

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 5. The Secretary of State Act is amended by
5 changing Section 14 as follows:

6 (15 ILCS 305/14)

7 Sec. 14. Inspector General.

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

1 (b) The Inspector General shall have the following
2 qualifications:

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

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

7 (3) has either (A) 5 or more years of service with a
8 federal, State, or local law enforcement agency, at least 2
9 years of which have been in a progressive investigatory
10 capacity; (B) 5 or more years of service as a federal,
11 State, or local prosecutor; or (C) 5 or more years of
12 service as a senior manager or executive of a federal,
13 State, or local agency.

14 (c) The Inspector General may review, coordinate, and
15 recommend methods and procedures to increase the integrity of
16 the Office of the Secretary of State. The duties of the
17 Inspector General shall supplement and not supplant the duties
18 of the Chief Auditor for the Secretary of State's Office or any
19 other Inspector General that may be authorized by law. The
20 Inspector General must report directly to the Secretary of
21 State.

22 (d) In addition to the authority otherwise provided by this
23 Section, but only when investigating the Office of the
24 Secretary of State, its employees, or their actions for fraud,
25 corruption, mismanagement, gross or aggravated misconduct, or
26 misconduct that may be criminal in nature, the Inspector

1 General is authorized:

2 (1) To have access to all records, reports, audits,
3 reviews, documents, papers, recommendations, or other
4 materials available that relate to programs and operations
5 with respect to which the Inspector General has
6 responsibilities under this Section.

7 (2) To make any investigations and reports relating to
8 the administration of the programs and operations of the
9 Office of the Secretary of State that are, in the judgment
10 of the Inspector General, necessary or desirable.

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

15 (4) To require by subpoena the appearance of witnesses
16 and the production of all information, documents, reports,
17 answers, records, accounts, papers, and other data and
18 documentary evidence necessary in the performance of the
19 functions assigned by this Section, with the exception of
20 subsection (c) and with the exception of records of a labor
21 organization authorized and recognized under the Illinois
22 Public Labor Relations Act to be the exclusive bargaining
23 representative of employees of the Secretary of State,
24 including, but not limited to, records of representation of
25 employees and the negotiation of collective bargaining
26 agreements. A subpoena may be issued under this paragraph

1 (4) only by the Inspector General and not by members of the
2 Inspector General's staff. A person duly subpoenaed for
3 testimony, documents, or other items who neglects or
4 refuses to testify or produce documents or other items
5 under the requirements of the subpoena shall be subject to
6 punishment as may be determined by a court of competent
7 jurisdiction, unless (i) the testimony, documents, or
8 other items are covered by the attorney-client privilege or
9 any other privilege or right recognized by law or (ii) the
10 testimony, documents, or other items concern the
11 representation of employees and the negotiation of
12 collective bargaining agreements by a labor organization
13 authorized and recognized under the Illinois Public Labor
14 Relations Act to be the exclusive bargaining
15 representative of employees of the Secretary of State.
16 Nothing in this Section limits a person's right to
17 protection against self-incrimination under the Fifth
18 Amendment of the United States Constitution or Article I,
19 Section 10, of the Constitution of the State of Illinois.

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

23 (d-5) In addition to the authority otherwise provided by
24 this Section, the Secretary of State Inspector General shall
25 have jurisdiction to investigate complaints and allegations of
26 wrongdoing by any person or entity related to the Lobbyist

1 Registration Act. When investigating those complaints and
2 allegations, the Inspector General is authorized:

3 (1) To have access to all records, reports, audits,
4 reviews, documents, papers, recommendations, or other
5 materials available that relate to programs and operations
6 with respect to which the Inspector General has
7 responsibilities under this Section.

8 (2) To request any information or assistance that may
9 be necessary for carrying out the duties and
10 responsibilities provided by this Section from any local,
11 State, or federal governmental agency or unit thereof.

12 (3) To require by subpoena the appearance of witnesses
13 and the production of all information, documents, reports,
14 answers, records, accounts, papers, and other data and
15 documentary evidence necessary in the performance of the
16 functions assigned by this Section. A subpoena may be
17 issued under this paragraph (3) only by the Inspector
18 General and not by members of the Inspector General's
19 staff. A person duly subpoenaed for testimony, documents,
20 or other items who neglects or refuses to testify or
21 produce documents or other items under the requirements of
22 the subpoena shall be subject to punishment as may be
23 determined by a court of competent jurisdiction, unless the
24 testimony, documents, or other items are covered by the
25 attorney-client privilege or any other privilege or right
26 recognized by law. Nothing in this Section limits a

1 person's right to protection against self-incrimination
2 under the Fifth Amendment of the United States Constitution
3 or Section 10 of Article I of the Constitution of the State
4 of Illinois.

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

8 (e) The Inspector General may receive and investigate
9 complaints or information ~~from an employee of the Secretary of~~
10 ~~State~~ concerning the possible existence of an activity
11 constituting a violation of law, rules, or regulations;
12 mismanagement; abuse of authority; or substantial and specific
13 danger to the public health and safety. Any person who
14 knowingly files a false complaint or files a complaint with
15 reckless disregard for the truth or the falsity of the facts
16 underlying the complaint may be subject to discipline as set
17 forth in the rules of the Department of Personnel of the
18 Secretary of State or the Inspector General may refer the
19 matter to a State's Attorney or the Attorney General.

20 The Inspector General may not, after receipt of a complaint
21 or information, disclose the identity of the source without the
22 consent of the source, unless the Inspector General determines
23 that disclosure of the identity is reasonable and necessary for
24 the furtherance of the investigation.

25 Any employee who has the authority to recommend or approve
26 any personnel action or to direct others to recommend or

1 approve any personnel action may not, with respect to that
2 authority, take or threaten to take any action against any
3 employee as a reprisal for making a complaint or disclosing
4 information to the Inspector General, unless the complaint was
5 made or the information disclosed with the knowledge that it
6 was false or with willful disregard for its truth or falsity.

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

18 Any employee of the Secretary of State subject to
19 investigation or inquiry by the Inspector General or any agent
20 or representative of the Inspector General concerning
21 misconduct that is criminal in nature shall have the right to
22 be notified of the right to remain silent during the
23 investigation or inquiry and the right to be represented in the
24 investigation or inquiry by an attorney or a representative of
25 a labor organization that is the exclusive collective
26 bargaining representative of employees of the Secretary of

1 State. Any investigation or inquiry by the Inspector General or
2 any agent or representative of the Inspector General must be
3 conducted with an awareness of the provisions of a collective
4 bargaining agreement that applies to the employees of the
5 Secretary of State and with an awareness of the rights of the
6 employees as set forth in State and federal law and applicable
7 judicial decisions. Any recommendations for discipline or any
8 action taken against any employee by the Inspector General or
9 any representative or agent of the Inspector General must
10 comply with the provisions of the collective bargaining
11 agreement that applies to the employee.

12 (g) On or before January 1 of each year, the Inspector
13 General shall report to the President of the Senate, the
14 Minority Leader of the Senate, the Speaker of the House of
15 Representatives, and the Minority Leader of the House of
16 Representatives on the types of investigations and the
17 activities undertaken by the Office of the Inspector General
18 during the previous calendar year.

19 (Source: P.A. 96-555, eff. 1-1-10.)

20 Section 10. The Lobbyist Registration Act is amended by
21 changing Sections 2, 3, 3.1, 4.5, 5, 6, 6.5, 7, and 11 as
22 follows:

23 (25 ILCS 170/2) (from Ch. 63, par. 172)

24 Sec. 2. Definitions. As used in this Act, unless the

1 context otherwise requires:

2 (a) "Person" means any individual, firm, partnership,
3 committee, association, corporation, or any other organization
4 or group of persons.

5 (b) "Expenditure" means a payment, distribution, loan,
6 advance, deposit, or gift of money or anything of value, and
7 includes a contract, promise, or agreement, whether or not
8 legally enforceable, to make an expenditure, for the ultimate
9 purpose of influencing executive, legislative, or
10 administrative action, other than compensation as defined in
11 subsection (d).

12 (c) "Official" means:

13 (1) the Governor, Lieutenant Governor, Secretary of
14 State, Attorney General, State Treasurer, and State
15 Comptroller;

16 (2) Chiefs of Staff for officials described in item
17 (1);

18 (3) Cabinet members of any elected constitutional
19 officer, including Directors, Assistant Directors and
20 Chief Legal Counsel or General Counsel;

21 (4) Members of the General Assembly; and ~~and~~

22 (5) Members of any board, commission, authority, or
23 task force of the State authorized or created by State law
24 or by executive order of the Governor.

25 (d) "Compensation" means any money, thing of value or
26 financial benefits received or to be received in return for

1 services rendered or to be rendered, for lobbying as defined in
2 subsection (e).

3 Monies paid to members of the General Assembly by the State
4 as remuneration for performance of their Constitutional and
5 statutory duties as members of the General Assembly shall not
6 constitute compensation as defined by this Act.

7 (e) "Lobby" and "lobbying" means any communication with an
8 official of the executive or legislative branch of State
9 government as defined in subsection (c) for the ultimate
10 purpose of influencing any executive, legislative, or
11 administrative action.

12 (f) "Influencing" means any communication, action,
13 reportable expenditure as prescribed in Section 6 or other
14 means used to promote, support, affect, modify, oppose or delay
15 any executive, legislative or administrative action or to
16 promote goodwill with officials as defined in subsection (c).

17 (g) "Executive action" means the proposal, drafting,
18 development, consideration, amendment, adoption, approval,
19 promulgation, issuance, modification, rejection or
20 postponement by a State entity of a rule, regulation, order,
21 decision, determination, contractual arrangement, purchasing
22 agreement or other quasi-legislative or quasi-judicial action
23 or proceeding.

24 (h) "Legislative action" means the development, drafting,
25 introduction, consideration, modification, adoption,
26 rejection, review, enactment, or passage or defeat of any bill,

1 amendment, resolution, report, nomination, administrative rule
2 or other matter by either house of the General Assembly or a
3 committee thereof, or by a legislator. Legislative action also
4 means the action of the Governor in approving or vetoing any
5 bill or portion thereof, and the action of the Governor or any
6 agency in the development of a proposal for introduction in the
7 legislature.

8 (i) "Administrative action" means the execution or
9 rejection of any rule, regulation, legislative rule, standard,
10 fee, rate, contractual arrangement, purchasing agreement or
11 other delegated legislative or quasi-legislative action to be
12 taken or withheld by any executive agency, department, board or
13 commission of the State.

14 (j) "Lobbyist" means any natural person who undertakes to
15 lobby State government as provided in subsection (e).

16 (k) "Lobbying entity" means any entity that hires, retains,
17 employs, or compensates a natural person to lobby State
18 government as provided in subsection (e).

19 (l) "Authorized agent" means the person designated by an
20 entity or lobbyist registered under this Act as the person
21 responsible for submission and retention of reports required
22 under this Act.

23 (Source: P.A. 96-555, eff. 1-1-10.)

24 (25 ILCS 170/3) (from Ch. 63, par. 173)

25 Sec. 3. Persons required to register.

1 (a) Except as provided in Section 9, any natural person
2 who, for compensation or otherwise, undertakes to lobby, or any
3 person or entity who employs or compensates another person for
4 the purposes of lobbying, shall register with the Secretary of
5 State as provided in this Act, unless that person or entity
6 qualifies for one or more of the following exemptions.

7 (1) Persons or entities who, for the purpose of
8 influencing any executive, legislative, or administrative
9 action and who do not make expenditures that are reportable
10 pursuant to Section 6, appear without compensation or
11 promise thereof only as witnesses before committees of the
12 House and Senate for the purpose of explaining or arguing
13 for or against the passage of or action upon any
14 legislation then pending before those committees, or who
15 seek without compensation or promise thereof the approval
16 or veto of any legislation by the Governor.

17 (1.4) A unit of local government or a school district.

18 (1.5) An elected or appointed official or an employee
19 of a unit of local government or school district who, in
20 the scope of his or her public office or employment, seeks
21 to influence executive, legislative, or administrative
22 action exclusively on behalf of that unit of local
23 government or school district.

24 (2) Persons or entities who own, publish, or are
25 employed by a newspaper or other regularly published
26 periodical, or who own or are employed by a radio station,

1 television station, or other bona fide news medium that in
2 the ordinary course of business disseminates news,
3 editorial or other comment, or paid advertisements that
4 directly urge the passage or defeat of legislation. This
5 exemption is not applicable to such an individual insofar
6 as he or she receives additional compensation or expenses
7 from some source other than the bona fide news medium for
8 the purpose of influencing executive, legislative, or
9 administrative action. This exemption does not apply to
10 newspapers and periodicals owned by or published by trade
11 associations and not-for-profit corporations engaged
12 primarily in endeavors other than dissemination of news.

13 (3) Persons or entities performing professional
14 services in drafting bills or in advising and rendering
15 opinions to clients as to the construction and effect of
16 proposed or pending legislation when those professional
17 services are not otherwise, directly or indirectly,
18 connected with executive, legislative, or administrative
19 action.

20 (4) Persons or entities who are employees of
21 departments, divisions, or agencies of State government
22 and who appear before committees of the House and Senate
23 for the purpose of explaining how the passage of or action
24 upon any legislation then pending before those committees
25 will affect those departments, divisions, or agencies of
26 State government.

1 (5) Employees of the General Assembly, legislators,
2 legislative agencies, and legislative commissions who, in
3 the course of their official duties only, engage in
4 activities that otherwise qualify as lobbying.

5 (6) Persons or entities in possession of technical
6 skills and knowledge relevant to certain areas of
7 executive, legislative, or administrative actions, whose
8 skills and knowledge would be helpful to officials when
9 considering those actions, whose activities are limited to
10 making occasional appearances for or communicating on
11 behalf of a registrant, and who do not make expenditures
12 that are reportable pursuant to Section 6 even though
13 receiving expense reimbursement for those occasional
14 appearances.

15 (7) Any full-time employee of a bona fide church or
16 religious organization who represents that organization
17 solely for the purpose of protecting the right of the
18 members thereof to practice the religious doctrines of that
19 church or religious organization, or any such bona fide
20 church or religious organization.

21 (8) Persons or entities that ~~who~~ receive no
22 compensation other than reimbursement for expenses of up to
23 \$500 per year while engaged in lobbying State government,
24 unless those persons make expenditures that are reportable
25 under Section 6.

26 (9) Any attorney or group or firm of attorneys in the

1 course of representing a client in any administrative or
2 judicial proceeding, or any witness providing testimony in
3 any administrative or judicial proceeding, in which ex
4 parte communications are not allowed and who does not make
5 expenditures that are reportable pursuant to Section 6.

6 (9.5) Any attorney or group or firm of attorneys in the
7 course of representing a client in an administrative or
8 executive action involving a contractual or purchasing
9 arrangement and who does not make expenditures that are
10 reportable pursuant to Section 6.

11 (10) Persons or entities who, in the scope of their
12 employment as a vendor, offer or solicit an official for
13 the purchase of any goods or services when (1) the
14 solicitation is limited to either an oral inquiry or
15 written advertisements and informative literature; or (2)
16 the goods and services are subject to competitive bidding
17 requirements of the Illinois Procurement Code; or (3) the
18 goods and services are for sale at a cost not to exceed
19 \$5,000; and (4) the persons or entities do not make
20 expenditures that are reportable under Section 6.

21 (b) It is a violation of this Act to engage in lobbying or
22 to employ any person for the purpose of lobbying who is not
23 registered with the Office of the Secretary of State, except
24 upon condition that the person register and the person does in
25 fact register within 2 business days after being employed or
26 retained for lobbying services.

1 (c) The Secretary shall promulgate a rule establishing a
2 list of the entities required to register under this Act,
3 including the name of each board, commission, authority, or
4 task force. The Secretary may require a person or entity
5 claiming an exemption under this Section to certify the person
6 or entity is not required to register under this Act. Nothing
7 prohibits the Secretary from rejecting a certification and
8 requiring a person or entity to register.

9 (Source: P.A. 96-555, eff. 1-1-10.)

10 (25 ILCS 170/3.1)

11 Sec. 3.1. Prohibition on serving on boards and commissions.
12 Notwithstanding any other law of this State, on and after
13 February 1, 2004, but not before that date, a person required
14 to be registered under this Act, his or her spouse, and his or
15 her immediate family members living with that person may not
16 serve on a board, commission, authority, or task force
17 authorized or created by State law or by executive order of the
18 Governor ~~if the lobbyist is engaged in the same subject area as~~
19 ~~defined in Section 5(c-6) as the board or commission;~~ except
20 that this restriction does not apply to any of the following:

21 (1) a registered lobbyist, his or her spouse, or any
22 immediate family member living with the registered
23 lobbyist, who is serving in an elective public office,
24 whether elected or appointed to fill a vacancy; and

25 (2) a registered lobbyist, his or her spouse, or any

1 immediate family member living with the registered
2 lobbyist, who is serving on a State advisory body that
3 makes nonbinding recommendations to an agency of State
4 government but does not make binding recommendations or
5 determinations or take any other substantive action.

6 (Source: P.A. 96-555, eff. 1-1-10.)

7 (25 ILCS 170/4.5)

8 Sec. 4.5. Ethics training. Each natural person required to
9 register as a lobbyist under this Act must complete a program
10 of ethics training provided by the Secretary of State. A
11 natural person registered under this Act must complete the
12 training program no later than 30 days after registration or
13 renewal under this Act ~~during each calendar year the person~~
14 ~~remains registered~~. If the Secretary of State uses the ethics
15 training developed in accordance with Section 5-10 of the State
16 Officials and Employees Ethics Act, that training must be
17 expanded to include appropriate information about the
18 requirements, responsibilities, and opportunities imposed by
19 or arising under this Act, including reporting requirements.

20 The Secretary of State shall adopt rules for the
21 implementation of this Section.

22 (Source: P.A. 96-555, eff. 1-1-10.)

23 (25 ILCS 170/5)

24 Sec. 5. Lobbyist registration and disclosure. Every

1 natural person and every entity required to register under this
2 Act ~~Section 3~~ shall before any service is performed which
3 requires the natural person or entity to register, but in any
4 event not later than 2 business days after being employed or
5 retained, ~~and on or before each January 31 and July 31~~
6 ~~thereafter,~~ file in the Office of the Secretary of State a
7 statement in a format prescribed by the Secretary of State
8 containing the following information with respect to each
9 person or entity employing or retaining the natural person or
10 entity required to register:

11 (a) The registrant's name, permanent address, e-mail
12 address, if any, fax number, if any, business telephone
13 number, and temporary address, if the registrant has a
14 temporary address while lobbying.

15 (a-5) If the registrant is an ~~organization or business~~
16 entity, the information required under subsection (a) for
17 each natural person associated with the registrant who will
18 be lobbying, regardless of whether lobbying is a
19 significant part of his or her duties.

20 (b) The name and address of the client or clients
21 ~~person or persons~~ employing or retaining the registrant to
22 perform such services or on whose behalf the registrant
23 appears.

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

1 (c-5) Each executive and legislative branch agency the
2 registrant expects to lobby during the registration
3 period.

4 (c-6) The nature of the client's business, by
5 indicating all of the following categories that apply: (1)
6 banking and financial services, (2) manufacturing, (3)
7 education, (4) environment, (5) healthcare, (6) insurance,
8 (7) community interests, (8) labor, (9) public relations or
9 advertising, (10) marketing or sales, (11) hospitality,
10 (12) engineering, (13) information or technology products
11 or services, (14) social services, (15) public utilities,
12 (16) racing or wagering, (17) real estate or construction,
13 (18) telecommunications, (19) trade or professional
14 association, (20) travel or tourism, (21) transportation,
15 (22) agriculture, and (23) ~~(22)~~ other (setting forth the
16 nature of that other business).

17 Every natural person and every entity required to register
18 under this Act shall annually submit the registration required
19 by this Section on or before each January 31. The registrant
20 has a continuing duty to report any substantial change or
21 addition to the information contained in the registration. ~~must~~
22 ~~file an amendment to the statement within 14 calendar days to~~
23 ~~report any substantial change or addition to the information~~
24 ~~previously filed, except that a registrant must file an~~
25 ~~amendment to the statement to disclose a new agreement to~~
26 ~~retain the registrant for lobbying services before any service~~

1 ~~is performed which requires the person to register, but in any~~
2 ~~event not later than 2 business days after entering into the~~
3 ~~retainer agreement.~~

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

12 All natural persons and entities required to register under
13 this Act shall remit a single, annual, and nonrefundable \$300
14 ~~\$1,000~~ registration fee. Each natural person ~~individual~~
15 required to register under this Act shall submit, on an annual
16 basis, a picture of the registrant. A registrant may, in lieu
17 of submitting a picture on an annual basis, authorize the
18 Secretary of State to use any photo identification available in
19 any database maintained by the Secretary of State for other
20 purposes. Each ~~Of each~~ registration fee collected for
21 registrations on or after January 1, 2010 ~~July 1, 2003,~~ ~~\$50~~
22 shall be deposited into the Lobbyist Registration
23 Administration Fund for administration and enforcement of this
24 Act ~~and is intended to be used to implement and maintain~~
25 ~~electronic filing of reports under this Act, the next \$100~~
26 ~~shall be deposited into the Lobbyist Registration~~

1 ~~Administration Fund for administration and enforcement of this~~
2 ~~Act, and any balance shall be deposited into the General~~
3 ~~Revenue Fund, except that amounts resulting from the fee~~
4 ~~increase of this amendatory Act of the 96th General Assembly~~
5 ~~shall be deposited into the Lobbyist Registration~~
6 ~~Administration Fund to be used for the costs of reviewing and~~
7 ~~investigating violations of this Act.~~

8 (Source: P.A. 96-555, eff. 1-1-10.)

9 (25 ILCS 170/6) (from Ch. 63, par. 176)

10 Sec. 6. Reports.

11 (a) Lobbyist reports. Except as otherwise provided in this
12 Section, every lobbyist registered under this Act who is solely
13 employed by a lobbying entity shall file an affirmation,
14 verified under oath pursuant to Section 1-109 of the Code of
15 Civil Procedure, with the Secretary of State attesting to the
16 accuracy of any reports filed pursuant to subsection (b) as
17 those reports pertain to work performed by the lobbyist. Any
18 lobbyist registered under this Act who is not solely employed
19 by a lobbying entity shall personally file reports required of
20 lobbying entities pursuant to subsection (b). A lobbyist may,
21 if authorized so to do by a lobbying entity by whom he or she is
22 employed or retained, file lobbying entity reports pursuant to
23 subsection (b) provided that the lobbying entity may delegate
24 the filing of the lobbying entity report to only one lobbyist
25 in any reporting period.

1 (b) Lobbying entity reports. Every ~~Except as otherwise~~
2 ~~provided in this Section, every~~ lobbying entity registered
3 under this Act shall report expenditures related to lobbying.
4 The report shall itemize each individual expenditure or
5 transaction and shall include the name of the official on whose
6 behalf the expenditure was made, the name of the client if the
7 expenditure was made on behalf of a client ~~on whose behalf the~~
8 ~~expenditure was made, if applicable,~~ the total amount of the
9 expenditure, a description of the expenditure, the vendor or
10 purveyor to whom the expenditure was made (including the
11 address or and location of the expenditure) ~~if the expenditure~~
12 ~~was for an intangible item such as lodging,~~ the date on which
13 the expenditure occurred and the subject matter of the lobbying
14 activity, if any. Each expenditure required to be reported
15 shall include all expenses made for or on behalf of an official
16 or his or her immediate family member living with the official.

17 (b-1) The report shall include any change or addition to
18 the client list information, required in Section 5 for
19 registration, since the last report, including the names and
20 addresses of all clients who retained the lobbying entity
21 together with an itemized description for each client of the
22 following: (1) lobbying regarding executive action, including
23 the name of any executive agency lobbied and the subject
24 matter; (2) lobbying regarding legislative action, including
25 the General Assembly and any other agencies lobbied and the
26 subject matter; and (3) lobbying regarding administrative

1 action, including the agency lobbied and the subject matter.
2 Registrants who made no reportable expenditures during a
3 reporting period shall file a report stating that no
4 expenditures were incurred.

5 (b-2) Expenditures attributable to lobbying officials
6 shall be listed and reported according to the following
7 categories:

8 (1) travel and lodging on behalf of others, including,
9 but not limited to, all travel and living accommodations
10 made for or on behalf of State officials during sessions of
11 the General Assembly.

12 (2) meals, beverages and other entertainment.

13 (3) gifts (indicating which, if any, are on the basis
14 of personal friendship).

15 (4) honoraria.

16 (5) any other thing or service of value not listed
17 under categories (1) through (4), setting forth a
18 description of the expenditure. The category travel and
19 lodging includes, but is not limited to, all travel and
20 living accommodations made for or on behalf of State
21 officials in the State capital during sessions of the
22 General Assembly.

23 (b-3) Expenditures incurred for hosting receptions,
24 benefits and other large gatherings held for purposes of
25 goodwill or otherwise to influence executive, legislative or
26 administrative action to which there are 25 or more State

1 officials invited shall be reported listing only the total
2 amount of the expenditure, the date of the event, and the
3 estimated number of officials in attendance.

4 ~~(b-5) Each individual expenditure required to be reported~~
5 ~~shall include all expenses made for or on behalf of State~~
6 ~~officials and their immediate family members.~~

7 (b-7) Matters excluded from reports. The following items
8 need not be included in the report:

9 (1) Reasonable and bona fide expenditures made by the
10 registrant who is a member of a legislative or State study
11 commission or committee while attending and participating
12 in meetings and hearings of such commission or committee
13 ~~need not be reported.~~

14 (2) Reasonable and bona fide expenditures made by the
15 registrant for personal sustenance, lodging, travel,
16 office expenses and clerical or support staff ~~need not be~~
17 ~~reported.~~

18 (3) Salaries, fees, and other compensation paid to the
19 registrant for the purposes of lobbying ~~need not be~~
20 ~~reported.~~

21 (4) Any contributions required to be reported under
22 Article 9 of the Election Code ~~need not be reported.~~

23 (5) Expenditures made by a registrant on behalf of an
24 official that are returned or reimbursed prior to the
25 deadline for submission of the report.

26 ~~A gift or honorarium returned or reimbursed to the~~

1 ~~registrant within 10 days after the official receives a copy of~~
2 ~~a report pursuant to Section 6.5 shall not be included in the~~
3 ~~final report unless the registrant informed the official,~~
4 ~~contemporaneously with the receipt of the gift or honorarium,~~
5 ~~that the gift or honorarium is a reportable expenditure~~
6 ~~pursuant to this Act.~~

7 (c) A registrant who terminates employment or duties which
8 required him to register under this Act shall give the
9 Secretary of State, within 30 days after the date of such
10 termination, written notice of such termination and shall
11 include therewith a report of the expenditures described
12 herein, covering the period of time since the filing of his
13 last report to the date of termination of employment. Such
14 notice and report shall be final and relieve such registrant of
15 further reporting under this Act, unless and until he later
16 takes employment or assumes duties requiring him to again
17 register under this Act.

18 (d) Failure to file any such report within the time
19 designated or the reporting of incomplete information shall
20 constitute a violation of this Act.

21 A registrant shall preserve for a period of 2 years all
22 receipts and records used in preparing reports under this Act.

23 (e) Within 30 days after a filing deadline or as provided
24 by rule, the lobbyist shall notify each official on whose
25 behalf an expenditure has been reported. Notification shall
26 include the name of the registrant, the total amount of the

1 expenditure, a description of the expenditure, the date on
2 which the expenditure occurred, and the subject matter of the
3 lobbying activity.

4 (f) A report for the period beginning January 1, 2010 and
5 ending on June 30, 2010 shall be filed no later than July 15,
6 2010, and a report for the period beginning July 1, 2010 and
7 ending on December 31, 2010 shall be filed no later than
8 January 15, 2011. Beginning January 1, 2011, reports shall be
9 filed semi-monthly as follows: (i) for the period beginning the
10 first day of the month through the 15th day of the month, the
11 report shall be filed no later than the 20th day of the month
12 and (ii) for the period beginning on the 16th day of the month
13 through the last day of the month, the report shall be filed no
14 later than the 5th day of the following month. Lobbyist and
15 lobbying entity reports shall be filed weekly when the General
16 Assembly is in session and monthly otherwise, in accordance
17 with rules the Secretary of State shall adopt for the
18 implementation of this subsection. A report filed under this
19 Act is due in the Office of the Secretary of State no later
20 than the close of business on the date on which it is required
21 to be filed.

22 (g) All reports filed under this Act shall be filed in a
23 format or on forms prescribed by the Secretary of State.

24 (Source: P.A. 96-555, eff. 1-1-10.)

1 Sec. 6.5. Expenditures on behalf of officials ~~Response to~~
2 ~~report by official.~~

3 (a) A registrant that makes an expenditure on behalf of an
4 official must inform the official in writing,
5 contemporaneously with receipt of the expenditure, that the
6 expenditure is a reportable expenditure pursuant to this Act
7 and that the official will be included in the report submitted
8 by the registrant in accordance with Section 6. ~~Every person~~
9 ~~required to register as prescribed in Section 3 and required to~~
10 ~~file a report with the Secretary of State as prescribed in~~
11 ~~Section 6 shall, at least 25 days before filing the report,~~
12 ~~provide a copy of the report to each official listed in the~~
13 ~~report by first class mail or hand delivery. An official may,~~
14 ~~within 10 days after receiving the copy of the report, provide~~
15 ~~written objections to the report by first class mail or hand~~
16 ~~delivery to the person required to file the report. If those~~
17 ~~written objections conflict with the final report that is~~
18 ~~filed, the written objections shall be filed along with the~~
19 ~~report.~~

20 (b) Any official disclosed in a report submitted pursuant
21 to Section 6 who did not receive the notification of the
22 expenditure required by subsection (a) of this Section or who
23 has returned or reimbursed the expenditure included in a report
24 submitted pursuant to Section 6 may, at any time, contest the
25 disclosure of an expenditure by submitting a letter to the
26 registrant and the Secretary of State. The Secretary of State

1 shall make the letter available to the public in the same
2 manner as the report. ~~Failure to provide a copy of the report~~
3 ~~to an official listed in the report within the time designated~~
4 ~~in this Section is a violation of this Act.~~

5 (Source: P.A. 93-244, eff. 1-1-04; 93-615, eff. 11-19-03.)

6 (25 ILCS 170/7) (from Ch. 63, par. 177)

7 Sec. 7. Duties of the Secretary of State.

8 (a) It shall be the duty of the Secretary of State to
9 provide appropriate forms for the registration and reporting of
10 information required by this Act and to keep such registrations
11 and reports on file in his office for 3 years from the date of
12 filing. He shall also provide and maintain a register with
13 appropriate blanks and indexes so that the information required
14 in Sections 5 and 6 of this Act may be accordingly entered.
15 Such records shall be considered public information and open to
16 public inspection.

17 (b) Within 5 business ~~10~~ days after a filing deadline, the
18 Secretary of State shall notify persons he determines are
19 required to file but have failed to do so.

20 (c) The Secretary of State shall provide adequate software
21 to the persons required to file under this Act, and all
22 registrations, reports, statements, and amendments required to
23 be filed shall be filed electronically. The Secretary of State
24 shall promptly make all filed reports publicly available by
25 means of a searchable database that is accessible through the

1 World Wide Web. The Secretary of State shall provide all
2 software necessary to comply with this provision to all persons
3 required to file. The Secretary of State shall implement a plan
4 to provide computer access and assistance to persons required
5 to file electronically.

6 (d) ~~The Not later than 12 months after the effective date~~
7 ~~of this amendatory Act of the 93rd General Assembly, the~~
8 Secretary of State shall include registrants' pictures when
9 publishing or posting on his or her website the information
10 required in Section 5.

11 (e) The Secretary of State shall receive and investigate
12 allegations of violations of this Act. Any employee of the
13 Secretary of State who receives an allegation shall immediately
14 transmit it to the Secretary of State Inspector General.

15 (Source: P.A. 96-555, eff. 1-1-10.)

16 (25 ILCS 170/11) (from Ch. 63, par. 181)

17 Sec. 11. Enforcement.

18 (a) The Secretary of State Inspector General appointed
19 under Section 14 of the Secretary of State Act shall initiate
20 investigations of violations of this Act upon receipt of
21 credible evidence of a violation. If, upon conclusion of an
22 investigation, the Inspector General reasonably believes a
23 violation of this Act has occurred, the Inspector General shall
24 provide the alleged violator with written notification of the
25 alleged violation. Within 30 calendar days after receipt of the

1 notification, the alleged violator shall submit a written
2 response to the Inspector General. The response shall indicate
3 whether the alleged violator (i) disputes the alleged
4 violation, including any facts that reasonably prove the
5 alleged violation did not violate the Act, or (ii) agrees to
6 take action to correct the alleged violation within 30 calendar
7 days, including a description of the action the alleged
8 violator has taken or will take to correct the alleged
9 violation. If the alleged violator disputes the alleged
10 violation or fails to respond to the notification of the
11 alleged violation, the Inspector General shall transmit the
12 evidence to the appropriate State's Attorney or Attorney
13 General. If the alleged violator agrees to take action to
14 correct the alleged violation, the Inspector General shall make
15 available to the public the notification from the Inspector
16 General and the response from the alleged violator and shall
17 not transmit the evidence to the appropriate State's Attorney
18 or Attorney General. Nothing in this Act requires the Inspector
19 General to notify an alleged violator of an ongoing
20 investigation or to notify the alleged violator of a referral
21 of any evidence to a law enforcement agency, a State's
22 Attorney, or the Attorney General pursuant to subsection (c).

23 (b) Any violation of this Act may be prosecuted in the
24 county where the offense is committed or in Sangamon County. In
25 addition to the State's Attorney of the appropriate county, the
26 Attorney General of Illinois also is authorized to prosecute

1 any violation of this Act.

2 (c) Notwithstanding any other provision of this Act, the
3 Inspector General may at any time refer evidence of a violation
4 of State or federal law, in addition to a violation of this
5 Act, to the appropriate law enforcement agency, State's
6 Attorney, or Attorney General. ~~(a) The Secretary of State~~
7 ~~Inspector General appointed under Section 14 of the Secretary~~
8 ~~of State Act shall initiate investigations of violations of~~
9 ~~this Act upon receipt of an allegation. If the Inspector~~
10 ~~General finds credible evidence of a violation, he or she shall~~
11 ~~make the information available to the public and transmit~~
12 ~~copies of the evidence to the alleged violator. If the violator~~
13 ~~does not correct the violation within 30 days, the Inspector~~
14 ~~General shall transmit the full record of the investigation to~~
15 ~~any appropriate State's Attorney or to the Attorney General.~~

16 ~~(b) Any violation of this Act may be prosecuted in the~~
17 ~~county where the offense is committed or in Sangamon County. In~~
18 ~~addition to the State's Attorney of the appropriate county, the~~
19 ~~Attorney General of Illinois also is authorized to prosecute~~
20 ~~any violation of this Act.~~

21 (Source: P.A. 96-555, eff. 1-1-10.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.