



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0036

Introduced 1/31/2007, by Sen. Christine Radogno - Kirk W. Dillard

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
10 ILCS 5/9-28	

Amends the Illinois Governmental Ethics Act and the Election Code. With respect to the disclosure of gifts in statements of economic interests, requires that (i) gifts to the spouse of the person making the statement and to immediate family members living in the same household are considered gifts to the person making the statement; (ii) gifts from persons and entities (now, entities) be disclosed; and (iii) the nature and value of each gift be specified. Requires that the State Board of Elections' website include with filed campaign finance reports (i) a notice that statements of economic interests contain information about public officials and candidates and (ii) a link to the Secretary of State website pages containing statements of economic interests of State officials and candidates. Effective July 1, 2007.

LRB095 03434 JAM 23438 b

1 AN ACT concerning ethics.

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. A gift to a spouse or to an immediate family member
14 living in the same household as the person making the statement
15 (from a person or entity other than the person making the
16 statement, the spouse, or an immediate family member living in
17 the same household) shall be considered a gift to the person
18 making the statement. Campaign receipts shall not be included
19 in this statement.

20 (a) The following interests shall be listed by all persons
21 required to file:

22 (1) The name, address and type of practice of any
23 professional organization or individual professional

1 practice in which the person making the statement was an
2 officer, director, associate, partner or proprietor, or
3 served in any advisory capacity, from which income in
4 excess of \$1200 was derived during the preceding calendar
5 year;

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

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

17 (4) The name of any unit of government which has
18 employed the person making the statement during the
19 preceding calendar year other than the unit or units of
20 government in relation to which the person is required to
21 file.

22 (5) The name of any person from whom or entity from
23 which a gift or gifts, or honorarium or honoraria, valued
24 singly or in the aggregate in excess of \$500, was received
25 during the preceding calendar year and the nature and value
26 of each gift or honorarium received from the named person

1 or entity.

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

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

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

20 (3) The identity of any compensated lobbyist with whom
21 the person making the statement maintains a close economic
22 association, including the name of the lobbyist and
23 specifying the legislative matter or matters which are the
24 object of the lobbying activity, and describing the general
25 type of economic activity of the client or principal on
26 whose behalf that person is lobbying.

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

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

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

21 (3) The name of any entity and the nature of the
22 governmental action requested by any entity which has
23 applied to a unit of local government in relation to which
24 the person must file for any license, franchise or permit
25 for annexation, zoning or rezoning of real estate during
26 the preceding calendar year if the ownership interest of

1 the person filing is in excess of \$5,000 fair market value
 2 at the time of filing or if income or dividends in excess
 3 of \$1,200 were received by the person filing from the
 4 entity during the preceding calendar year.

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

6 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

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

12 STATEMENT OF ECONOMIC INTEREST

13 (TYPE OR HAND PRINT)

14

15 (name)

16

17 (each office or position of employment for which this statement
 18 is filed)

19

20 (full post office address to which notification of an
 21 examination of this statement should be sent)

22 GENERAL DIRECTIONS:

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

1 the statement. A gift to a spouse or to an immediate family
 2 member living in the same household as the person making the
 3 statement (from a person or entity other than the person making
 4 the statement, the spouse, or an immediate family member living
 5 in the same household) shall be considered a gift to the person
 6 making the statement.

7 Campaign receipts shall not be included in this statement.

8 If additional space is needed, please attach supplemental
 9 listing.

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

19 Business Entity	Instrument of Ownership
20
21
22
23

24 2. List the name, address and type of practice of any
 25 professional organization in which the person making the
 26 statement was an officer, director, associate, partner or

1 proprietor or served in any advisory capacity, from which
 2 income in excess of \$1,200 was derived during the preceding
 3 calendar year.

4	Name	Address	Type of Practice
5
6
7

8 3. List the nature of professional services rendered (other
 9 than to the State of Illinois) to each entity from which income
 10 exceeding \$5,000 was received for professional services
 11 rendered during the preceding calendar year by the person
 12 making the statement.

13

14

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

19

20

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

1 is lobbying.

2 Lobbyist	Legislative Matter	Client or Principal
------------	--------------------	---------------------

3
---------	-------	-------

4
---------	-------	-------

5 6. List the name of any entity doing business in the State
6 of Illinois 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. (In the case of real estate, location thereof
10 shall be listed by street address, or if none, then by legal
11 description). No time or demand deposit in a financial
12 institution nor any debt instrument need be listed.

13 Entity	Position Held
-----------	---------------

14
----------	-------

15
----------	-------

16
----------	-------

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

21
----------	-------

22
----------	-------

23 8. List the name of any person from whom or entity from
24 which a gift or gifts, or honorarium or honoraria, valued
25 singly or in the aggregate in excess of \$500, was received
26 during the preceding calendar year and the nature and value of

1 each gift or honorarium received from the named person or
2 entity.

3	<u>Name</u>	<u>Nature of Gift</u>	<u>Value</u>
4
5

6 VERIFICATION:

7 "I declare that this statement of economic interests
8 (including any accompanying schedules and statements) has been
9 examined by me and to the best of my knowledge and belief is a
10 true, correct and complete statement of my economic interests
11 as required by the Illinois Governmental Ethics Act. I
12 understand that the penalty for willfully filing a false or
13 incomplete statement shall be a fine not to exceed \$1,000 or
14 imprisonment in a penal institution other than the penitentiary
15 not to exceed one year, or both fine and imprisonment."

16
17 (date of filing) (signature of person making the statement)
18 (Source: P.A. 92-101, eff. 1-1-02.)

19 (5 ILCS 420/4A-104) (from Ch. 127, par. 604A-104)
20 Sec. 4A-104. The statement of economic interests required
21 by this Article to be filed with the county clerk shall be
22 filled in by typewriting or hand printing, shall be verified,
23 dated, and signed by the person making the statement and shall
24 contain substantially the following:

25 STATEMENT OF ECONOMIC INTERESTS

1 (TYPE OR HAND PRINT)

2

3 (Name)

4

5 (each office or position of employment for which this statement
6 is filed)

7 (full post office address to which notification of an
8 examination of this statement should be sent)

9 GENERAL DIRECTIONS:

10 The interest (if constructively controlled by the person
11 making the statement) of a spouse or any other party, shall be
12 considered to be the same as the interest of the person making
13 the statement. A gift to a spouse or to an immediate family
14 member living in the same household as the person making the
15 statement (from a person or entity other than the person making
16 the statement, the spouse, or an immediate family member living
17 in the same household) shall be considered a gift to the person
18 making the statement.

19 Campaign receipts shall not be included in this statement.

20 If additional space is needed, please attach supplemental
21 listing.

22 1. List the name and instrument of ownership in any entity
23 doing business with a unit of local government in relation to
24 which the person is required to file, in which the ownership
25 interest held by the person at the date of filing is in excess
26 of \$5,000 fair market value or from which dividends in excess

1 of \$1,200 were received 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 shall be listed.

6	Business	Instrument of	Position of
7	Entity	Ownership	Management
8
9
10

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
18
19
20

21 3. List the nature of professional services rendered (other
 22 than to the unit or units of local government in relation to
 23 which the person is required to file) to each entity from which
 24 income exceeding \$5,000 was received for professional services
 25 rendered during the preceding calendar year by the person
 26 making the statement.

1
2

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

7
8
9

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

20
21
22

23 6. List the name of any entity doing business with a unit
24 of local government in relation to which the person is required
25 to file from which income in excess of \$1,200 was derived
26 during the preceding calendar year other than for professional

1 services and the title or description of any position held in
2 that entity. No time or demand deposit in a financial
3 institution nor any debt instrument need be listed.

4
5

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

10
11

12 8. List the name of any person from whom or entity from
13 which a gift or gifts, or honorarium or honoraria, valued
14 singly or in the aggregate in excess of \$500, was received
15 during the preceding calendar year and the nature and value of
16 each gift or honorarium received from the named person or
17 entity.

<u>Name</u>	<u>Nature of Gift</u>	<u>Value</u>
.....
.....

21 VERIFICATION:

22 "I declare that this statement of economic interests
23 (including any accompanying schedules and statements) has been
24 examined by me and to the best of my knowledge and belief is a
25 true, correct and complete statement of my economic interests
26 as required by the Illinois Governmental Ethics Act. I

1 understand that the penalty for willfully filing a false or
 2 incomplete statement shall be a fine not to exceed \$1,000 or
 3 imprisonment in a penal institution other than the penitentiary
 4 not to exceed one year, or both fine and imprisonment."

5
 6 (date of filing) (signature of person making the statement)
 7 (Source: P.A. 92-101, eff. 1-1-02.)

8 Section 10. The Election Code is amended by changing
 9 Section 9-28 as follows:

10 (10 ILCS 5/9-28)

11 Sec. 9-28. Electronic filing and availability. The Board
 12 shall by rule provide for the electronic filing of expenditure
 13 and contribution reports as follows:

14 Beginning July 1, 1999, or as soon thereafter as the Board
 15 has provided adequate software to the political committee,
 16 electronic filing is required for all political committees that
 17 during the reporting period (i) had at any time a balance or an
 18 accumulation of contributions of \$25,000 or more, (ii) made
 19 aggregate expenditures of \$25,000 or more, or (iii) received
 20 loans of an aggregate of \$25,000 or more.

21 Beginning July 1, 2003, electronic filing is required for
 22 all political committees that during the reporting period (i)
 23 had at any time a balance or an accumulation of contributions
 24 of \$10,000 or more, (ii) made aggregate expenditures of \$10,000

1 or more, or (iii) received loans of an aggregate of \$10,000 or
2 more.

3 The Board may provide by rule for the optional electronic
4 filing of expenditure and contribution reports for all other
5 political committees. The Board shall promptly make all reports
6 filed under this Article by all political committees publicly
7 available by means of a searchable database that is accessible
8 through the World Wide Web. The searchable database required by
9 this subsection must include a notice that statements of
10 economic interests required by the Illinois Governmental
11 Ethics Act and filed with the Secretary of State contain
12 information about State officials and candidates and that
13 statements of economic interests required by the Illinois
14 Governmental Ethics Act and filed with county clerks contain
15 information about local officials and candidates. The database
16 also must include a link to the Secretary of State website
17 pages that contain statements of economic interests filed with
18 the Secretary of State.

19 The Board shall provide all software necessary to comply
20 with this Section to candidates, public officials, political
21 committees, and election authorities.

22 The Board shall implement a plan to provide computer access
23 and assistance to candidates, public officials, political
24 committees, and election authorities with respect to
25 electronic filings required under this Article.

26 For the purposes of this Section, "political committees"

1 includes entities required to report to the Board under Section
2 9-7.5.

3 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

4 Section 99. Effective date. This Act takes effect July 1,
5 2007.