

1 AN ACT concerning governmental ethics.

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
5 amended by changing Sections 4A-102, 4A-103, 4A-104, and
6 4A-106 as follows:

7 (5 ILCS 420/4A-102) (from Ch. 127, par. 604A-102)

8 Sec. 4A-102. The statement of economic interests
9 required by this Article shall include the economic interests
10 of the person making the statement as provided in this
11 Section. The interest (if constructively controlled by the
12 person making the statement) of a spouse or any other party,
13 shall be considered to be the same as the interest of the
14 person making the statement. Campaign receipts shall not be
15 included in this statement.

16 (a) The following interests shall be listed by all
17 persons required to file:

18 (1) The name, address and type of practice of any
19 professional organization or individual professional
20 practice in which the person making the statement was an
21 officer, director, associate, partner or proprietor, or
22 served in any advisory capacity, from which income in
23 excess of \$1200 was derived during the preceding calendar
24 year;

25 (2) The nature of professional services (other than
26 services rendered to the unit or units of government in
27 relation to which the person is required to file) and the
28 nature of the entity to which they were rendered if fees
29 exceeding \$5,000 were received during the preceding
30 calendar year from the entity for professional services
31 rendered by the person making the statement.

1 (3) The identity (including the address or legal
 2 description of real estate) of any capital asset from
 3 which a capital gain of \$5,000 or more was realized in
 4 the preceding calendar year.

5 (4) The name of any unit of government which has
 6 employed the person making the statement during the
 7 preceding calendar year other than the unit or units of
 8 government in relation to which the person is required to
 9 file.

10 (5) The name of any entity from which a gift or
 11 gifts, or honorarium or honoraria, valued singly or in
 12 the aggregate in excess of \$500, was received during the
 13 preceding calendar year.

14 (b) The following interests shall also be listed by
 15 persons listed in items (a) through (f) of Section 4A-101:

16 (1) The name and instrument of ownership in any
 17 entity doing business in the State of Illinois, in which
 18 an ownership interest held by the person at the date of
 19 filing is in excess of \$5,000 fair market value or from
 20 which dividends of in excess of \$1,200 were derived
 21 during the preceding calendar year. (In the case of real
 22 estate, location thereof shall be listed by street
 23 address, or if none, then by legal description). No time
 24 or demand deposit in a financial institution, nor any
 25 debt instrument need be listed;

26 (2) Except for professional service entities, the
 27 name of any entity and any position held therein from
 28 which income of in excess of \$1,200 was derived during
 29 the preceding calendar year, if the entity does business
 30 in the State of Illinois. No time or demand deposit in a
 31 financial institution, nor any debt instrument need be
 32 listed.

33 (3) The identity of any compensated lobbyist with
 34 whom the person making the statement maintains a close

1 economic association, including the name of the lobbyist
 2 and specifying the legislative matter or matters which
 3 are the object of the lobbying activity, and describing
 4 the general type of economic activity of the client or
 5 principal on whose behalf that person is lobbying.

6 (c) The following interests shall also be listed by
 7 persons listed in items (g), (h), (i), and (l) of Section
 8 4A-101:

9 (1) The name and instrument of ownership in any
 10 entity doing business with a the unit of local government
 11 in relation to which the person is required to file if
 12 the ownership interest of the person filing is greater
 13 than \$5,000 fair market value as of the date of filing or
 14 if dividends in excess of \$1,200 were received from the
 15 entity during the preceding calendar year. (In the case
 16 of real estate, location thereof shall be listed by
 17 street address, or if none, then by legal description).
 18 No time or demand deposit in a financial institution, nor
 19 any debt instrument need be listed.

20 (2) Except for professional service entities, the
 21 name of any entity and any position held therein from
 22 which income in excess of \$1,200 was derived during the
 23 preceding calendar year if the entity does business with
 24 a the unit of local government in relation to which the
 25 person is required to file. No time or demand deposit in
 26 a financial institution, nor any debt instrument need be
 27 listed.

28 (3) The name of any entity and the nature of the
 29 governmental action requested by any entity which has
 30 applied to a the unit of local government in relation to
 31 which the person must file for any license, franchise or
 32 permit for annexation, zoning or rezoning of real estate
 33 during the preceding calendar year if the ownership
 34 interest of the person filing is in excess of \$5,000 fair

1 market value at the time of filing or if income or
2 dividends in excess of \$1,200 were received by the person
3 filing from the entity during the preceding calendar
4 year.

5 (Source: P.A. 88-511.)

6 (5 ILCS 420/4A-103) (from Ch. 127, par. 604A-103)

7 Sec. 4A-103. The statement of economic interests required
8 by this Article to be filed with the Secretary of State shall
9 be filled in by typewriting or hand printing, shall be
10 verified, dated, and signed by the person making the
11 statement and shall contain substantially the following:

12 STATEMENT OF ECONOMIC INTEREST

13 (TYPE OR HAND PRINT)

14
15 (name)

16
17 (each office or position of employment for which this
18 statement is filed)

19
20 (full post office address to which notification of an
21 examination of this statement should be sent)

22 GENERAL DIRECTIONS:

23 The interest (if constructively controlled by the person
24 making the statement) of a spouse or any other party, shall
25 be considered to be the same as the interest of the person
26 making the statement.

27 Campaign receipts shall not be included in this
28 statement.

29 If additional space is needed, please attach supplemental
30 listing.

31 1. List the name and instrument of ownership in any
32 entity doing business in the State of Illinois, in which the
33 ownership interest held by the person at the date of filing

1 is in excess of \$5,000 fair market value or from which
 2 dividends in excess of \$1,200 were derived during the
 3 preceding calendar year. (In the case of real estate,
 4 location thereof shall be listed by street address, or if
 5 none, then by legal description.) No time or demand deposit
 6 in a financial institution, nor any debt instrument need be
 7 listed.

8 Business Entity	Instrument of Ownership
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13 2. List the name, address and type of practice of any
 14 professional organization in which the person making the
 15 statement was an officer, director, associate, partner or
 16 proprietor or served in any advisory capacity, from which
 17 income in excess of \$1,200 was derived during the preceding
 18 calendar year.

19 Name	Address	Type of Practice
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21
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23 3. List the nature of professional services rendered
 24 (other than to the State of Illinois) to each entity from
 25 which income exceeding \$5,000 was received for professional
 26 services rendered during the preceding calendar year by the
 27 person making the statement.

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30 4. List the identity (including the address or legal
 31 description of real estate) of any capital asset from which a
 32 capital gain of \$5,000 or more was realized during the
 33 preceding calendar year.

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2 5. List the identity of any compensated lobbyist with
3 whom the person making the statement maintains a close
4 economic association, including the name of the lobbyist and
5 specifying the legislative matter or matters which are the
6 object of the lobbying activity, and describing the general
7 type of economic activity of the client or principal on whose
8 behalf that person is lobbying.

9	Lobbyist	Legislative Matter	Client or Principal
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12 6. List the name of any entity doing business in the
13 State of Illinois from which income in excess of \$1,200 was
14 derived during the preceding calendar year other than for
15 professional services and the title or description of any
16 position held in that entity. (In the case of real estate,
17 location thereof shall be listed by street address, or if
18 none, then by legal description). No time or demand deposit
19 in a financial institution nor any debt instrument need be
20 listed.

21	Entity	Position Held
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25 7. List the name of any unit of government which
26 employed the person making the statement during the preceding
27 calendar year other than the unit or units of government in
28 relation to which the person is required to file.

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31 8. List the name of any entity from which a gift or
32 gifts, or honorarium or honoraria, valued singly or in the
33 aggregate in excess of \$500, was received during the
34 preceding calendar year.

1

2 VERIFICATION:

3 "I declare that this statement of economic interests
4 (including any accompanying schedules and statements) has
5 been examined by me and to the best of my knowledge and
6 belief is a true, correct and complete statement of my
7 economic interests as required by the Illinois Governmental
8 Ethics Act. I understand that the penalty for willfully
9 filing a false or incomplete statement shall be a fine not to
10 exceed \$1,000 or imprisonment in a penal institution other
11 than the penitentiary not to exceed one year, or both fine
12 and imprisonment."

13

14 (date of filing) (signature of person making the statement)

15 (Source: P.A. 79-508.)

16 (5 ILCS 420/4A-104) (from Ch. 127, par. 604A-104)

17 Sec. 4A-104. The statement of economic interests required
18 by this Article to be filed with the county clerk shall be
19 filled in by typewriting or hand printing, shall be verified,
20 dated, and signed by the person making the statement and
21 shall contain substantially the following:

22 STATEMENT OF ECONOMIC INTERESTS

23 (TYPE OR HAND PRINT)

24

25 (Name)

26

27 (each office or position of employment for which this
28 statement is filed)

29 (full post office address to which notification of an
30 examination of this statement should be sent)

31 GENERAL DIRECTIONS:

32 The interest (if constructively controlled by the person
33 making the statement) of a spouse or any other party, shall

1 be considered to be the same as the interest of the person
2 making the statement.

3 Campaign receipts shall not be included in this
4 statement.

5 If additional space is needed, please attach supplemental
6 listing.

7 1. List the name and instrument of ownership in any
8 entity doing business with a the unit of local government in
9 relation to which the person is required to file, in which
10 the ownership interest held by the person at the date of
11 filing is in excess of \$5,000 fair market value or from which
12 dividends in excess of \$1,200 were received during the
13 preceding calendar year. (In the case of real estate,
14 location thereof shall be listed by street address, or if
15 none, then by legal description.) No time or demand deposit
16 in a financial institution, nor any debt instrument shall be
17 listed.

18 Business	Instrument of	Position of
19 Entity	Ownership	Management
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21
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23 2. List the name, address and type of practice of any
24 professional organization in which the person making the
25 statement was an officer, director, associate, partner or
26 proprietor, or served in any advisory capacity, from which
27 income in excess of \$1,200 was derived during the preceding
28 calendar year.

29 Name	Address	Type of Practice
30
31
32

33 3. List the nature of professional services rendered
34 (other than to the unit or units of local government in

1 relation to which the person is required to file) to each
 2 entity from which income exceeding \$5,000 was received for
 3 professional services rendered during the preceding calendar
 4 year by the person making the statement.

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7 4. List the identity (including the address or legal
 8 description of real estate) of any capital asset from which a
 9 capital gain of \$5,000 or more was realized during the
 10 preceding calendar year.

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14 5. List the name of any entity and the nature of the
 15 governmental action requested by any entity which has applied
 16 to a the unit of local government in relation to which the
 17 person must file for any license, franchise or permit for
 18 annexation, zoning or rezoning of real estate during the
 19 preceding calendar year if the ownership interest of the
 20 person filing is in excess of \$5,000 fair market value at the
 21 time of filing or if income or dividends in excess of \$1200
 22 were received by the person filing from the entity during the
 23 preceding calendar year.

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27 6. List the name of any entity doing business with a the
 28 unit of local government in relation to which the person is
 29 required to file from which income in excess of \$1,200 was
 30 derived during the preceding calendar year other than for
 31 professional services and the title or description of any
 32 position held in that entity. No time or demand deposit in a
 33 financial institution nor any debt instrument need be listed.

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 2 7. List the name of any unit of government which
 3 employed the person making the statement during the preceding
 4 calendar year other than the unit or units of government in
 5 relation to which the person is required to file.

6
 7

8 8. List the name of any entity from which a gift or
 9 gifts, or honorarium or honoraria, valued singly or in the
 10 aggregate in excess of \$500, was received during the
 11 preceding calendar year.

12

13 VERIFICATION:

14 "I declare that this statement of economic interests
 15 (including any accompanying schedules and statements) has
 16 been examined by me and to the best of my knowledge and
 17 belief is a true, correct and complete statement of my
 18 economic interests as required by the Illinois Governmental
 19 Ethics Act. I understand that the penalty for willfully
 20 filing a false or incomplete statement shall be a fine not to
 21 exceed \$1,000 or imprisonment in a penal institution other
 22 than the penitentiary not to exceed one year, or both fine
 23 and imprisonment."

24

25 (date of filing) (signature of person making the statement)

26 (Source: P.A. 79-508.)

27 (5 ILCS 420/4A-106) (from Ch. 127, par. 604A-106)

28 Sec. 4A-106. The statements of economic interests
 29 required of persons listed in items (a) through (f) and item
 30 (j) of Section 4A-101 shall be filed with the Secretary of
 31 State. The statements of economic interests required of
 32 persons listed in items (g), (h), (i), (k), and (l) of
 33 Section 4A-101 shall be filed with the county clerk of the

1 county in which the principal office of the unit of local
2 government with which the person is associated is located.
3 If it is not apparent which county the principal office of a
4 unit of local government is located, the chief administrative
5 officer, or his or her designee, has the authority, for
6 purposes of this Act, to determine the county in which the
7 principal office is located. On or before February 1
8 annually, (1) the chief administrative officer of any State
9 agency in the executive, legislative, or judicial branch
10 employing persons required to file under item (f) of Section
11 4A-101 shall certify to the Secretary of State the names and
12 mailing addresses of those persons, and (2) the chief
13 administrative officer, or his or her designee, of each unit
14 of local government with persons described in items (h), (i)
15 and (k) of Section 4A-101 shall certify to the appropriate
16 county clerk a list of names and addresses of persons
17 described in items (h), (i) and (k) of Section 4A-101 that
18 are required to file. In preparing the lists, each chief
19 administrative officer, or his or her designee, shall set out
20 the names in alphabetical order.

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

26 On or before April 1 annually, the Secretary of State
27 shall notify (1) all persons whose names have been certified
28 to him under item (f) of Section 4A-101, and (2) all persons
29 described in items (a) through (e) and item (j) of Section
30 4A-101, other than candidates for office who have filed their
31 statements with their nominating petitions, of the
32 requirements for filing statements of economic interests. A
33 person required to file with the Secretary of State by virtue
34 of more than one item among items (a) through (f) and item

1 (j) shall be notified of and is required to file only one
2 statement of economic interests relating to all items under
3 which the person is required to file with the Secretary of
4 State.

5 On or before April 1 annually, the county clerk of each
6 county shall notify all persons whose names have been
7 certified to him under items (g), (h), (i), (k), and (l) of
8 Section 4A-101, other than candidates for office who have
9 filed their statements with their nominating petitions, of
10 the requirements for filing statements of economic interests.
11 A person required to file with a county clerk by virtue of
12 more than one item among items (g), (h), (i), (k), and (l)
13 shall be notified of and is required to file only one
14 statement of economic interests relating to all items under
15 which the person is required to file with that county clerk.

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

24 From the lists certified to him under this Section of
25 persons described in items (g), (h), (i), (k), and (l) of
26 Section 4A-101, the clerk of each county shall compile an
27 alphabetical listing of persons required to file statements
28 of economic interests in his office under any of those items.
29 As the statements are filed in his office, the county clerk
30 shall cause the fact of that filing to be indicated on the
31 alphabetical listing of persons who are required to file
32 statements. Within 30 days after the due dates, the county
33 clerk shall mail to the State Board of Elections a true copy
34 of that listing showing those who have filed statements.

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

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

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

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

29 The Secretary of State or county clerk, as the case may
30 be, shall promptly notify each person required to file a
31 statement under this Article of each instance of an
32 examination of his statement by sending him a duplicate
33 original of the identification form filled out by the person
34 examining his statement.

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