

SB3183



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3183

Introduced 2/9/2010, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-106

from Ch. 127, par. 604A-106

Amends the Illinois Governmental Ethics Act. With respect to required notification of certain persons who must file statements of economic interests with a county clerk, permits the county clerk to send the notices electronically (now, may send notices only by U.S. mail).

LRB096 19877 JAM 35336 b

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 changing Section 4A-106 as follows:

6 (5 ILCS 420/4A-106) (from Ch. 127, par. 604A-106)

7 Sec. 4A-106. The statements of economic interests required
8 of persons listed in items (a) through (f), item (j), item (l),
9 and item (n) of Section 4A-101 shall be filed with the
10 Secretary of State. The statements of economic interests
11 required of persons listed in items (g), (h), (i), (k), and (o)
12 of Section 4A-101 shall be filed with the county clerk of the
13 county in which the principal office of the unit of local
14 government with which the person is associated is located. If
15 it is not apparent which county the principal office of a unit
16 of local government is located, the chief administrative
17 officer, or his or her designee, has the authority, for
18 purposes of this Act, to determine the county in which the
19 principal office is located. On or before February 1 annually,
20 (1) the chief administrative officer of any State agency in the
21 executive, legislative, or judicial branch employing persons
22 required to file under item (f) or item (l) of Section 4A-101
23 and the chief administrative officer of a board described in

1 item (n) of Section 4A-101 shall certify to the Secretary of
2 State the names and mailing addresses of those persons, and (2)
3 the chief administrative officer, or his or her designee, of
4 each unit of local government with persons described in items
5 (h), (i) and (k) and a board described in item (o) of Section
6 4A-101 shall certify to the appropriate county clerk a list of
7 names and addresses of persons described in items (h), (i),
8 (k), and (o) of Section 4A-101 that are required to file. In
9 preparing the lists, each chief administrative officer, or his
10 or her designee, shall set out the names in alphabetical order.

11 On or before April 1 annually, the Secretary of State shall
12 notify (1) all persons whose names have been certified to him
13 under items (f), (l), and (n) of Section 4A-101, and (2) all
14 persons described in items (a) through (e) and item (j) of
15 Section 4A-101, other than candidates for office who have filed
16 their statements with their nominating petitions, of the
17 requirements for filing statements of economic interests. A
18 person required to file with the Secretary of State by virtue
19 of more than one item among items (a) through (f) and items
20 (j), (l), and (n) shall be notified of and is required to file
21 only one statement of economic interests relating to all items
22 under which the person is required to file with the Secretary
23 of State.

24 On or before April 1 annually, the county clerk of each
25 county shall notify all persons whose names have been certified
26 to him under items (g), (h), (i), (k), and (o) of Section

1 4A-101, other than candidates for office who have filed their
2 statements with their nominating petitions, of the
3 requirements for filing statements of economic interests. A
4 person required to file with a county clerk by virtue of more
5 than one item among items (g), (h), (i), (k), and (o) shall be
6 notified of and is required to file only one statement of
7 economic interests relating to all items under which the person
8 is required to file with that county clerk.

9 Except as provided in Section 4A-106.1, the notices
10 provided for in this Section shall be in writing and deposited
11 in the U.S. Mail, properly addressed, first class postage
12 prepaid, on or before the day required by this Section for the
13 sending of the notice. Alternatively, a county clerk may send
14 the notices electronically to all persons whose names have been
15 thus certified to him under item (h), (i), or (k) of Section
16 4A-101. A certificate executed by the Secretary of State or
17 county clerk attesting that he or she has sent ~~mailed~~ the
18 notice by the means permitted by this Section constitutes prima
19 facie evidence thereof.

20 From the lists certified to him under this Section of
21 persons described in items (g), (h), (i), (k), and (o) of
22 Section 4A-101, the clerk of each county shall compile an
23 alphabetical listing of persons required to file statements of
24 economic interests in his office under any of those items. As
25 the statements are filed in his office, the county clerk shall
26 cause the fact of that filing to be indicated on the

1 alphabetical listing of persons who are required to file
2 statements. Within 30 days after the due dates, the county
3 clerk shall mail to the State Board of Elections a true copy of
4 that listing showing those who have filed statements.

5 The county clerk of each county shall note upon the
6 alphabetical listing the names of all persons required to file
7 a statement of economic interests who failed to file a
8 statement on or before May 1. It shall be the duty of the
9 several county clerks to give notice as provided in Section
10 4A-105 to any person who has failed to file his or her
11 statement with the clerk on or before May 1.

12 Any person who files or has filed a statement of economic
13 interest under this Act is entitled to receive from the
14 Secretary of State or county clerk, as the case may be, a
15 receipt indicating that the person has filed such a statement,
16 the date of such filing, and the identity of the governmental
17 unit or units in relation to which the filing is required.

18 The Secretary of State may employ such employees and
19 consultants as he considers necessary to carry out his duties
20 hereunder, and may prescribe their duties, fix their
21 compensation, and provide for reimbursement of their expenses.

22 All statements of economic interests filed under this
23 Section shall be available for examination and copying by the
24 public at all reasonable times. Not later than 12 months after
25 the effective date of this amendatory Act of the 93rd General
26 Assembly, beginning with statements filed in calendar year

1 2004, the Secretary of State shall make statements of economic
2 interests filed with the Secretary available for inspection and
3 copying via the Secretary's website.

4 (Source: P.A. 96-6, eff. 4-3-09.)