



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5877

by Rep. Litesa E. Wallace

SYNOPSIS AS INTRODUCED:

See Index

Creates the Racial Impact Note Act. Provides that every bill which has or could have a disparate impact on racial and ethnic minorities, upon the request of any member, shall have prepared for it, before second reading in the house of introduction, a brief explanatory statement or note that shall include a reliable estimate of the anticipated impact on those racial and ethnic minorities likely to be impacted by the bill. Specifies the contents, and provides for the preparation, of each racial impact note. Amends the State Officials and Employees Ethics Act. Prohibits racial discrimination and harassment by State officers and employees. Provides that each State officer and employee shall annually complete a racial bias, discrimination, and harassment training program approved by the appropriate jurisdictional authority. Expands the jurisdiction of the Executive Ethics Commission to include allegations of racial discrimination and harassment by persons registered under the Lobbyist Registration Act. Provides that the personnel policies of units of local government shall prohibit racial discrimination and harassment. Defines "racial discrimination and harassment". Provides for rulemaking, including emergency rulemaking. Amends the Secretary of State Act. Provides the Secretary of State's Inspector General with jurisdiction to investigate complaints of racial discrimination and harassment by persons registered under the Lobbyist Registration Act. Amends the Lobbyist Registration Act. Prohibits racial discrimination and harassment by persons registered under the Lobbyist Registration Act. Provides that each registered lobbyist shall annually complete a racial bias, discrimination, and harassment training program approved by the Secretary of State. Defines "racial discrimination and harassment". Amends the Illinois Human Rights Act. Requires the Department of Human Rights to establish a racial discrimination and harassment hotline for the anonymous reporting of racial discrimination and harassment in both public and private places of employment, and to provide for reporting by both telephone and Internet. Amends the Illinois Administrative Procedure Act to provide for emergency rulemaking. Effective immediately.

LRB100 21962 JWD 39966 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 1. Short title. This Act may be cited as the Racial
5 Impact Note Act.

6 Section 5. Racial impact note.

7 (a) Every bill which has or could have a disparate impact
8 on racial and ethnic minorities, upon the request of any
9 member, shall have prepared for it, before second reading in
10 the house of introduction, a brief explanatory statement or
11 note that shall include a reliable estimate of the anticipated
12 impact on those racial and ethnic minorities likely to be
13 impacted by the bill. Each racial impact note must include, for
14 racial and ethnic minorities for which data are available: (i)
15 an estimate of how the proposed legislation would impact racial
16 and ethnic minorities; (ii) a statement of the methodologies
17 and assumptions used in preparing the estimate; (iii) an
18 estimate of the racial and ethnic composition of the population
19 who may be impacted by the proposed legislation, including
20 those persons who may be negatively impacted and those persons
21 who may benefit from the proposed legislation; and (iv) any
22 other matter that a responding agency considers appropriate in
23 relation to the racial and ethnic minorities likely to be

1 affected by the bill.

2 Section 10. Preparation.

3 (a) The sponsor of each bill for which a request under
4 Section 5 has been made shall present a copy of the bill with
5 the request for a racial impact note to the appropriate
6 responding agency or agencies under subsection (b). The
7 responding agency or agencies shall prepare and submit the note
8 to the sponsor of the bill within 5 calendar days, except that
9 whenever, because of the complexity of the measure, additional
10 time is required for the preparation of the racial impact note,
11 the responding agency or agencies may inform the sponsor of the
12 bill, and the sponsor may approve an extension of the time
13 within which the note is to be submitted, not to extend,
14 however, beyond June 15, following the date of the request. If,
15 in the opinion of the responding agency or agencies, there is
16 insufficient information to prepare a reliable estimate of the
17 anticipated impact, a statement to that effect can be filed and
18 shall meet the requirements of this Act.

19 (b) If a bill concerns arrests, convictions, or law
20 enforcement, a statement shall be prepared by the Illinois
21 Criminal Justice Information Authority specifying the impact
22 on racial and ethnic minorities. If a bill concerns
23 corrections, sentencing, or the placement of individuals
24 within the Department of Corrections, a statement shall be
25 prepared by the Department of Corrections specifying the impact

1 on racial and ethnic minorities. If a bill concerns local
2 government, a statement shall be prepared by the Department of
3 Commerce and Economic Opportunity specifying the impact on
4 racial and ethnic minorities. If a bill concerns education, one
5 of the following agencies shall prepare a statement specifying
6 the impact on racial and ethnic minorities: (i) the Illinois
7 Community Colleges Board, if the bill affects community
8 colleges; (ii) the Illinois State Board of Education, if the
9 bill affects primary and secondary education; or (iii) the
10 Illinois Board of Higher Education, if the bill affects State
11 universities. Any other State agency impacted or responsible
12 for implementing all or part of this bill shall prepare a
13 statement of the racial and ethnic impact of the bill as it
14 relates to that agency.

15 Section 15. Requisites and contents. The note shall be
16 factual in nature, as brief and concise as may be, and, in
17 addition, it shall include both the immediate effect and, if
18 determinable or reasonably foreseeable, the long range effect
19 of the measure on racial and ethnic minorities. If, after
20 careful investigation, it is determined that such an effect is
21 not ascertainable, the note shall contain a statement to that
22 effect, setting forth the reasons why no ascertainable effect
23 can be given.

24 Section 20. Comment or opinion; technical or mechanical

1 defects. No comment or opinion shall be included in the racial
2 impact note with regard to the merits of the measure for which
3 the racial impact note is prepared; however, technical or
4 mechanical defects may be noted.

5 Section 25. Appearance of State officials and employees in
6 support or opposition of measure. The fact that a racial
7 impact note is prepared for any bill or proposed rule shall not
8 preclude or restrict the appearance before any committee of the
9 General Assembly of any official or authorized employee of the
10 responding agency or agencies, or any other impacted State
11 agency, who desires to be heard in support of or in opposition
12 to the measure.

13 Section 50. The Illinois Administrative Procedure Act is
14 amended by changing Section 5-45 as follows:

15 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

16 Sec. 5-45. Emergency rulemaking.

17 (a) "Emergency" means the existence of any situation that
18 any agency finds reasonably constitutes a threat to the public
19 interest, safety, or welfare.

20 (b) If any agency finds that an emergency exists that
21 requires adoption of a rule upon fewer days than is required by
22 Section 5-40 and states in writing its reasons for that
23 finding, the agency may adopt an emergency rule without prior

1 notice or hearing upon filing a notice of emergency rulemaking
2 with the Secretary of State under Section 5-70. The notice
3 shall include the text of the emergency rule and shall be
4 published in the Illinois Register. Consent orders or other
5 court orders adopting settlements negotiated by an agency may
6 be adopted under this Section. Subject to applicable
7 constitutional or statutory provisions, an emergency rule
8 becomes effective immediately upon filing under Section 5-65 or
9 at a stated date less than 10 days thereafter. The agency's
10 finding and a statement of the specific reasons for the finding
11 shall be filed with the rule. The agency shall take reasonable
12 and appropriate measures to make emergency rules known to the
13 persons who may be affected by them.

14 (c) An emergency rule may be effective for a period of not
15 longer than 150 days, but the agency's authority to adopt an
16 identical rule under Section 5-40 is not precluded. No
17 emergency rule may be adopted more than once in any 24-month
18 period, except that this limitation on the number of emergency
19 rules that may be adopted in a 24-month period does not apply
20 to (i) emergency rules that make additions to and deletions
21 from the Drug Manual under Section 5-5.16 of the Illinois
22 Public Aid Code or the generic drug formulary under Section
23 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
24 emergency rules adopted by the Pollution Control Board before
25 July 1, 1997 to implement portions of the Livestock Management
26 Facilities Act, (iii) emergency rules adopted by the Illinois

1 Department of Public Health under subsections (a) through (i)
2 of Section 2 of the Department of Public Health Act when
3 necessary to protect the public's health, (iv) emergency rules
4 adopted pursuant to subsection (n) of this Section, (v)
5 emergency rules adopted pursuant to subsection (o) of this
6 Section, or (vi) emergency rules adopted pursuant to subsection
7 (c-5) of this Section. Two or more emergency rules having
8 substantially the same purpose and effect shall be deemed to be
9 a single rule for purposes of this Section.

10 (c-5) To facilitate the maintenance of the program of group
11 health benefits provided to annuitants, survivors, and retired
12 employees under the State Employees Group Insurance Act of
13 1971, rules to alter the contributions to be paid by the State,
14 annuitants, survivors, retired employees, or any combination
15 of those entities, for that program of group health benefits,
16 shall be adopted as emergency rules. The adoption of those
17 rules shall be considered an emergency and necessary for the
18 public interest, safety, and welfare.

19 (d) In order to provide for the expeditious and timely
20 implementation of the State's fiscal year 1999 budget,
21 emergency rules to implement any provision of Public Act 90-587
22 or 90-588 or any other budget initiative for fiscal year 1999
23 may be adopted in accordance with this Section by the agency
24 charged with administering that provision or initiative,
25 except that the 24-month limitation on the adoption of
26 emergency rules and the provisions of Sections 5-115 and 5-125

1 do not apply to rules adopted under this subsection (d). The
2 adoption of emergency rules authorized by this subsection (d)
3 shall be deemed to be necessary for the public interest,
4 safety, and welfare.

5 (e) In order to provide for the expeditious and timely
6 implementation of the State's fiscal year 2000 budget,
7 emergency rules to implement any provision of Public Act 91-24
8 or any other budget initiative for fiscal year 2000 may be
9 adopted in accordance with this Section by the agency charged
10 with administering that provision or initiative, except that
11 the 24-month limitation on the adoption of emergency rules and
12 the provisions of Sections 5-115 and 5-125 do not apply to
13 rules adopted under this subsection (e). The adoption of
14 emergency rules authorized by this subsection (e) shall be
15 deemed to be necessary for the public interest, safety, and
16 welfare.

17 (f) In order to provide for the expeditious and timely
18 implementation of the State's fiscal year 2001 budget,
19 emergency rules to implement any provision of Public Act 91-712
20 or any other budget initiative for fiscal year 2001 may be
21 adopted in accordance with this Section by the agency charged
22 with administering that provision or initiative, except that
23 the 24-month limitation on the adoption of emergency rules and
24 the provisions of Sections 5-115 and 5-125 do not apply to
25 rules adopted under this subsection (f). The adoption of
26 emergency rules authorized by this subsection (f) shall be

1 deemed to be necessary for the public interest, safety, and
2 welfare.

3 (g) In order to provide for the expeditious and timely
4 implementation of the State's fiscal year 2002 budget,
5 emergency rules to implement any provision of Public Act 92-10
6 or any other budget initiative for fiscal year 2002 may be
7 adopted in accordance with this Section by the agency charged
8 with administering that provision or initiative, except that
9 the 24-month limitation on the adoption of emergency rules and
10 the provisions of Sections 5-115 and 5-125 do not apply to
11 rules adopted under this subsection (g). The adoption of
12 emergency rules authorized by this subsection (g) shall be
13 deemed to be necessary for the public interest, safety, and
14 welfare.

15 (h) In order to provide for the expeditious and timely
16 implementation of the State's fiscal year 2003 budget,
17 emergency rules to implement any provision of Public Act 92-597
18 or any other budget initiative for fiscal year 2003 may be
19 adopted in accordance with this Section by the agency charged
20 with administering that provision or initiative, except that
21 the 24-month limitation on the adoption of emergency rules and
22 the provisions of Sections 5-115 and 5-125 do not apply to
23 rules adopted under this subsection (h). The adoption of
24 emergency rules authorized by this subsection (h) shall be
25 deemed to be necessary for the public interest, safety, and
26 welfare.

1 (i) In order to provide for the expeditious and timely
2 implementation of the State's fiscal year 2004 budget,
3 emergency rules to implement any provision of Public Act 93-20
4 or any other budget initiative for fiscal year 2004 may be
5 adopted in accordance with this Section by the agency charged
6 with administering that provision or initiative, except that
7 the 24-month limitation on the adoption of emergency rules and
8 the provisions of Sections 5-115 and 5-125 do not apply to
9 rules adopted under this subsection (i). The adoption of
10 emergency rules authorized by this subsection (i) shall be
11 deemed to be necessary for the public interest, safety, and
12 welfare.

13 (j) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2005 budget as provided under the Fiscal Year 2005 Budget
16 Implementation (Human Services) Act, emergency rules to
17 implement any provision of the Fiscal Year 2005 Budget
18 Implementation (Human Services) Act may be adopted in
19 accordance with this Section by the agency charged with
20 administering that provision, except that the 24-month
21 limitation on the adoption of emergency rules and the
22 provisions of Sections 5-115 and 5-125 do not apply to rules
23 adopted under this subsection (j). The Department of Public Aid
24 may also adopt rules under this subsection (j) necessary to
25 administer the Illinois Public Aid Code and the Children's
26 Health Insurance Program Act. The adoption of emergency rules

1 authorized by this subsection (j) shall be deemed to be
2 necessary for the public interest, safety, and welfare.

3 (k) In order to provide for the expeditious and timely
4 implementation of the provisions of the State's fiscal year
5 2006 budget, emergency rules to implement any provision of
6 Public Act 94-48 or any other budget initiative for fiscal year
7 2006 may be adopted in accordance with this Section by the
8 agency charged with administering that provision or
9 initiative, except that the 24-month limitation on the adoption
10 of emergency rules and the provisions of Sections 5-115 and
11 5-125 do not apply to rules adopted under this subsection (k).
12 The Department of Healthcare and Family Services may also adopt
13 rules under this subsection (k) necessary to administer the
14 Illinois Public Aid Code, the Senior Citizens and Persons with
15 Disabilities Property Tax Relief Act, the Senior Citizens and
16 Disabled Persons Prescription Drug Discount Program Act (now
17 the Illinois Prescription Drug Discount Program Act), and the
18 Children's Health Insurance Program Act. The adoption of
19 emergency rules authorized by this subsection (k) shall be
20 deemed to be necessary for the public interest, safety, and
21 welfare.

22 (l) In order to provide for the expeditious and timely
23 implementation of the provisions of the State's fiscal year
24 2007 budget, the Department of Healthcare and Family Services
25 may adopt emergency rules during fiscal year 2007, including
26 rules effective July 1, 2007, in accordance with this

1 subsection to the extent necessary to administer the
2 Department's responsibilities with respect to amendments to
3 the State plans and Illinois waivers approved by the federal
4 Centers for Medicare and Medicaid Services necessitated by the
5 requirements of Title XIX and Title XXI of the federal Social
6 Security Act. The adoption of emergency rules authorized by
7 this subsection (l) shall be deemed to be necessary for the
8 public interest, safety, and welfare.

9 (m) In order to provide for the expeditious and timely
10 implementation of the provisions of the State's fiscal year
11 2008 budget, the Department of Healthcare and Family Services
12 may adopt emergency rules during fiscal year 2008, including
13 rules effective July 1, 2008, in accordance with this
14 subsection to the extent necessary to administer the
15 Department's responsibilities with respect to amendments to
16 the State plans and Illinois waivers approved by the federal
17 Centers for Medicare and Medicaid Services necessitated by the
18 requirements of Title XIX and Title XXI of the federal Social
19 Security Act. The adoption of emergency rules authorized by
20 this subsection (m) shall be deemed to be necessary for the
21 public interest, safety, and welfare.

22 (n) In order to provide for the expeditious and timely
23 implementation of the provisions of the State's fiscal year
24 2010 budget, emergency rules to implement any provision of
25 Public Act 96-45 or any other budget initiative authorized by
26 the 96th General Assembly for fiscal year 2010 may be adopted

1 in accordance with this Section by the agency charged with
2 administering that provision or initiative. The adoption of
3 emergency rules authorized by this subsection (n) shall be
4 deemed to be necessary for the public interest, safety, and
5 welfare. The rulemaking authority granted in this subsection
6 (n) shall apply only to rules promulgated during Fiscal Year
7 2010.

8 (o) In order to provide for the expeditious and timely
9 implementation of the provisions of the State's fiscal year
10 2011 budget, emergency rules to implement any provision of
11 Public Act 96-958 or any other budget initiative authorized by
12 the 96th General Assembly for fiscal year 2011 may be adopted
13 in accordance with this Section by the agency charged with
14 administering that provision or initiative. The adoption of
15 emergency rules authorized by this subsection (o) is deemed to
16 be necessary for the public interest, safety, and welfare. The
17 rulemaking authority granted in this subsection (o) applies
18 only to rules promulgated on or after July 1, 2010 (the
19 effective date of Public Act 96-958) through June 30, 2011.

20 (p) In order to provide for the expeditious and timely
21 implementation of the provisions of Public Act 97-689,
22 emergency rules to implement any provision of Public Act 97-689
23 may be adopted in accordance with this subsection (p) by the
24 agency charged with administering that provision or
25 initiative. The 150-day limitation of the effective period of
26 emergency rules does not apply to rules adopted under this

1 subsection (p), and the effective period may continue through
2 June 30, 2013. The 24-month limitation on the adoption of
3 emergency rules does not apply to rules adopted under this
4 subsection (p). The adoption of emergency rules authorized by
5 this subsection (p) is deemed to be necessary for the public
6 interest, safety, and welfare.

7 (q) In order to provide for the expeditious and timely
8 implementation of the provisions of Articles 7, 8, 9, 11, and
9 12 of Public Act 98-104, emergency rules to implement any
10 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
11 may be adopted in accordance with this subsection (q) by the
12 agency charged with administering that provision or
13 initiative. The 24-month limitation on the adoption of
14 emergency rules does not apply to rules adopted under this
15 subsection (q). The adoption of emergency rules authorized by
16 this subsection (q) is deemed to be necessary for the public
17 interest, safety, and welfare.

18 (r) In order to provide for the expeditious and timely
19 implementation of the provisions of Public Act 98-651,
20 emergency rules to implement Public Act 98-651 may be adopted
21 in accordance with this subsection (r) by the Department of
22 Healthcare and Family Services. The 24-month limitation on the
23 adoption of emergency rules does not apply to rules adopted
24 under this subsection (r). The adoption of emergency rules
25 authorized by this subsection (r) is deemed to be necessary for
26 the public interest, safety, and welfare.

1 (s) In order to provide for the expeditious and timely
2 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
3 the Illinois Public Aid Code, emergency rules to implement any
4 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
5 Public Aid Code may be adopted in accordance with this
6 subsection (s) by the Department of Healthcare and Family
7 Services. The rulemaking authority granted in this subsection
8 (s) shall apply only to those rules adopted prior to July 1,
9 2015. Notwithstanding any other provision of this Section, any
10 emergency rule adopted under this subsection (s) shall only
11 apply to payments made for State fiscal year 2015. The adoption
12 of emergency rules authorized by this subsection (s) is deemed
13 to be necessary for the public interest, safety, and welfare.

14 (t) In order to provide for the expeditious and timely
15 implementation of the provisions of Article II of Public Act
16 99-6, emergency rules to implement the changes made by Article
17 II of Public Act 99-6 to the Emergency Telephone System Act may
18 be adopted in accordance with this subsection (t) by the
19 Department of State Police. The rulemaking authority granted in
20 this subsection (t) shall apply only to those rules adopted
21 prior to July 1, 2016. The 24-month limitation on the adoption
22 of emergency rules does not apply to rules adopted under this
23 subsection (t). The adoption of emergency rules authorized by
24 this subsection (t) is deemed to be necessary for the public
25 interest, safety, and welfare.

26 (u) In order to provide for the expeditious and timely

1 implementation of the provisions of the Burn Victims Relief
2 Act, emergency rules to implement any provision of the Act may
3 be adopted in accordance with this subsection (u) by the
4 Department of Insurance. The rulemaking authority granted in
5 this subsection (u) shall apply only to those rules adopted
6 prior to December 31, 2015. The adoption of emergency rules
7 authorized by this subsection (u) is deemed to be necessary for
8 the public interest, safety, and welfare.

9 (v) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 99-516,
11 emergency rules to implement Public Act 99-516 may be adopted
12 in accordance with this subsection (v) by the Department of
13 Healthcare and Family Services. The 24-month limitation on the
14 adoption of emergency rules does not apply to rules adopted
15 under this subsection (v). The adoption of emergency rules
16 authorized by this subsection (v) is deemed to be necessary for
17 the public interest, safety, and welfare.

18 (w) In order to provide for the expeditious and timely
19 implementation of the provisions of Public Act 99-796,
20 emergency rules to implement the changes made by Public Act
21 99-796 may be adopted in accordance with this subsection (w) by
22 the Adjutant General. The adoption of emergency rules
23 authorized by this subsection (w) is deemed to be necessary for
24 the public interest, safety, and welfare.

25 (x) In order to provide for the expeditious and timely
26 implementation of the provisions of Public Act 99-906,

1 emergency rules to implement subsection (i) of Section 16-115D,
2 subsection (g) of Section 16-128A, and subsection (a) of
3 Section 16-128B of the Public Utilities Act may be adopted in
4 accordance with this subsection (x) by the Illinois Commerce
5 Commission. The rulemaking authority granted in this
6 subsection (x) shall apply only to those rules adopted within
7 180 days after June 1, 2017 (the effective date of Public Act
8 99-906). The adoption of emergency rules authorized by this
9 subsection (x) is deemed to be necessary for the public
10 interest, safety, and welfare.

11 (y) In order to provide for the expeditious and timely
12 implementation of the provisions of this amendatory Act of the
13 100th General Assembly, emergency rules to implement the
14 changes made by this amendatory Act of the 100th General
15 Assembly to Section 4.02 of the Illinois Act on Aging, Sections
16 5.5.4 and 5-5.4i of the Illinois Public Aid Code, Section 55-30
17 of the Alcoholism and Other Drug Abuse and Dependency Act, and
18 Sections 74 and 75 of the Mental Health and Developmental
19 Disabilities Administrative Act may be adopted in accordance
20 with this subsection (y) by the respective Department. The
21 adoption of emergency rules authorized by this subsection (y)
22 is deemed to be necessary for the public interest, safety, and
23 welfare.

24 (z) In order to provide for the expeditious and timely
25 implementation of the provisions of this amendatory Act of the
26 100th General Assembly, emergency rules to implement the

1 changes made by this amendatory Act of the 100th General
2 Assembly to Section 4.7 of the Lobbyist Registration Act may be
3 adopted in accordance with this subsection (z) by the Secretary
4 of State. The adoption of emergency rules authorized by this
5 subsection (z) is deemed to be necessary for the public
6 interest, safety, and welfare.

7 (aa) In order to provide for the expeditious and timely
8 initial implementation of the changes made to Articles 5, 5A,
9 12, and 14 of the Illinois Public Aid Code under the provisions
10 of this amendatory Act of the 100th General Assembly, the
11 Department of Healthcare and Family Services may adopt
12 emergency rules in accordance with this subsection (aa). The
13 24-month limitation on the adoption of emergency rules does not
14 apply to rules to initially implement the changes made to
15 Articles 5, 5A, 12, and 14 of the Illinois Public Aid Code
16 adopted under this subsection (aa). The adoption of emergency
17 rules authorized by this subsection (aa) is deemed to be
18 necessary for the public interest, safety, and welfare.

19 (bb) In order to provide for the expeditious and timely
20 implementation of the provisions of this amendatory Act of the
21 100th General Assembly, emergency rules to implement the
22 changes made by this amendatory Act of the 100th General
23 Assembly to Section 4.8 of the Lobbyist Registration Act may be
24 adopted in accordance with this subsection (bb) by the
25 Secretary of State. The adoption of emergency rules authorized
26 by this subsection (bb) is deemed to be necessary for the

1 public interest, safety, and welfare.

2 (Source: P.A. 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143,
3 eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16;
4 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906, eff. 6-1-17;
5 100-23, eff. 7-6-17; 100-554, eff. 11-16-17; 100-581, eff.
6 3-12-18.)

7 Section 55. The State Officials and Employees Ethics Act is
8 amended by changing Sections 5-5, 50-5, and 70-5 and by adding
9 Sections 5-10.10 and 5-70 as follows:

10 (5 ILCS 430/5-5)

11 Sec. 5-5. Personnel policies.

12 (a) Each of the following shall adopt and implement
13 personnel policies for all State employees under his, her, or
14 its jurisdiction and control: (i) each executive branch
15 constitutional officer, (ii) each legislative leader, (iii)
16 the Senate Operations Commission, with respect to legislative
17 employees under Section 4 of the General Assembly Operations
18 Act, (iv) the Speaker of the House of Representatives, with
19 respect to legislative employees under Section 5 of the General
20 Assembly Operations Act, (v) the Joint Committee on Legislative
21 Support Services, with respect to State employees of the
22 legislative support services agencies, (vi) members of the
23 General Assembly, with respect to legislative assistants, as
24 provided in Section 4 of the General Assembly Compensation Act,

1 (vii) the Auditor General, (viii) the Board of Higher
2 Education, with respect to State employees of public
3 institutions of higher learning except community colleges, and
4 (ix) the Illinois Community College Board, with respect to
5 State employees of community colleges. The Governor shall adopt
6 and implement those policies for all State employees of the
7 executive branch not under the jurisdiction and control of any
8 other executive branch constitutional officer.

9 (b) The policies required under subsection (a) shall be
10 filed with the appropriate ethics commission established under
11 this Act or, for the Auditor General, with the Office of the
12 Auditor General.

13 (c) The policies required under subsection (a) shall
14 include policies relating to work time requirements,
15 documentation of time worked, documentation for reimbursement
16 for travel on official State business, compensation, and the
17 earning or accrual of State benefits for all State employees
18 who may be eligible to receive those benefits.

19 No later than 30 days after November 16, 2017 (the
20 effective date of Public Act 100-554) ~~this amendatory Act of~~
21 ~~the 100th General Assembly~~, the policies shall include, at a
22 minimum: (i) a prohibition on sexual harassment; (ii) details
23 on how an individual can report an allegation of sexual
24 harassment, including options for making a confidential report
25 to a supervisor, ethics officer, Inspector General, or the
26 Department of Human Rights; (iii) a prohibition on retaliation

1 for reporting sexual harassment allegations, including
2 availability of whistleblower protections under this Act, the
3 Whistleblower Act, and the Illinois Human Rights Act; and (iv)
4 the consequences of a violation of the prohibition on sexual
5 harassment and the consequences for knowingly making a false
6 report. The policies shall comply with and be consistent with
7 all other applicable laws.

8 No later than 30 days after the effective date of this
9 amendatory Act of the 100th General Assembly, the policies
10 shall include, at a minimum: (i) a prohibition on racial
11 discrimination and harassment; (ii) details on how an
12 individual can report an allegation of racial discrimination
13 and harassment, including options for making a confidential
14 report to a supervisor, ethics officer, Inspector General, or
15 the Department of Human Rights; (iii) a prohibition on
16 retaliation for reporting racial discrimination and harassment
17 allegations, including availability of whistleblower
18 protections under this Act, the Whistleblower Act, and the
19 Illinois Human Rights Act; and (iv) the consequences of a
20 violation of the prohibition on racial discrimination and
21 harassment and the consequences for knowingly making a false
22 report. The policies shall comply with and be consistent with
23 all other applicable laws. The policies shall require State
24 employees to periodically submit time sheets documenting the
25 time spent each day on official State business to the nearest
26 quarter hour; contractual State employees may satisfy the time

1 sheets requirement by complying with the terms of their
2 contract, which shall provide for a means of compliance with
3 this requirement. The policies for State employees shall
4 require those time sheets to be submitted on paper,
5 electronically, or both and to be maintained in either paper or
6 electronic format by the applicable fiscal office for a period
7 of at least 2 years.

8 (d) The policies required under subsection (a) shall be
9 adopted by the applicable entity before February 1, 2004 and
10 shall apply to State employees beginning 30 days after
11 adoption.

12 (Source: P.A. 100-554, eff. 11-16-17.)

13 (5 ILCS 430/5-10.10 new)

14 Sec. 5-10.10. Racial bias, discrimination, and harassment
15 training.

16 (a) Each officer, member, and employee must complete, at
17 least annually beginning in 2019, a racial bias,
18 discrimination, and harassment training program. A person who
19 fills a vacancy in an elective or appointed position that
20 requires training under this Section must complete his or her
21 initial racial bias, discrimination, and harassment training
22 program within 30 days after commencement of his or her office
23 or employment. The training shall include, at a minimum, the
24 following: (i) the definitions, and descriptions, of racial
25 bias, discrimination, and harassment utilizing examples; (ii)

1 details on how an individual can report an allegation of racial
2 discrimination or harassment, including options for making a
3 confidential report to a supervisor, ethics officer, Inspector
4 General, or the Department of Human Rights; (iii) the
5 definition, and description of, retaliation for reporting
6 racial discrimination and harassment allegations utilizing
7 examples, including availability of whistleblower protections
8 under this Act, the Whistleblower Act, and the Illinois Human
9 Rights Act; and (iv) the consequences of a violation of the
10 prohibition on racial discrimination or harassment and the
11 consequences for knowingly making a false report. Proof of
12 completion must be submitted to the applicable ethics officer.
13 Racial bias, discrimination, and harassment training programs
14 shall be overseen by the appropriate Ethics Commission and
15 Inspector General appointed under this Act.

16 (b) Each ultimate jurisdictional authority shall submit to
17 the applicable Ethics Commission, at least annually, or more
18 frequently as required by that Commission, a report that
19 summarizes the racial bias, discrimination, and harassment
20 training program that was completed during the previous year,
21 and lays out the plan for the training program in the coming
22 year. The report shall include the names of individuals that
23 failed to complete the required training program. Each Ethics
24 Commission shall make the reports available on its website.

1 Sec. 5-70. Prohibition on racial discrimination and
2 harassment.

3 (a) All persons have a right to work in an environment free
4 from racial discrimination and harassment. All persons subject
5 to this Act are prohibited from racially discriminating against
6 or harassing any person, regardless of any employment
7 relationship or lack thereof.

8 (b) For purposes of this Act, "racial discrimination and
9 harassment" means any actions taken, or decisions or statements
10 made, based on an individual's actual or perceived race when
11 such actions are taken, or decisions or statements: (i) are
12 made in relation to an individual's employment; (ii) are used
13 as all or part of the basis for employment decisions affecting
14 such individual; or (iii) have the purpose or effect of
15 substantially interfering with an individual's work
16 performance or creating an intimidating, hostile, or offensive
17 working environment. For purposes of this definition, the
18 phrase "working environment" is not limited to a physical
19 location an employee is assigned to perform his or her duties
20 and does not require an employment relationship.

21 (5 ILCS 430/50-5)

22 Sec. 50-5. Penalties.

23 (a) A person is guilty of a Class A misdemeanor if that
24 person intentionally violates any provision of Section 5-15,
25 5-30, 5-40, or 5-45 or Article 15.

1 (a-1) An ethics commission may levy an administrative fine
2 for a violation of Section 5-45 of this Act of up to 3 times the
3 total annual compensation that would have been obtained in
4 violation of Section 5-45.

5 (b) A person who intentionally violates any provision of
6 Section 5-20, 5-35, 5-50, or 5-55 is guilty of a business
7 offense subject to a fine of at least \$1,001 and up to \$5,000.

8 (c) A person who intentionally violates any provision of
9 Article 10 is guilty of a business offense and subject to a
10 fine of at least \$1,001 and up to \$5,000.

11 (d) Any person who intentionally makes a false report
12 alleging a violation of any provision of this Act to an ethics
13 commission, an inspector general, the State Police, a State's
14 Attorney, the Attorney General, or any other law enforcement
15 official is guilty of a Class A misdemeanor.

16 (e) An ethics commission may levy an administrative fine of
17 up to \$5,000 against any person who violates this Act, who
18 intentionally obstructs or interferes with an investigation
19 conducted under this Act by an inspector general, or who
20 intentionally makes a false, frivolous, or bad faith
21 allegation.

22 (f) In addition to any other penalty that may apply,
23 whether criminal or civil, a State employee who intentionally
24 violates any provision of Section 5-5, 5-15, 5-20, 5-30, 5-35,
25 5-45, or 5-50, Article 10, Article 15, or Section 20-90 or
26 25-90 is subject to discipline or discharge by the appropriate

1 ultimate jurisdictional authority.

2 (g) Any person who violates Section 5-65 or 5-70 is subject
3 to a fine of up to \$5,000 per offense, and is subject to
4 discipline or discharge by the appropriate ultimate
5 jurisdictional authority. Each violation of Section 5-65 or
6 5-70 is a separate offense. Any penalty imposed by an ethics
7 commission shall be separate and distinct from any fines or
8 penalties imposed by a court of law or a State or federal
9 agency.

10 (h) Any person who violates Section 4.7 or 4.8 or paragraph
11 (d) or (e) of Section 5 of the Lobbyist Registration Act is
12 guilty of a business offense and shall be subject to a fine of
13 up to \$5,000. Any penalty imposed by an ethics commission shall
14 be separate and distinct from any fines or penalties imposed by
15 a court of law or by the Secretary of State under the Lobbyist
16 Registration Act.

17 (Source: P.A. 100-554, eff. 11-16-17.)

18 (5 ILCS 430/70-5)

19 Sec. 70-5. Adoption by governmental entities.

20 (a) Within 6 months after the effective date of this Act,
21 each governmental entity other than a community college
22 district, and each community college district within 6 months
23 after the effective date of this amendatory Act of the 95th
24 General Assembly, shall adopt an ordinance or resolution that
25 regulates, in a manner no less restrictive than Section 5-15

1 and Article 10 of this Act, (i) the political activities of
2 officers and employees of the governmental entity and (ii) the
3 soliciting and accepting of gifts by and the offering and
4 making of gifts to officers and employees of the governmental
5 entity.

6 No later than 60 days after November 16, 2017 (the
7 effective date of Public Act 100-554) ~~this amendatory Act of~~
8 ~~the 100th General Assembly~~, each governmental unit shall adopt
9 an ordinance or resolution establishing a policy to prohibit
10 sexual harassment. The policy shall include, at a minimum: (i)
11 a prohibition on sexual harassment; (ii) details on how an
12 individual can report an allegation of sexual harassment,
13 including options for making a confidential report to a
14 supervisor, ethics officer, Inspector General, or the
15 Department of Human Rights; (iii) a prohibition on retaliation
16 for reporting sexual harassment allegations, including
17 availability of whistleblower protections under this Act, the
18 Whistleblower Act, and the Illinois Human Rights Act; and (iv)
19 the consequences of a violation of the prohibition on sexual
20 harassment and the consequences for knowingly making a false
21 report.

22 No later than 60 days after the effective date of this
23 amendatory Act of the 100th General Assembly, each governmental
24 unit shall adopt an ordinance or resolution establishing a
25 policy to prohibit racial discrimination and harassment. The
26 policy shall include, at a minimum: (i) a prohibition on racial

1 discrimination and harassment; (ii) details on how an
2 individual can report an allegation of racial discrimination
3 and harassment, including options for making a confidential
4 report to a supervisor, ethics officer, Inspector General, or
5 the Department of Human Rights; (iii) a prohibition on
6 retaliation for reporting racial discrimination and harassment
7 allegations, including availability of whistleblower
8 protections under this Act, the Whistleblower Act, and the
9 Illinois Human Rights Act; and (iv) the consequences of a
10 violation of the prohibition on racial discrimination and
11 harassment and the consequences for knowingly making a false
12 report.

13 (b) Within 3 months after the effective date of this
14 amendatory Act of the 93rd General Assembly, the Attorney
15 General shall develop model ordinances and resolutions for the
16 purpose of this Article. The Attorney General shall advise
17 governmental entities on their contents and adoption.

18 (c) As used in this Article, (i) an "officer" means an
19 elected or appointed official; regardless of whether the
20 official is compensated, and (ii) an "employee" means a
21 full-time, part-time, or contractual employee.

22 (Source: P.A. 100-554, eff. 11-16-17.)

23 Section 60. The Secretary of State Act is amended by
24 changing Section 14 as follows:

1 (15 ILCS 305/14)

2 Sec. 14. Inspector General.

3 (a) The Secretary of State must, with the advice and
4 consent of the Senate, appoint an Inspector General for the
5 purpose of detection, deterrence, and prevention of fraud,
6 corruption, mismanagement, gross or aggravated misconduct, or
7 misconduct that may be criminal in nature in the Office of the
8 Secretary of State. The Inspector General shall serve a 5-year
9 term. If no successor is appointed and qualified upon the
10 expiration of the Inspector General's term, the Office of
11 Inspector General is deemed vacant and the powers and duties
12 under this Section may be exercised only by an appointed and
13 qualified interim Inspector General until a successor
14 Inspector General is appointed and qualified. If the General
15 Assembly is not in session when a vacancy in the Office of
16 Inspector General occurs, the Secretary of State may appoint an
17 interim Inspector General whose term shall expire 2 weeks after
18 the next regularly scheduled session day of the Senate.

19 (b) The Inspector General shall have the following
20 qualifications:

21 (1) has not been convicted of any felony under the laws
22 of this State, another State, or the United States;

23 (2) has earned a baccalaureate degree from an
24 institution of higher education; and

25 (3) has either (A) 5 or more years of service with a
26 federal, State, or local law enforcement agency, at least 2

1 years of which have been in a progressive investigatory
2 capacity; (B) 5 or more years of service as a federal,
3 State, or local prosecutor; or (C) 5 or more years of
4 service as a senior manager or executive of a federal,
5 State, or local agency.

6 (c) The Inspector General may review, coordinate, and
7 recommend methods and procedures to increase the integrity of
8 the Office of the Secretary of State. The duties of the
9 Inspector General shall supplement and not supplant the duties
10 of the Chief Auditor for the Secretary of State's Office or any
11 other Inspector General that may be authorized by law. The
12 Inspector General must report directly to the Secretary of
13 State.

14 (d) In addition to the authority otherwise provided by this
15 Section, but only when investigating the Office of the
16 Secretary of State, its employees, or their actions for fraud,
17 corruption, mismanagement, gross or aggravated misconduct, or
18 misconduct that may be criminal in nature, the Inspector
19 General is authorized:

20 (1) To have access to all records, reports, audits,
21 reviews, documents, papers, recommendations, or other
22 materials available that relate to programs and operations
23 with respect to which the Inspector General has
24 responsibilities under this Section.

25 (2) To make any investigations and reports relating to
26 the administration of the programs and operations of the

1 Office of the Secretary of State that are, in the judgment
2 of the Inspector General, necessary or desirable.

3 (3) To request any information or assistance that may
4 be necessary for carrying out the duties and
5 responsibilities provided by this Section from any local,
6 State, or federal governmental agency or unit thereof.

7 (4) To require by subpoena the appearance of witnesses
8 and the production of all information, documents, reports,
9 answers, records, accounts, papers, and other data and
10 documentary evidence necessary in the performance of the
11 functions assigned by this Section, with the exception of
12 subsection (c) and with the exception of records of a labor
13 organization authorized and recognized under the Illinois
14 Public Labor Relations Act to be the exclusive bargaining
15 representative of employees of the Secretary of State,
16 including, but not limited to, records of representation of
17 employees and the negotiation of collective bargaining
18 agreements. A subpoena may be issued under this paragraph
19 (4) only by the Inspector General and not by members of the
20 Inspector General's staff. A person duly subpoenaed for
21 testimony, documents, or other items who neglects or
22 refuses to testify or produce documents or other items
23 under the requirements of the subpoena shall be subject to
24 punishment as may be determined by a court of competent
25 jurisdiction, unless (i) the testimony, documents, or
26 other items are covered by the attorney-client privilege or

1 any other privilege or right recognized by law or (ii) the
2 testimony, documents, or other items concern the
3 representation of employees and the negotiation of
4 collective bargaining agreements by a labor organization
5 authorized and recognized under the Illinois Public Labor
6 Relations Act to be the exclusive bargaining
7 representative of employees of the Secretary of State.
8 Nothing in this Section limits a person's right to
9 protection against self-incrimination under the Fifth
10 Amendment of the United States Constitution or Article I,
11 Section 10, of the Constitution of the State of Illinois.

12 (5) To have direct and prompt access to the Secretary
13 of State for any purpose pertaining to the performance of
14 functions and responsibilities under this Section.

15 (d-5) In addition to the authority otherwise provided by
16 this Section, the Secretary of State Inspector General shall
17 have jurisdiction to investigate complaints and allegations of
18 wrongdoing by any person or entity related to the Lobbyist
19 Registration Act. When investigating those complaints and
20 allegations, the Inspector General is authorized:

21 (1) To have access to all records, reports, audits,
22 reviews, documents, papers, recommendations, or other
23 materials available that relate to programs and operations
24 with respect to which the Inspector General has
25 responsibilities under this Section.

26 (2) To request any information or assistance that may

1 be necessary for carrying out the duties and
2 responsibilities provided by this Section from any local,
3 State, or federal governmental agency or unit thereof.

4 (3) To require by subpoena the appearance of witnesses
5 and the production of all information, documents, reports,
6 answers, records, accounts, papers, and other data and
7 documentary evidence necessary in the performance of the
8 functions assigned by this Section. A subpoena may be
9 issued under this paragraph (3) only by the Inspector
10 General and not by members of the Inspector General's
11 staff. A person duly subpoenaed for testimony, documents,
12 or other items who neglects or refuses to testify or
13 produce documents or other items under the requirements of
14 the subpoena shall be subject to punishment as may be
15 determined by a court of competent jurisdiction, unless the
16 testimony, documents, or other items are covered by the
17 attorney-client privilege or any other privilege or right
18 recognized by law. Nothing in this Section limits a
19 person's right to protection against self-incrimination
20 under the Fifth Amendment of the United States Constitution
21 or Section 10 of Article I of the Constitution of the State
22 of Illinois.

23 (4) To have direct and prompt access to the Secretary
24 of State for any purpose pertaining to the performance of
25 functions and responsibilities under this Section.

26 (5) As provided in subsection (d) of Section 5 of the

1 Lobbyist Registration Act, to review allegations that an
2 individual required to be registered under the Lobbyist
3 Registration Act has engaged in one or more acts of sexual
4 harassment. Upon completion of that review, the Inspector
5 General shall submit a summary of the review to the
6 Executive Ethics Commission. The Secretary shall adopt
7 rules setting forth the procedures for the review of such
8 allegations.

9 (6) As provided in subsection (e) of Section 5 of the
10 Lobbyist Registration Act, to review allegations that an
11 individual required to be registered under the Lobbyist
12 Registration Act has engaged in one or more acts of racial
13 discrimination and harassment. Upon completion of that
14 review, the Inspector General shall submit a summary of the
15 review to the Executive Ethics Commission. The Secretary
16 shall adopt rules setting forth the procedures for the
17 review of such allegations.

18 (e) The Inspector General may receive and investigate
19 complaints or information concerning the possible existence of
20 an activity constituting a violation of law, rules, or
21 regulations; mismanagement; abuse of authority; or substantial
22 and specific danger to the public health and safety. Any person
23 who knowingly files a false complaint or files a complaint with
24 reckless disregard for the truth or the falsity of the facts
25 underlying the complaint may be subject to discipline as set
26 forth in the rules of the Department of Personnel of the

1 Secretary of State or the Inspector General may refer the
2 matter to a State's Attorney or the Attorney General.

3 The Inspector General may not, after receipt of a complaint
4 or information, disclose the identity of the source without the
5 consent of the source, unless the Inspector General determines
6 that disclosure of the identity is reasonable and necessary for
7 the furtherance of the investigation.

8 Any employee who has the authority to recommend or approve
9 any personnel action or to direct others to recommend or
10 approve any personnel action may not, with respect to that
11 authority, take or threaten to take any action against any
12 employee as a reprisal for making a complaint or disclosing
13 information to the Inspector General, unless the complaint was
14 made or the information disclosed with the knowledge that it
15 was false or with willful disregard for its truth or falsity.

16 (f) The Inspector General must adopt rules, in accordance
17 with the provisions of the Illinois Administrative Procedure
18 Act, establishing minimum requirements for initiating,
19 conducting, and completing investigations. The rules must
20 establish criteria for determining, based upon the nature of
21 the allegation, the appropriate method of investigation, which
22 may include, but is not limited to, site visits, telephone
23 contacts, personal interviews, or requests for written
24 responses. The rules must also clarify how the Office of the
25 Inspector General shall interact with other local, State, and
26 federal law enforcement investigations.

1 Any employee of the Secretary of State subject to
2 investigation or inquiry by the Inspector General or any agent
3 or representative of the Inspector General concerning
4 misconduct that is criminal in nature shall have the right to
5 be notified of the right to remain silent during the
6 investigation or inquiry and the right to be represented in the
7 investigation or inquiry by an attorney or a representative of
8 a labor organization that is the exclusive collective
9 bargaining representative of employees of the Secretary of
10 State. Any investigation or inquiry by the Inspector General or
11 any agent or representative of the Inspector General must be
12 conducted with an awareness of the provisions of a collective
13 bargaining agreement that applies to the employees of the
14 Secretary of State and with an awareness of the rights of the
15 employees as set forth in State and federal law and applicable
16 judicial decisions. Any recommendations for discipline or any
17 action taken against any employee by the Inspector General or
18 any representative or agent of the Inspector General must
19 comply with the provisions of the collective bargaining
20 agreement that applies to the employee.

21 (g) On or before January 1 of each year, the Inspector
22 General shall report to the President of the Senate, the
23 Minority Leader of the Senate, the Speaker of the House of
24 Representatives, and the Minority Leader of the House of
25 Representatives on the types of investigations and the
26 activities undertaken by the Office of the Inspector General

1 during the previous calendar year.

2 (Source: P.A. 100-554, eff. 11-16-17.)

3 Section 65. The Lobbyist Registration Act is amended by
4 changing Sections 5 and 10 and by adding Section 4.8 as
5 follows:

6 (25 ILCS 170/4.8 new)

7 Sec. 4.8. Prohibition on racial discrimination and
8 harassment.

9 (a) All persons have the right to work in an environment
10 free from racial discrimination and harassment. All persons
11 subject to this Act shall refrain from racial discrimination
12 and harassment of any person.

13 (b) Beginning January 1, 2019, each natural person required
14 to register as a lobbyist under this Act must complete, at
15 least annually, a racial bias, discrimination, and harassment
16 training program provided by the Secretary of State. A natural
17 person registered under this Act must complete the training
18 program no later than 30 days after registration or renewal
19 under this Act. This requirement does not apply to a lobbying
20 entity or a client that hires a lobbyist that (i) does not have
21 employees of the lobbying entity or client registered as
22 lobbyists, or (ii) does not have an actual presence in
23 Illinois.

24 (c) No later than January 1, 2019, each natural person and

1 any entity required to register under this Act shall have a
2 written racial discrimination and harassment policy that shall
3 include, at a minimum: (i) a prohibition on racial
4 discrimination and harassment; (ii) details on how an
5 individual can report an allegation of racial discrimination
6 and harassment, including options for making a confidential
7 report to a supervisor, ethics officer, Inspector General, or
8 the Department of Human Rights; (iii) a prohibition on
9 retaliation for reporting racial discrimination and harassment
10 allegations, including availability of whistleblower
11 protections under the State Officials and Employee Ethics Act,
12 the Whistleblower Act, and the Illinois Human Rights Act; and
13 (iv) the consequences of a violation of the prohibition on
14 racial discrimination and harassment and the consequences for
15 knowingly making a false report.

16 (d) For purposes of this Act, "racial discrimination and
17 harassment" means any actions taken, or decisions or statements
18 made, based on an individual's actual or perceived race when
19 such actions are taken, or decisions or statements: (i) are
20 made in relation to an individual's employment; (ii) are used
21 as all or part of the basis for employment decisions affecting
22 such individual; or (iii) have the purpose or effect of
23 substantially interfering with an individual's work
24 performance or creating an intimidating, hostile, or offensive
25 working environment. For purposes of this definition, the
26 phrase "working environment" is not limited to a physical

1 location an employee is assigned to perform his or her duties
2 and does not require an employment relationship.

3 (e) The Secretary of State shall adopt rules for the
4 implementation of this Section. In order to provide for the
5 expeditious and timely implementation of this Section, the
6 Secretary of State shall adopt emergency rules under subsection
7 (bb) of Section 5-45 of the Illinois Administrative Procedure
8 Act for the implementation of this Section no later than 60
9 days after the effective date of this amendatory Act of the
10 100th General Assembly.

11 (25 ILCS 170/5)

12 Sec. 5. Lobbyist registration and disclosure. Every
13 natural person and every entity required to register under this
14 Act shall before any service is performed which requires the
15 natural person or entity to register, but in any event not
16 later than 2 business days after being employed or retained,
17 file in the Office of the Secretary of State a statement in a
18 format prescribed by the Secretary of State containing the
19 following information with respect to each person or entity
20 employing, retaining, or benefitting from the services of the
21 natural person or entity required to register:

22 (a) The registrant's name, permanent address, e-mail
23 address, if any, fax number, if any, business telephone
24 number, and temporary address, if the registrant has a
25 temporary address while lobbying.

1 (a-5) If the registrant is an entity, the information
2 required under subsection (a) for each natural person
3 associated with the registrant who will be lobbying,
4 regardless of whether lobbying is a significant part of his
5 or her duties.

6 (b) The name and address of the client or clients
7 employing or retaining the registrant to perform such
8 services or on whose behalf the registrant appears. If the
9 client employing or retaining the registrant is a client
10 registrant, the statement shall also include the name and
11 address of the client or clients of the client registrant
12 on whose behalf the registrant will be or anticipates
13 performing services.

14 (c) A brief description of the executive, legislative,
15 or administrative action in reference to which such service
16 is to be rendered.

17 (c-5) Each executive and legislative branch agency the
18 registrant expects to lobby during the registration
19 period.

20 (c-6) The nature of the client's business, by
21 indicating all of the following categories that apply: (1)
22 banking and financial services, (2) manufacturing, (3)
23 education, (4) environment, (5) healthcare, (6) insurance,
24 (7) community interests, (8) labor, (9) public relations or
25 advertising, (10) marketing or sales, (11) hospitality,
26 (12) engineering, (13) information or technology products

1 or services, (14) social services, (15) public utilities,
2 (16) racing or wagering, (17) real estate or construction,
3 (18) telecommunications, (19) trade or professional
4 association, (20) travel or tourism, (21) transportation,
5 (22) agriculture, and (23) other (setting forth the nature
6 of that other business).

7 (d) A confirmation that the registrant has a sexual
8 harassment policy as required by Section 4.7, that such
9 policy shall be made available to any individual within 2
10 business days upon written request (including electronic
11 requests), that any person may contact the authorized agent
12 of the registrant to report allegations of sexual
13 harassment, and that the registrant recognizes the
14 Inspector General has jurisdiction to review any
15 allegations of sexual harassment alleged against the
16 registrant or lobbyists hired by the registrant.

17 (e) A confirmation that the registrant has a racial
18 discrimination and harassment policy as required by
19 Section 4.7, that such policy shall be made available to
20 any individual within 2 business days upon written request
21 (including electronic requests), that any person may
22 contact the authorized agent of the registrant to report
23 allegations of racial discrimination and harassment, and
24 that the registrant recognizes the Inspector General has
25 jurisdiction to review any allegations of racial
26 discrimination and harassment alleged against the

1 registrant or lobbyists hired by the registrant.

2 Every natural person and every entity required to register
3 under this Act shall annually submit the registration required
4 by this Section on or before each January 31. The registrant
5 has a continuing duty to report any substantial change or
6 addition to the information contained in the registration.

7 The Secretary of State shall make all filed statements and
8 amendments to statements publicly available by means of a
9 searchable database that is accessible through the World Wide
10 Web. The Secretary of State shall provide all software
11 necessary to comply with this provision to all natural persons
12 and entities required to file. The Secretary of State shall
13 implement a plan to provide computer access and assistance to
14 natural persons and entities required to file electronically.

15 All natural persons and entities required to register under
16 this Act shall remit a single, annual, and nonrefundable \$300
17 registration fee. Each natural person required to register
18 under this Act shall submit, on an annual basis, a picture of
19 the registrant. A registrant may, in lieu of submitting a
20 picture on an annual basis, authorize the Secretary of State to
21 use any photo identification available in any database
22 maintained by the Secretary of State for other purposes. Each
23 registration fee collected for registrations on or after
24 January 1, 2010 shall be deposited into the Lobbyist
25 Registration Administration Fund for administration and
26 enforcement of this Act.

1 (Source: P.A. 100-554, eff. 11-16-17.)

2 (25 ILCS 170/10) (from Ch. 63, par. 180)

3 Sec. 10. Penalties.

4 (a) Any person who violates any of the provisions of this
5 Act, except for a violation of Section 4.7 or 4.8 or paragraph
6 (d) or (e) of Section 5, shall be guilty of a business offense
7 and shall be fined not more than \$10,000 for each violation.
8 Every day that a report or registration is late shall
9 constitute a separate violation. In determining the
10 appropriate fine for each violation, the trier of fact shall
11 consider the scope of the entire lobbying project, the nature
12 of activities conducted during the time the person was in
13 violation of this Act, and whether or not the violation was
14 intentional or unreasonable.

15 (a-5) A violation of Section 4.7 or 4.8 or paragraph (d) or
16 (e) of Section 5 shall be considered a violation of the State
17 Officials and Employees Ethics Act, subject to the jurisdiction
18 of the Executive Ethics Commission and to all penalties under
19 Section 50-5 of the State Officials and Employees Ethics Act.

20 (b) In addition to the penalties provided for in
21 subsections (a) and (a-5) of this Section, any person convicted
22 of any violation of any provision of this Act is prohibited for
23 a period of three years from the date of such conviction from
24 lobbying.

25 (c) There is created in the State treasury a special fund

1 to be known as the Lobbyist Registration Administration Fund.
2 All fines collected in the enforcement of this Section shall be
3 deposited into the Fund. These funds shall, subject to
4 appropriation, be used by the Office of the Secretary of State
5 for implementation and administration of this Act.

6 (Source: P.A. 100-554, eff. 11-16-17.)

7 Section 70. The Illinois Human Rights Act is amended by
8 adding Section 2-108 as follows:

9 (775 ILCS 5/2-108 new)

10 Sec. 2-108. Hotline to Report Racial Discrimination and
11 Harassment.

12 (a) The Department shall, no later than 3 months after the
13 effective date of this amendatory Act of the 100th General
14 Assembly, establish and maintain a racial discrimination and
15 harassment hotline. The Department shall help persons who
16 contact the Department through the hotline find necessary
17 resources, including counseling services, and assist in the
18 filing of racial discrimination and harassment complaints with
19 the Department or other applicable agencies. The Department may
20 recommend that an individual seek private counsel, but shall
21 not make recommendations for legal representation. The hotline
22 shall provide the means through which persons may anonymously
23 report racial discrimination and harassment in both private and
24 public places of employment. In the case of a report of racial

1 discrimination and harassment by a person subject to Article 20
2 or 25 of the State Officials and Employees Ethics Act, the
3 Department shall, with the permission of the reporting
4 individual, report the allegations to the Executive Inspector
5 General or Legislative Inspector General for further
6 investigation.

7 (b) The Department shall advertise the hotline on its
8 website and in materials related to racial discrimination and
9 harassment, including posters made available to the public, and
10 encourage reporting by both those who are subject to racial
11 discrimination and harassment and those who have witnessed it.

12 (c) All communications received by the Department via the
13 hotline or Internet communication shall remain confidential
14 and shall be exempt from disclosure under the Freedom of
15 Information Act.

16 (d) As used in this Section, "hotline" means a toll-free
17 telephone with voicemail capabilities and an Internet website
18 through which persons may report instances of racial
19 discrimination and harassment.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 5 ILCS 100/5-45 from Ch. 127, par. 1005-45

5 5 ILCS 430/5-5

6 5 ILCS 430/5-10.10 new

7 5 ILCS 430/5-70 new

8 5 ILCS 430/50-5

9 5 ILCS 430/70-5

10 15 ILCS 305/14

11 25 ILCS 170/4.8 new

12 25 ILCS 170/5

13 25 ILCS 170/10 from Ch. 63, par. 180

14 775 ILCS 5/2-108 new