



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0129

Introduced 1/14/2021, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

25 ILCS 170/3

from Ch. 63, par. 173

Amends the Lobbyist Registration Act. Provides that any natural person who, for compensation or other pecuniary interest, communicates with any unit of local government for the ultimate purpose of influencing official action of the unit of local government concerning an automated traffic law enforcement system, or any person or entity who employs or compensates another person for the purposes of such communications, shall register as a lobbyist under the Act. Specifies that the provisions do not apply to communications made to judicial bodies or administrative courts regarding the prosecution or defense of specified alleged violations. Defines "automated traffic law enforcement system".

LRB102 03705 RJF 13718 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Lobbyist Registration Act is amended by
5 changing Section 3 as follows:

6 (25 ILCS 170/3) (from Ch. 63, par. 173)

7 Sec. 3. Persons required to register.

8 (a) Except as provided in Section 9, any natural person
9 who, for compensation or otherwise, undertakes to lobby, or
10 any person or entity who employs or compensates another person
11 for the purposes of lobbying, shall register with the
12 Secretary of State as provided in this Act, unless that person
13 or entity qualifies for one or more of the following
14 exemptions.

15 (1) Persons or entities who, for the purpose of
16 influencing any executive, legislative, or administrative
17 action and who do not make expenditures that are
18 reportable pursuant to Section 6, appear without
19 compensation or promise thereof only as witnesses before
20 committees of the House and Senate for the purpose of
21 explaining or arguing for or against the passage of or
22 action upon any legislation then pending before those
23 committees, or who seek without compensation or promise

1 thereof the approval or veto of any legislation by the
2 Governor.

3 (1.4) A unit of local government or a school district.

4 (1.5) An elected or appointed official or an employee
5 of a unit of local government or school district who, in
6 the scope of his or her public office or employment, seeks
7 to influence executive, legislative, or administrative
8 action exclusively on behalf of that unit of local
9 government or school district.

10 (2) Persons or entities who own, publish, or are
11 employed by a newspaper or other regularly published
12 periodical, or who own or are employed by a radio station,
13 television station, or other bona fide news medium that in
14 the ordinary course of business disseminates news,
15 editorial or other comment, or paid advertisements that
16 directly urge the passage or defeat of legislation. This
17 exemption is not applicable to such an individual insofar
18 as he or she receives additional compensation or expenses
19 from some source other than the bona fide news medium for
20 the purpose of influencing executive, legislative, or
21 administrative action. This exemption does not apply to
22 newspapers and periodicals owned by or published by trade
23 associations and not-for-profit corporations engaged
24 primarily in endeavors other than dissemination of news.

25 (3) Persons or entities performing professional
26 services in drafting bills or in advising and rendering

1 opinions to clients as to the construction and effect of
2 proposed or pending legislation when those professional
3 services are not otherwise, directly or indirectly,
4 connected with executive, legislative, or administrative
5 action.

6 (4) Persons or entities who are employees of
7 departments, divisions, or agencies of State government
8 and who appear before committees of the House and Senate
9 for the purpose of explaining how the passage of or action
10 upon any legislation then pending before those committees
11 will affect those departments, divisions, or agencies of
12 State government.

13 (5) Employees of the General Assembly, legislators,
14 legislative agencies, and legislative commissions who, in
15 the course of their official duties only, engage in
16 activities that otherwise qualify as lobbying.

17 (6) Persons or entities in possession of technical
18 skills and knowledge relevant to certain areas of
19 executive, legislative, or administrative actions, whose
20 skills and knowledge would be helpful to officials when
21 considering those actions, whose activities are limited to
22 making occasional appearances for or communicating on
23 behalf of a registrant, and who do not make expenditures
24 that are reportable pursuant to Section 6 even though
25 receiving expense reimbursement for those occasional
26 appearances.

1 (7) Any full-time employee of a bona fide church or
2 religious organization who represents that organization
3 solely for the purpose of protecting the right of the
4 members thereof to practice the religious doctrines of
5 that church or religious organization, or any such bona
6 fide church or religious organization.

7 (8) Persons or entities that receive no compensation
8 other than reimbursement for expenses of up to \$500 per
9 year while engaged in lobbying State government, unless
10 those persons make expenditures that are reportable under
11 Section 6.

12 (9) Any attorney or group or firm of attorneys in the
13 course of representing a client in any administrative or
14 judicial proceeding, or any witness providing testimony in
15 any administrative or judicial proceeding, in which ex
16 parte communications are not allowed and who does not make
17 expenditures that are reportable pursuant to Section 6.

18 (9.5) Any attorney or group or firm of attorneys in
19 the course of representing a client in an administrative
20 or executive action involving a contractual or purchasing
21 arrangement and who does not make expenditures that are
22 reportable pursuant to Section 6.

23 (10) Persons or entities who, in the scope of their
24 employment as a vendor, offer or solicit an official for
25 the purchase of any goods or services when (1) the
26 solicitation is limited to either an oral inquiry or

1 written advertisements and informative literature; or (2)
2 the goods and services are subject to competitive bidding
3 requirements of the Illinois Procurement Code; or (3) the
4 goods and services are for sale at a cost not to exceed
5 \$5,000; and (4) the persons or entities do not make
6 expenditures that are reportable under Section 6.

7 (a-5) Except as provided in Section 9, any natural person
8 who, for compensation or other pecuniary interest,
9 communicates with any unit of local government for the
10 ultimate purpose of influencing official action of the unit of
11 local government concerning an automated traffic law
12 enforcement system, or any person or entity who employs or
13 compensates another person for the purposes of such
14 communications, shall register with the Secretary of State as
15 provided in this Act. This subsection (a-5) shall not apply to
16 communications made to judicial bodies or administrative
17 courts regarding the prosecution or defense of alleged
18 violations of Section 11-306 of the Illinois Vehicle Code or
19 similar local ordinances obtained by the unit of local
20 government through automated traffic law enforcement systems.
21 For the purposes of this subsection (a-5), "automated traffic
22 law enforcement system" has the same meaning as provided under
23 Section 11-208.6 of the Illinois Vehicle Code.

24 (b) It is a violation of this Act to engage in lobbying or
25 to employ any person for the purpose of lobbying who is not
26 registered with the Office of the Secretary of State, except

1 upon condition that the person register and the person does in
2 fact register within 2 business days after being employed or
3 retained for lobbying services.

4 (c) The Secretary shall promulgate a rule establishing a
5 list of the entities required to register under this Act,
6 including the name of each board, commission, authority, or
7 task force. The Secretary may require a person or entity
8 claiming an exemption under this Section to certify the person
9 or entity is not required to register under this Act. Nothing
10 prohibits the Secretary from rejecting a certification and
11 requiring a person or entity to register.

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