



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5370

by Rep. Blaine Wilhour

SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-102	from Ch. 127, par. 604A-102
5 ILCS 420/4A-103	from Ch. 127, par. 604A-103
5 ILCS 420/4A-104	from Ch. 127, par. 604A-104

Amends the Illinois Governmental Ethics Act. Provides additional required economic interests to be listed by specified persons on a statement of economic interests filed under the Act. Defines "relative".

LRB101 20722 RJF 70397 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, 4A-103, and 4A-104 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 (6) The names of all businesses with which the
23 person is associated.

24 (7) All sources of income, including the name of
25 each employer with a description of each source in
26 excess of \$1,000, without specifying amounts of

1 income.

2 (8) The name of securities in excess of \$5,000 at
3 fair market value owned by the person, his or her
4 spouse, or a relative, or held in the name of a
5 corporation, partnership, or trust for the benefit of
6 the person, his or her spouse, or a relative.

7 (9) The existence of any known blind trust and the
8 names of the trustees.

9 (10) All real property and its location, whether
10 owned by the person, his or her spouse, or a relative,
11 or held in the name of a corporation, partnership, or
12 trust for the benefit of the person, his or her spouse,
13 or a relative.

14 (11) The names and addresses of creditors to whom
15 the person, his or her spouse, or a relative,
16 individually, owed debts of more than \$10,000.

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

20 (1) The name and instrument of ownership in any
21 entity doing business in the State of Illinois, in
22 which an ownership interest held by the person at the
23 date of filing is in excess of \$5,000 fair market value
24 or from which dividends of in excess of \$1,200 were
25 derived during the preceding calendar year. (In the
26 case of real estate, location thereof shall be listed

1 by street address, or if none, then by legal
2 description). No time or demand deposit in a financial
3 institution, nor any debt instrument need be listed;

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

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

19 (4) Any leases or contracts with the State held or
20 entered into by the person making the statement or a
21 business with which he or she is associated.

22 (5) A description of any partnership, joint
23 ownership, or similar business affiliation between:
24 (i) a business that is associated with the person
25 making the statement, the person's spouse, or a
26 relative of the person; and (ii) a person who is

1 registered under the Lobbyist Registration Act or a
2 person that the person making the statement knows or
3 reasonably should have known is doing business with or
4 seeking to do business with the State.

5 (c) The following interests shall also be listed by
6 persons listed in items (a) through (c) and item (e) of
7 Section 4A-101.5:

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

19 (2) Except for professional service entities, the
20 name of any entity and any position held therein from
21 which income in excess of \$1,200 was derived during the
22 preceding calendar year if the entity does business
23 with a unit of local government in relation to which
24 the person is required to file. No time or demand
25 deposit in a financial institution, nor any debt
26 instrument need be listed.

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

12 (d) The statement of economic interests filed under
13 this Section shall be a matter of public information,
14 except that the list of names filed in accordance with item
15 (vi) of subsection (a-5) shall be sealed and confidential
16 and for the use of the Secretary of State or the county
17 clerk with whom the statement was filed, unless a claim of
18 misconduct merits the disclosure of such information.

19 For the purposes of this Section, the unit of local
20 government in relation to which a person required to file under
21 item (e) of Section 4A-101.5 shall be the unit of local
22 government that contributes to the pension fund of which such
23 person is a member of the board.

24 For the purposes of this Section, "relative" means a person
25 who is related to the person making the statement under this
26 Section as a spouse or as any of the following, whether by

1 blood or by adoption: parent, child, brother or sister, aunt or
 2 uncle, niece or nephew, grandparent, grandchild,
 3 father-in-law, mother-in-law, son-in-law, daughter-in-law,
 4 brother-in-law, sister-in-law, stepfather or stepmother,
 5 stepson or stepdaughter, stepbrother or stepsister, or
 6 half-brother or half-sister.

7 (Source: P.A. 101-221, eff. 8-9-19.)

8 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

9 Sec. 4A-103. The statement of economic interests required
 10 by this Article to be filed with the Secretary of State shall
 11 be filled in by typewriting or hand printing, shall be
 12 verified, dated, and signed by the person making the statement
 13 and shall contain substantially the following:

14 STATEMENT OF ECONOMIC INTEREST

15 (TYPE OR HAND PRINT)

16

17 (name)

18

19 (each office or position of employment for which this statement
 20 is filed)

21

22 (full mailing address)

23 GENERAL DIRECTIONS:

24 The interest (if constructively controlled by the person
 25 making the statement) of a spouse or any other party, shall be

1 considered to be the same as the interest of the person making
2 the statement.

3 Campaign receipts shall not be included in this statement.

4 If additional space is needed, please attach supplemental
5 listing.

6 1. List the name and instrument of ownership in any entity
7 doing business in the State of Illinois, in which the ownership
8 interest held by the person at the date of filing is in excess
9 of \$5,000 fair market value or from which dividends in excess
10 of \$1,200 were derived during the preceding calendar year. (In
11 the case of real estate, location thereof shall be listed by
12 street address, or if none, then by legal description.) No time
13 or demand deposit in a financial institution, nor any debt
14 instrument need be listed.

15 Business Entity	Instrument of Ownership
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20 2. List the name, address and type of practice of any
21 professional organization in which the person making the
22 statement was an officer, director, associate, partner or
23 proprietor or served in any advisory capacity, from which
24 income in excess of \$1,200 was derived during the preceding
25 calendar year.

26 Name	Address	Type of Practice
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4 3. List the nature of professional services rendered (other
 5 than to the State of Illinois) to each entity from which income
 6 exceeding \$5,000 was received for professional services
 7 rendered during the preceding calendar year by the person
 8 making the statement.

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11 4. List the identity (including the address or legal
 12 description of real estate) of any capital asset from which a
 13 capital gain of \$5,000 or more was realized during the
 14 preceding calendar year.

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

24	Lobbyist	Legislative Matter	Client or Principal
25
26

1 6. List the name of any entity doing business in the State
 2 of Illinois from which income in excess of \$1,200 was derived
 3 during the preceding calendar year other than for professional
 4 services and the title or description of any position held in
 5 that entity. (In the case of real estate, location thereof
 6 shall be listed 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 Entity	Position Held
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13 7. List the name of any unit of government which employed
 14 the person making the statement during the preceding calendar
 15 year other than the unit or units of government in relation to
 16 which the person is required to file.

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

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25 9. List the names of all businesses with which the person
 26 is associated.

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3 10. List all sources of income, including the name of each
4 employer with a description of each source in excess of \$1,000,
5 without specifying amounts of income.

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8 11. List the name of securities in excess of \$5,000 at fair
9 market value owned by the person, his or her spouse, or a
10 relative, or held in the name of a corporation, partnership, or
11 trust for the benefit of the person, his or her spouse, or a
12 relative.

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15 12. List the existence of any known blind trust and the
16 names of the trustees.

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19 13. List all real property and its location, whether owned
20 by the person, his or her spouse, or a relative, or held in the
21 name of a corporation, partnership, or trust for the benefit of
22 the person, his or her spouse, or a relative.

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25 14. List the names and addresses of creditors to whom the
26 person, his or her spouse, or a relative, individually, owed

1 debts of more than \$10,000.

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4 15. List any leases or contracts with the State held or
5 entered into by the person making the statement or a business
6 with which he or she is associated.

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9 16. List a description of any partnership, joint ownership,
10 or similar business affiliation between (i) a business that is
11 associated with the person making the statement, the person's
12 spouse, or a dependent child of the person and (ii) a person
13 who is registered under the Lobbyist registration Act or a
14 person that the person making the statement knows or reasonably
15 should have known is doing business with or seeking to do
16 business with the State.

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19 VERIFICATION:

20 "I declare that this statement of economic interests
21 (including any accompanying schedules and statements) has been
22 examined by me and to the best of my knowledge and belief is a
23 true, correct and complete statement of my economic interests
24 as required by the Illinois Governmental Ethics Act. I
25 understand that the penalty for willfully filing a false or
26 incomplete statement shall be a fine not to exceed \$1,000 or

1 imprisonment in a penal institution other than the penitentiary
2 not to exceed one year, or both fine and imprisonment."

3
4 (date of filing) (signature of person making the statement)
5 (Source: P.A. 95-173, eff. 1-1-08.)

6 (5 ILCS 420/4A-104) (from Ch. 127, par. 604A-104)
7 Sec. 4A-104. The statement of economic interests required
8 by this Article to be filed with the county clerk shall be
9 filled in by typewriting or hand printing, shall be verified,
10 dated, and signed by the person making the statement and shall
11 contain substantially the following:

12 STATEMENT OF ECONOMIC INTERESTS

13 (TYPE OR HAND PRINT)

14
15 (Name)
16
17 (each office or position of employment for which this statement
18 is filed)
19 (full mailing address)

20 GENERAL DIRECTIONS:

21 The interest (if constructively controlled by the person
22 making the statement) of a spouse or any other party, shall be
23 considered to be the same as the interest of the person making
24 the statement.

25 Campaign receipts shall not be included in this statement.

1 If additional space is needed, please attach supplemental
2 listing.

3 1. List the name and instrument of ownership in any entity
4 doing business with a unit of local government in relation to
5 which the person is required to file, in which the ownership
6 interest held by the person at the date of filing is in excess
7 of \$5,000 fair market value or from which dividends in excess
8 of \$1,200 were received during the preceding calendar year. (In
9 the case of real estate, location thereof shall be listed by
10 street address, or if none, then by legal description.) No time
11 or demand deposit in a financial institution, nor any debt
12 instrument shall be listed.

13	Business	Instrument of	Position of
14	Entity	Ownership	Management
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18 2. List the name, address and type of practice of any
19 professional organization in which the person making the
20 statement was an officer, director, associate, partner or
21 proprietor, or served in any advisory capacity, from which
22 income in excess of \$1,200 was derived during the preceding
23 calendar year.

24	Name	Address	Type of Practice
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3 3. List the nature of professional services rendered (other
4 than to the unit or units of local government in relation to
5 which the person is required to file) to each entity from which
6 income exceeding \$5,000 was received for professional services
7 rendered during the preceding calendar year by the person
8 making the statement.

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11 4. List the identity (including the address or legal
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13 capital gain of \$5,000 or more was realized during the
14 preceding calendar year.

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18 5. List the name of any entity and the nature of the
19 governmental action requested by any entity which has applied
20 to a unit of local government in relation to which the person
21 must file for any license, franchise or permit for annexation,
22 zoning or rezoning of real estate during the preceding calendar
23 year if the ownership interest of the person filing is in
24 excess of \$5,000 fair market value at the time of filing or if
25 income or dividends in excess of \$1200 were received by the
26 person filing from the entity during the preceding calendar
year.

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4 6. List the name of any entity doing business with a unit
5 of local government in relation to which the person is required
6 to file from which income in excess of \$1,200 was derived
7 during the preceding calendar year other than for professional
8 services and the title or description of any position held in
9 that entity. No time or demand deposit in a financial
10 institution nor any debt instrument need be listed.

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13 7. List the name of any unit of government which employed
14 the person making the statement during the preceding calendar
15 year other than the unit or units of government in relation to
16 which the person is required to file.

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

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26 is associated.

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4 employer with a description of each source in excess of \$1,000,
5 without specifying amounts of income.

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9 market value owned by the person, his or her spouse, or a
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11 trust for the benefit of the person, his or her spouse, or a
12 relative.

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16 names of the trustees.

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19 13. List all real property and its location, whether owned
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22 the person, his or her spouse, or a relative.

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26 person, his or her spouse, or a relative, individually, owed

1 debts of more than \$10,000.

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6 (including any accompanying schedules and statements) has been
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9 as required by the Illinois Governmental Ethics Act. I
10 understand that the penalty for willfully filing a false or
11 incomplete statement shall be a fine not to exceed \$1,000 or
12 imprisonment in a penal institution other than the penitentiary
13 not to exceed one year, or both fine and imprisonment."

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

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