

# HB4631



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

**HB4631**

Introduced 1/31/2024, by Rep. Maurice A. West, II

### SYNOPSIS AS INTRODUCED:

25 ILCS 170/3

from Ch. 63, par. 173

Amends the Lobbyist Registration Act. Exempts from registration under the Act persons or entities that (i) communicate with officials solely for the purpose of discussing and negotiating economic incentive agreements and awards provided through various specified statutory provisions, statutory funds, and local government programs and (ii) do not make expenditures that are reportable under the Act. Specifies that the exemption does not apply if a person or entity performs any other actions that would require registration under the Act.

LRB103 38537 JAG 68673 b

A BILL FOR

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 a  
20 legislative committee for the purpose of explaining or  
21 arguing for or against the passage of or action upon any  
22 legislation, ordinance, or regulation then pending before  
23 the committee, or who seek without compensation or promise

1           thereof the approval or veto of any legislation or  
2           ordinance.

3           (1.4) A unit of local government, State government, or  
4           agencies, departments, commissions, boards, or task forces  
5           thereof.

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

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

26          (3) Persons or entities performing professional

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

7 (4) Persons or entities who are employees of  
8 departments, divisions, or agencies of State or local  
9 government for the purpose of explaining how the  
10 executive, legislative, or administrative action will  
11 affect those departments, divisions, or agencies of State  
12 or local 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. Legislators  
17 whose activities are limited to occasional communications  
18 with an official of a unit of local government on behalf of  
19 their employer in the ordinary course of their non-public  
20 employment where (1) the primary duties of the employment  
21 are not to influence executive, legislative, or  
22 administrative action and (2) the legislator does not make  
23 any expenditures that are reportable pursuant to Section  
24 6.

25 (6) Persons or entities in possession of technical  
26 skills and knowledge relevant to certain areas of

1 executive, legislative, or administrative actions, whose  
2 skills and knowledge would be helpful to officials when  
3 considering those actions, whose activities are limited to  
4 making occasional appearances for or communicating on  
5 behalf of a registrant, and who do not make expenditures  
6 that are reportable pursuant to Section 6 even though  
7 receiving expense reimbursement for those occasional  
8 appearances.

9 (7) Any full-time employee of a bona fide church or  
10 religious organization who represents that organization  
11 solely for the purpose of protecting the right of the  
12 members thereof to practice the religious doctrines of  
13 that church or religious organization, or any such bona  
14 fide church or religious organization.

15 (8) Persons or entities that receive no compensation  
16 other than reimbursement for expenses of up to \$500 per  
17 year while engaged in lobbying, unless those persons make  
18 expenditures that are reportable under Section 6.

19 (9) Any attorney or group or firm of attorneys (1) in  
20 connection with the practice of law or (2) in the course of  
21 representing a client in relation to any administrative,  
22 judicial, quasi-judicial proceeding, or any witness  
23 providing testimony in any administrative, judicial, or  
24 quasi-judicial proceeding, and who does not make  
25 expenditures that are reportable pursuant to Section 6.

26 (9.5) Any attorney or group or firm of attorneys in

1 the course of representing a client in an administrative  
2 or executive action involving a contractual or purchasing  
3 arrangement and who does not make expenditures that are  
4 reportable pursuant to Section 6.

5 (10) Persons or entities who, in the scope of their  
6 employment as a vendor, offer or solicit an official for  
7 the purchase of any goods or services when (1) the  
8 solicitation is limited to either an oral inquiry or  
9 written advertisements and informative literature; or (2)  
10 the goods and services are subject to competitive bidding  
11 requirements; or (3) the goods and services are for sale  
12 at a cost not to exceed \$5,000; and (4) the persons or  
13 entities do not make expenditures that are reportable  
14 under Section 6.

15 (11) Persons or entities that (i) communicate with  
16 officials solely for the purpose of discussing and  
17 negotiating economic incentive agreements or awards made  
18 under or through the Reimagining Energy and Vehicles in  
19 Illinois Act; Section 605-1025 of the Department of  
20 Commerce and Economic Opportunity Law; the Manufacturing  
21 Illinois Chips for Real Opportunity (MICRO) Act; the  
22 Economic Development for a Growing Economy Tax Credit Act;  
23 the Illinois Enterprise Zone Act; the Invest in Illinois  
24 Act; the Community Development/Small Cities Block Grant  
25 Fund; the Workforce, Technology, and Economic Development  
26 Fund; the Film Production Services Tax Credit Act of 2008;

1       the Historic Preservation Tax Credit Act; River Edge  
2       Redevelopment Zone Act; the County Economic Development  
3       Project Area Tax Increment Allocation Act of 1991; the  
4       Economic Development Project Area Tax Increment Allocation  
5       Act of 1995; the Economic Development Area Tax Increment  
6       Allocation Act; or any other statutory provision,  
7       statutory fund, or local government program through which  
8       economic incentives are provided to encourage businesses  
9       to expand or relocate operations in Illinois and (ii) do  
10       not make expenditures that are reportable pursuant to  
11       Section 6. If a person or entity performs any other  
12       actions that would require registration under this  
13       Section, that person or entity must register with the  
14       Secretary of State as set forth in Section 3, regardless  
15       of the exemption created under this paragraph (11).

16       (a-5) If, in the course of providing services as a  
17       consultant, the consultant communicates with an official on  
18       behalf of the lobbyist or lobbying entity for the ultimate  
19       purpose of influencing any executive, legislative, or  
20       administrative action, or makes an expenditure on behalf of or  
21       benefiting an official, the consultant shall register as a  
22       lobbyist within 2 business days of engaging in the  
23       communication with the official or making the expenditure  
24       benefiting the official.

25       (b) It is a violation of this Act to engage in lobbying or  
26       to employ any person for the purpose of lobbying who is not

1 registered with the Office of the Secretary of State, except  
2 upon condition that the person register and the person does in  
3 fact register within 2 business days after being employed or  
4 retained for lobbying services.

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

13 (Source: P.A. 102-664, eff. 1-1-22.)