



Sen. Don Harmon

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LRB097 17273 CEL 68579 a

1 AMENDMENT TO HOUSE BILL 4761

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4761 as follows:

3 on page 6, by replacing lines 22 through 26 with the following:

4 "(f) Any person or entity retained by a municipality or  
5 county, or jointly by more than one such unit of local  
6 government, to provide input, guidance, or advice in the  
7 selection of an electricity supplier for an aggregation program  
8 shall disclose in writing to the involved units of local  
9 government the nature of any relationship through which the  
10 person or entity may receive, either directly or indirectly,  
11 commissions or other remuneration as a result of the selection  
12 of any particular electricity supplier. The written disclosure  
13 must be made prior to formal approval by the involved units of  
14 local government of any professional services agreement with  
15 the person or entity, or no later than October 1, 2012 with  
16 respect to any such professional services agreement entered  
17 into prior to the effective date of this amendatory Act of the

1 97th General Assembly. The disclosure shall cover all direct  
2 and indirect relationships through which commissions or  
3 remuneration may result, including the pooling of commissions  
4 or remuneration among multiple persons or entities, and shall  
5 identify all involved electricity suppliers. The disclosure  
6 requirements in this subsection (f) are to be liberally  
7 construed to ensure that the nature of financial interests are  
8 fully revealed, and these disclosure requirements shall apply  
9 regardless of whether the involved person or entity is licensed  
10 under Section 16-115C of the Public Utilities Act. Any person  
11 or entity that fails to make the disclosure required under this  
12 subsection (f) is liable to the involved units of local  
13 government in an amount equal to all compensation paid to such  
14 person or entity by the units of local government for the  
15 input, guidance, or advice in the selection of an electricity  
16 supplier, plus reasonable attorneys fees and court costs  
17 incurred by the units of local government in connection with  
18 obtaining such amount."