



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

### SB2607

Introduced 2/15/2008, by Sen. Christine Radogno

#### SYNOPSIS AS INTRODUCED:

5 ILCS 420/4A-102	from Ch. 127, par. 604A-102
5 ILCS 420/4A-103	from Ch. 127, par. 604A-103
5 ILCS 420/4A-104	from Ch. 127, par. 604A-104
10 ILCS 5/9-28	

Amends the Illinois Governmental Ethics Act and the Election Code. With respect to the disclosure of gifts in statements of economic interests, requires that (i) gifts to the spouse of the person making the statement and to immediate family members living in the same household are considered gifts to the person making the statement; (ii) gifts from persons and entities (now, entities) be disclosed; and (iii) the nature and value of each gift be specified. Requires that the State Board of Elections' website include with filed campaign finance reports (i) a notice that statements of economic interests contain information about public officials and candidates and (ii) a link to the Secretary of State website pages containing statements of economic interests of State officials and candidates. Effective July 1, 2008.

LRB095 19117 JAM 45328 b

1 AN ACT concerning 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 amended  
5 by changing Sections 4A-102, 4A-103, and 4A-104 as follows:

6 (5 ILCS 420/4A-102) (from Ch. 127, par. 604A-102)

7 Sec. 4A-102. The statement of economic interests required  
8 by this Article shall include the economic interests of the  
9 person making the statement as provided in this Section. The  
10 interest (if constructively controlled by the person making the  
11 statement) of a spouse or any other party, shall be considered  
12 to be the same as the interest of the person making the  
13 statement. A gift to a spouse or to an immediate family member  
14 living in the same household as the person making the statement  
15 (from a person or entity other than the person making the  
16 statement, the spouse, or an immediate family member living in  
17 the same household) shall be considered a gift to the person  
18 making the statement. Campaign receipts shall not be included  
19 in this statement.

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

22 (1) The name, address and type of practice of any  
23 professional organization or individual professional

1 practice in which the person making the statement was an  
2 officer, director, associate, partner or proprietor, or  
3 served in any advisory capacity, from which income in  
4 excess of \$1200 was derived during the preceding calendar  
5 year;

6 (2) The nature of professional services (other than  
7 services rendered to the unit or units of government in  
8 relation to which the person is required to file) and the  
9 nature of the entity to which they were rendered if fees  
10 exceeding \$5,000 were received during the preceding  
11 calendar year from the entity for professional services  
12 rendered by the person making the statement.

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

17 (4) The name of any unit of government which has  
18 employed the person making the statement during the  
19 preceding calendar year other than the unit or units of  
20 government in relation to which the person is required to  
21 file.

22 (5) The name of any person from whom or entity from  
23 which a gift or gifts, or honorarium or honoraria, valued  
24 singly or in the aggregate in excess of \$500, was received  
25 during the preceding calendar year and the nature and value  
26 of each gift or honorarium received from the named person

1           or entity.

2           (b) The following interests shall also be listed by persons  
3 listed in items (a) through (f) and item (1) of Section 4A-101:

4           (1) The name and instrument of ownership in any entity  
5 doing business in the State of Illinois, in which an  
6 ownership interest held by the person at the date of filing  
7 is in excess of \$5,000 fair market value or from which  
8 dividends of in excess of \$1,200 were derived during the  
9 preceding calendar year. (In the case of real estate,  
10 location thereof shall be listed by street address, or if  
11 none, then by legal description). No time or demand deposit  
12 in a financial institution, nor any debt instrument need be  
13 listed;

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

20           (3) The identity of any compensated lobbyist with whom  
21 the person making the statement maintains a close economic  
22 association, including the name of the lobbyist and  
23 specifying the legislative matter or matters which are the  
24 object of the lobbying activity, and describing the general  
25 type of economic activity of the client or principal on  
26 whose behalf that person is lobbying.

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

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

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

21 (3) The name of any entity and the nature of the  
22 governmental action requested by any entity which has  
23 applied to a unit of local government in relation to which  
24 the person must file for any license, franchise or permit  
25 for annexation, zoning or rezoning of real estate during  
26 the preceding calendar year if the ownership interest of

1 the person filing is in excess of \$5,000 fair market value  
 2 at the time of filing or if income or dividends in excess  
 3 of \$1,200 were received by the person filing from the  
 4 entity during the preceding calendar year.

5 (Source: P.A. 92-101, eff. 1-1-02; 93-617, eff. 12-9-03.)

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 statement  
 11 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 statement  
 18 is filed)

19 .....

20 (full mailing address)

21 GENERAL DIRECTIONS:

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

1 member living in the same household as the person making the  
 2 statement (from a person or entity other than the person making  
 3 the statement, the spouse, or an immediate family member living  
 4 in the same household) shall be considered a gift to the person  
 5 making the statement.

6 Campaign receipts shall not be included in this statement.

7 If additional space is needed, please attach supplemental  
 8 listing.

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

18 Business Entity	Instrument of Ownership
19 .....	.....
20 .....	.....
21 .....	.....
22 .....	.....

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

1 income in excess of \$1,200 was derived during the preceding  
2 calendar year.

3	Name	Address	Type of Practice
4	.....	.....	.....
5	.....	.....	.....
6	.....	.....	.....

7 3. List the nature of professional services rendered (other  
8 than to the State of Illinois) to each entity from which income  
9 exceeding \$5,000 was received for professional services  
10 rendered during the preceding calendar year by the person  
11 making the statement.

12 .....  
13 .....

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

18 .....  
19 .....

20 5. List the identity of any compensated lobbyist with whom  
21 the person making the statement maintains a close economic  
22 association, including the name of the lobbyist and specifying  
23 the legislative matter or matters which are the object of the  
24 lobbying activity, and describing the general type of economic  
25 activity of the client or principal on whose behalf that person  
26 is lobbying.



1	Lobbyist	Legislative Matter	Client or Principal
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2	.....	.....	.....
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3	.....	.....	.....
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4           6. List the name of any entity doing business in the State  
5 of Illinois from which income in excess of \$1,200 was derived  
6 during the preceding calendar year other than for professional  
7 services and the title or description of any position held in  
8 that entity. (In the case of real estate, location thereof  
9 shall be listed by street address, or if none, then by legal  
10 description). No time or demand deposit in a financial  
11 institution nor any debt instrument need be listed.

12	Entity	Position Held
13	.....	.....
14	.....	.....
15	.....	.....

16           7. List the name of any unit of government which employed  
17 the person making the statement during the preceding calendar  
18 year other than the unit or units of government in relation to  
19 which the person is required to file.

20	.....
21	.....

22           8. List the name of any person from whom or entity from  
23 which a gift or gifts, or honorarium or honoraria, valued  
24 singly or in the aggregate in excess of \$500, was received  
25 during the preceding calendar year and the nature and value of  
26 each gift or honorarium received from the named person or

1 entity.

2 <u>Name</u>	<u>Nature of Gift</u>	<u>Value</u>
3 .....	.....	.....
4 .....	.....	.....

5 VERIFICATION:

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

15 .....

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

17 (Source: P.A. 95-173, eff. 1-1-08.)

18 (5 ILCS 420/4A-104) (from Ch. 127, par. 604A-104)

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

24 STATEMENT OF ECONOMIC INTERESTS

25 (TYPE OR HAND PRINT)

1 .....  
2

(Name)

3 .....  
4

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

(full mailing address)

7 GENERAL DIRECTIONS:

8 The interest (if constructively controlled by the person  
9 making the statement) of a spouse or any other party, shall be  
10 considered to be the same as the interest of the person making  
11 the statement. A gift to a spouse or to an immediate family  
12 member living in the same household as the person making the  
13 statement (from a person or entity other than the person making  
14 the statement, the spouse, or an immediate family member living  
15 in the same household) shall be considered a gift to the person  
16 making the statement.

17 Campaign receipts shall not be included in this statement.

18 If additional space is needed, please attach supplemental  
19 listing.

20 1. List the name and instrument of ownership in any entity  
21 doing business with a unit of local government in relation to  
22 which the person is required to file, in which the ownership  
23 interest held by the person at the date of filing is in excess  
24 of \$5,000 fair market value or from which dividends in excess  
25 of \$1,200 were received during the preceding calendar year. (In  
26 the case of real estate, location thereof shall be listed by

1 street address, or if none, then by legal description.) No time  
 2 or demand deposit in a financial institution, nor any debt  
 3 instrument shall be listed.

4	Business	Instrument of	Position of
5	Entity	Ownership	Management
6	.....	.....	.....
7	.....	.....	.....
8	.....	.....	.....

9 2. List the name, address and type of practice of any  
 10 professional organization in which the person making the  
 11 statement was an officer, director, associate, partner or  
 12 proprietor, or served in any advisory capacity, from which  
 13 income in excess of \$1,200 was derived during the preceding  
 14 calendar year.

15	Name	Address	Type of Practice
16	.....	.....	.....
17	.....	.....	.....
18	.....	.....	.....

19 3. List the nature of professional services rendered (other  
 20 than to the unit or units of local government in relation to  
 21 which the person is required to file) to each entity from which  
 22 income exceeding \$5,000 was received for professional services  
 23 rendered during the preceding calendar year by the person  
 24 making the statement.

25	.....
26	.....

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

5 .....  
 6 .....  
 7 .....

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

18 .....  
 19 .....  
 20 .....

21           6. List the name of any entity doing business with a unit  
 22 of local government in relation to which the person is required  
 23 to file from which income in excess of \$1,200 was derived  
 24 during the preceding calendar year other than for professional  
 25 services and the title or description of any position held in  
 26 that entity. No time or demand deposit in a financial

1 institution nor any debt instrument need be listed.

2 .....

3 .....

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

8 .....

9 .....

10 8. List the name of any person from whom or entity from  
11 which a gift or gifts, or honorarium or honoraria, valued  
12 singly or in the aggregate in excess of \$500, was received  
13 during the preceding calendar year and the nature and value of  
14 each gift or honorarium received from the named person or  
15 entity.

16 <u>Name</u>	<u>Nature of Gift</u>	<u>Value</u>
17 .....	.....	.....
18 .....	.....	.....
19 .....	.....	.....

20 VERIFICATION:

21 "I declare that this statement of economic interests  
22 (including any accompanying schedules and statements) has been  
23 examined by me and to the best of my knowledge and belief is a  
24 true, correct and complete statement of my economic interests  
25 as required by the Illinois Governmental Ethics Act. I  
26 understand that the penalty for willfully filing a false or

1 incomplete statement shall be a fine not to exceed \$1,000 or  
2 imprisonment in a penal institution other than the penitentiary  
3 not to exceed one year, or both fine and imprisonment."

4 .....  
5 (date of filing) (signature of person making the statement)  
6 (Source: P.A. 95-173, eff. 1-1-08.)

7 Section 10. The Election Code is amended by changing  
8 Section 9-28 as follows:

9 (10 ILCS 5/9-28)

10 Sec. 9-28. Electronic filing and availability. The Board  
11 shall by rule provide for the electronic filing of expenditure  
12 and contribution reports as follows:

13 Beginning July 1, 1999, or as soon thereafter as the Board  
14 has provided adequate software to the political committee,  
15 electronic filing is required for all political committees that  
16 during the reporting period (i) had at any time a balance or an  
17 accumulation of contributions of \$25,000 or more, (ii) made  
18 aggregate expenditures of \$25,000 or more, or (iii) received  
19 loans of an aggregate of \$25,000 or more.

20 Beginning July 1, 2003, electronic filing is required for  
21 all political committees that during the reporting period (i)  
22 had at any time a balance or an accumulation of contributions  
23 of \$10,000 or more, (ii) made aggregate expenditures of \$10,000  
24 or more, or (iii) received loans of an aggregate of \$10,000 or

1 more.

2       The Board may provide by rule for the optional electronic  
3 filing of expenditure and contribution reports for all other  
4 political committees. The Board shall promptly make all reports  
5 filed under this Article by all political committees publicly  
6 available by means of a searchable database that is accessible  
7 through the World Wide Web. The searchable database required by  
8 this subsection must include a notice that statements of  
9 economic interests required by the Illinois Governmental  
10 Ethics Act and filed with the Secretary of State contain  
11 information about State officials and candidates and that  
12 statements of economic interests required by the Illinois  
13 Governmental Ethics Act and filed with county clerks contain  
14 information about local officials and candidates. The database  
15 also must include a link to the Secretary of State website  
16 pages that contain statements of economic interests filed with  
17 the Secretary of State.

18       The Board shall provide all software necessary to comply  
19 with this Section to candidates, public officials, political  
20 committees, and election authorities.

21       The Board shall implement a plan to provide computer access  
22 and assistance to candidates, public officials, political  
23 committees, and election authorities with respect to  
24 electronic filings required under this Article.

25       For the purposes of this Section, "political committees"  
26 includes entities required to report to the Board under Section



1 9-7.5.

2 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

3 Section 99. Effective date. This Act takes effect July 1,  
4 2008.