



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4943**

Introduced 2/18/2020, by Rep. Carol Ammons

#### SYNOPSIS AS INTRODUCED:

- 5 ILCS 430/70-5
- 5 ILCS 430/70-25 new
- 5 ILCS 430/70-30 new

Amends the State Officials and Employees Ethics Act. Requires governmental entities to adopt ordinances or resolutions establishing ethics training programs and harassment and discrimination prevention training programs to be completed, at least annually, by all officers and employees of the governmental entity. Provides further requirements concerning the training programs. Expands the required contents of governmental entity policies to prohibit sexual harassment. Effective immediately.

LRB101 17137 RJF 66538 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 Section 70-5 and by adding Sections 70-25  
6 and 70-30 as follows:

7 (5 ILCS 430/70-5)

8 Sec. 70-5. Adoption by governmental entities.

9 (a) Within 6 months after the effective date of this Act,  
10 each governmental entity other than a community college  
11 district, and each community college district within 6 months  
12 after the effective date of this amendatory Act of the 95th  
13 General Assembly, shall adopt an ordinance or resolution that  
14 regulates, in a manner no less restrictive than Section 5-15  
15 and Article 10 of this Act, (i) the political activities of  
16 officers and employees of the governmental entity and (ii) the  
17 soliciting and accepting of gifts by and the offering and  
18 making of gifts to officers and employees of the governmental  
19 entity. No later than 60 days after the effective date of this  
20 amendatory Act of the 101st ~~100th~~ General Assembly, each  
21 governmental unit shall adopt an ordinance or resolution  
22 establishing a policy to prohibit sexual harassment. The policy  
23 shall include, at a minimum: (i) a prohibition on sexual

1 harassment, unlawful discrimination, and harassment; (ii)  
2 details on how an individual can report an allegation of sexual  
3 harassment, including options for making a confidential report  
4 to a supervisor, ethics officer, Inspector General, or the  
5 Department of Human Rights; (iii) a prohibition on retaliation  
6 for reporting sexual harassment, unlawful discrimination, or  
7 harassment allegations, including availability of  
8 whistleblower protections under this Act, the Whistleblower  
9 Act, and the Illinois Human Rights Act; and (iv) the  
10 consequences of a violation of the prohibition on sexual  
11 harassment, unlawful discrimination, or harassment, and the  
12 consequences for knowingly making a false report. Within 6  
13 months after the effective date of this amendatory Act of the  
14 101st General Assembly, each governmental unit that is not  
15 subject to the jurisdiction of a State or local Inspector  
16 General shall adopt an ordinance or resolution amending its  
17 sexual harassment policy to provide for a mechanism for  
18 reporting and independent review of allegations of sexual  
19 harassment made against an elected official of the governmental  
20 unit by another elected official of a governmental unit.

21 (b) Within 3 months after the effective date of this  
22 amendatory Act of the 93rd General Assembly, the Attorney  
23 General shall develop model ordinances and resolutions for the  
24 purpose of this Article. The Attorney General shall advise  
25 governmental entities on their contents and adoption.

26 (c) As used in this Article, (i) an "officer" means an

1 elected or appointed official; regardless of whether the  
2 official is compensated, and (ii) an "employee" means a  
3 full-time, part-time, or contractual employee.

4 (Source: P.A. 100-554, eff. 11-16-17; 101-221, eff. 8-9-19.)

5 (5 ILCS 430/70-25 new)

6 Sec. 70-25. Ethics training. Beginning in 2021, each  
7 governmental entity shall adopt an ordinance or resolution  
8 establishing an ethics training program to be completed, at  
9 least annually, by all officers and employees of the  
10 governmental entity. Governmental entities shall also  
11 establish by ordinance or resolution enforcement and oversight  
12 mechanisms for this training. A person who fills a vacancy in a  
13 position that requires training under this Section must  
14 complete his or her initial ethics training within 30 days  
15 after commencement of his or her office or employment.

16 (5 ILCS 430/70-30 new)

17 Sec. 70-30. Harassment and discrimination training.

18 (a) Each governmental entity shall adopt an ordinance or  
19 resolution establishing a harassment and discrimination  
20 prevention training program to be completed, at least annually,  
21 by all officers and employees of the governmental entity.  
22 Governmental entities shall also establish by ordinance or  
23 resolution enforcement and oversight mechanisms for this  
24 training. A person who fills a vacancy in a position that

1 requires training under this Section must complete his or her  
2 initial harassment and discrimination prevention training  
3 program within 30 days after commencement of his or her office  
4 or employment.

5 (b) The training established under this Section shall  
6 include, at a minimum, the following: (i) the definition and a  
7 description of sexual harassment, unlawful discrimination, and  
8 harassment, including examples of each; (ii) details on how an  
9 individual can report an allegation of sexual harassment,  
10 unlawful discrimination, or harassment, including options for  
11 making a confidential report to a supervisor, ethics officer,  
12 Inspector General, or the Department of Human Rights; (iii) the  
13 definition and description of retaliation for reporting sexual  
14 harassment, unlawful discrimination, or harassment allegations  
15 utilizing examples, including availability of whistleblower  
16 protections under this Act, the Whistleblower Act, and the  
17 Illinois Human Rights Act; and (iv) the consequences of a  
18 violation of the prohibition on sexual harassment, unlawful  
19 discrimination, and harassment, and the consequences for  
20 knowingly making a false report.

21 (c) For the purposes of this Section, "unlawful  
22 discrimination" and "harassment" refer to discrimination and  
23 harassment prohibited under Section 2-102 of the Illinois Human  
24 Rights Act.

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.