

# SB1345



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB1345

Introduced 2/10/2009, by Sen. Matt Murphy

#### SYNOPSIS AS INTRODUCED:

10 ILCS 5/9-8.5 new  
20 ILCS 3005/9.3 new

Amends the Election Code. Prohibits campaign contributions to General Assembly members from recipients of their legislative member initiatives for 5 years after initial disbursement of moneys. Amends the Governor's Office of Management and Budget Act. Requires GOMB to establish a single updated searchable database website accessible by the public at no cost that includes information concerning each entity that receives Illinois funding. Requires GOMB to report to the General Assembly concerning the website. Effective immediately.

LRB096 08042 JAM 18148 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Election Code is amended by adding Section  
5 9-8.5 as follows:

6 (10 ILCS 5/9-8.5 new)

7 Sec. 9-8.5. Prohibited contributions.

8 (a) For the purposes of this Section, "legislative member  
9 initiative" is defined as provided in Section 9.3 of the  
10 Governor's Office of Management and Budget Act.

11 (b) A political committee organized by or on behalf of a  
12 State Senator or State Representative may not accept a  
13 contribution from the recipient of that Senator's or  
14 Representative's legislative member initiative for 5 years  
15 beginning on the date of first disbursement of moneys under  
16 that initiative to that recipient.

17 (c) A contribution accepted in violation of this Section  
18 shall escheat to the State and be deposited into the State  
19 treasury.

20 Section 10. The Governor's Office of Management and Budget  
21 Act is amended by adding Section 9.3 as follows:

1 (20 ILCS 3005/9.3 new)

2 Sec. 9.3. Illinois Funding Accountability and Transparency  
3 Law.

4 (a) In general:

5 (1) Website. Beginning July 1, 2010 and subject to  
6 paragraphs (2) and (3), the Governor's Office of Management  
7 and Budget (GOMB) shall ensure the existence and operation  
8 of a single updated searchable database website accessible  
9 by the public at no cost that includes for each entity  
10 receiving Illinois funding:

11 (A) the name of the entity;

12 (B) the amount of any Illinois funds that the  
13 entity has received in each of the last 10 fiscal  
14 years;

15 (C) an itemized breakdown of each transaction,  
16 including funding agency, program source, and a  
17 description of the purpose of each funding action;

18 (D) the location of the entity and primary location  
19 of performance, including the city, state, and country  
20 and, if in Illinois, the Representative District;

21 (E) a unique identifier for each such entity and  
22 parent entity, should the entity be owned by another  
23 entity;

24 (F) with respect to moneys disbursed pursuant to a  
25 legislative member initiative, the identity of both  
26 the Legislative District and the Representative

1 District of the General Assembly member pursuant to  
2 whose initiative the moneys were appropriated; and

3 (G) any other relevant information.

4 (2) Initial data. Beginning July 1, 2010, the website  
5 shall include data for fiscal years 2009 and 2010.

6 (3) Previous fiscal years. Not later than July 1, 2012,  
7 information required by this Section shall be posted on the  
8 website for fiscal years 1999 through 2008.

9 (b) Definitions. In this Section:

10 (1) Entity. The term "entity":

11 (A) includes:

12 (i) a corporation;

13 (ii) an association;

14 (iii) a partnership;

15 (iv) a limited liability company;

16 (v) a limited liability partnership;

17 (vi) any other legal business entity;

18 (vii) grantees, contractors, and, on and after  
19 January 1, 2011, subgrantees and subcontractors;

20 and

21 (viii) any unit of local government, school  
22 district, or other state or federal governmental  
23 unit; but

24 (B) does not include:

25 (i) an individual recipient of Illinois or  
26 federal assistance;

1                   (ii) a State employee; or

2                   (iii) a grant or contract of such a nature that  
3                   its disclosure could reasonably be expected to  
4                   cause damage to homeland security.

5           (2) Illinois funding. The term "Illinois funding":

6                   (A) means Illinois financial assistance and  
7                   expenditures, which include grants, contracts,  
8                   subgrants, subcontracts, loans, awards, and other  
9                   forms of financial assistance; but

10                   (B) does not include credit card transactions or  
11                   minor purchases.

12           (3) Legislative member initiative. The term  
13           "legislative member initiative" means an appropriation for  
14           a grant or distribution to a specific unit of local  
15           government, specific school district, specific  
16           not-for-profit organization, or specific non-governmental  
17           entity for infrastructure improvements or operating  
18           expenses. Appropriations that are part of a statewide  
19           program and are based on generally applicable standards of  
20           eligibility are not legislative member initiatives.  
21           "Infrastructure improvements" include without limitation  
22           capital improvements, capital projects, planning,  
23           construction, reconstruction, equipment, utilities,  
24           vehicles, and all costs associated with economic  
25           development, community programs, educational programs,  
26           public health, and public safety.

1           (4) Searchable database website. The term "searchable  
2           database website" means a website that allows the public  
3           to:

4                   (A) search Illinois funding by name of entity,  
5                   parent entity, or type of industry, by geography,  
6                   including location of the entity and the primary  
7                   location of the performance, by amounts and types of  
8                   Illinois funding, by program sources, by type of  
9                   activity being performed, by time factors such as  
10                   fiscal years or multiple fiscal years, by Legislative  
11                   District and Representative District numbers, and by  
12                   other relevant information; and

13                   (B) download data included in subparagraph (A),  
14                   including outcomes from searches.

15           (c) Website. The database website established by this  
16           Section:

17                   (1) shall not be considered in compliance if it relies  
18                   upon links to other existing websites and databases, unless  
19                   each of those sites has information from all agencies and  
20                   each category of information required to be itemized can be  
21                   searched electronically by field in a single search;

22                   (2) shall provide an opportunity for the public to  
23                   provide input about the utility of the site and  
24                   recommendations for improvements; and

25                   (3) shall be updated not later than 30 days after the  
26                   award of any assistance requiring a posting.

1       (d) GOMB responsibilities. The Director of GOMB shall  
2 provide guidance to agency heads to ensure compliance with this  
3 Section.

4       (e) Report. By March 1 of each year, the Director of GOMB  
5 shall report to the General Assembly on implementation and  
6 operation of the website, which shall include data about the  
7 usage and public feedback on the utility of the site, including  
8 recommendations for improvements. The annual report shall be  
9 made publicly available on the website.

10       Section 99. Effective date. This Act takes effect upon  
11 becoming law.