

1 AN ACT to amend the Illinois Governmental Ethics Act by  
2 changing Section 4A-106.

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

5 Section 5. The Illinois Governmental Ethics Act is  
6 amended by changing Section 4A-106 as follows:

7 (5 ILCS 420/4A-106) (from Ch. 127, par. 604A-106)

8 Sec. 4A-106. The statements of economic interests  
9 required of persons listed in items (a) through (f) and item  
10 (j) of Section 4A-101 shall be filed with the Secretary of  
11 State. The statements of economic interests required of  
12 persons listed in items (g), (h), (i), (k), and (l) of  
13 Section 4A-101 shall be filed with the county clerk of the  
14 county in which the principal office of the unit of local  
15 government with which the person is associated is located.  
16 If it is not apparent which county the principal office of a  
17 unit of local government is located, the chief administrative  
18 officer, or his or her designee, has the authority, for  
19 purposes of this Act, to determine the county in which the  
20 principal office is located. On or before February 1  
21 annually, (1) the chief administrative officer of any State  
22 agency in the executive, legislative, or judicial branch  
23 employing persons required to file under item (f) of Section  
24 4A-101 shall certify to the Secretary of State the names and  
25 mailing addresses of those persons, and (2) the chief  
26 administrative officer, or his or her designee, of each unit  
27 of local government with persons described in items (h), (i)  
28 and (k) of Section 4A-101 shall certify to the appropriate  
29 county clerk a list of names and addresses of persons  
30 described in items (h), (i) and (k) of Section 4A-101 that  
31 are required to file. In preparing the lists, each chief

1 administrative officer, or his or her designee, shall set out  
2 the names in alphabetical order.

3 On or before February 1 annually, the secretary to the  
4 board of education for local school councils established  
5 pursuant to Section 34-2.1 of the School Code shall certify  
6 to the county clerk the names and mailing addresses of those  
7 persons described in item (l) of Section 4A-101.

8 On or before April 1 annually, the Secretary of State  
9 shall notify (1) all persons whose names have been certified  
10 to him under item (f) of Section 4A-101, and (2) all persons  
11 described in items (a) through (e) and item (j) of Section  
12 4A-101, other than candidates for office who have filed their  
13 statements with their nominating petitions, of the  
14 requirements for filing statements of economic interests.

15 On or before April 1 annually, the county clerk of each  
16 county shall notify all persons whose names have been  
17 certified to him under items (g), (h), (i), (k), and (l) of  
18 Section 4A-101, other than candidates for office who have  
19 filed their statements with their nominating petitions, of  
20 the requirements for filing statements of economic interests.

21 Except as provided in Section 4A-106.1, the notices  
22 provided for in this Section shall be in writing and  
23 deposited in the U.S. Mail, properly addressed, first class  
24 postage prepaid, on or before the day required by this  
25 Section for the sending of the notice. A certificate executed  
26 by the Secretary of State or county clerk attesting that he  
27 has mailed the notice constitutes prima facie evidence  
28 thereof.

29 From the lists certified to him under this Section of  
30 persons described in items (g), (h), (i), (k), and (l) of  
31 Section 4A-101, the clerk of each county shall compile an  
32 alphabetical listing of persons required to file statements  
33 of economic interests in his office under any of those items.  
34 As the statements are filed in his office, the county clerk

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

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

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

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

25 All statements of economic interests filed under this  
 26 Section shall be available for examination and copying by the  
 27 public at all reasonable times. Each--person-examining-a  
 28 statement--must--first--fill--out--a--form--prepared--by--the  
 29 Secretary--of--State--identifying--the--examiner---by---name,  
 30 occupation,  
 31 address--and--telephone--number,  
 32 and--listing--the  
 33 date--of--examination--and--reason--for--such--examination.---The  
 34 Secretary--of--State--shall--supply--such--forms--to--the--county  
 clerks--annually--and--replenish--such--forms--upon--request.

The--Secretary--of--State--or--county--clerk,  
 as--the--case--may

1 be,--shall--promptly--notify--each--person--required--to--file--a  
2 statement--under--this--Article--of--each--instance---of---an  
3 examination--of--his--statement--by--sending--him--a--duplicate  
4 original--of--the--identification--form--filled--out--by--the--person  
5 examining--his--statement.

6 No later than May 1, 2003, the Secretary of State shall  
7 make the statements of economic interests filed by candidates  
8 for and persons holding the offices of Governor, Lieutenant  
9 Governor, Attorney General, Secretary of State, State  
10 Comptroller, and State Treasurer and by members of and  
11 candidates to the General Assembly accessible through the  
12 World Wide Web.

13 (Source: P.A. 88-187; 88-511; 88-605, eff. 9-1-94; 89-433,  
14 eff. 12-15-95.)