



Sen. Matt Murphy

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09700SB2988sam001

LRB097 16577 HLH 68164 a

1 AMENDMENT TO SENATE BILL 2988

2 AMENDMENT NO. _____. Amend Senate Bill 2988 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by adding Section
5 9-8.20 as follows:

6 (10 ILCS 5/9-8.20 new)

7 Sec. 9-8.20. Prohibition on contributions by labor
8 organizations.

9 (a) As used in this Section:

10 The terms "contract", "State contract", and "contract with
11 a State agency" each mean any contract, as defined in Section
12 1-15.30 of the Illinois Procurement Code, between a labor
13 organization and a State agency, including a collective
14 bargaining agreement.

15 "Collective bargaining" means collective bargaining as
16 defined in subsection (b) of Section 3 of the Illinois Public

1 Labor Relations Act.

2 "Labor organization" means a labor organization as defined
3 in subsection (i) of Section 3 of the Illinois Public Labor
4 Relations Act.

5 "Officeholder" means the Governor, Lieutenant Governor,
6 Attorney General, Secretary of State, Comptroller, or
7 Treasurer. The Governor shall be considered the officeholder
8 responsible for negotiating or entering into all contracts by
9 all officers and employees of, and vendors and others doing
10 business with, executive branch State agencies under the
11 jurisdiction of the Executive Ethics Commission and not within
12 the jurisdiction of the Attorney General, the Secretary of
13 State, the Comptroller, or the Treasurer.

14 "State agency" means and includes all boards, commissions,
15 agencies, institutions, authorities, and bodies politic and
16 corporate of the State, created by or in accordance with the
17 Illinois Constitution or State statute, of the executive branch
18 of State government and does include colleges, universities,
19 public employee retirement systems, and institutions under the
20 jurisdiction of the governing boards of the University of
21 Illinois, Southern Illinois University, Illinois State
22 University, Eastern Illinois University, Northern Illinois
23 University, Western Illinois University, Chicago State
24 University, Governors State University, Northeastern Illinois
25 University, and the Illinois Board of Higher Education.

26 (b) Any labor organization whose contracts with State

1 agencies, in the aggregate, annually total more than \$50,000 is
2 prohibited from making any contributions to any political
3 committees established to promote the candidacy of (i) the
4 officeholder responsible for negotiating or entering into the
5 contracts or (ii) any other candidate for that office. This
6 prohibition shall be effective for the duration of the term of
7 office of the incumbent officeholder negotiating or entering
8 into the contracts or for a period of 2 years following the
9 expiration or termination of the contracts, whichever is
10 longer.

11 (c) Any labor organization whose aggregate pending
12 negotiations on State contracts total more than \$50,000, or
13 whose aggregate pending negotiations on State contracts
14 combined with the labor organization's aggregate annual total
15 value of State contracts exceed \$50,000, is prohibited from
16 making any contributions to any political committee
17 established to promote the candidacy of the officeholder
18 responsible for negotiating or entering into the contract
19 during the period beginning on the date the negotiations are
20 begun and ending on the day after the date the contract is
21 entered into.

22 (d) For the purposes of the prohibitions under subsections
23 (b) and (c) of this Section, (i) any contribution made to a
24 political committee established to promote the candidacy of the
25 Governor or a candidate for the office of Governor shall also
26 be considered as having been made to a political committee

1 established to promote the candidacy of the Lieutenant
2 Governor, in the case of the Governor, or the candidate for
3 Lieutenant Governor having filed a joint petition, or write-in
4 declaration of intent, with the candidate for Governor, as
5 applicable, and (ii) any contribution made to a political
6 committee established to promote the candidacy of the
7 Lieutenant Governor or a candidate for the office of Lieutenant
8 Governor shall also be considered as having been made to a
9 political committee established to promote the candidacy of the
10 Governor, in the case of the Lieutenant Governor, or the
11 candidate for Governor having filed a joint petition, or
12 write-in declaration of intent, with the candidate for
13 Lieutenant Governor, as applicable.

14 (e) All contracts between State agencies and a labor
15 organization that violate subsection (b) or (c) may be declared
16 void if the State agency determines that voiding the contract
17 is in the best interests of the State. If a labor organization
18 violates subsection (b) 3 or more times within a 36-month
19 period, then all contracts between State agencies and that
20 labor organization shall be void, and that labor organization
21 shall not enter into any contract with any State agency for 3
22 years from the date of the last violation. A notice of each
23 violation and the penalty imposed shall be published in the
24 Illinois Register.

25 (f) Any political committee that has received a
26 contribution in violation of subsection (b) or (c) shall pay an

1 amount equal to the value of the contribution to the State no
2 more than 30 days after notice of the violation concerning the
3 contribution appears in the Illinois Register. Payments
4 received by the State pursuant to this subsection shall be
5 deposited into the General Revenue Fund.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".