



Center for **Illinois Politics**
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Staff writer and contributor Brendan Rigney presented the following testimony to the Joint Commission on Ethics and Lobbyist Reform on Wednesday, January 15, 2020.

Commission members, thank you for allowing me to speak on this important ethical reform issue.

My name is Brendan Rigney. I represent the Center for Illinois Politics as a staff writer and contributor. The Center is a nonpartisan organization founded by former Illinois state senators Susan Garrett and John Millner. We are a relatively young organization that offers data and insight for a wide range of issues affecting our state, notably, campaign finance data and, most recently, several reports on Illinois's relationship with lobbying.

The Center does not hold a position on state-level ethics and lobbying reforms at this time. Instead, in this testimony, we offer details on the current status of this issue so that our research could be included in the public record.

Through our work, the Center has determined two specific areas of interest in state lobbying. First, let me take a moment to define and detail “**revolving door prohibitions**.” These prohibitions restrict public officials or public employees from registering or acting as a lobbyist for a period immediately following their last day in office or state employment. They are meant to deter former state officials and employees from using their stature with a state to promote special interests or their own private interests. Many states have such laws or rules in effect. Typically, they require a “cooling-off period” of several months or years following an official's or employee's last day in public service. Just as examples, the State of Colorado prohibits legislators or other public officials of the state to “personally represent another person or entity for compensation” for two years after they have left office. And the State of Ohio has a one-year period in place.

Our State does have a revolving door prohibition, but only for state *employees*. I should also acknowledge that members of the General Assembly are aware of this detail in our State's law: by our count, eleven bills this past year were introduced that would have closed the revolving door for other public servants. These bills proposed changes to the State Officials and Employees Ethics Act or the Illinois Governmental Ethics Act. Several of these proposals included the common two-year revolving door prohibition, whereas others used different time frames or included provisions on lobbyist registration.

The fact remains that Illinois is one of only a few states that has not codified such a prohibition to date. Such states are generally smaller, less diverse, and more rural than Illinois, such as Idaho, Nebraska, and New Hampshire. The only comparable state to Illinois in this group would be Texas.

The second point of interest involves the definition of "lobbyist" and related conflicts of interest. When reviewing state statutes, **there is actually no explicit requirement that a current legislator simultaneously not be a lobbyist**. The Illinois Lobbyist Registration Act only says the following: "*Lobbyist' means any natural person who undertakes to lobby State government under subsection (e),*" which is the Act's definition of "lobbying."

Again, Illinois is in the minority, as most other states *do* include language stating a public official cannot be a lobbyist while in office. States like California and New York prohibit the ability to legislate and lobby concurrently in their statutes. Much like the points I made earlier about revolving door prohibitions, the only state comparable in size and demographics to Illinois that shares our ambiguity regarding simultaneous legislating and lobbying is Texas.

As I have just described, Illinois sticks out among its peer states with regard to its limited revolving door prohibition and lack of legislation regarding dual-hatted legislator-lobbyist.

The Center gathered this information through the National Conference of State Legislators and aggregated data on ethics reform bills thanks to the Illinois General Assembly's website.

I would be happy to take questions at this time.

