

1 AMENDMENT TO HOUSE BILL 32

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 32 by replacing the  
3 title with the following:

4 "AN ACT concerning ethics."; and

5 by replacing everything after the enacting clause with the  
6 following:

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

9 (5 ILCS 420/4A-106) (from Ch. 127, par. 604A-106)

10 Sec. 4A-106. The statements of economic interests  
11 required of persons listed in items (a) through (f) and item  
12 (j) of Section 4A-101 shall be filed with the Secretary of  
13 State. The statements of economic interests required of  
14 persons listed in items (g), (h), (i), (k), and (l) of  
15 Section 4A-101 shall be filed with the county clerk of the  
16 county in which the principal office of the unit of local  
17 government with which the person is associated is located.  
18 If it is not apparent which county the principal office of a  
19 unit of local government is located, the chief administrative  
20 officer, or his or her designee, has the authority, for  
21 purposes of this Act, to determine the county in which the

1 principal office is located. On or before February 1  
2 annually, (1) the chief administrative officer of any State  
3 agency in the executive, legislative, or judicial branch  
4 employing persons required to file under item (f) of Section  
5 4A-101 shall certify to the Secretary of State the names and  
6 mailing addresses of those persons, and (2) the chief  
7 administrative officer, or his or her designee, of each unit  
8 of local government with persons described in items (h), (i)  
9 and (k) of Section 4A-101 shall certify to the appropriate  
10 county clerk a list of names and addresses of persons  
11 described in items (h), (i) and (k) of Section 4A-101 that  
12 are required to file. In preparing the lists, each chief  
13 administrative officer, or his or her designee, shall set out  
14 the names in alphabetical order.

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

20 On or before April 1 annually, the Secretary of State  
21 shall notify (1) all persons whose names have been certified  
22 to him under item (f) of Section 4A-101, and (2) all persons  
23 described in items (a) through (e) and item (j) of Section  
24 4A-101, other than candidates for office who have filed their  
25 statements with their nominating petitions, of the  
26 requirements for filing statements of economic interests.

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

33 Except as provided in Section 4A-106.1, the notices  
34 provided for in this Section shall be in writing and

1 deposited in the U.S. Mail, properly addressed, first class  
2 postage prepaid, on or before the day required by this  
3 Section for the sending of the notice. A certificate executed  
4 by the Secretary of State or county clerk attesting that he  
5 has-mailed the notice has been mailed constitutes prima facie  
6 evidence thereof.

7 From the lists certified to him under this Section of  
8 persons described in items (g), (h), (i), (k), and (l) of  
9 Section 4A-101, the clerk of each county shall compile an  
10 alphabetical listing of persons required to file statements  
11 of economic interests in his office under any of those items.  
12 As the statements are filed in his office, the county clerk  
13 shall cause the fact of that filing to be indicated on the  
14 alphabetical listing of persons who are required to file  
15 statements. Within 30 days after the due dates, the county  
16 clerk shall mail to the State Board of Elections a true copy  
17 of that listing showing those who have filed statements.

18 The county clerk of each county shall note upon the  
19 alphabetical listing the names of all persons required to  
20 file a statement of economic interests who failed to file a  
21 statement on or before May 1. It shall be the duty of the  
22 several county clerks to give notice as provided in Section  
23 4A-105 to any person who has failed to file his or her  
24 statement with the clerk on or before May 1.

25 Any person who files or has filed a statement of economic  
26 interest under this Act is entitled to receive from the  
27 Secretary of State or county clerk, as the case may be, a  
28 receipt indicating that the person has filed such a  
29 statement, the date of such filing, and the identity of the  
30 governmental unit in relation to which the filing is  
31 required.

32 The Secretary of State may employ such employees and  
33 consultants as he considers necessary to carry out his duties  
34 hereunder, and may prescribe their duties, fix their

1 compensation, and provide for reimbursement of their  
2 expenses.

3 All statements of economic interests filed under this  
4 Section shall be available for examination and copying by the  
5 public at all reasonable times.

6 The Secretary may, by rule, allow for the optional filing  
7 of statements of economic interest in an electronic format.  
8 No later than May 1, 2003, the Secretary shall promptly make  
9 all disclosures required to be filed under this Section by  
10 candidates for election to the General Assembly and members  
11 of the General Assembly and candidates for and persons  
12 holding the offices of Governor, Lieutenant Governor,  
13 Attorney General, Secretary of State, State Comptroller, and  
14 State Treasurer publicly available by means of a searchable  
15 database that is accessible through the World Wide Web. Each  
16 person--examining--a--statement--must--first--fill--out--a--form  
17 prepared-by-the-Secretary-of-State-identifying--the--examiner  
18 by--name,--occupation,--address--and--telephone--number,--and  
19 listing--the--date--of--examination--and--reason--for--such  
20 examination,--The-Secretary-of-State-shall-supply-such--forms  
21 to--the--county-clerks-annually-and-replenish-such-forms-upon  
22 request.

23 The-Secretary-of-State-or-county-clerk,--as-the--case--may  
24 be,--shall--promptly--notify--each--person-required-to-file-a  
25 statement--under--this--Article--of--each--instance--of--an  
26 examination--of--his--statement--by--sending--him--a--duplicate  
27 original-of-the-identification-form-filled-out-by-the--person  
28 examining-his-statement.

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

31 Section 10. The Lobbyist Registration Act is amended by  
32 adding Section 5.5 as follows:

1 (25 ILCS 170/5.5 new)  
2 Sec. 5.5. Electronic filing. The Secretary may, by  
3 rule, allow for the optional filing of the reports required  
4 by this Act in an electronic format. Other than the pictures  
5 required by subsection (d) of Section 5, the Secretary must,  
6 no later than May 1, 2003, make all information required by  
7 Sections 5 and 6 publicly available by means of a searchable  
8 database that is accessible through the World Wide Web.

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