



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5564

Introduced 2/13/2026, by Rep. Kyle Moore

SYNOPSIS AS INTRODUCED:

5 ILCS 430/20-5
5 ILCS 430/20-15
5 ILCS 430/20-20
5 ILCS 430/20-45
5 ILCS 430/20-50
5 ILCS 430/20-51
5 ILCS 430/20-55
5 ILCS 430/20-63
5 ILCS 430/20-65
5 ILCS 430/20-70
5 ILCS 430/20-80
5 ILCS 430/20-85
5 ILCS 430/20-95
25 ILCS 150/3
30 ILCS 5/2-28 new

from Ch. 63, par. 106

Amends the Legislative Audit Commission Act. Provides that, if the Legislative Audit Commission, in its discretion, believes that investigative authority over a matter should be referred to the Executive Ethics Commission to investigate a State agency or executive office, it shall be referred by a majority vote by the Commission. Provides that the Auditor General may provide advice to the Commission on transferring investigative authority to the Executive Ethics Commission. Amends the Illinois State Auditing Act and the State Officials and Employees Ethics Act to make conforming changes.

LRB104 19801 SPS 33251 b

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 State Officials and Employees Ethics Act is
5 amended by changing Sections 20-5, 20-15, 20-20, 20-45, 20-50,
6 20-51, 20-55, 20-63, 20-65, 20-70, 20-80, 20-85, and 20-95 as
7 follows:

8 (5 ILCS 430/20-5)

9 Sec. 20-5. Executive Ethics Commission.

10 (a) The Executive Ethics Commission is created.

11 (b) The Executive Ethics Commission shall consist of 9
12 commissioners. The Governor shall appoint 5 commissioners, and
13 the Attorney General, Secretary of State, Comptroller, and
14 Treasurer shall each appoint one commissioner. Appointments
15 shall be made by and with the advice and consent of the Senate
16 by three-fifths of the elected members concurring by record
17 vote. Any nomination not acted upon by the Senate within 60
18 session days of the receipt thereof shall be deemed to have
19 received the advice and consent of the Senate. If, during a
20 recess of the Senate, there is a vacancy in an office of
21 commissioner, the appointing authority shall make a temporary
22 appointment until the next meeting of the Senate when the
23 appointing authority shall make a nomination to fill that

1 office. No person rejected for an office of commissioner
2 shall, except by the Senate's request, be nominated again for
3 that office at the same session of the Senate or be appointed
4 to that office during a recess of that Senate. No more than 5
5 commissioners may be of the same political party.

6 The terms of the initial commissioners shall commence upon
7 qualification. Four initial appointees of the Governor, as
8 designated by the Governor, shall serve terms running through
9 June 30, 2007. One initial appointee of the Governor, as
10 designated by the Governor, and the initial appointees of the
11 Attorney General, Secretary of State, Comptroller, and
12 Treasurer shall serve terms running through June 30, 2008. The
13 initial appointments shall be made within 60 days after the
14 effective date of this Act.

15 After the initial terms, commissioners shall serve for
16 4-year terms commencing on July 1 of the year of appointment
17 and running through June 30 of the fourth following year.
18 Commissioners may be reappointed to one or more subsequent
19 terms.

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

23 Terms shall run regardless of whether the position is
24 filled.

25 (c) The appointing authorities shall appoint commissioners
26 who have experience holding governmental office or employment

1 and shall appoint commissioners from the general public. A
2 person is not eligible to serve as a commissioner if that
3 person (i) has been convicted of a felony or a crime of
4 dishonesty or moral turpitude, (ii) is, or was within the
5 preceding 12 months, engaged in activities that require
6 registration under the Lobbyist Registration Act, (iii) is
7 related to the appointing authority, or (iv) is a State
8 officer or employee.

9 (d) The Executive Ethics Commission shall have
10 jurisdiction over all officers and employees of State agencies
11 other than the General Assembly, the Senate, the House of
12 Representatives, the President and Minority Leader of the
13 Senate, the Speaker and Minority Leader of the House of
14 Representatives, the Senate Operations Commission, the
15 legislative support services agencies, and the Office of the
16 Auditor General. The Executive Ethics Commission shall have
17 jurisdiction over all board members and employees of Regional
18 Transit Boards and all board members and employees of Regional
19 Development Authorities. The jurisdiction of the Commission is
20 limited to matters arising under this Act, except as provided
21 in subsection (d-5).

22 A member or legislative branch State employee serving on
23 an executive branch board or commission remains subject to the
24 jurisdiction of the Legislative Ethics Commission and is not
25 subject to the jurisdiction of the Executive Ethics
26 Commission.

1 (d-5) The Executive Ethics Commission shall have
2 jurisdiction over all chief procurement officers and
3 procurement compliance monitors and their respective staffs.
4 The Executive Ethics Commission shall have jurisdiction over
5 any matters arising under the Illinois Procurement Code if the
6 Commission is given explicit authority in that Code.

7 (d-6) (1) The Executive Ethics Commission shall have
8 jurisdiction over the Illinois Power Agency and its staff. The
9 Director of the Agency shall be appointed by a majority of the
10 commissioners of the Executive Ethics Commission, subject to
11 Senate confirmation, for a term of 2 years. The Director is
12 removable for cause by a majority of the Commission upon a
13 finding of neglect, malfeasance, absence, or incompetence.

14 (2) In case of a vacancy in the office of Director of the
15 Illinois Power Agency during a recess of the Senate, the
16 Executive Ethics Commission may make a temporary appointment
17 until the next meeting of the Senate, at which time the
18 Executive Ethics Commission shall nominate some person to fill
19 the office, and any person so nominated who is confirmed by the
20 Senate shall hold office during the remainder of the term and
21 until his or her successor is appointed and qualified. Nothing
22 in this subsection shall prohibit the Executive Ethics
23 Commission from removing a temporary appointee or from
24 appointing a temporary appointee as the Director of the
25 Illinois Power Agency.

26 (3) Prior to June 1, 2012, the Executive Ethics Commission

1 may, until the Director of the Illinois Power Agency is
2 appointed and qualified or a temporary appointment is made
3 pursuant to paragraph (2) of this subsection, designate some
4 person as an acting Director to execute the powers and
5 discharge the duties vested by law in that Director. An acting
6 Director shall serve no later than 60 calendar days, or upon
7 the making of an appointment pursuant to paragraph (1) or (2)
8 of this subsection, whichever is earlier. Nothing in this
9 subsection shall prohibit the Executive Ethics Commission from
10 removing an acting Director or from appointing an acting
11 Director as the Director of the Illinois Power Agency.

12 (4) No person rejected by the Senate for the office of
13 Director of the Illinois Power Agency shall, except at the
14 Senate's request, be nominated again for that office at the
15 same session or be appointed to that office during a recess of
16 that Senate.

17 (d-7) The Executive Ethics Commission shall have
18 jurisdiction over complainants and respondents in violation of
19 subsection (d) of Section 20-90.

20 (d-8) The Executive Ethics Commission shall have
21 investigative authority over an investigation referred to the
22 Executive Ethics Commission by the Legislative Audit
23 Commission.

24 (e) The Executive Ethics Commission must meet, either in
25 person or by other technological means, at least monthly and
26 as often as necessary. At the first meeting of the Executive

1 Ethics Commission, the commissioners shall choose from their
2 number a chairperson and other officers that they deem
3 appropriate. The terms of officers shall be for 2 years
4 commencing July 1 and running through June 30 of the second
5 following year. Meetings shall be held at the call of the
6 chairperson or any 3 commissioners. Official action by the
7 Commission shall require the affirmative vote of 5
8 commissioners, and a quorum shall consist of 5 commissioners.
9 Commissioners shall receive compensation in an amount equal to
10 the compensation of members of the State Board of Elections
11 and may be reimbursed for their reasonable expenses actually
12 incurred in the performance of their duties.

13 (f) No commissioner or employee of the Executive Ethics
14 Commission may during his or her term of appointment or
15 employment:

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

17 (2) hold any other elected or appointed public office
18 except for appointments on governmental advisory boards or
19 study commissions or as otherwise expressly authorized by
20 law;

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

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

26 (g) An appointing authority may remove a commissioner only

1 for cause.

2 (h) The Executive Ethics Commission shall appoint an
3 Executive Director. The compensation of the Executive Director
4 shall be as determined by the Commission. The Executive
5 Director of the Executive Ethics Commission may employ and
6 determine the compensation of staff, as appropriations permit.

7 (i) The Executive Ethics Commission shall appoint, by a
8 majority of the members appointed to the Commission, chief
9 procurement officers and may appoint procurement compliance
10 monitors in accordance with the provisions of the Illinois
11 Procurement Code. The compensation of a chief procurement
12 officer and procurement compliance monitor shall be determined
13 by the Commission.

14 (Source: P.A. 103-517, eff. 8-11-23.)

15 (5 ILCS 430/20-15)

16 Sec. 20-15. Duties of the Executive Ethics Commission. In
17 addition to duties otherwise assigned by law, the Executive
18 Ethics Commission shall have the following duties:

19 (1) To promulgate rules governing the performance of
20 its duties and the exercise of its powers and governing
21 the investigations of the Executive Inspectors General. It
22 is declared to be in the public interest, safety, and
23 welfare that the Commission adopt emergency rules under
24 the Illinois Administrative Procedure Act to initially
25 perform its duties under this subsection.

1 (2) To conduct administrative hearings and rule on
2 matters brought before the Commission only upon the
3 receipt of pleadings filed by an Executive Inspector
4 General, or upon receipt of summaries of reviews submitted
5 by the Inspector General for the Secretary of State under
6 subsection (d-5) of Section 14 of the Secretary of State
7 Act, and not upon its own prerogative, but may appoint
8 special Executive Inspectors General as provided in
9 Section 20-21. Any other allegations of misconduct
10 received by the Commission from a person other than an
11 Executive Inspector General shall be referred to the
12 Office of the appropriate Executive Inspector General.

13 (3) To prepare and publish manuals and guides and,
14 working with the Office of the Attorney General, oversee
15 training of employees under its jurisdiction that explains
16 their duties.

17 (4) To prepare public information materials to
18 facilitate compliance, implementation, and enforcement of
19 this Act.

20 (5) To submit reports as required by this Act.

21 (6) To the extent authorized by this Act, to make
22 rulings, issue recommendations, and impose administrative
23 fines, if appropriate, in connection with the
24 implementation and interpretation of this Act. The powers
25 and duties of the Commission are limited to matters
26 clearly within the purview of this Act, and include

1 authority over allegations that an individual required to
2 be registered under the Lobbyist Registration Act has
3 committed an act of sexual harassment, as set forth in any
4 summaries of reviews of such allegations submitted to the
5 Commission by the Inspector General for the Secretary of
6 State.

7 (7) To issue subpoenas with respect to matters pending
8 before the Commission, subject to the provisions of this
9 Article and in the discretion of the Commission, to compel
10 the attendance of witnesses for purposes of testimony and
11 the production of documents and other items for inspection
12 and copying.

13 (8) To appoint special Executive Inspectors General as
14 provided in Section 20-21.

15 (9) To conspicuously display on the Commission's
16 website the procedures for reporting a violation of this
17 Act, including how to report violations via email or
18 online.

19 (10) To review any investigation referred to the
20 Executive Ethics Commission by the Legislative Audit
21 Commission and to rule if the investigation should be
22 brought before the Executive Inspector General to
23 investigate any further and to rule if any action or
24 recommendation should be taken.

25 (Source: P.A. 100-554, eff. 11-16-17.)

1 (5 ILCS 430/20-20)

2 Sec. 20-20. Duties of the Executive Inspectors General. In
3 addition to duties otherwise assigned by law, each Executive
4 Inspector General shall have the following duties:

5 (1) To receive and investigate allegations of
6 violations of this Act. To investigate any agency or
7 executive office under the order of the Executive Ethics
8 Commission concerning an investigation referred to the
9 Executive Ethics Commission by the Legislative Audit
10 Commission. An investigation may not be initiated more
11 than one year after the most recent act of the alleged
12 violation or of a series of alleged violations except
13 where there is reasonable cause to believe that fraudulent
14 concealment has occurred. To constitute fraudulent
15 concealment sufficient to toll this limitations period,
16 there must be an affirmative act or representation
17 calculated to prevent discovery of the fact that a
18 violation or other wrongful act has occurred. The
19 Executive Inspector General shall have the discretion to
20 determine the appropriate means of investigation as
21 permitted by law.

22 (2) To request information relating to an
23 investigation from any person when the Executive Inspector
24 General deems that information necessary in conducting an
25 investigation.

26 (3) To issue subpoenas to compel the attendance of

1 witnesses for the purposes of testimony and production of
2 documents and other items for inspection and copying and
3 to make service of those subpoenas and subpoenas issued
4 under item (7) of Section 20-15.

5 (4) To submit reports as required by this Act.

6 (5) To file pleadings in the name of the Executive
7 Inspector General with the Executive Ethics Commission,
8 through the Attorney General, as provided in this Article
9 if the Attorney General finds that reasonable cause exists
10 to believe that a violation has occurred.

11 (6) To assist and coordinate the ethics officers for
12 State agencies under the jurisdiction of the Executive
13 Inspector General and to work with those ethics officers.

14 (7) To participate in or conduct, when appropriate,
15 multi-jurisdictional investigations.

16 (8) To request, as the Executive Inspector General
17 deems appropriate, from ethics officers of State agencies
18 under his or her jurisdiction, reports or information on
19 (i) the content of a State agency's ethics training
20 program and (ii) the percentage of new officers and
21 employees who have completed ethics training.

22 (9) To review hiring and employment files of each
23 State agency within the Executive Inspector General's
24 jurisdiction to ensure compliance with *Rutan v. Republican*
25 *Party of Illinois*, 497 U.S. 62 (1990), and with all
26 applicable employment laws.

1 (10) To establish a policy that ensures the
2 appropriate handling and correct recording of all
3 investigations conducted by the Office, and to ensure that
4 the policy is accessible via the Internet in order that
5 those seeking to report those allegations are familiar
6 with the process and that the subjects of those
7 allegations are treated fairly.

8 (11) To post information to the Executive Inspector
9 General's website explaining to complainants and subjects
10 of an investigation the legal limitations on the Executive
11 Inspector General's ability to provide information to them
12 and a general overview of the investigation process.

13 (Source: P.A. 102-664, eff. 1-1-22.)

14 (5 ILCS 430/20-45)

15 Sec. 20-45. Standing; representation.

16 (a) With the exception of a person appealing an Inspector
17 General's determination under Section 5-45 of this Act or
18 under applicable provisions of the Illinois Procurement Code,
19 only an Executive Inspector General or the Attorney General
20 may bring actions before the Executive Ethics Commission. The
21 Attorney General may bring actions before the Executive Ethics
22 Commission upon receipt of notice pursuant to Section 5-50 or
23 Section 5-51 or pursuant to Section 5-45.

24 (b) With the exception of Section 5-45, the Attorney
25 General shall represent an Executive Inspector General in all

1 proceedings before the Commission. Whenever the Attorney
2 General is sick or absent, or unable to attend, or is
3 interested in any matter or proceeding under this Act, upon
4 the filing of a petition under seal by any person with
5 standing, the Supreme Court (or any other court of competent
6 jurisdiction as designated and determined by rule of the
7 Supreme Court) may appoint some competent attorney to
8 prosecute or defend that matter or proceeding, and the
9 attorney so appointed shall have the same power and authority
10 in relation to that matter or proceeding as the Attorney
11 General would have had if present and attending to the same.

12 (c) Attorneys representing an Inspector General in
13 proceedings before the Executive Ethics Commission, except an
14 attorney appointed under subsection (b), shall be appointed or
15 retained by the Attorney General, shall be under the
16 supervision, direction, and control of the Attorney General,
17 and shall serve at the pleasure of the Attorney General. The
18 compensation of any attorneys appointed or retained in
19 accordance with this subsection or subsection (b) shall be
20 paid by the appropriate Office of the Executive Inspector
21 General.

22 (d) The Executive Ethics Commission shall notify the
23 Legislative Audit Commission if an action originated from an
24 investigation referred to the Executive Ethics Commission by
25 the Legislative Audit Commission.

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

1 (5 ILCS 430/20-50)

2 Sec. 20-50. Investigation reports.

3 (a) If an Executive Inspector General, upon the conclusion
4 of an investigation, determines that reasonable cause exists
5 to believe that a violation has occurred, then the Executive
6 Inspector General shall issue a summary report of the
7 investigation. The report shall be delivered to the
8 appropriate ultimate jurisdictional authority, including the
9 Legislative Audit Commission if an investigation is referred
10 to the Executive Ethics Commission by the Legislative Audit
11 Commission, and to the head of each State agency affected by or
12 involved in the investigation, if appropriate. The appropriate
13 ultimate jurisdictional authority or agency head shall respond
14 to the summary report within 20 days, in writing, to the
15 Executive Inspector General. The response shall include a
16 description of any corrective or disciplinary action to be
17 imposed. If the appropriate ultimate jurisdictional authority
18 does not respond within 20 days, or within an extended time
19 period as agreed to by the Executive Inspector General, an
20 Executive Inspector General may proceed under subsection (c)
21 as if a response had been received.

22 (b) The summary report of the investigation shall include
23 the following:

24 (1) A description of any allegations or other
25 information received by the Executive Inspector General

1 pertinent to the investigation.

2 (2) A description of any alleged misconduct discovered
3 in the course of the investigation.

4 (3) Recommendations for any corrective or disciplinary
5 action to be taken in response to any alleged misconduct
6 described in the report, including but not limited to
7 discharge.

8 (4) Other information the Executive Inspector General
9 deems relevant to the investigation or resulting
10 recommendations.

11 (c) Within 30 days after receiving a response from the
12 appropriate ultimate jurisdictional authority or agency head
13 under subsection (a), the Executive Inspector General shall
14 notify the Commission and the Attorney General if the
15 Executive Inspector General believes that a complaint should
16 be filed with the Commission. If the Executive Inspector
17 General desires to file a complaint with the Commission, the
18 Executive Inspector General shall submit the summary report
19 and supporting documents to the Attorney General. If the
20 Attorney General concludes that there is insufficient evidence
21 that a violation has occurred, the Attorney General shall
22 notify the Executive Inspector General and the Executive
23 Inspector General shall deliver to the Executive Ethics
24 Commission a copy of the summary report and response from the
25 ultimate jurisdictional authority or agency head. If the
26 Attorney General determines that reasonable cause exists to

1 believe that a violation has occurred, then the Executive
2 Inspector General, represented by the Attorney General, may
3 file with the Executive Ethics Commission a complaint. The
4 complaint shall set forth the alleged violation and the
5 grounds that exist to support the complaint. The complaint
6 must be filed with the Commission within 12 months after the
7 Executive Inspector General's receipt of the allegation of the
8 violation or within 18 months after the most recent act of the
9 alleged violation or of a series of alleged violations,
10 whichever is later, except where there is reasonable cause to
11 believe that fraudulent concealment has occurred. To
12 constitute fraudulent concealment sufficient to toll this
13 limitations period, there must be an affirmative act or
14 representation calculated to prevent discovery of the fact
15 that a violation has occurred. If a complaint is not filed with
16 the Commission within 6 months after notice by the Inspector
17 General to the Commission and the Attorney General, then the
18 Commission may set a meeting of the Commission at which the
19 Attorney General shall appear and provide a status report to
20 the Commission.

21 (c-5) Within 30 days after receiving a response from the
22 appropriate ultimate jurisdictional authority or agency head
23 under subsection (a), if the Executive Inspector General does
24 not believe that a complaint should be filed, the Executive
25 Inspector General shall deliver to the Executive Ethics
26 Commission a statement setting forth the basis for the

1 decision not to file a complaint and a copy of the summary
2 report and response from the ultimate jurisdictional authority
3 or agency head. An Inspector General may also submit a
4 redacted version of the summary report and response from the
5 ultimate jurisdictional authority if the Inspector General
6 believes either contains information that, in the opinion of
7 the Inspector General, should be redacted prior to releasing
8 the report, may interfere with an ongoing investigation, or
9 identifies an informant or complainant.

10 (c-10) If, after reviewing the documents, the Commission
11 believes that further investigation is warranted, the
12 Commission may request that the Executive Inspector General
13 provide additional information or conduct further
14 investigation. The Commission may also appoint a Special
15 Executive Inspector General to investigate or refer the
16 summary report and response from the ultimate jurisdictional
17 authority to the Attorney General for further investigation or
18 review. If the Commission requests the Attorney General to
19 investigate or review, the Commission must notify the Attorney
20 General and the Inspector General. The Attorney General may
21 not begin an investigation or review until receipt of notice
22 from the Commission. If, after review, the Attorney General
23 determines that reasonable cause exists to believe that a
24 violation has occurred, then the Attorney General may file a
25 complaint with the Executive Ethics Commission. If the
26 Attorney General concludes that there is insufficient evidence

1 that a violation has occurred, the Attorney General shall
2 notify the Executive Ethics Commission and the appropriate
3 Executive Inspector General.

4 (d) A copy of the complaint filed with the Executive
5 Ethics Commission must be served on all respondents named in
6 the complaint and on each respondent's ultimate jurisdictional
7 authority in the same manner as process is served under the
8 Code of Civil Procedure.

9 (e) A respondent may file objections to the complaint
10 within 30 days after notice of the petition has been served on
11 the respondent.

12 (f) The Commission shall meet, either in person or by
13 telephone, at least 30 days after the complaint is served on
14 all respondents in a closed session to review the sufficiency
15 of the complaint. The Commission shall issue notice by
16 certified mail, return receipt requested, to the Executive
17 Inspector General, Attorney General, and all respondents of
18 the Commission's ruling on the sufficiency of the complaint.
19 If the complaint is deemed to sufficiently allege a violation
20 of this Act, then the Commission shall include a hearing date
21 scheduled within 4 weeks after the date of the notice, unless
22 all of the parties consent to a later date. If the complaint is
23 deemed not to sufficiently allege a violation, then the
24 Commission shall send by certified mail, return receipt
25 requested, a notice to the Executive Inspector General,
26 Attorney General, and all respondents of the decision to

1 dismiss the complaint.

2 (g) On the scheduled date the Commission shall conduct a
3 closed meeting, either in person or, if the parties consent,
4 by telephone, on the complaint and allow all parties the
5 opportunity to present testimony and evidence. All such
6 proceedings shall be transcribed.

7 (h) Within an appropriate time limit set by rules of the
8 Executive Ethics Commission, the Commission shall (i) dismiss
9 the complaint, (ii) issue a recommendation of discipline to
10 the respondent and the respondent's ultimate jurisdictional
11 authority, (iii) impose an administrative fine upon the
12 respondent, (iv) issue injunctive relief as described in
13 Section 50-10, or (v) impose a combination of (ii) through
14 (iv).

15 (i) The proceedings on any complaint filed with the
16 Commission shall be conducted pursuant to rules promulgated by
17 the Commission.

18 (j) The Commission may designate hearing officers to
19 conduct proceedings as determined by rule of the Commission.

20 (k) In all proceedings before the Commission, the standard
21 of proof is by a preponderance of the evidence.

22 (l) Within 30 days after the issuance of a final
23 administrative decision that concludes that a violation
24 occurred, the Executive Ethics Commission shall make public
25 the entire record of proceedings before the Commission, the
26 decision, any recommendation, any discipline imposed, and the

1 response from the agency head or ultimate jurisdictional
2 authority to the Executive Ethics Commission.

3 (Source: P.A. 100-588, eff. 6-8-18; 101-221, eff. 8-9-19;
4 101-617, eff. 12-20-19.)

5 (5 ILCS 430/20-51)

6 Sec. 20-51. Closed investigations. When the Inspector
7 General concludes that there is insufficient evidence that a
8 violation has occurred, the Inspector General shall close the
9 investigation. The Inspector General shall provide the
10 Commission with a written statement of the Inspector General's
11 decision to close the investigation. The Commission shall
12 notify the Legislative Audit Commission of the Inspector
13 General's decision if the investigation was referred to the
14 Commission by the Legislative Audit Commission. At the request
15 of the subject of the investigation, the Inspector General
16 shall provide a written statement to the subject of the
17 investigation of the Inspector General's decision to close the
18 investigation. Closure by the Inspector General does not bar
19 the Inspector General from resuming the investigation if
20 circumstances warrant. The Commission also has the discretion
21 to request that the Executive Inspector General conduct
22 further investigation of any matter closed pursuant to this
23 Section, to appoint a Special Executive Inspector General to
24 investigate, or to refer the allegations to the Attorney
25 General for further investigation or review. If the Commission

1 requests the Attorney General to investigate or review, the
2 Commission must notify the Attorney General and the Inspector
3 General. The Attorney General may not begin an investigation
4 or review until receipt of notice from the Commission.

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

6 (5 ILCS 430/20-55)

7 Sec. 20-55. Decisions; recommendations.

8 (a) All decisions of the Executive Ethics Commission must
9 include a description of the alleged misconduct, the decision
10 of the Commission, including any fines levied and any
11 recommendation of discipline, and the reasoning for that
12 decision, including if it was referred to the Executive Ethics
13 Commission by the Legislative Audit Commission. All decisions
14 of the Commission shall be delivered to the head of the
15 appropriate State agency, the appropriate ultimate
16 jurisdictional authority, and the appropriate Executive
17 Inspector General. The Executive Ethics Commission shall
18 promulgate rules for the decision and recommendation process.

19 (b) If the Executive Ethics Commission issues a
20 recommendation of discipline to an agency head or ultimate
21 jurisdictional authority, that agency head or ultimate
22 jurisdictional authority must respond to that recommendation
23 in 30 days with a written response to the Executive Ethics
24 Commission. This response must include any disciplinary action
25 the agency head or ultimate jurisdictional authority has taken

1 with respect to the officer or employee in question. This
2 response shall include if it originates from an investigation
3 that was referred to the Executive Ethics Commission by the
4 Legislative Audit Commission. If the agency head or ultimate
5 jurisdictional authority did not take any disciplinary action,
6 or took a different disciplinary action than that recommended
7 by the Executive Ethics Commission, the agency head or
8 ultimate jurisdictional authority must describe the different
9 action and explain the reasons for the different action in the
10 written response. This response must be served upon the
11 Executive Ethics Commission and the appropriate Executive
12 Inspector General within the 30-day period and is not exempt
13 from the provisions of the Freedom of Information Act.

14 (c) Disciplinary action under this Act against a person
15 subject to the Personnel Code, the Secretary of State Merit
16 Employment Code, the Comptroller Merit Employment Code, or the
17 State Treasurer Employment Code is within the jurisdiction of
18 the Executive Ethics Commission and is not within the
19 jurisdiction of those Acts.

20 (d) Any hearing to contest disciplinary action for a
21 violation of this Act against a person subject to the
22 Personnel Code, the Secretary of State Merit Employment Code,
23 the Comptroller Merit Employment Code, or the State Treasurer
24 Employment Code pursuant to an agreement between an Executive
25 Inspector General and an ultimate jurisdictional authority
26 shall be conducted by the Executive Ethics Commission and not

1 under any of those Acts.

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

3 (5 ILCS 430/20-63)

4 Sec. 20-63. Rights of persons subjected to discrimination,
5 harassment, or sexual harassment.

6 (a) As used in this Section, "complainant" means a known
7 person identified in a complaint filed with an Executive
8 Inspector General as a person subjected to alleged
9 discrimination, harassment, or sexual harassment in violation
10 of Section 5-65 of this Act, subsection (a) of Section 4.7 of
11 the Lobbyist Registration Act, or Article 2 of the Illinois
12 Human Rights Act, regardless of whether the complaint is filed
13 by the person.

14 (b) A complainant shall have the following rights:

15 (1) within 5 business days of the Executive Inspector
16 General receiving a complaint in which the complainant is
17 identified, to be notified by the Executive Inspector
18 General of the receipt of the complaint, the complainant's
19 rights, and an explanation of the process, rules, and
20 procedures related to the investigation of an allegation,
21 including if the allegation was referred to the Executive
22 Ethics Commission by the Legislative Audit Commission, and
23 the duties of the Executive Inspector General and the
24 Executive Ethics Commission;

25 (2) within 5 business days after the Executive

1 Inspector General's decision to open or close an
2 investigation into the complaint or refer the complaint to
3 another appropriate agency, to be notified of the
4 Executive Inspector General's decision; however, if the
5 Executive Inspector General reasonably determines that
6 publicly acknowledging the existence of an investigation
7 would interfere with the conduct or completion of that
8 investigation, the notification may be withheld until
9 public acknowledgment of the investigation would no longer
10 interfere with that investigation;

11 (3) after an investigation has been opened, to have
12 any interviews of the complainant audio recorded by the
13 Executive Inspector General and to review, in person and
14 in the presence of the Executive Inspector General or his
15 or her designee, any transcript or interview report
16 created from that audio recorded interview. The
17 complainant may provide any supplemental statements or
18 evidence throughout the investigation;

19 (4) to have a union representative, attorney,
20 co-worker, or other support person who is not involved in
21 the investigation, at the complainant's expense, present
22 at any interview or meeting, whether in person or by
23 telephone or audio-visual communication, between the
24 complainant and the Executive Inspector General or
25 Executive Ethics Commission;

26 (5) to submit an impact statement that shall be

1 included with the Executive Inspector General's summary
2 report to the Executive Ethics Commission for its
3 consideration;

4 (6) to testify at a hearing held under subsection (g)
5 of Section 20-50, to the extent the hearing is based on an
6 allegation of a violation of Section 5-65 of this Act or
7 subsection (a) of Section 4.7 of the Lobbyist Registration
8 Act involving the complainant, and have a single union
9 representative, attorney, co-worker, or other support
10 person who is not involved in the investigation, at the
11 complainant's expense, accompany him or her while
12 testifying;

13 (7) to review, within 5 business days prior to its
14 release, any portion of a summary report of the
15 investigation subject to public release under this Article
16 related to the allegations concerning the complainant,
17 after redactions made by the Executive Ethics Commission,
18 and offer suggestions for redaction or provide a response
19 that shall be made public with the summary report; and

20 (8) to file a complaint with the Executive Ethics
21 Commission for any violation of the complainant's rights
22 under this Section by the Executive Inspector General.

23 (c) The complainant shall have the sole discretion in
24 determining whether to exercise the rights set forth in this
25 Section. All rights under this Section shall be waived if the
26 complainant fails to cooperate with the Executive Inspector

1 General's investigation of the complaint.

2 (d) The notice requirements imposed on Inspectors General
3 by this Section shall be waived if the Inspector General is
4 unable to identify or locate the complainant.

5 (e) (Blank).

6 (Source: P.A. 101-221, eff. 8-9-19; 101-617, eff. 12-20-19.)

7 (5 ILCS 430/20-65)

8 Sec. 20-65. Reporting of investigations.

9 (a) Each Executive Inspector General shall file a
10 quarterly activity report with the Executive Ethics Commission
11 that reflects investigative activity during the previous
12 quarter. The Executive Ethics Commission shall establish the
13 reporting dates. The activity report shall include at least
14 the following:

15 (1) The number of investigations opened during the
16 preceding quarter, the affected offices or agencies, and
17 the unique tracking numbers for new investigations.

18 (2) The number of investigations closed during the
19 preceding quarter, the affected offices or agencies, and
20 the unique tracking numbers for closed investigations.

21 (3) The status of each on-going investigation that
22 remained open at the end of the quarter, the affected
23 office, agency or agencies, the investigation's unique
24 tracking number, and a brief statement of the general
25 nature of the investigation.

1 4. The number of investigations referred to the
2 Executive Ethics Commission by the Legislative Audit
3 Commission.

4 (b) If any investigation is not concluded within 6 months
5 after its initiation, the appropriate Executive Inspector
6 General shall file a 6-month report with the Executive Ethics
7 Commission by the fifteenth day of the month following it
8 being open for 6 months. The 6-month report shall disclose:

9 (1) The general nature of the allegation or
10 information giving rise to the investigation, the title or
11 job duties of the subjects of the investigation, ~~and~~ the
12 investigation's unique tracking number, and if the
13 investigation was referred to the Executive Ethics
14 Commission by the Legislative Audit Commission.

15 (2) The date of the last alleged violation of this Act
16 or other State law giving rise to the investigation.

17 (3) Whether the Executive Inspector General has found
18 credible the allegations of criminal conduct.

19 (4) Whether the allegation has been referred to an
20 appropriate law enforcement agency and the identity of the
21 law enforcement agency to which those allegations were
22 referred.

23 (5) If an allegation has not been referred to an
24 appropriate law enforcement agency, the reasons for the
25 failure to complete the investigation within 6 months, a
26 summary of the investigative steps taken, additional

1 investigative steps contemplated at the time of the
2 report, and an estimate of additional time necessary to
3 complete the investigation.

4 (6) Any other information deemed necessary by the
5 Executive Ethics Commission in determining whether to
6 appoint a Special Inspector General.

7 (c) If an Executive Inspector General has referred an
8 allegation to an appropriate law enforcement agency and
9 continues to investigate the matter, the future reporting
10 requirements of this Section are suspended.

11 (d) Reports filed under this Section are exempt from the
12 Freedom of Information Act.

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

14 (5 ILCS 430/20-70)

15 Sec. 20-70. Cooperation in investigations. It is the duty
16 of every officer and employee under the jurisdiction of an
17 Executive Inspector General, including any inspector general
18 serving in any State agency under the jurisdiction of that
19 Executive Inspector General, to cooperate with the Executive
20 Inspector General , and the Attorney General, and the
21 Legislative Audit Commission in any investigation undertaken
22 pursuant to this Act. Failure to cooperate includes, but is
23 not limited to, intentional omissions and knowing false
24 statements. Failure to cooperate with an investigation of the
25 Executive Inspector General or the Attorney General is grounds

1 for disciplinary action, including dismissal. Nothing in this
2 Section limits or alters a person's existing rights or
3 protections under State or federal law.

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

5 (5 ILCS 430/20-80)

6 Sec. 20-80. Referrals of investigations. If an Executive
7 Inspector General determines that any alleged misconduct
8 involves any person not subject to the jurisdiction of the
9 Executive Ethics Commission, that Executive Inspector General
10 shall refer the reported allegations to the Legislative Audit
11 Commission if given authority to investigate, the appropriate
12 Inspector General, appropriate ethics commission, or other
13 appropriate body. If an Executive Inspector General determines
14 that any alleged misconduct may give rise to criminal
15 penalties, the Executive Inspector General may refer the
16 allegations regarding that misconduct to the appropriate law
17 enforcement authority. If an Executive Inspector General
18 determines that any alleged misconduct resulted in the loss of
19 public funds in an amount of \$5,000 or greater, the Executive
20 Inspector General shall refer the allegations regarding that
21 misconduct to the Attorney General and any other appropriate
22 law enforcement authority.

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

24 (5 ILCS 430/20-85)

1 Sec. 20-85. Monthly reports by Executive Inspector
2 General. Each Executive Inspector General shall submit
3 monthly reports to the appropriate executive branch
4 constitutional officer, on dates determined by the executive
5 branch constitutional officer, indicating:

6 (1) the total number of allegations received since the
7 date of the last report and the total number of
8 allegations received since the date of the last report by
9 category of claim;

10 (2) the total number of investigations initiated since
11 the date of the last report and the total number of
12 investigations initiated since the date of the last report
13 by category of claim;

14 (3) the total number of investigations concluded since
15 the date of the last report and the total number of
16 investigations concluded since the date of the last report
17 by category of claim;

18 (4) the total number of investigations pending as of
19 the reporting date and the total number of investigations
20 pending as of the reporting date by category of claim;

21 (5) the total number of complaints forwarded to the
22 Attorney General since the date of the last report;

23 (6) the total number of actions filed with the
24 Executive Ethics Commission since the date of the last
25 report, the total number of actions pending before the
26 Executive Ethics Commission as of the reporting date, the

1 total number of actions filed with the Executive Ethics
2 Commission since the date of the last report by category
3 of claim, and the total number of actions pending before
4 the Executive Ethics Commission as of the reporting date
5 by category of claim;

6 (7) the total number of allegations referred to any
7 law enforcement agency since the date of the last report;

8 (8) the total number of allegations referred to
9 another investigatory body since the date of the last
10 report; ~~and~~

11 (9) the cumulative number of each of the foregoing for
12 the current calendar year; and -

13 (10) the total number of complaints referred to the
14 Executive Ethics Commission by the Legislative Audit
15 Commission.

16 For the purposes of this Section, "category of claim"
17 shall include discrimination claims, harassment claims, sexual
18 harassment claims, retaliation claims, gift ban claims,
19 prohibited political activity claims, revolving door
20 prohibition claims, and other, miscellaneous, or
21 uncharacterized claims.

22 The monthly report shall be available on the websites of
23 the Executive Inspector General and the constitutional
24 officer.

25 (Source: P.A. 100-588, eff. 6-8-18.)

1 (5 ILCS 430/20-95)

2 Sec. 20-95. Exemptions.

3 (a) Documents generated by an ethics officer under this
4 Act, except Section 5-50, are exempt from the provisions of
5 the Freedom of Information Act.

6 (b) Any allegations and related documents submitted to an
7 Executive Inspector General, ~~and~~ any pleadings and related
8 documents brought before the Executive Ethics Commission, and
9 any investigative authority over an investigation referred to
10 the Executive Ethics Commission by the Legislative Audit
11 Commission are exempt from the provisions of the Freedom of
12 Information Act so long as the Executive Ethics Commission
13 does not make a finding of a violation of this Act. If the
14 Executive Ethics Commission finds that a violation has
15 occurred, the entire record of proceedings before the
16 Commission, the decision and recommendation, and the response
17 from the agency head or ultimate jurisdictional authority to
18 the Executive Ethics Commission are not exempt from the
19 provisions of the Freedom of Information Act but information
20 contained therein that is otherwise exempt from the Freedom of
21 Information Act must be redacted before disclosure as provided
22 in the Freedom of Information Act. A summary report released
23 by the Executive Ethics Commission under Section 20-52 is a
24 public record, but information redacted by the Executive
25 Ethics Commission shall not be part of the public record.

26 (c) Meetings of the Commission are exempt from the

1 provisions of the Open Meetings Act.

2 (d) Unless otherwise provided in this Act, all
3 investigatory files and reports of the Office of an Executive
4 Inspector General, other than monthly reports required under
5 Section 20-85, are confidential and privileged, are exempt
6 from disclosure under the Freedom of Information Act, and
7 shall not be divulged to any person or agency, except as
8 necessary (i) to a law enforcement authority, (ii) to the
9 ultimate jurisdictional authority, (iii) to the Executive
10 Ethics Commission, (iv) to another Inspector General appointed
11 pursuant to this Act, or (v) to an Inspector General appointed
12 or employed by a Regional Transit Board in accordance with
13 Section 75-10.

14 (Source: P.A. 102-664, eff. 1-1-22.)

15 Section 10. The Legislative Audit Commission Act is
16 amended by changing Section 3 as follows:

17 (25 ILCS 150/3) (from Ch. 63, par. 106)

18 Sec. 3. The Commission shall receive the reports of the
19 Auditor General and other financial statements and shall
20 determine what remedial measures, if any, are needed, and
21 whether special studies and investigations are necessary. If
22 the Commission shall deem such studies and investigations to
23 be necessary, the Commission may direct the Auditor General to
24 undertake such studies or investigations. If the Commission,

1 in its discretion, believes that investigative authority over
2 a matter should be referred to the Executive Ethics Commission
3 to investigate a State agency or executive office, it shall be
4 referred by a majority vote by the Commission. The Auditor
5 General may provide advice to the Commission on transferring
6 investigative authority to the Executive Ethics Commission.

7 When a disagreement between the Audit Commission and an
8 agency under the Governor's jurisdiction arises in the process
9 of the Audit Commission's review of audit reports relating to
10 such agency, the Audit Commission shall promptly advise the
11 Governor of such areas of disagreement. The Governor shall
12 respond to the Audit Commission within a reasonable period of
13 time, and in no event later than 60 days, expressing his views
14 concerning such areas of disagreement and indicating the
15 corrective action taken by his office with reference thereto
16 or, if no action is taken, indicating the reasons therefor.

17 The Audit Commission also promptly shall advise all other
18 responsible officials of the Executive, Judicial, and
19 Legislative branches of the State government of areas of
20 disagreement arising in the process of the Commission's review
21 of their respective audit reports. With reference to his
22 particular office, each such responsible official shall
23 respond to the Audit Commission within a reasonable period of
24 time, and in no event later than 60 days, expressing his view
25 concerning such areas of disagreement and indicating the
26 corrective action taken with reference thereto or stating the

1 reasons that no action has been taken.

2 The Commission shall report its activities to the General
3 Assembly including such remedial measures as it deems to be
4 necessary. The report of the Commission shall be made to the
5 General Assembly not less often than annually and not later
6 than March 1 in each year.

7 The requirement for reporting to the General Assembly
8 shall be satisfied by filing copies of the report as required
9 by Section 3.1 of the General Assembly Organization Act, and
10 filing such additional copies with the State Government Report
11 Distribution Center for the General Assembly as is required
12 under paragraph (t) of Section 7 of the State Library Act.

13 In addition, the Commission has the powers and duties
14 provided for in the Illinois State Auditing Act, and, if the
15 provisions of that Act conflict with those of this Act, that
16 Act prevails.

17 (Source: P.A. 103-154, eff. 6-30-23.)

18 Section 15. The Illinois State Auditing Act is amended by
19 adding Section 2-28 as follows:

20 (30 ILCS 5/2-28 new)

21 Sec. 2-28. Investigative disclosure. The Auditor General
22 shall advise the Legislative Audit Commission if the Auditor
23 General believes that the investigative authority over a
24 matter should be referred to the Office of Executive Inspector

1 General. The Auditor General shall provide all information
2 necessary to facilitate the investigation to the Executive
3 Ethics Commission.