



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6956

by Rep. Robert F. Flider

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Governmental Ethics Act. Prohibits campaign contributions from business entities with annual aggregate contracts with a member of the Illinois General Assembly or pending contract bids of more than \$25,000, or from the affiliated entities and affiliated persons of such business entities, to any political committees established to promote the candidacy of (i) the member of the General Assembly responsible for awarding the contracts or (ii) in the case of current contracts with a member of the General Assembly of more than \$25,000, a declared candidate for that office. Requires that specified business entities electronically register with the State Board of Elections. Amends the Counties Code and the Illinois Municipal Code. Prohibits campaign contributions from business entities with annual aggregate contracts with a county or a municipality or pending contract bids of more than \$25,000, or from the affiliated entities and affiliated persons of such business entities, to any political committees established to promote the candidacy of (i) the county or municipal officeholder responsible for awarding the contracts or any member of the governing body of the county or municipality if the governing body awarded or approved the contracts or (ii) in the case of current contracts with counties or municipalities of more than \$25,000, a declared candidate for that office or the governing body of the county or municipality. Requires that specified business entities electronically register with the State Board of Elections. Limits home rule powers. Makes other changes. Amends the Election Code to make conforming changes. Amends the State Mandates Act to require implementation without reimbursement.

LRB096 23878 RLJ 43266 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning 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 adding Sections 3-108, 3-109, and 3-110 as follows:

6 (5 ILCS 420/3-108 new)

7 Sec. 3-108. Prohibition of political contributions.

8 (a) As used in this Section:

9 "Affiliated entity" means (i) any corporate parent and
10 each operating subsidiary of the bidding or contracting
11 business entity; (ii) each operating subsidiary of the
12 corporate parent of the bidding or contracting business
13 entity; (iii) any organization recognized by the United
14 States Internal Revenue Service as a tax-exempt
15 organization described in Section 501(c) of the Internal
16 Revenue Code of 1986 (or any successor provision of federal
17 tax law) established by the bidding or contracting business
18 entity, any affiliated entity of that business entity, or
19 any affiliated person of that business entity; or (iv) any
20 political committee for which the bidding or contracting
21 business entity, or any 501(c) organization described in
22 item (iii) related to that business entity, is the
23 sponsoring entity. "Affiliated entity" does not include an

1 entity prohibited by federal law from making contributions
2 or expenditures in connection with a federal, state, or
3 local election.

4 "Affiliated person" means (i) any person with any
5 ownership interest or distributive share of the bidding or
6 contracting business entity in excess of 7.5%, (ii)
7 executive employees of the bidding or contracting business
8 entity, and (iii) the spouse of any of those persons.

9 "Affiliated person" does not include a person prohibited by
10 federal law from making contributions or expenditures in
11 connection with a federal, state, or local election.

12 "Business entity" means any entity doing business for
13 profit, whether organized as a corporation, partnership,
14 sole proprietorship, limited liability company or
15 partnership, or otherwise.

16 "Contract" means all types of agreements entered into
17 by a member of the General Assembly, including change
18 orders and renewals, regardless of what they may be called,
19 for the procurement, use, or disposal of supplies,
20 services, professional or artistic services, or
21 construction or for leases of real property, whether the
22 member of the General Assembly is lessor or lessee, or
23 capital improvements, and including master contracts,
24 contracts for financing through use of installment or
25 lease-purchase arrangements, renegotiated contracts,
26 amendments to contracts, and change orders.

1 "Contract with a member of the General Assembly" means
2 any contract, as defined in this subsection (a), between a
3 business entity and a member of the General Assembly let or
4 awarded pursuant to this Code. The term "contract" does not
5 include cost reimbursement contracts or grants, including,
6 but are not limited to, grants for job training or
7 transportation.

8 "Contribution" means a contribution as defined in
9 Section 9-1.4 of the Election Code.

10 "Declared candidate" means a person who has filed a
11 statement of candidacy and petition for nomination or
12 election as required under the Election Code.

13 "Executive employee" means (i) the President,
14 Chairperson, or Chief Executive Officer of a business
15 entity and any other individual that fulfills equivalent
16 duties as the President, Chairperson of the Board, or Chief
17 Executive Officer of a business entity; and (ii) any
18 employee of a business entity whose compensation is
19 determined directly, in whole or in part, by the award or
20 payment of contracts by a member of the General Assembly to
21 the entity employing the employee. A regular salary that is
22 paid irrespective of the award or payment of a contract
23 with a member of the General Assembly shall not constitute
24 "compensation" under item (ii) of this definition.

25 "Executive employee" does not include any person
26 prohibited by federal law from making contributions or

1 expenditures in connection with a federal, state, or local
2 election.

3 "Officeholder" means any person elected or appointed
4 to fill a vacancy in the Illinois General Assembly.

5 "Sponsoring entity" means a sponsoring entity as
6 defined in Section 9-3 of the Election Code.

7 (b) Any business entity whose contracts with a member of
8 the General Assembly, in the aggregate, annually total more
9 than \$25,000, and any affiliated entities or affiliated persons
10 of that business entity, are prohibited from making any
11 contributions to any political committees established to
12 promote the candidacy of (i) the officeholder responsible for
13 awarding the contracts or (iii) any other declared candidate
14 for that office. This prohibition is effective for the duration
15 of the term of office of the incumbent officeholder awarding
16 the contracts or for a period of 2 years following the
17 expiration or termination of the contracts, whichever is
18 longer.

19 (c) Any business entity whose aggregate pending bids and
20 proposals on contracts with a member of the General Assembly
21 total more than \$25,000, or whose aggregate pending bids and
22 proposals on contracts with a member of the General Assembly
23 combined with the business entity's aggregate annual total
24 value of contracts with a member of the General Assembly exceed
25 \$25,000, and any affiliated entities or affiliated persons of
26 that business entity, are prohibited from making any

1 contributions to any political committee established to
2 promote the candidacy of the officeholder responsible for
3 awarding the contract on which the business entity has
4 submitted a bid or proposal during the period beginning on the
5 date the invitation for bids or request for proposals is issued
6 and ending on the day after the date the contract is awarded.

7 (d) All contracts between a member of the General Assembly
8 and a business entity that violate subsection (b) or (c) are
9 voidable. If a business entity violates subsection (b) 3 or
10 more times within a 36-month period, then all contracts between
11 the member of the General Assembly and that business entity are
12 void, and that business entity may not bid or respond to any
13 invitation to bid or request for proposals from the member of
14 the General Assembly or otherwise enter into any contract with
15 the member of the General Assembly for 3 years after the date
16 of the last violation. A notice of each violation and the
17 penalty imposed shall be published in a newspaper of general
18 circulation within the Legislative District or Representative
19 District that the member represents.

20 (e) Any political committee that has received a
21 contribution in violation of subsection (b) or (c) shall pay an
22 amount equal to the value of the contribution to the State no
23 more than 30 days after notice of the violation concerning the
24 contribution appears in a newspaper of general circulation
25 within the Legislative District or Representative District
26 that the member represents. Payments received by the State

1 pursuant to this subsection shall be deposited into the General
2 Revenue Fund.

3 (5 ILCS 420/3-109 new)

4 Sec. 3-109. Business entities; registration with the State
5 Board of Elections.

6 (a) For purposes of this Section, the terms "business
7 entity", "contract", "contract with a member of the General
8 Assembly", "affiliated entity", and "affiliated person" have
9 the meanings ascribed to those terms in Section 3-108.

10 (b) Every bid submitted to and every contract executed by a
11 member of the General Assembly on or after the effective date
12 of this amendatory Act of the 96th General Assembly shall
13 contain (1) a certification by the bidder or contractor that
14 either (i) the bidder or contractor is not required to register
15 as a business entity with the State Board of Elections pursuant
16 to this Section or (ii) the bidder or contractor has registered
17 as a business entity with the State Board of Elections and
18 acknowledges a continuing duty to update the registration and
19 (2) a statement that the contract is voidable for the bidder's
20 or contractor's failure to comply with this Section.

21 (c) Within 30 days after the effective date of this
22 amendatory Act of the 96th General Assembly, each business
23 entity (i) whose aggregate bids and proposals on contracts with
24 a member of the General Assembly annually total more than
25 \$25,000, (ii) whose aggregate bids and proposals on contracts

1 with a member of the General Assembly combined with the
2 business entity's aggregate annual total value of contracts
3 with the member of the General Assembly exceed \$25,000, or
4 (iii) whose contracts with a member of the General Assembly, in
5 the aggregate, annually total more than \$25,000 shall register
6 with the State Board of Elections in accordance with Section
7 9-35 of the Election Code. A business entity required to
8 register under this subsection shall submit a copy of the
9 certificate of registration to the Clerk of the House or the
10 Secretary of the Senate, as applicable, within 90 days after
11 the effective date of this amendatory Act of the 96th General
12 Assembly. A business entity required to register under this
13 subsection due to item (i) or (ii) has a continuing duty to
14 ensure that the registration is accurate during the period
15 beginning on the date of registration and ending on the day
16 after the date the contract is awarded; any change in
17 information must be reported to the State Board of Elections
18 within 2 business days following the change. A business entity
19 required to register under this subsection due to item (iii)
20 has a continuing duty to ensure that the registration is
21 accurate in accordance with subsection (e).

22 (d) Any business entity, not required under subsection (c)
23 to register within 30 days after the effective date of this
24 amendatory Act of the 96th General Assembly, whose aggregate
25 bids and proposals on contracts with a member of the General
26 Assembly annually total more than \$25,000, or whose aggregate

1 bids and proposals on contracts with a member of the General
2 Assembly combined with the business entity's aggregate annual
3 total value of contracts with a member of the General Assembly
4 exceed \$25,000, shall register with the State Board of
5 Elections in accordance with Section 9-35 of the Election Code
6 before submitting to a member of the General Assembly the bid
7 or proposal whose value causes the business entity to fall
8 within the monetary description of this subsection. A business
9 entity required to register under this subsection has a
10 continuing duty to ensure that the registration is accurate
11 during the period beginning on the date of registration and
12 ending on the day after the date the contract is awarded. Any
13 change in information must be reported to the State Board of
14 Elections within 5 business days following that change or no
15 later than a day before the contract is awarded, whichever date
16 is earlier.

17 (e) A business entity whose contracts with a member of the
18 General Assembly, in the aggregate, annually total more than
19 \$25,000 must maintain its registration under this Section and
20 has a continuing duty to ensure that the registration is
21 accurate for the duration of the term of office of the
22 incumbent officeholder awarding the contracts or for a period
23 of 2 years following the expiration or termination of the
24 contracts, whichever is longer. A business entity, required to
25 register under this subsection, has a continuing duty to report
26 any changes on a quarterly basis to the State Board of

1 Elections within 10 business days following the last day of
2 January, April, July, and October of each year. Any update
3 pursuant to this paragraph that is received beyond that date is
4 presumed late and the civil penalty authorized by subsection
5 (e) of Section 9-35 of the Election Code may be assessed.

6 Also, if a business entity required to register under this
7 subsection has a pending bid or proposal, any change in
8 information shall be reported to the State Board of Elections
9 within 5 business days or no later than a day before the
10 contract is awarded, whichever date is earlier.

11 (f) A business entity's continuing duty under this Section
12 to ensure the accuracy of its registration includes the
13 requirement that the business entity notify the State Board of
14 Elections of any change in information, including but not
15 limited to changes of affiliated entities or affiliated
16 persons.

17 (g) A copy of a certificate of registration must accompany
18 any bid or proposal for a contract with a member of the General
19 Assembly by a business entity required to register under this
20 Section. A member of the General Assembly shall not accept a
21 bid or proposal unless the certificate is submitted to the
22 member of the General Assembly with the bid or proposal.

23 (h) A registration, and any changes to a registration, must
24 include the business entity's verification of accuracy and
25 subjects the business entity to the penalties of the laws of
26 this State for perjury.

1 In addition to any penalty under Section 9-35 of the
2 Election Code, intentional, willful, or material failure to
3 disclose information required for registration shall render
4 the contract, bid, proposal, or other procurement relationship
5 voidable by the member of the General Assembly.

6 (i) This Section applies regardless of the method of source
7 selection used in awarding the contract.

8 (5 ILCS 420/3-110 new)

9 Sec. 3-110. Procurement communications reporting
10 requirement.

11 (a) Any written or oral communication received by a member
12 of the General Assembly that imparts or requests material
13 information or makes a material argument regarding potential
14 action concerning a procurement matter, including, but not
15 limited to, an application, a contract, or a project, shall be
16 reported to the ethics office for that member of the General
17 Assembly. These communications do not include the following:

18 (i) statements by a person publicly made in a public forum;
19 (ii) statements regarding matters of procedure and practice,
20 such as format, the number of copies required, the manner of
21 filing, and the status of a matter; and (iii) statements made
22 by the member of the General Assembly to the employees of the
23 Legislative Ethics Commission. The provisions of this Section
24 shall not apply to communications regarding the administration
25 and implementation of an existing contract, except

1 communications regarding change orders or the renewal or
2 extension of a contract.

3 (b) The report required by subsection (a) shall be
4 submitted monthly and include at least the following: (i) the
5 date and time of each communication; (ii) the identity of each
6 person from whom the written or oral communication was
7 received, the individual or entity represented by that person,
8 and any action the person requested or recommended; (iii) the
9 identity and job title of the person to whom each communication
10 was made; (iv) if a response is made, the identity and job
11 title of the person making each response; (v) a detailed
12 summary of the points made by each person involved in the
13 communication; (vi) the duration of the communication; (vii)
14 the location or locations of all persons involved in the
15 communication and, if the communication occurred by telephone,
16 the telephone numbers for the callers and recipients of the
17 communication; and (viii) any other pertinent information.

18 (c) Additionally, when an oral communication made by a
19 person required to register under the Lobbyist Registration Act
20 is received by a member of the General Assembly that is covered
21 under this Section, all individuals who initiate or participate
22 in the oral communication shall submit a written report to that
23 member of the General Assembly that memorializes the
24 communication and includes, but is not limited to, the items
25 listed in subsection (b).

26 (d) Each ethics officer shall make each report submitted

1 pursuant to this Section available on the General Assembly
2 website within 7 days after his or her receipt of the report.
3 Each ethics officer may promulgate rules to ensure compliance
4 with this Section.

5 (e) The reporting requirements shall also be conveyed
6 through ethics training under the State Officials and Employees
7 Ethics Act. An employee who knowingly and intentionally
8 violates this Section shall be subject to suspension or
9 discharge. The Legislative Ethics Commission shall promulgate
10 rules, including emergency rules, to implement this Section.

11 Section 10. The Election Code is amended by changing
12 Section 9-35 as follows:

13 (10 ILCS 5/9-35)

14 Sec. 9-35. Registration of business entities.

15 (a) This Section governs the procedures for the
16 registration required under Section 20-160 of the Illinois
17 Procurement Code, Section 3-109 of the Illinois Governmental
18 Ethics Act, Section 5-1135 of the Counties Code, and Section
19 11-42.1-5 of the Illinois Municipal Code.

20 For the purposes of this Section, the terms "officeholder",
21 "State contract", "business entity", "State agency",
22 "affiliated entity", and "affiliated person" have the meanings
23 ascribed to those terms in Section 50-37 of the Illinois
24 Procurement Code, Section 3-109 of the Illinois Governmental

1 Ethics Act, Section 5-1135 of the Counties Code, or Section
2 11-42.1-5 of the Illinois Municipal Code, as applicable.

3 (b) Registration under Section 20-160 of the Illinois
4 Procurement Code, Section 3-109 of the Illinois Governmental
5 Ethics Act, Section 5-1135 of the Counties Code, or Section
6 11-42.1-5 of the Illinois Municipal Code, and any changes to
7 that registration, must be made electronically, and the State
8 Board of Elections by rule shall provide for electronic
9 registration; except that the State Board may adopt emergency
10 rules providing for a temporary filing system, effective
11 through August 1, 2009, under which business entities must file
12 the required registration forms provided by the Board via
13 e-mail attachment in a PDF file or via another type of mail
14 service and must receive from the State Board registration
15 certificates via e-mail or paper registration certificates.
16 The State Board shall retain the registrations submitted by
17 business entities via e-mail or another type of mail service
18 for at least 6 months following the establishment of the
19 electronic registration system required by this subsection.

20 Each registration must contain substantially the
21 following:

22 (1) The name and address of the business entity.

23 (2) The name and address of any affiliated entity of
24 the business entity, including a description of the
25 affiliation.

26 (3) The name and address of any affiliated person of

1 the business entity, including a description of the
2 affiliation.

3 (4) A statement that the registration is for State
4 registration required by Section 20-160 of the Illinois
5 Procurement Code, General Assembly registration required
6 by Section 3-109 of the Illinois Governmental Ethics Act,
7 county registration required by Section 5-1135 of the
8 Counties Code, or municipal registration required by
9 Section 11-42.1-5 of the Illinois Municipal Code. For
10 General Assembly registrations, the business entity must
11 identity the member of the General Assembly. For county and
12 municipal registrations, the business entity must identify
13 the county or municipality.

14 (c) The Board shall provide a certificate of registration
15 to the business entity. The certificate shall be electronic,
16 except as otherwise provided in this Section, and accessible to
17 the business entity through the State Board of Elections'
18 website and protected by a password. Within 60 days after
19 establishment of the electronic system, each business entity
20 that submitted a registration via e-mail attachment or paper
21 copy pursuant to this Section shall re-submit its registration
22 electronically. At the time of re-submission, the State Board
23 of Elections shall provide an electronic certificate of
24 registration to that business entity.

25 (d) Any business entity required to register under Section
26 20-160 of the Illinois Procurement Code, Section 3-109 of the

1 Illinois Governmental Ethics Act, Section 5-1135 of the
2 Counties Code, or Section 11-42.1-5 of the Illinois Municipal
3 Code shall provide a copy of the registration certificate, by
4 first class mail or hand delivery within 10 days after
5 registration, to each affiliated entity or affiliated person
6 whose identity is required to be disclosed. Failure to provide
7 notice to an affiliated entity or affiliated person is a
8 business offense for which the business entity is subject to a
9 fine not to exceed \$1,001.

10 (e) In addition to any penalty under Section 20-160 of the
11 Illinois Procurement Code, Section 3-109 of the Illinois
12 Governmental Ethics Act, Section 5-1135 of the Counties Code,
13 or Section 11-42.1-5 of the Illinois Municipal Code,
14 intentional, willful, or material failure to disclose
15 information required for registration is subject to a civil
16 penalty imposed by the State Board of Elections. The State
17 Board shall impose a civil penalty of \$1,000 per business day
18 for failure to update a registration.

19 (f) Any business entity required to register under Section
20 20-160 of the Illinois Procurement Code, Section 3-109 of the
21 Illinois Governmental Ethics Act, Section 5-1135 of the
22 Counties Code, or Section 11-42.1-5 of the Illinois Municipal
23 Code shall notify any political committee to which it makes a
24 contribution, at the time of the contribution, that the
25 business entity is registered with the State Board of Elections
26 under Section 20-160 of the Illinois Procurement Code, Section

1 3-109 of the Illinois Governmental Ethics Act, Section 5-1135
2 of the Counties Code, or Section 11-42.1-5 of the Illinois
3 Municipal Code. Any affiliated entity or affiliated person of a
4 business entity required to register under Section 20-160 of
5 the Illinois Procurement Code, Section 3-109 of the Illinois
6 Governmental Ethics Act, Section 5-1135 of the Counties Code,
7 or Section 11-42.1-5 of the Illinois Municipal Code shall
8 notify any political committee to which it makes a contribution
9 that it is affiliated with a business entity registered with
10 the State Board of Elections under Section 20-160 of the
11 Illinois Procurement Code, Section 3-109 of the Illinois
12 Governmental Ethics Act, Section 5-1135 of the Counties Code,
13 or Section 11-42.1-5 of the Illinois Municipal Code.

14 (g) The State Board of Elections on its official website
15 shall have a searchable database containing (i) all information
16 required to be submitted to the Board under Section 20-160 of
17 the Illinois Procurement Code, Section 3-109 of the Illinois
18 Governmental Ethics Act, Section 5-1135 of the Counties Code,
19 and Section 11-42.1-5 of the Illinois Municipal Code and (ii)
20 all reports filed under this Article with the State Board of
21 Elections by all political committees. For the purposes of
22 databases maintained by the State Board of Elections,
23 "searchable" means able to search by "political committee", as
24 defined in this Article, and by "officeholder", "State agency",
25 "business entity", "affiliated entity", and "affiliated
26 person". No more than 90 days after the effective date of this

1 amendatory Act of the 96th General Assembly, the database must
2 be searchable by "county" and "municipality". The Board shall
3 not place the name of a minor child on the website. However,
4 the Board shall provide a link to all contributions made by
5 anyone reporting the same residential address as any affiliated
6 person. In addition, the State Board of Elections on its
7 official website shall provide an electronic connection to any
8 searchable database of State contracts maintained by the
9 Comptroller, searchable by business entity.

10 (h) The State Board of Elections shall have rulemaking
11 authority to implement this Section.

12 (Source: P.A. 95-971, eff. 1-1-09; 95-1038, eff. 3-11-09.)

13 Section 15. The Counties Code is amended by adding Sections
14 5-1133, 5-1135, and 5-1137 as follows:

15 (55 ILCS 5/5-1133 new)

16 Sec. 5-1133. Prohibition of political contributions.

17 (a) As used in this Section:

18 "Affiliated entity" means (i) any corporate parent and
19 each operating subsidiary of the bidding or contracting
20 business entity; (ii) each operating subsidiary of the
21 corporate parent of the bidding or contracting business
22 entity; (iii) any organization recognized by the United
23 States Internal Revenue Service as a tax-exempt
24 organization described in Section 501(c) of the Internal

1 Revenue Code of 1986 (or any successor provision of federal
2 tax law) established by the bidding or contracting business
3 entity, any affiliated entity of that business entity, or
4 any affiliated person of that business entity; or (iv) any
5 political committee for which the bidding or contracting
6 business entity, or any 501(c) organization described in
7 item (iii) related to that business entity, is the
8 sponsoring entity. "Affiliated entity" does not include an
9 entity prohibited by federal law from making contributions
10 or expenditures in connection with a federal, state, or
11 local election.

12 "Affiliated person" means (i) any person with any
13 ownership interest or distributive share of the bidding or
14 contracting business entity in excess of 7.5%, (ii)
15 executive employees of the bidding or contracting business
16 entity, and (iii) the spouse of any of those persons.
17 "Affiliated person" does not include a person prohibited by
18 federal law from making contributions or expenditures in
19 connection with a federal, state, or local election.

20 "Business entity" means any entity doing business for
21 profit, whether organized as a corporation, partnership,
22 sole proprietorship, limited liability company or
23 partnership, or otherwise.

24 "Contract" means all types of agreements entered into
25 by counties, including change orders and renewals,
26 regardless of what they may be called, for the procurement,

1 use, or disposal of supplies, services, professional or
2 artistic services, or construction or for leases of real
3 property, whether the county is lessor or lessee, or
4 capital improvements, and including master contracts,
5 contracts for financing through use of installment or
6 lease-purchase arrangements, renegotiated contracts,
7 amendments to contracts, and change orders.

8 "Contract with a county" means any contract, as defined
9 in this subsection (a), between a business entity and a
10 county let or awarded pursuant to this Code. The term
11 "contract" does not include cost reimbursement contracts;
12 grants, including but are not limited to grants for job
13 training or transportation; and grants, loans, or tax
14 credit agreements for economic development purposes.

15 "Contribution" means a contribution as defined in
16 Section 9-1.4 of the Election Code.

17 "Declared candidate" means a person who has filed a
18 statement of candidacy and petition for nomination or
19 election as required under the Election Code.

20 "Executive employee" means (i) the President,
21 Chairperson, or Chief Executive Officer of a business
22 entity and any other individual that fulfills equivalent
23 duties as the President, Chairperson of the Board, or Chief
24 Executive Officer of a business entity; and (ii) any
25 employee of a business entity whose compensation is
26 determined directly, in whole or in part, by the award or

1 payment of contracts by a county to the entity employing
2 the employee. A regular salary that is paid irrespective of
3 the award or payment of a contract with a county shall not
4 constitute "compensation" under item (ii) of this
5 definition. "Executive employee" does not include any
6 person prohibited by federal law from making contributions
7 or expenditures in connection with a federal, state, or
8 local election.

9 "Officeholder" means any county official elected or
10 appointed to fill a vacancy in an elected county office.

11 "Sponsoring entity" means a sponsoring entity as
12 defined in Section 9-3 of the Election Code.

13 (b) Any business entity whose contracts with a county, in
14 the aggregate, annually total more than \$25,000, and any
15 affiliated entities or affiliated persons of that business
16 entity, are prohibited from making any contributions to any
17 political committees established to promote the candidacy of
18 (i) the officeholder responsible for awarding the contracts,
19 (ii) any member of the governing body of the county if the
20 governing body awarded or approved the contracts, or (iii) any
21 other declared candidate for that office or the governing body
22 of the county. This prohibition is effective for the duration
23 of the term of office of the incumbent officeholder awarding
24 the contracts or any member of the governing body of the county
25 if the governing body awarded or approved the contracts or for
26 a period of 2 years following the expiration or termination of

1 the contracts, whichever is longer.

2 (c) Any business entity whose aggregate pending bids and
3 proposals on contracts with a county total more than \$25,000,
4 or whose aggregate pending bids and proposals on contracts with
5 a county combined with the business entity's aggregate annual
6 total value of contracts with a county exceed \$25,000, and any
7 affiliated entities or affiliated persons of that business
8 entity, are prohibited from making any contributions to any
9 political committee established to promote the candidacy of the
10 officeholder responsible for awarding the contract or any
11 member of the governing body of the county if the governing
12 body awarded or approved the contracts on which the business
13 entity has submitted a bid or proposal during the period
14 beginning on the date the invitation for bids or request for
15 proposals is issued and ending on the day after the date the
16 contract is awarded.

17 (d) All contracts between a county and a business entity
18 that violate subsection (b) or (c) are voidable. If a business
19 entity violates subsection (b) 3 or more times within a
20 36-month period, then all contracts between the county and that
21 business entity are void, and that business entity may not bid
22 or respond to any invitation to bid or request for proposals
23 from the county or otherwise enter into any contract with the
24 county for 3 years after the date of the last violation. A
25 notice of each violation and the penalty imposed shall be
26 published in a newspaper of general circulation within the

1 county.

2 (e) Any political committee that has received a
3 contribution in violation of subsection (b) or (c) shall pay an
4 amount equal to the value of the contribution to the county no
5 more than 30 days after notice of the violation concerning the
6 contribution appears in a newspaper of general circulation
7 within the county. Payments received by the county pursuant to
8 this subsection shall be deposited into the county's general
9 fund.

10 (f) A county may not regulate campaign contributions in a
11 manner inconsistent with this Section. This Section is a
12 limitation under subsection (i) of Section 6 of Article VII of
13 the Illinois Constitution on the concurrent exercise by home
14 rule units of powers and functions exercised by the State.

15 (55 ILCS 5/5-1135 new)

16 Sec. 5-1135. Business entities; registration with the
17 State Board of Elections.

18 (a) For purposes of this Section, the terms "business
19 entity", "contract", "contract with a county", "affiliated
20 entity", and "affiliated person" have the meanings ascribed to
21 those terms in Section 5-1133.

22 (b) Every bid submitted to and every contract executed by a
23 county on or after the effective date of this amendatory Act of
24 the 96th General Assembly shall contain (1) a certification by
25 the bidder or contractor that either (i) the bidder or

1 contractor is not required to register as a business entity
2 with the State Board of Elections pursuant to this Section or
3 (ii) the bidder or contractor has registered as a business
4 entity with the State Board of Elections and acknowledges a
5 continuing duty to update the registration and (2) a statement
6 that the contract is voidable for the bidder's or contractor's
7 failure to comply with this Section.

8 (c) Within 30 days after the effective date of this
9 amendatory Act of the 96th General Assembly, each business
10 entity (i) whose aggregate bids and proposals on contracts with
11 a county annually total more than \$25,000, (ii) whose aggregate
12 bids and proposals on contracts with a county combined with the
13 business entity's aggregate annual total value of contracts
14 with the county exceed \$25,000, or (iii) whose contracts with a
15 county, in the aggregate, annually total more than \$25,000
16 shall register with the State Board of Elections in accordance
17 with Section 9-35 of the Election Code. A business entity
18 required to register under this subsection shall submit a copy
19 of the certificate of registration to the county clerk within
20 90 days after the effective date of this amendatory Act of the
21 96th General Assembly. A business entity required to register
22 under this subsection due to item (i) or (ii) has a continuing
23 duty to ensure that the registration is accurate during the
24 period beginning on the date of registration and ending on the
25 day after the date the contract is awarded; any change in
26 information must be reported to the State Board of Elections

1 within 2 business days following the change. A business entity
2 required to register under this subsection due to item (iii)
3 has a continuing duty to ensure that the registration is
4 accurate in accordance with subsection (e).

5 (d) Any business entity, not required under subsection (c)
6 to register within 30 days after the effective date of this
7 amendatory Act of the 96th General Assembly, whose aggregate
8 bids and proposals on contracts with a county annually total
9 more than \$25,000, or whose aggregate bids and proposals on
10 contracts with a county combined with the business entity's
11 aggregate annual total value of contracts with a county exceed
12 \$25,000, shall register with the State Board of Elections in
13 accordance with Section 9-35 of the Election Code before
14 submitting to a county the bid or proposal whose value causes
15 the business entity to fall within the monetary description of
16 this subsection. A business entity required to register under
17 this subsection has a continuing duty to ensure that the
18 registration is accurate during the period beginning on the
19 date of registration and ending on the day after the date the
20 contract is awarded. Any change in information must be reported
21 to the State Board of Elections within 5 business days
22 following that change or no later than a day before the
23 contract is awarded, whichever date is earlier.

24 (e) A business entity whose contracts with a county, in the
25 aggregate, annually total more than \$25,000 must maintain its
26 registration under this Section and has a continuing duty to

1 ensure that the registration is accurate for the duration of
2 the term of office of the incumbent officeholder awarding the
3 contracts or any member of the governing body of the county if
4 the governing body awarded or approved the contracts or for a
5 period of 2 years following the expiration or termination of
6 the contracts, whichever is longer. A business entity, required
7 to register under this subsection, has a continuing duty to
8 report any changes on a quarterly basis to the State Board of
9 Elections within 10 business days following the last day of
10 January, April, July, and October of each year. Any update
11 pursuant to this paragraph that is received beyond that date is
12 presumed late and the civil penalty authorized by subsection
13 (e) of Section 9-35 of the Election Code may be assessed.

14 Also, if a business entity required to register under this
15 subsection has a pending bid or proposal, any change in
16 information shall be reported to the State Board of Elections
17 within 5 business days or no later than a day before the
18 contract is awarded, whichever date is earlier.

19 (f) A business entity's continuing duty under this Section
20 to ensure the accuracy of its registration includes the
21 requirement that the business entity notify the State Board of
22 Elections of any change in information, including but not
23 limited to changes of affiliated entities or affiliated
24 persons.

25 (g) A copy of a certificate of registration must accompany
26 any bid or proposal for a contract with a county by a business

1 entity required to register under this Section. A county shall
2 not accept a bid or proposal unless the certificate is
3 submitted to the county with the bid or proposal.

4 (h) A registration, and any changes to a registration, must
5 include the business entity's verification of accuracy and
6 subjects the business entity to the penalties of the laws of
7 this State for perjury.

8 In addition to any penalty under Section 9-35 of the
9 Election Code, intentional, willful, or material failure to
10 disclose information required for registration shall render
11 the contract, bid, proposal, or other procurement relationship
12 voidable by the governing body of the county if the members of
13 the governing body deem it to be in the best interest of the
14 county.

15 (i) This Section applies regardless of the method of source
16 selection used in awarding the contract.

17 (j) A county may not regulate the submission of bids in a
18 manner inconsistent with this Section. This Section is a
19 limitation under subsection (i) of Section 6 of Article VII of
20 the Illinois Constitution on the concurrent exercise by home
21 rule units of powers and functions exercised by the State.

22 (55 ILCS 5/5-1137 new)

23 Sec. 5-1137. Procurement communications reporting
24 requirement.

25 (a) Any written or oral communication received by a county

1 officeholder that imparts or requests material information or
2 makes a material argument regarding potential action
3 concerning a procurement matter, including, but not limited to,
4 an application, a contract, or a project, shall be reported to
5 the ethics officer for the county that the officeholder
6 represents. These communications do not include the following:
7 (i) statements by a person publicly made in a public forum;
8 (ii) statements regarding matters of procedure and practice,
9 such as format, the number of copies required, the manner of
10 filing, and the status of a matter; and (iii) statements made
11 by a county officeholder to the ethics officer for the county.
12 The provisions of this Section shall not apply to
13 communications regarding the administration and implementation
14 of an existing contract, except communications regarding
15 change orders or the renewal or extension of a contract.

16 (b) The report required by subsection (a) shall be
17 submitted monthly and include at least the following: (i) the
18 date and time of each communication; (ii) the identity of each
19 person from whom the written or oral communication was
20 received, the individual or entity represented by that person,
21 and any action the person requested or recommended; (iii) the
22 identity and job title of the person to whom each communication
23 was made; (iv) if a response is made, the identity and job
24 title of the person making each response; (v) a detailed
25 summary of the points made by each person involved in the
26 communication; (vi) the duration of the communication; (vii)

1 the location or locations of all persons involved in the
2 communication and, if the communication occurred by telephone,
3 the telephone numbers for the callers and recipients of the
4 communication; and (viii) any other pertinent information.

5 (c) Additionally, when an oral communication made by a
6 person required to register as a lobbyist by the county or
7 under the Lobbyist Registration Act is received by a county
8 officeholder that is covered under this Section, all
9 individuals who initiate or participate in the oral
10 communication shall submit a written report to that county
11 officeholder that memorializes the communication and includes,
12 but is not limited to, the items listed in subsection (b).

13 (d) The ethics officer for the county shall make each
14 report submitted pursuant to this Section available on the
15 county's official website within 7 days after his or her
16 receipt of the report. If the county does not maintain a
17 website, then the ethics officer shall publish each report in a
18 newspaper of general circulation within the county within 7
19 days after his or her receipt of the report. The governing body
20 of the county may promulgate rules to ensure compliance with
21 this Section.

22 (e) The reporting requirements shall also be conveyed
23 through ethics training under the State Officials and Employees
24 Ethics Act and county resolution or ordinance. An employee who
25 knowingly and intentionally violates this Section shall be
26 subject to suspension or discharge. The governing body of the

1 county shall promulgate rules to implement this Section.

2 (f) For the purposes of this Section, "county officeholder"
3 means any county official elected or appointed to fill a
4 vacancy in an elected county office.

5 (g) A county may not regulate the reporting of procurement
6 communications in a manner inconsistent with this Section. This
7 Section is a limitation under subsection (i) of Section 6 of
8 Article VII of the Illinois Constitution on the concurrent
9 exercise by home rule units of powers and functions exercised
10 by the State.

11 Section 20. The Illinois Municipal Code is amended by
12 adding Sections 11-42.1-3, 11-42.1-5, and 11-42.1-10 as
13 follows:

14 (65 ILCS 5/11-42.1-3 new)

15 Sec. 11-42.1-3. Prohibition of political contributions.

16 (a) As used in this Section:

17 "Affiliated entity" means (i) any corporate parent and
18 each operating subsidiary of the bidding or contracting
19 business entity; (ii) each operating subsidiary of the
20 corporate parent of the bidding or contracting business
21 entity; (iii) any organization recognized by the United
22 States Internal Revenue Service as a tax-exempt
23 organization described in Section 501(c) of the Internal
24 Revenue Code of 1986 (or any successor provision of federal

1 tax law) established by the bidding or contracting business
2 entity, any affiliated entity of that business entity, or
3 any affiliated person of that business entity; or (iv) any
4 political committee for which the bidding or contracting
5 business entity, or any 501(c) organization described in
6 item (iii) related to that business entity, is the
7 sponsoring entity. "Affiliated entity" does not include an
8 entity prohibited by federal law from making contributions
9 or expenditures in connection with a federal, state, or
10 local election.

11 "Affiliated person" means (i) any person with any
12 ownership interest or distributive share of the bidding or
13 contracting business entity in excess of 7.5%, (ii)
14 executive employees of the bidding or contracting business
15 entity, and (iii) the spouse of any of those persons.
16 "Affiliated person" does not include a person prohibited by
17 federal law from making contributions or expenditures in
18 connection with a federal, state, or local election.

19 "Business entity" means any entity doing business for
20 profit, whether organized as a corporation, partnership,
21 sole proprietorship, limited liability company or
22 partnership, or otherwise.

23 "Contract" means all types of agreements entered into
24 by municipalities, including change orders and renewals,
25 regardless of what they may be called, for the procurement,
26 use, or disposal of supplies, services, professional or

1 artistic services, or construction or for leases of real
2 property, whether the municipality is lessor or lessee, or
3 capital improvements, and including master contracts,
4 contracts for financing through use of installment or
5 lease-purchase arrangements, renegotiated contracts,
6 amendments to contracts, and change orders.

7 "Contract with a municipality" means any contract, as
8 defined in this subsection (a), between a business entity
9 and a municipality let or awarded pursuant to this Code.
10 The term "contract" does not include cost reimbursement
11 contracts; grants, including but are not limited to grants
12 for job training or transportation; and grants, loans, or
13 tax credit agreements for economic development purposes.

14 "Contribution" means a contribution as defined in
15 Section 9-1.4 of the Election Code.

16 "Declared candidate" means a person who has filed a
17 statement of candidacy and petition for nomination or
18 election as required under the Election Code.

19 "Executive employee" means (i) the President,
20 Chairperson, or Chief Executive Officer of a business
21 entity and any other individual that fulfills equivalent
22 duties as the President, Chairperson of the Board, or Chief
23 Executive Officer of a business entity; and (ii) any
24 employee of a business entity whose compensation is
25 determined directly, in whole or in part, by the award or
26 payment of contracts by a municipality to the entity

1 employing the employee. A regular salary that is paid
2 irrespective of the award or payment of a contract with a
3 municipality shall not constitute "compensation" under
4 item (ii) of this definition. "Executive employee" does not
5 include any person prohibited by federal law from making
6 contributions or expenditures in connection with a
7 federal, state, or local election.

8 "Officeholder" means any municipal official elected or
9 appointed to fill a vacancy in an elected municipal office.

10 "Sponsoring entity" means a sponsoring entity as
11 defined in Section 9-3 of the Election Code.

12 (b) Any business entity whose contracts with a
13 municipality, in the aggregate, annually total more than
14 \$25,000, and any affiliated entities or affiliated persons of
15 that business entity, are prohibited from making any
16 contributions to any political committees established to
17 promote the candidacy of (i) the officeholder responsible for
18 awarding the contracts, (ii) any member of the governing body
19 of the municipality if the governing body awarded or approved
20 the contracts, or (iii) any other declared candidate for that
21 office or the governing body of the municipality. This
22 prohibition is effective for the duration of the term of office
23 of the incumbent officeholder awarding the contracts or any
24 member of the governing body of the municipality if the
25 governing body awarded or approved the contracts or for a
26 period of 2 years following the expiration or termination of

1 the contracts, whichever is longer.

2 (c) Any business entity whose aggregate pending bids and
3 proposals on contracts with a municipality total more than
4 \$25,000, or whose aggregate pending bids and proposals on
5 contracts with a municipality combined with the business
6 entity's aggregate annual total value of contracts with a
7 municipality exceed \$25,000, and any affiliated entities or
8 affiliated persons of that business entity, are prohibited from
9 making any contributions to any political committee
10 established to promote the candidacy of the officeholder
11 responsible for awarding the contract or any member of the
12 governing body of the municipality if the governing body
13 awarded or approved the contracts on which the business entity
14 has submitted a bid or proposal during the period beginning on
15 the date the invitation for bids or request for proposals is
16 issued and ending on the day after the date the contract is
17 awarded.

18 (d) All contracts between a municipality and a business
19 entity that violate subsection (b) or (c) are voidable. If a
20 business entity violates subsection (b) 3 or more times within
21 a 36-month period, then all contracts between the municipality
22 and that business entity are void, and that business entity may
23 not bid or respond to any invitation to bid or request for
24 proposals from the municipality or otherwise enter into any
25 contract with the municipality for 3 years after the date of
26 the last violation. A notice of each violation and the penalty

1 imposed shall be published in a newspaper of general
2 circulation within the municipality.

3 (e) Any political committee that has received a
4 contribution in violation of subsection (b) or (c) shall pay an
5 amount equal to the value of the contribution to the
6 municipality no more than 30 days after notice of the violation
7 concerning the contribution appears in a newspaper of general
8 circulation within the municipality. Payments received by the
9 municipality pursuant to this subsection shall be deposited
10 into the municipality's general fund.

11 (f) A municipality may not regulate campaign contributions
12 in a manner inconsistent with this Section. This Section is a
13 limitation under subsection (i) of Section 6 of Article VII of
14 the Illinois Constitution on the concurrent exercise by home
15 rule units of powers and functions exercised by the State.

16 (65 ILCS 5/11-42.1-5 new)

17 Sec. 11-42.1-5. Business entities; registration with the
18 State Board of Elections.

19 (a) For purposes of this Section, the terms "business
20 entity", "contract", "contract with a municipality",
21 "affiliated entity", and "affiliated person" have the meanings
22 ascribed to those terms in Section 11-42.1-3.

23 (b) Every bid submitted to and every contract executed by a
24 municipality on or after the effective date of this amendatory
25 Act of the 96th General Assembly shall contain (1) a

1 certification by the bidder or contractor that either (i) the
2 bidder or contractor is not required to register as a business
3 entity with the State Board of Elections pursuant to this
4 Section or (ii) the bidder or contractor has registered as a
5 business entity with the State Board of Elections and
6 acknowledges a continuing duty to update the registration and
7 (2) a statement that the contract is voidable for the bidder's
8 or contractor's failure to comply with this Section.

9 (c) Within 30 days after the effective date of this
10 amendatory Act of the 96th General Assembly, each business
11 entity (i) whose aggregate bids and proposals on contracts with
12 a municipality annually total more than \$25,000, (ii) whose
13 aggregate bids and proposals on contracts with a municipality
14 combined with the business entity's aggregate annual total
15 value of contracts with the municipality exceed \$25,000, or
16 (iii) whose contracts with a municipality, in the aggregate,
17 annually total more than \$25,000 shall register with the State
18 Board of Elections in accordance with Section 9-35 of the
19 Election Code. A business entity required to register under
20 this subsection shall submit a copy of the certificate of
21 registration to the municipal clerk within 90 days after the
22 effective date of this amendatory Act of the 96th General
23 Assembly. A business entity required to register under this
24 subsection due to item (i) or (ii) has a continuing duty to
25 ensure that the registration is accurate during the period
26 beginning on the date of registration and ending on the day

1 after the date the contract is awarded; any change in
2 information must be reported to the State Board of Elections
3 within 2 business days following the change. A business entity
4 required to register under this subsection due to item (iii)
5 has a continuing duty to ensure that the registration is
6 accurate in accordance with subsection (e).

7 (d) Any business entity, not required under subsection (c)
8 to register within 30 days after the effective date of this
9 amendatory Act of the 96th General Assembly, whose aggregate
10 bids and proposals on contracts with a municipality annually
11 total more than \$25,000, or whose aggregate bids and proposals
12 on contracts with a municipality combined with the business
13 entity's aggregate annual total value of contracts with a
14 municipality exceed \$25,000, shall register with the State
15 Board of Elections in accordance with Section 9-35 of the
16 Election Code before submitting to a municipality the bid or
17 proposal whose value causes the business entity to fall within
18 the monetary description of this subsection. A business entity
19 required to register under this subsection has a continuing
20 duty to ensure that the registration is accurate during the
21 period beginning on the date of registration and ending on the
22 day after the date the contract is awarded. Any change in
23 information must be reported to the State Board of Elections
24 within 5 business days following that change or no later than a
25 day before the contract is awarded, whichever date is earlier.

26 (e) A business entity whose contracts with a municipality,

1 in the aggregate, annually total more than \$25,000 must
2 maintain its registration under this Section and has a
3 continuing duty to ensure that the registration is accurate for
4 the duration of the term of office of the incumbent
5 officeholder awarding the contracts or any member of the
6 governing body of the municipality if the governing body
7 awarded or approved the contracts or for a period of 2 years
8 following the expiration or termination of the contracts,
9 whichever is longer. A business entity, required to register
10 under this subsection, has a continuing duty to report any
11 changes on a quarterly basis to the State Board of Elections
12 within 10 business days following the last day of January,
13 April, July, and October of each year. Any update pursuant to
14 this paragraph that is received beyond that date is presumed
15 late and the civil penalty authorized by subsection (e) of
16 Section 9-35 of the Election Code may be assessed.

17 Also, if a business entity required to register under this
18 subsection has a pending bid or proposal, any change in
19 information shall be reported to the State Board of Elections
20 within 5 business days or no later than a day before the
21 contract is awarded, whichever date is earlier.

22 (f) A business entity's continuing duty under this Section
23 to ensure the accuracy of its registration includes the
24 requirement that the business entity notify the State Board of
25 Elections of any change in information, including but not
26 limited to changes of affiliated entities or affiliated

1 persons.

2 (g) A copy of a certificate of registration must accompany
3 any bid or proposal for a contract with a municipality by a
4 business entity required to register under this Section. A
5 municipality shall not accept a bid or proposal unless the
6 certificate is submitted to the municipality with the bid or
7 proposal.

8 (h) A registration, and any changes to a registration, must
9 include the business entity's verification of accuracy and
10 subjects the business entity to the penalties of the laws of
11 this State for perjury.

12 In addition to any penalty under Section 9-35 of the
13 Election Code, intentional, willful, or material failure to
14 disclose information required for registration shall render
15 the contract, bid, proposal, or other procurement relationship
16 voidable by the governing body of the municipality if the
17 members of the governing body deem it to be in the best
18 interest of the municipality.

19 (i) This Section applies regardless of the method of source
20 selection used in awarding the contract.

21 (j) A municipality may not regulate the submission of bids
22 in a manner inconsistent with this Section. This Section is a
23 limitation under subsection (i) of Section 6 of Article VII of
24 the Illinois Constitution on the concurrent exercise by home
25 rule units of powers and functions exercised by the State.

1 (65 ILCS 5/11-42.1-10 new)

2 Sec. 11-42.1-10. Procurement communications reporting
3 requirement.

4 (a) Any written or oral communication received by a
5 municipal officeholder that imparts or requests material
6 information or makes a material argument regarding potential
7 action concerning a procurement matter, including, but not
8 limited to, an application, a contract, or a project, shall be
9 reported to the ethics officer for the municipality that the
10 officeholder represents. These communications do not include
11 the following: (i) statements by a person publicly made in a
12 public forum; (ii) statements regarding matters of procedure
13 and practice, such as format, the number of copies required,
14 the manner of filing, and the status of a matter; and (iii)
15 statements made by a municipal officeholder to the ethics
16 officer for the municipality. The provisions of this Section
17 shall not apply to communications regarding the administration
18 and implementation of an existing contract, except
19 communications regarding change orders or the renewal or
20 extension of a contract.

21 (b) The report required by subsection (a) shall be
22 submitted monthly and include at least the following: (i) the
23 date and time of each communication; (ii) the identity of each
24 person from whom the written or oral communication was
25 received, the individual or entity represented by that person,
26 and any action the person requested or recommended; (iii) the

1 identity and job title of the person to whom each communication
2 was made; (iv) if a response is made, the identity and job
3 title of the person making each response; (v) a detailed
4 summary of the points made by each person involved in the
5 communication; (vi) the duration of the communication; (vii)
6 the location or locations of all persons involved in the
7 communication and, if the communication occurred by telephone,
8 the telephone numbers for the callers and recipients of the
9 communication; and (viii) any other pertinent information.

10 (c) Additionally, when an oral communication made by a
11 person required to register as a lobbyist by the municipality
12 or under the Lobbyist Registration Act is received by a
13 municipal officeholder that is covered under this Section, all
14 individuals who initiate or participate in the oral
15 communication shall submit a written report to that municipal
16 officeholder that memorializes the communication and includes,
17 but is not limited to, the items listed in subsection (b).

18 (d) The ethics officer for the municipality shall make each
19 report submitted pursuant to this Section available on the
20 municipality's official website within 7 days after his or her
21 receipt of the report. If the municipality does not maintain a
22 website, then the ethics officer shall publish each report in a
23 newspaper of general circulation within the municipality
24 within 7 days after his or her receipt of the report. The
25 governing body of the municipality may promulgate rules to
26 ensure compliance with this Section.

1 (e) The reporting requirements shall also be conveyed
2 through ethics training under the State Officials and Employees
3 Ethics Act and municipal resolution or ordinance. An employee
4 who knowingly and intentionally violates this Section shall be
5 subject to suspension or discharge. The governing body of the
6 municipality shall promulgate rules to implement this Section.

7 (f) For the purposes of this Section, "municipal
8 officeholder" means any municipal official elected or
9 appointed to fill a vacancy in an elected municipal office.

10 (g) A municipality may not regulate the reporting of
11 procurement communications in a manner inconsistent with this
12 Section. This Section is a limitation under subsection (i) of
13 Section 6 of Article VII of the Illinois Constitution on the
14 concurrent exercise by home rule units of powers and functions
15 exercised by the State.

16 Section 90. The State Mandates Act is amended by adding
17 Section 8.34 as follows:

18 (30 ILCS 805/8.34 new)

19 Sec. 8.34. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by this amendatory Act of
22 the 96th General Assembly.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 420/3-108 new

4 5 ILCS 420/3-109 new

5 5 ILCS 420/3-110 new

6 10 ILCS 5/9-35

7 55 ILCS 5/5-1133 new

8 55 ILCS 5/5-1135 new

9 55 ILCS 5/5-1137 new

10 65 ILCS 5/11-42.1-3 new

11 65 ILCS 5/11-42.1-5 new

12 65 ILCS 5/11-42.1-10 new

13 30 ILCS 805/8.34 new