



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4106

Introduced 2/27/2009, by Rep. Darlene J. Senger

SYNOPSIS AS INTRODUCED:

New Act

Creates the Local Initiative Sunshine Act. Defines "gubernatorial or legislative member initiative". Creates the Local Initiative Review Board. Authorizes the Board to review initiatives for compliance with applicable State laws, rules, and practices governing the award and monitoring of gubernatorial and legislative member initiatives. Sets forth the membership of the Board. Provides for review and comment upon proposed agency rulemaking.

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FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Article 1

5 Section 1-1. Short title. This Act may be cited as the
6 Local Initiative Sunshine Act. If more than one new Act of the
7 96th General Assembly is given the same short title, then all
8 of those Acts are intended to be codified as a single Act.

9 Section 1-5. Definitions. In this Act:

10 "Gubernatorial or legislative member initiative" means a
11 grant from State funds to a specific unit of local government,
12 specific school district, specific not-for-profit
13 organization, or specific non-governmental entity for
14 infrastructure improvements or operating expenses. Grants that
15 are part of a statewide program and are based on generally
16 applicable standards of eligibility are not gubernatorial or
17 legislative member initiatives, unless the grant has been
18 requested or initiated by the Governor or a member of the
19 Illinois General Assembly.

20 "Infrastructure improvements" include without limitation
21 capital improvements, capital projects, planning,
22 construction, reconstruction, equipment, utilities, vehicles,

1 and all costs associated with economic development, community
2 programs, educational programs, public health, and public
3 safety.

4 "Initiative sponsor", with respect to each gubernatorial
5 or legislative member initiative, include the Governor and each
6 member of the General Assembly designated in the grant
7 application as having requested or initiated the grant.

8 "Initiative recipient" means an individual or entity that
9 is designated to receive or receives a gubernatorial or
10 legislative member initiative. For purposes of disclosure
11 under Section 5-10, the term also includes (i) the immediate
12 family of an individual who is an initiative recipient; and
13 (ii) in the case of an entity that is an initiative recipient,
14 the term also includes board members, owners with an equity
15 interest of at least 7.5%, and managerial employees of the
16 entity, the immediate family of each, and its parent,
17 subsidiary, and affiliate entities.

18 Article 15

19 Section 15-5. Independent Initiative Review Board.

20 (a) Creation. The Local Initiative Review Board is created
21 as an agency of the State of Illinois.

22 (b) Authority and duties. The Board has the authority and
23 duty to review gubernatorial and legislative member
24 initiatives for compliance with applicable State laws, rules,

1 and practices governing the application or request for, award
2 of, management of, and monitoring of gubernatorial and
3 legislative member initiatives.

4 (c) Reviews. The Board may review, study, and hold public
5 hearings concerning the implementation and administration of
6 this Article. Each executive branch State agency shall
7 cooperate with the Board, provide information to the Board, and
8 be responsive to the Board in the Board's conduct of its
9 reviews, studies, and hearings. All of the reviews, studies,
10 and hearings and the Board's comments thereon concerning
11 initiatives must be made available to the public on a State
12 website.

13 (d) Members. The Board shall consist of 5 members appointed
14 one each by the 4 legislative leaders and the Governor. Each
15 member shall have demonstrated sufficient business or
16 professional experience in the area of financial controls and
17 sound business practices to perform the functions of the Board.
18 No member of the Board may be a member of the General Assembly.

19 (e) Terms. Of the initial appointees, the appointee of the
20 Governor shall serve a one-year term, the appointees of the
21 President of the Senate and the Speaker of the House shall each
22 serve 3-year terms, and the appointees of the Minority Leader
23 of the House and the Minority Leader of the Senate shall each
24 serve 2-year terms. Subsequent terms shall be for 4 years.
25 Members may be reappointed for succeeding terms. The Board
26 shall annually elect a chairman.

1 (f) Reimbursement. Members shall receive no compensation
2 but shall be reimbursed for any expenses reasonably incurred in
3 the performance of their duties from appropriations for those
4 purposes.

5 (g) Staff support. Upon a three-fifths vote of its members
6 and subject to appropriation, the Board may employ an executive
7 director. Subject to appropriation, the Board also may employ a
8 reasonable and necessary number of staff persons.

9 (h) Meetings. Meetings of the Board may be conducted
10 telephonically, electronically, or through the use of other
11 telecommunications. Written minutes of meetings must be
12 created and available for public inspection and copying.

13 Section 15-10. Comments on proposed rules. At least 30 days
14 before initiating rulemaking under the Illinois Administrative
15 Procedure Act, each executive branch State agency must promptly
16 notify the Board in writing of any proposed new rule or policy
17 or any proposed change in an existing rule or policy that would
18 affect the administration of gubernatorial and legislative
19 member initiatives. The Board may comment in writing. Each
20 State agency must respond promptly in writing to all inquiries
21 and comments of the Board.