

# SB2264



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

**SB2264**

Introduced 11/7/2017, by Sen. William E. Brady

#### SYNOPSIS AS INTRODUCED:

5 ILCS 430/25-5

Amends the State Officials and Employees Ethics Act. Provides that at least one of the 2 commissioners to the Legislative Ethics Commission appointed each by the President and Minority Leader of the Senate and the Speaker and Minority Leader of the House of Representatives must be a member of the general public. Provides that, other than a member of the General Assembly, a person is not eligible to serve as a commissioner if that person holds a partisan elected or political party office, or is otherwise an officer or employee of a political committee or political campaign. Effective immediately.

LRB100 15547 RJF 30614 b

A BILL FOR

1 AN ACT concerning government.

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

4 Section 5. The State Officials and Employees Ethics Act is  
5 amended by changing Section 25-5 as follows:

6 (5 ILCS 430/25-5)

7 Sec. 25-5. Legislative Ethics Commission.

8 (a) The Legislative Ethics Commission is created.

9 (b) The Legislative Ethics Commission shall consist of 8  
10 commissioners appointed 2 each by the President and Minority  
11 Leader of the Senate and the Speaker and Minority Leader of the  
12 House of Representatives. At least one of the 2 commissioners  
13 appointed each by the President and Minority Leader of the  
14 Senate and the Speaker and Minority Leader of the House of  
15 Representatives must be a member of the general public.

16 The terms of the initial commissioners shall commence upon  
17 qualification. Each appointing authority shall designate one  
18 appointee who shall serve for a 2-year term running through  
19 June 30, 2005. Each appointing authority shall designate one  
20 appointee who shall serve for a 4-year term running through  
21 June 30, 2007. The initial appointments shall be made within 60  
22 days after the effective date of this Act.

23 After the initial terms, commissioners shall serve for

1 4-year terms commencing on July 1 of the year of appointment  
2 and running through June 30 of the fourth following year.  
3 Commissioners may be reappointed to one or more subsequent  
4 terms.

5 Vacancies occurring other than at the end of a term shall  
6 be filled by the appointing authority only for the balance of  
7 the term of the commissioner whose office is vacant.

8 Terms shall run regardless of whether the position is  
9 filled.

10 (c) The appointing authorities shall appoint commissioners  
11 who have experience holding governmental office or employment  
12 and may appoint commissioners who are members of the General  
13 Assembly as well as commissioners from the general public. A  
14 commissioner who is a member of the General Assembly must  
15 recuse himself or herself from participating in any matter  
16 relating to any investigation or proceeding in which he or she  
17 is the subject. A person is not eligible to serve as a  
18 commissioner if that person (i) has been convicted of a felony  
19 or a crime of dishonesty or moral turpitude, (ii) is, or was  
20 within the preceding 12 months, engaged in activities that  
21 require registration under the Lobbyist Registration Act,  
22 (iii) is a relative of the appointing authority, ~~or~~ (iv) is a  
23 State officer or employee other than a member of the General  
24 Assembly, or (v) holds a partisan elected or political party  
25 office, or is otherwise an officer or employee of a political  
26 committee or political campaign, other than a member of the

1 General Assembly.

2 (d) The Legislative Ethics Commission shall have  
3 jurisdiction over members of the General Assembly and all State  
4 employees whose ultimate jurisdictional authority is (i) a  
5 legislative leader, (ii) the Senate Operations Commission, or  
6 (iii) the Joint Committee on Legislative Support Services. The  
7 jurisdiction of the Commission is limited to matters arising  
8 under this Act.

9 An officer or executive branch State employee serving on a  
10 legislative branch board or commission remains subject to the  
11 jurisdiction of the Executive Ethics Commission and is not  
12 subject to the jurisdiction of the Legislative Ethics  
13 Commission.

14 (e) The Legislative Ethics Commission must meet, either in  
15 person or by other technological means, monthly or as often as  
16 necessary. At the first meeting of the Legislative Ethics  
17 Commission, the commissioners shall choose from their number a  
18 chairperson and other officers that they deem appropriate. The  
19 terms of officers shall be for 2 years commencing July 1 and  
20 running through June 30 of the second following year. Meetings  
21 shall be held at the call of the chairperson or any 3  
22 commissioners. Official action by the Commission shall require  
23 the affirmative vote of 5 commissioners, and a quorum shall  
24 consist of 5 commissioners. Commissioners shall receive no  
25 compensation but may be reimbursed for their reasonable  
26 expenses actually incurred in the performance of their duties.

1 (f) No commissioner, other than a commissioner who is a  
2 member of the General Assembly, or employee of the Legislative  
3 Ethics Commission may during his or her term of appointment or  
4 employment:

5 (1) become a candidate for any elective office;

6 (2) hold any other elected or appointed public office  
7 except for appointments on governmental advisory boards or  
8 study commissions or as otherwise expressly authorized by  
9 law;

10 (3) be actively involved in the affairs of any  
11 political party or political organization; or

12 (4) advocate for the appointment of another person to  
13 an appointed or elected office or position or actively  
14 participate in any campaign for any elective office.

15 (g) An appointing authority may remove a commissioner only  
16 for cause.

17 (h) The Legislative Ethics Commission shall appoint an  
18 Executive Director subject to the approval of at least 3 of the  
19 4 legislative leaders. The compensation of the Executive  
20 Director shall be as determined by the Commission. The  
21 Executive Director of the Legislative Ethics Commission may  
22 employ, subject to the approval of at least 3 of the 4  
23 legislative leaders, and determine the compensation of staff,  
24 as appropriations permit.

25 (Source: P.A. 96-555, eff. 8-18-09.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.