

1 AMENDMENT TO HOUSE BILL 47

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 47 on page 1, in  
3 line 1 by changing "requiring disclosure by State appointees"  
4 to "concerning ethics"; and

5 on page 1, in line 7 by deleting "(a)"; and

6 on page 1, by replacing lines 13 through 26 with the  
7 following:

8 "or immediate family members living with the person have a  
9 majority financial interest."; and

10 on page 2, immediately below line 3 by inserting the  
11 following:

12 "Section 90. The Lobbyist Registration Act is amended by  
13 adding Section 3.1 as follows:

14 (25 ILCS 170/3.1 new)

15 Sec. 3.1. Prohibition to serve on boards and  
16 commissions. Notwithstanding any other law of the State,  
17 registered lobbyists may not serve on a board, commission,  
18 authority, or task force authorized or created by State law.

19 Section 95. The Illinois Procurement Code is amended by

1 changing Section 50-13 as follows:

2 (30 ILCS 500/50-13)

3 Sec. 50-13. Conflicts of interest.

4 (a) Prohibition. It is unlawful for any person holding  
5 an elective office in this State, holding a seat in the  
6 General Assembly, or appointed to or employed in any of the  
7 offices or agencies of State government and who receives  
8 compensation for such employment in excess of 60% of the  
9 salary of the Governor of the State of Illinois, or who is an  
10 officer or employee of the Capital Development Board or the  
11 Illinois Toll Highway Authority, or who is the spouse or  
12 minor child of any such person to have or acquire any  
13 contract, or any direct pecuniary interest in any contract  
14 therein, whether for stationery, printing, paper, or any  
15 services, materials, or supplies, that will be wholly or  
16 partially satisfied by the payment of funds appropriated by  
17 the General Assembly of the State of Illinois or in any  
18 contract of the Capital Development Board or the Illinois  
19 Toll Highway Authority.

20 (b) Interests. It is unlawful for any firm,  
21 partnership, association, or corporation, in which any person  
22 listed in subsection (a) is entitled to receive (i) more than  
23 7 1/2% of the total distributable income or (ii) an amount in  
24 excess of the salary of the Governor, to have or acquire any  
25 such contract or direct pecuniary interest therein.

26 (c) Combined interests. It is unlawful for any firm,  
27 partnership, association, or corporation, in which any person  
28 listed in subsection (a) together with his or her spouse or  
29 minor children is entitled to receive (i) more than 15%, in  
30 the aggregate, of the total distributable income or (ii) an  
31 amount in excess of 2 times the salary of the Governor, to  
32 have or acquire any such contract or direct pecuniary  
33 interest therein.

1        (c-5) In addition to subsection (a), it is unlawful  
2        for an appointed member of a board, commission, authority, or  
3        task force authorized or created by State law, the spouse of  
4        the appointee, or an immediate family member of the appointee  
5        living in the appointee's residence to have or acquire a  
6        contract or have or acquire a direct pecuniary interest in a  
7        contract with the State that relates to the board,  
8        commission, authority, or task force of which he or she is an  
9        appointee during and for one year after the person's term of  
10       office.

11       (c-10) It is unlawful for a partnership, association, or  
12       corporation in which a person subject to subsection (c-5) has  
13       majority ownership or managerial responsibility to have or  
14       acquire a contract or a direct pecuniary interest in a  
15       contract prohibited by subsection (c-5) during and for one  
16       year after the person's term of office.

17       (d) Securities. Nothing in this Section invalidates the  
18       provisions of any bond or other security previously offered  
19       or to be offered for sale or sold by or for the State of  
20       Illinois.

21       (e) Prior interests. This Section does not affect the  
22       validity of any contract made between the State and an  
23       officer or employee of the State or member of the General  
24       Assembly, his or her spouse, minor child, or other immediate  
25       family member living in his or her residence or any  
26       combination of those persons if that contract was in  
27       existence before his or her election or employment as an  
28       officer, member, or employee. The contract is voidable,  
29       however, if it cannot be completed within 365 days after the  
30       officer, member, or employee takes office or is employed.

31       (f) Exceptions.

32                (1) Public aid payments. This Section does not  
33       apply to payments made for a public aid recipient.

34                (2) Teaching. This Section does not apply to a

1 contract for personal services as a teacher or school  
2 administrator between a member of the General Assembly or  
3 his or her spouse, or a State officer or employee or his  
4 or her spouse, and any school district, public community  
5 college district, the University of Illinois, Southern  
6 Illinois University, Illinois State University, Eastern  
7 Illinois University, Northern Illinois University,  
8 Western Illinois University, Chicago State University,  
9 Governor State University, or Northeastern Illinois  
10 University.

11 (3) Ministerial duties. This Section does not  
12 apply to a contract for personal services of a wholly  
13 ministerial character, including but not limited to  
14 services as a laborer, clerk, typist, stenographer, page,  
15 bookkeeper, receptionist, or telephone switchboard  
16 operator, made by a spouse or minor child of an elective  
17 or appointive State officer or employee or of a member of  
18 the General Assembly.

19 (4) Child and family services. This Section does  
20 not apply to payments made to a member of the General  
21 Assembly, a State officer or employee, his or her spouse  
22 or minor child acting as a foster parent, homemaker,  
23 advocate, or volunteer for or in behalf of a child or  
24 family served by the Department of Children and Family  
25 Services.

26 (5) Licensed professionals. Contracts with licensed  
27 professionals, provided they are competitively bid or  
28 part of a reimbursement program for specific, customary  
29 goods and services through the Department of Children and  
30 Family Services, the Department of Human Services, the  
31 Department of Public Aid, the Department of Public  
32 Health, or the Department on Aging.

33 (g) Penalty. A person convicted of a violation of this  
34 Section is guilty of a business offense and shall be fined

1 not less than \$1,000 nor more than \$5,000.

2 (Source: P.A. 90-572, eff. 2-6-98.)".