



Rep. Jack D. Franks

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09700HB4182ham001

LRB097 15164 JDS 66180 a

1 AMENDMENT TO HOUSE BILL 4182

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4182 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Officials and Employees Ethics Act is  
5 amended by changing Section 20-95 as follows:

6 (5 ILCS 430/20-95)

7 Sec. 20-95. Exemptions.

8 (a) Documents generated by an ethics officer under this  
9 Act, except Section 5-50, are exempt from the provisions of the  
10 Freedom of Information Act.

11 (b) Any allegations and related documents submitted to an  
12 Executive Inspector General and any pleadings and related  
13 documents brought before the Executive Ethics Commission are  
14 exempt from the provisions of the Freedom of Information Act so  
15 long as the Executive Ethics Commission does not make a finding  
16 of a violation of this Act. If the Executive Ethics Commission

1 finds that a violation has occurred, the entire record of  
2 proceedings before the Commission, the decision and  
3 recommendation, and the response from the agency head or  
4 ultimate jurisdictional authority to the Executive Ethics  
5 Commission are not exempt from the provisions of the Freedom of  
6 Information Act but information contained therein that is  
7 otherwise exempt from the Freedom of Information Act must be  
8 redacted before disclosure as provided in the Freedom of  
9 Information Act. A summary report released by the Executive  
10 Ethics Commission under Section 20-52 is a public record, but  
11 information redacted by the Executive Ethics Commission shall  
12 not be part of the public record.

13 (c) Meetings of the Commission are exempt from the  
14 provisions of the Open Meetings Act.

15 (d) Unless otherwise provided in this Act, all  
16 investigatory files and reports of the Office of an Executive  
17 Inspector General, other than monthly reports required under  
18 Section 20-85, are confidential, are exempt from disclosure  
19 under the Freedom of Information Act, and shall not be divulged  
20 to any person or agency, except as necessary (i) to a law  
21 enforcement authority, (ii) to the ultimate jurisdictional  
22 authority, (iii) to the Executive Ethics Commission, (iv) to  
23 another Inspector General appointed pursuant to this Act, or  
24 (v) to an Inspector General appointed or employed by a Regional  
25 Transit Board in accordance with Section 75-10.

26 (e) An ultimate jurisdictional authority may disclose any

1 information otherwise made confidential by this Act, with the  
2 exception of the identity of a person described in subsection  
3 (a) of Section 20-90, if that information is necessary to  
4 determine appropriate discipline, to impose discipline, or to  
5 announce the imposition of discipline.

6 (Source: P.A. 96-555, eff. 8-18-09; 96-1528, eff. 7-1-11.)".