,200 were derived during the preceding calendar year. (In  
25 the case of real estate, location thereof shall be listed by  
26 street address, or if none, then by legal description.) No time

1 or demand deposit in a financial institution, nor any debt  
2 instrument need be listed.

3	Business Entity	Instrument of Ownership
4	.....	.....
5	.....	.....
6	.....	.....
7	.....	.....

8 2. List the name, address and type of practice of any  
9 professional organization in which the person making the  
10 statement was an officer, director, associate, partner or  
11 proprietor or served in any advisory capacity, from which  
12 income in excess of \$1,200 was derived during the preceding  
13 calendar year.

14	Name	Address	Type of Practice
15	.....	.....	.....
16	.....	.....	.....
17	.....	.....	.....

18 3. List the nature of professional services rendered (other  
19 than to the State of Illinois) to each entity from which income  
20 exceeding \$5,000 was received for professional services  
21 rendered during the preceding calendar year by the person  
22 making the statement.

23	.....
24	.....

25 4. List the identity (including the address or legal  
26 description of real estate) of any capital asset from which a



1 capital gain of \$5,000 or more was realized during the  
2 preceding calendar year.

3 .....  
4 .....

5 5. List the identity of any compensated lobbyist with whom  
6 the person making the statement maintains a close economic  
7 association, including the name of the lobbyist and specifying  
8 the legislative matter or matters which are the object of the  
9 lobbying activity, and describing the general type of economic  
10 activity of the client or principal on whose behalf that person  
11 is lobbying.

12 Lobbyist	Legislative Matter	Client or Principal
13 .....	.....	.....
14 .....	.....	.....

15 6. List the name of any entity doing business in the State  
16 of Illinois from which income in excess of \$1,200 was derived  
17 during the preceding calendar year other than for professional  
18 services and the title or description of any position held in  
19 that entity. (In the case of real estate, location thereof  
20 shall be listed by street address, or if none, then by legal  
21 description). No time or demand deposit in a financial  
22 institution nor any debt instrument need be listed.

23 Entity	Position Held
24 .....	.....
25 .....	.....
26 .....	.....

1           7. List the name of any unit of government which employed  
 2 the person making the statement during the preceding calendar  
 3 year other than the unit or units of government in relation to  
 4 which the person is required to file.

5 .....  
 6 .....

7           8. List the name of any entity from which a gift or gifts,  
 8 or honorarium or honoraria, valued singly or in the aggregate  
 9 in excess of \$500, was received during the preceding calendar  
 10 year.

11 .....

12           9. For members of and candidates for nomination or election  
 13 to the General Assembly only, list the identity of any client  
 14 or entity related to the legalized marijuana industry with whom  
 15 the person making the statement, or his or her spouse or  
 16 immediate family member living with that person, maintains an  
 17 economic association and from which he or she has derived any  
 18 economic benefit other than the salary received as a member of  
 19 the General Assembly during the preceding calendar year.

20 .....

21 VERIFICATION:

22           "I declare that this statement of economic interests  
 23 (including any accompanying schedules and statements) has been  
 24 examined by me and to the best of my knowledge and belief is a  
 25 true, correct and complete statement of my economic interests  
 26 as required by the Illinois Governmental Ethics Act. I

1 understand that the penalty for willfully filing a false or  
 2 incomplete statement shall be a fine not to exceed \$1,000 or  
 3 imprisonment in a penal institution other than the penitentiary  
 4 not to exceed one year, or both fine and imprisonment."

5 ..... ..

6 (date of filing) (signature of person making the statement)

7 (Source: P.A. 95-173, eff. 1-1-08.)