

HB6091



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6091

Introduced 2/11/2010, by Rep. Jim Durkin

SYNOPSIS AS INTRODUCED:

220 ILCS 5/2-102

from Ch. 111 2/3, par. 2-102

Amends the Public Utilities Act. Provides that a current and future commissioner must divest himself or herself of any funds supporting his or her candidacy for any federal, State, or local public office by (i) a direct return of funds to contributors in amounts not to exceed his or her individual contributions, (ii) a transfer of funds to a charitable organization or organizations, or (iii) a combination of those actions. Provides that failure to comply with these provisions shall render the office vacant. Effective immediately.

LRB096 17405 MJR 36647 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning utilities.

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

4 Section 5. The Public Utilities Act is amended by changing
5 Section 2-102 as follows:

6 (220 ILCS 5/2-102) (from Ch. 111 2/3, par. 2-102)

7 Sec. 2-102. (a) Each commissioner and each person appointed
8 to office by the Commission shall before entering upon the
9 duties of his office take and subscribe the constitutional oath
10 of office.

11 Before entering upon the duties of his office each
12 commissioner shall give bond, with security to be approved by
13 the Governor, in the sum of \$20,000, conditioned for the
14 faithful performance of his duty as such commissioner. Every
15 person appointed or employed by the Commission, may, in the
16 discretion of the Commission, before entering upon the duties
17 of his office, be required to give bond for the faithful
18 discharge of his duties, in such sum as the Commission may
19 designate, which bond shall be approved by the Commission.

20 All bonds required to be filed pursuant to this section
21 shall be filed in the office of the Secretary of State.

22 (b) No person in the employ of or holding any official
23 relation to any corporation or person subject in whole or in

1 part to regulation by the Commission, and no person holding
2 stock or bonds in any such corporation, or who is in any other
3 manner pecuniarily interested therein, directly or indirectly,
4 shall be appointed to or hold the office of commissioner or be
5 appointed or employed by the Commission; and if any such person
6 shall voluntarily become so interested his office or employment
7 shall ipso facto become vacant. If any person become so
8 interested otherwise than voluntarily he shall within a
9 reasonable time divest himself of such interest, and if he
10 fails to do so his office or employment shall become vacant.

11 No commissioner or person appointed or employed by the
12 Commission shall solicit or accept any gift, gratuity,
13 emolument or employment from any person or corporation subject
14 to the supervision of the Commission, or from any officer,
15 agent or employee thereof; nor solicit, request from or
16 recommend, directly or indirectly, to any such person or
17 corporation, or to any officer, agent or employee thereof the
18 appointment of any person to any place or position. Every such
19 corporation and person, and every officer, agent or employee
20 thereof, is hereby forbidden to offer to any commissioner or to
21 any person appointed or employed by the Commission any gift,
22 gratuity, emolument or employment. If any commissioner or any
23 person appointed or employed by the Commission shall violate
24 any provisions of this paragraph he shall be removed from the
25 office or employment held by him. Every person violating the
26 provisions of this paragraph shall be guilty of a Class A

1 misdemeanor.

2 (c) Each commissioner shall devote his entire time to the
3 duties of his office, and shall hold no other office or
4 position of profit, or engage in any other business, employment
5 or vocation.

6 (d) Each current and future commissioner must divest
7 himself or herself of any funds supporting his or her candidacy
8 for any federal, State, or local public office by (i) a direct
9 return of funds to contributors in amounts not to exceed his or
10 her individual contributions, (ii) a transfer of funds to a
11 charitable organization or organizations, or (iii) a
12 combination of items (i) and (ii) of this subsection (d).
13 Failure to comply with this subsection (d) shall render the
14 office vacant.

15 (Source: P.A. 84-617.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.