

HB6703



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6703

by Rep. John A. Fritchey - Jay C. Hoffman - David E. Miller

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

Amends the Illinois Governmental Ethics Act. Requires members of and candidates for the General Assembly to disclose information concerning lobbying activities and representation cases on their statements of economic interests.

LRB095 22390 JAM 52729 b

FISCAL NOTE ACT
MAY APPLY

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 Illinois Governmental Ethics Act is amended
5 by changing Sections 4A-102 and 4A-103 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 persons
16 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 an
20 officer, director, associate, partner or proprietor, or
21 served in any advisory capacity, from which income in
22 excess of \$1200 was derived during the preceding calendar
23 year;

1 (2) The nature of professional services (other than
2 services rendered to the unit or units of government in
3 relation to which the person is required to file) and the
4 nature of the entity to which they were rendered if fees
5 exceeding \$5,000 were received during the preceding
6 calendar year from the entity for professional services
7 rendered by the person making the statement.

8 (3) The identity (including the address or legal
9 description of real estate) of any capital asset from which
10 a capital gain of \$5,000 or more was realized in the
11 preceding calendar year.

12 (4) The name of any unit of government which has
13 employed the person making the statement during the
14 preceding calendar year other than the unit or units of
15 government in relation to which the person is required to
16 file.

17 (5) The name of any entity from which a gift or gifts,
18 or honorarium or honoraria, valued singly or in the
19 aggregate in excess of \$500, was received during the
20 preceding calendar year.

21 (b) The following interests shall also be listed by persons
22 listed in items (a) through (f) and item (1) of Section 4A-101:

23 (1) The name and instrument of ownership in any entity
24 doing business in the State of Illinois, in which an
25 ownership interest held by the person at the date of filing
26 is in excess of \$5,000 fair market value or from which

1 dividends of in excess of \$1,200 were derived during the
2 preceding calendar year. (In the case of real estate,
3 location thereof shall be listed by street address, or if
4 none, then by legal description). No time or demand deposit
5 in a financial institution, nor any debt instrument need be
6 listed;

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

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

20 (c) The following interests shall also be listed by persons
21 listed in items (g), (h), and (i) of Section 4A-101:

22 (1) The name and instrument of ownership in any entity
23 doing business with a unit of local government in relation
24 to which the person is required to file if the ownership
25 interest of the person filing is greater than \$5,000 fair
26 market value as of the date of filing or if dividends in

1 excess of \$1,200 were received from the entity during the
2 preceding calendar year. (In the case of real estate,
3 location thereof shall be listed by street address, or if
4 none, then by legal description). No time or demand deposit
5 in a financial institution, nor any debt instrument need be
6 listed.

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

14 (3) The name of any entity and the nature of the
15 governmental action requested by any entity which has
16 applied to a unit of local government in relation to which
17 the person must file for any license, franchise or permit
18 for annexation, zoning or rezoning of real estate during
19 the preceding calendar year if the ownership interest of
20 the person filing is in excess of \$5,000 fair market value
21 at the time of filing or if income or dividends in excess
22 of \$1,200 were received by the person filing from the
23 entity during the preceding calendar year.

24 (d) The following interests shall also be listed by persons
25 listed in item (a) of Section 4A-101:

26 (1) the name of each client or entity on behalf of whom

1 the individual filing the statement or his or her spouse
2 personally engaged in lobbying or a representation case in
3 the preceding 12 months, for which compensation in excess
4 of \$5,000 was received by either the individual filing the
5 statement or his or her spouse, or by any other entity in
6 which the individual filing the statement or his or her
7 spouse was an officer, director, associate, partner,
8 member, proprietor, or served in an advisory capacity;

9 (2) the name of each client or entity that retained,
10 hired, or otherwise engaged an entity in which the
11 individual filing the statement or his or her spouse has an
12 ownership interest in excess of 7 1/2%, for the purpose of
13 lobbying or a representation case in the preceding 12
14 months, for which compensation in excess of \$5,000 was
15 received by the entity; and

16 (3) the name of each client or entity that retained,
17 hired, or otherwise engaged any entity for the purpose of
18 lobbying or a representation case in the preceding 12
19 months, as a result of which the individual filing the
20 statement or his or her spouse received financial
21 compensation in excess of \$5,000.

22 For each client or entity listed pursuant to this
23 subsection, the exact amount of compensation received from
24 services rendered in connection with the lobbying or
25 representation case listed, and the identity of the unit of
26 government before which such services were rendered.

1 As used in this subsection:

2 "Lobbying" means communicating with representatives of
3 a municipality, unit of local government, State agency, or
4 the General Assembly for the ultimate purpose of
5 influencing executive, legislative, or administrative
6 action. "Lobbying" does not include communications with a
7 State agency, a municipality, a unit of local government,
8 or a member of the General Assembly made in the course of a
9 member of the General Assembly's legislative duties.

10 "Representation case" means the representation of any
11 person, client, or principal in any matter before any State
12 agency, municipality, or unit of local government where the
13 action or non-action of the State agency, municipality, or
14 unit of local government involves the exercise of
15 discretion. For purposes of this subsection,
16 "representation case" does not include (i) the
17 professional representation of any person, client, or
18 principal in any matter before any court created under
19 Article VI of the Constitution of the State of Illinois or
20 any court created under Article III of the Constitution of
21 the United States, or (ii) inquiries for information or
22 other services rendered in a legislative capacity on behalf
23 of a constituent or other member of the public.

24 (Source: P.A. 92-101, eff. 1-1-02; 93-617, eff. 12-9-03.)

25 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

1 of \$1,200 were derived during the preceding calendar year. (In
 2 the case of real estate, location thereof shall be listed by
 3 street address, or if none, then by legal description.) No time
 4 or demand deposit in a financial institution, nor any debt
 5 instrument need be listed.

6 Business Entity	Instrument of Ownership
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11 2. List the name, address and type of practice of any
 12 professional organization in which the person making the
 13 statement was an officer, director, associate, partner or
 14 proprietor or served in any advisory capacity, from which
 15 income in excess of \$1,200 was derived during the preceding
 16 calendar year.

17 Name	Address	Type of Practice
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19
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21 3. List the nature of professional services rendered (other
 22 than to the State of Illinois) to each entity from which income
 23 exceeding \$5,000 was received for professional services
 24 rendered during the preceding calendar year by the person
 25 making the statement.

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

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8 5. List the identity of any compensated lobbyist with whom
9 the person making the statement maintains a close economic
10 association, including the name of the lobbyist and specifying
11 the legislative matter or matters which are the object of the
12 lobbying activity, and describing the general type of economic
13 activity of the client or principal on whose behalf that person
14 is lobbying.

15 Lobbyist Legislative Matter Client or Principal

16

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18 6. List the name of any entity doing business in the State
19 of Illinois from which income in excess of \$1,200 was derived
20 during the preceding calendar year other than for professional
21 services and the title or description of any position held in
22 that entity. (In the case of real estate, location thereof
23 shall be listed by street address, or if none, then by legal
24 description). No time or demand deposit in a financial
25 institution nor any debt instrument need be listed.

26 Entity Position Held

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

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10 8. List the name of any entity from which a gift or gifts,
11 or honorarium or honoraria, valued singly or in the aggregate
12 in excess of \$500, was received during the preceding calendar
13 year.

14 9. For members of the General Assembly and candidates for
15 membership in the General Assembly, list the name of each
16 client or entity on behalf of whom the individual filing the
17 statement or his or her spouse personally engaged in lobbying
18 or a representation case in the preceding 12 months, for which
19 compensation in excess of \$5,000 was rendered to either the
20 individual filing the statement or his or her spouse, or to any
21 other entity in which the individual filing the statement or
22 his or her spouse was an officer, director, associate, partner,
23 member, proprietor, or served in an advisory capacity. This
24 includes the name of the unit of government before which the
25 services were rendered, as well as the exact amount of
26 compensation received from services rendered.

1 For purposes of this statement, "lobbying" and
 2 "representation case" have the meanings ascribed to those terms
 3 in Section 4A-102 of the Illinois Governmental Ethics Act.

<u>Client/Entity</u>	<u>Unit of Government</u>	<u>Amount</u>
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8 10. For members of the General Assembly and candidates for
 9 membership in the General Assembly, list the name of each
 10 client or entity that retained, hired, or otherwise engaged an
 11 entity in which the individual filing the statement or his or
 12 her spouse has an ownership interest in excess of 7 1/2%, for
 13 the purpose of lobbying or a representation case in the
 14 preceding 12 months, for compensation in excess of \$5,000. This
 15 includes the name of the unit of government before which the
 16 services were rendered, as well as the exact amount of
 17 compensation received from services rendered.

18 For purposes of this statement, "lobbying" and
 19 "representation case" have the meanings ascribed to those terms
 20 in Section 4A-102 of the Illinois Governmental Ethics Act.

<u>Client/Entity</u>	<u>Unit of Government</u>	<u>Amount</u>
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25 11. For members of the General Assembly and candidates for
 26 membership in the General Assembly, list the name of each

1 client or entity that retained, hired, or otherwise engaged any
 2 entity for the purpose of lobbying or a representation case in
 3 the preceding 12 months, as a result of which the individual
 4 filing this statement or his or her spouse received financial
 5 compensation in excess of \$5,000. This includes the name of the
 6 unit of government before which the services were rendered, as
 7 well as the exact amount of compensation received from services
 8 rendered.

9 For purposes of this statement, "lobbying" and
 10 "representation case" have the meanings ascribed to those terms
 11 in Section 4A-102 of the Illinois Governmental Ethics Act.

<u>Client/Entity</u>	<u>Unit of Government</u>	<u>Amount</u>
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16 VERIFICATION:

17 "I declare that this statement of economic interests
 18 (including any accompanying schedules and statements) has been
 19 examined by me and to the best of my knowledge and belief is a
 20 true, correct and complete statement of my economic interests
 21 as required by the Illinois Governmental Ethics Act. I
 22 understand that the penalty for willfully filing a false or
 23 incomplete statement shall be a fine not to exceed \$1,000 or
 24 imprisonment in a penal institution other than the penitentiary
 25 not to exceed one year, or both fine and imprisonment."
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1 (date of filing) (signature of person making the statement)

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