



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3370

Introduced 2/4/2026, by Sen. Jil Tracy

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-45
5 ILCS 430/20-5
5 ILCS 430/25-5
5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Provides that an employer shall not knowingly offer employment, compensation, or fees for services to a person if that person is prohibited by the Act's revolving door prohibitions from accepting employment, compensation, or fees for services from that employer. Grants the Executive Ethics Commission and the Legislative Ethics Commission jurisdiction over employers who make offers of employment, compensation, or fees for services in violation of this prohibition. Authorizes an ethics commission to impose a penalty of up to 3 times the total annual compensation that was offered in violation of this prohibition.

LRB104 18795 BDA 32238 b

1 AN ACT concerning 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 Section 5-45, 20-5, 25-5, and 50-5 as
6 follows:

7 (5 ILCS 430/5-45)

8 Sec. 5-45. Procurement; revolving door prohibition.

9 (a) No former officer, member, or State employee, or
10 spouse or immediate family member living with such person,
11 shall, within a period of one year immediately after
12 termination of State employment, knowingly accept employment
13 or receive compensation or fees for services from a person or
14 entity if the officer, member, or State employee, during the
15 year immediately preceding termination of State employment,
16 participated personally and substantially in the award or
17 fiscal administration of State contracts, or the issuance of
18 State contract change orders, with a cumulative value of
19 \$25,000 or more to the person or entity, or its parent or
20 subsidiary.

21 (a-5) No officer, member, or spouse or immediate family
22 member living with such person shall, during the officer or
23 member's term in office or within a period of 2 years

1 immediately leaving office, hold an ownership interest, other
2 than a passive interest in a publicly traded company, in any
3 gaming license under the Illinois Gambling Act, the Video
4 Gaming Act, the Illinois Horse Racing Act of 1975, or the
5 Sports Wagering Act. Any member of the General Assembly or
6 spouse or immediate family member living with such person who
7 has an ownership interest, other than a passive interest in a
8 publicly traded company, in any gaming license under the
9 Illinois Gambling Act, the Illinois Horse Racing Act of 1975,
10 the Video Gaming Act, or the Sports Wagering Act at the time of
11 the effective date of this amendatory Act of the 101st General
12 Assembly shall divest himself or herself of such ownership
13 within one year after the effective date of this amendatory
14 Act of the 101st General Assembly. No State employee who works
15 for the Illinois Gaming Board or Illinois Racing Board or
16 spouse or immediate family member living with such person
17 shall, during State employment or within a period of 2 years
18 immediately after termination of State employment, hold an
19 ownership interest, other than a passive interest in a
20 publicly traded company, in any gaming license under the
21 Illinois Gambling Act, the Video Gaming Act, the Illinois
22 Horse Racing Act of 1975, or the Sports Wagering Act.

23 (a-10) This subsection (a-10) applies on and after June
24 25, 2021. No officer, member, or spouse or immediate family
25 member living with such person, shall, during the officer or
26 member's term in office or within a period of 2 years

1 immediately after leaving office, hold an ownership interest,
2 other than a passive interest in a publicly traded company, in
3 any cannabis business establishment which is licensed under
4 the Cannabis Regulation and Tax Act. Any member of the General
5 Assembly or spouse or immediate family member living with such
6 person who has an ownership interest, other than a passive
7 interest in a publicly traded company, in any cannabis
8 business establishment which is licensed under the Cannabis
9 Regulation and Tax Act at the time of the effective date of
10 this amendatory Act of the 101st General Assembly shall divest
11 himself or herself of such ownership within one year after the
12 effective date of this amendatory Act of the 101st General
13 Assembly.

14 No State employee who works for any State agency that
15 regulates cannabis business establishment license holders who
16 participated personally and substantially in the award of
17 licenses under the Cannabis Regulation and Tax Act or a spouse
18 or immediate family member living with such person shall,
19 during State employment or within a period of 2 years
20 immediately after termination of State employment, hold an
21 ownership interest, other than a passive interest in a
22 publicly traded company, in any cannabis license under the
23 Cannabis Regulation and Tax Act.

24 (b) No former officer of the executive branch or State
25 employee of the executive branch with regulatory or licensing
26 authority, or spouse or immediate family member living with

1 such person, shall, within a period of one year immediately
2 after termination of State employment, knowingly accept
3 employment or receive compensation or fees for services from a
4 person or entity if the officer or State employee, during the
5 year immediately preceding termination of State employment,
6 participated personally and substantially in making a
7 regulatory or licensing decision that directly applied to the
8 person or entity, or its parent or subsidiary.

9 (b-5) Beginning January 1, 2022, no former officer of the
10 executive branch shall engage in activities at the State level
11 that require registration under the Lobbyist Registration Act
12 during the term of which he or she was elected or appointed
13 until 6 months after leaving office.

14 (b-7) Beginning the second Wednesday in January of 2023,
15 no former member shall engage in activities at the State level
16 that require registration under the Lobbyist Registration Act
17 in a General Assembly of which he or she was a member until 6
18 months after leaving office.

19 (c) Within 6 months after the effective date of this
20 amendatory Act of the 96th General Assembly, each executive
21 branch constitutional officer and legislative leader, the
22 Auditor General, and the Joint Committee on Legislative
23 Support Services shall adopt a policy delineating which State
24 positions under his or her jurisdiction and control, by the
25 nature of their duties, may have the authority to participate
26 personally and substantially in the award or fiscal

1 administration of State contracts or in regulatory or
2 licensing decisions. The Governor shall adopt such a policy
3 for all State employees of the executive branch not under the
4 jurisdiction and control of any other executive branch
5 constitutional officer.

6 The policies required under subsection (c) of this Section
7 shall be filed with the appropriate ethics commission
8 established under this Act or, for the Auditor General, with
9 the Office of the Auditor General.

10 (d) Each Inspector General shall have the authority to
11 determine that additional State positions under his or her
12 jurisdiction, not otherwise subject to the policies required
13 by subsection (c) of this Section, are nonetheless subject to
14 the notification requirement of subsection (f) below due to
15 their involvement in the award or fiscal administration of
16 State contracts or in regulatory or licensing decisions.

17 (e) The Joint Committee on Legislative Support Services,
18 the Auditor General, and each of the executive branch
19 constitutional officers and legislative leaders subject to
20 subsection (c) of this Section shall provide written
21 notification to all employees in positions subject to the
22 policies required by subsection (c) or a determination made
23 under subsection (d): (1) upon hiring, promotion, or transfer
24 into the relevant position; and (2) at the time the employee's
25 duties are changed in such a way as to qualify that employee.
26 An employee receiving notification must certify in writing

1 that the person was advised of the prohibition and the
2 requirement to notify the appropriate Inspector General in
3 subsection (f).

4 (f) Any State employee in a position subject to the
5 policies required by subsection (c) or to a determination
6 under subsection (d), but who does not fall within the
7 prohibition of subsection (h) below, who is offered non-State
8 employment during State employment or within a period of one
9 year immediately after termination of State employment shall,
10 prior to accepting such non-State employment, notify the
11 appropriate Inspector General. Within 10 calendar days after
12 receiving notification from an employee in a position subject
13 to the policies required by subsection (c), such Inspector
14 General shall make a determination as to whether the State
15 employee is restricted from accepting such employment by
16 subsection (a) or (b). In making a determination, in addition
17 to any other relevant information, an Inspector General shall
18 assess the effect of the prospective employment or
19 relationship upon decisions referred to in subsections (a) and
20 (b), based on the totality of the participation by the former
21 officer, member, or State employee in those decisions. A
22 determination by an Inspector General must be in writing,
23 signed and dated by the Inspector General, and delivered to
24 the subject of the determination within 10 calendar days or
25 the person is deemed eligible for the employment opportunity.
26 For purposes of this subsection, "appropriate Inspector

1 General" means (i) for members and employees of the
2 legislative branch, the Legislative Inspector General; (ii)
3 for the Auditor General and employees of the Office of the
4 Auditor General, the Inspector General provided for in Section
5 30-5 of this Act; and (iii) for executive branch officers and
6 employees, the Inspector General having jurisdiction over the
7 officer or employee. Notice of any determination of an
8 Inspector General and of any such appeal shall be given to the
9 ultimate jurisdictional authority, the Attorney General, and
10 the Executive Ethics Commission.

11 (g) An Inspector General's determination regarding
12 restrictions under subsection (a) or (b) may be appealed to
13 the appropriate Ethics Commission by the person subject to the
14 decision or the Attorney General no later than the 10th
15 calendar day after the date of the determination.

16 On appeal, the Ethics Commission or Auditor General shall
17 seek, accept, and consider written public comments regarding a
18 determination. In deciding whether to uphold an Inspector
19 General's determination, the appropriate Ethics Commission or
20 Auditor General shall assess, in addition to any other
21 relevant information, the effect of the prospective employment
22 or relationship upon the decisions referred to in subsections
23 (a) and (b), based on the totality of the participation by the
24 former officer, member, or State employee in those decisions.
25 The Ethics Commission shall decide whether to uphold an
26 Inspector General's determination within 10 calendar days or

1 the person is deemed eligible for the employment opportunity.

2 (h) The following officers, members, or State employees
3 shall not, within a period of one year immediately after
4 termination of office or State employment, knowingly accept
5 employment or receive compensation or fees for services from a
6 person or entity if the person or entity or its parent or
7 subsidiary, during the year immediately preceding termination
8 of State employment, was a party to a State contract or
9 contracts with a cumulative value of \$25,000 or more involving
10 the officer, member, or State employee's State agency, or was
11 the subject of a regulatory or licensing decision involving
12 the officer, member, or State employee's State agency,
13 regardless of whether he or she participated personally and
14 substantially in the award or fiscal administration of the
15 State contract or contracts or the making of the regulatory or
16 licensing decision in question:

17 (1) members or officers;

18 (2) members of a commission or board created by the
19 Illinois Constitution;

20 (3) persons whose appointment to office is subject to
21 the advice and consent of the Senate;

22 (4) the head of a department, commission, board,
23 division, bureau, authority, or other administrative unit
24 within the government of this State;

25 (5) chief procurement officers, State purchasing
26 officers, and their designees whose duties are directly

1 related to State procurement;

2 (6) chiefs of staff, deputy chiefs of staff, associate
3 chiefs of staff, assistant chiefs of staff, and deputy
4 governors, or any other position that holds an equivalent
5 level of managerial oversight;

6 (7) employees of the Illinois Racing Board; and

7 (8) employees of the Illinois Gaming Board.

8 (i) For the purposes of this Section, with respect to
9 officers or employees of a regional transit board, as defined
10 in this Act, the phrase "person or entity" does not include:

11 (i) the United States government, (ii) the State, (iii)
12 municipalities, as defined under Article VII, Section 1 of the
13 Illinois Constitution, (iv) units of local government, as
14 defined under Article VII, Section 1 of the Illinois
15 Constitution, or (v) school districts.

16 (j) An employer shall not knowingly offer employment,
17 compensation, or fees for services to a person if that person
18 is prohibited by this Section from accepting employment,
19 compensation, or fees for services from that employer.

20 (Source: P.A. 101-31, eff. 6-28-19; 101-593, eff. 12-4-19;
21 102-664, eff. 1-1-22.)

22 (5 ILCS 430/20-5)

23 Sec. 20-5. Executive Ethics Commission.

24 (a) The Executive Ethics Commission is created.

25 (b) The Executive Ethics Commission shall consist of 9

1 commissioners. The Governor shall appoint 5 commissioners, and
2 the Attorney General, Secretary of State, Comptroller, and
3 Treasurer shall each appoint one commissioner. Appointments
4 shall be made by and with the advice and consent of the Senate
5 by three-fifths of the elected members concurring by record
6 vote. Any nomination not acted upon by the Senate within 60
7 session days of the receipt thereof shall be deemed to have
8 received the advice and consent of the Senate. If, during a
9 recess of the Senate, there is a vacancy in an office of
10 commissioner, the appointing authority shall make a temporary
11 appointment until the next meeting of the Senate when the
12 appointing authority shall make a nomination to fill that
13 office. No person rejected for an office of commissioner
14 shall, except by the Senate's request, be nominated again for
15 that office at the same session of the Senate or be appointed
16 to that office during a recess of that Senate. No more than 5
17 commissioners may be of the same political party.

18 The terms of the initial commissioners shall commence upon
19 qualification. Four initial appointees of the Governor, as
20 designated by the Governor, shall serve terms running through
21 June 30, 2007. One initial appointee of the Governor, as
22 designated by the Governor, and the initial appointees of the
23 Attorney General, Secretary of State, Comptroller, and
24 Treasurer shall serve terms running through June 30, 2008. The
25 initial appointments shall be made within 60 days after the
26 effective date of this Act.

1 After the initial terms, commissioners shall serve for
2 4-year terms commencing on July 1 of the year of appointment
3 and running through June 30 of the fourth following year.
4 Commissioners may be reappointed to one or more subsequent
5 terms.

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

9 Terms shall run regardless of whether the position is
10 filled.

11 (c) The appointing authorities shall appoint commissioners
12 who have experience holding governmental office or employment
13 and shall appoint commissioners from the general public. A
14 person is not eligible to serve as a commissioner if that
15 person (i) has been convicted of a felony or a crime of
16 dishonesty or moral turpitude, (ii) is, or was within the
17 preceding 12 months, engaged in activities that require
18 registration under the Lobbyist Registration Act, (iii) is
19 related to the appointing authority, or (iv) is a State
20 officer or employee.

21 (d) The Executive Ethics Commission shall have
22 jurisdiction over all officers and employees of State agencies
23 other than the General Assembly, the Senate, the House of
24 Representatives, the President and Minority Leader of the
25 Senate, the Speaker and Minority Leader of the House of
26 Representatives, the Senate Operations Commission, the

1 legislative support services agencies, and the Office of the
2 Auditor General. The Executive Ethics Commission shall have
3 jurisdiction over all board members and employees of Regional
4 Transit Boards, ~~and~~ all board members and employees of
5 Regional Development Authorities, and all employers who make
6 offers of employment, compensation, or fees for services in
7 violation of subsection (j) of Section 5-45. The jurisdiction
8 of the Commission is limited to matters arising under this
9 Act, except as provided in subsection (d-5).

10 A member or legislative branch State employee serving on
11 an executive branch board or commission remains subject to the
12 jurisdiction of the Legislative Ethics Commission and is not
13 subject to the jurisdiction of the Executive Ethics
14 Commission.

15 (d-5) The Executive Ethics Commission shall have
16 jurisdiction over all chief procurement officers and
17 procurement compliance monitors and their respective staffs.
18 The Executive Ethics Commission shall have jurisdiction over
19 any matters arising under the Illinois Procurement Code if the
20 Commission is given explicit authority in that Code.

21 (d-6) (1) The Executive Ethics Commission shall have
22 jurisdiction over the Illinois Power Agency and its staff. The
23 Director of the Agency shall be appointed by a majority of the
24 commissioners of the Executive Ethics Commission, subject to
25 Senate confirmation, for a term of 2 years. The Director is
26 removable for cause by a majority of the Commission upon a

1 finding of neglect, malfeasance, absence, or incompetence.

2 (2) In case of a vacancy in the office of Director of the
3 Illinois Power Agency during a recess of the Senate, the
4 Executive Ethics Commission may make a temporary appointment
5 until the next meeting of the Senate, at which time the
6 Executive Ethics Commission shall nominate some person to fill
7 the office, and any person so nominated who is confirmed by the
8 Senate shall hold office during the remainder of the term and
9 until his or her successor is appointed and qualified. Nothing
10 in this subsection shall prohibit the Executive Ethics
11 Commission from removing a temporary appointee or from
12 appointing a temporary appointee as the Director of the
13 Illinois Power Agency.

14 (3) Prior to June 1, 2012, the Executive Ethics Commission
15 may, until the Director of the Illinois Power Agency is
16 appointed and qualified or a temporary appointment is made
17 pursuant to paragraph (2) of this subsection, designate some
18 person as an acting Director to execute the powers and
19 discharge the duties vested by law in that Director. An acting
20 Director shall serve no later than 60 calendar days, or upon
21 the making of an appointment pursuant to paragraph (1) or (2)
22 of this subsection, whichever is earlier. Nothing in this
23 subsection shall prohibit the Executive Ethics Commission from
24 removing an acting Director or from appointing an acting
25 Director as the Director of the Illinois Power Agency.

26 (4) No person rejected by the Senate for the office of

1 Director of the Illinois Power Agency shall, except at the
2 Senate's request, be nominated again for that office at the
3 same session or be appointed to that office during a recess of
4 that Senate.

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

8 (e) The Executive Ethics Commission must meet, either in
9 person or by other technological means, at least monthly and
10 as often as necessary. At the first meeting of the Executive
11 Ethics Commission, the commissioners shall choose from their
12 number a chairperson and other officers that they deem
13 appropriate. The terms of officers shall be for 2 years
14 commencing July 1 and running through June 30 of the second
15 following year. Meetings shall be held at the call of the
16 chairperson or any 3 commissioners. Official action by the
17 Commission shall require the affirmative vote of 5
18 commissioners, and a quorum shall consist of 5 commissioners.
19 Commissioners shall receive compensation in an amount equal to
20 the compensation of members of the State Board of Elections
21 and may be reimbursed for their reasonable expenses actually
22 incurred in the performance of their duties.

23 (f) No commissioner or employee of the Executive Ethics
24 Commission may during his or her term of appointment or
25 employment:

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

1 (2) hold any other elected or appointed public office
2 except for appointments on governmental advisory boards or
3 study commissions or as otherwise expressly authorized by
4 law;

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

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

10 (g) An appointing authority may remove a commissioner only
11 for cause.

12 (h) The Executive Ethics Commission shall appoint an
13 Executive Director. The compensation of the Executive Director
14 shall be as determined by the Commission. The Executive
15 Director of the Executive Ethics Commission may employ and
16 determine the compensation of staff, as appropriations permit.

17 (i) The Executive Ethics Commission shall appoint, by a
18 majority of the members appointed to the Commission, chief
19 procurement officers and may appoint procurement compliance
20 monitors in accordance with the provisions of the Illinois
21 Procurement Code. The compensation of a chief procurement
22 officer and procurement compliance monitor shall be determined
23 by the Commission.

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

25 (5 ILCS 430/25-5)

1 (Text of Section before amendment by P.A. 104-435)

2 Sec. 25-5. Legislative Ethics Commission.

3 (a) The Legislative Ethics Commission is created.

4 (b) The Legislative Ethics Commission shall consist of 8
5 commissioners appointed 2 each by the President and Minority
6 Leader of the Senate and the Speaker and Minority Leader of the
7 House of Representatives.

8 The terms of the initial commissioners shall commence upon
9 qualification. Each appointing authority shall designate one
10 appointee who shall serve for a 2-year term running through
11 June 30, 2005. Each appointing authority shall designate one
12 appointee who shall serve for a 4-year term running through
13 June 30, 2007. The initial appointments shall be made within
14 60 days after the 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 A vacancy shall occur upon a commissioner's death,
21 resignation, removal, disqualification, termination of
22 legislative service in the house or caucus of the appointing
23 authority, or other inability to act. Vacancies occurring
24 other than at the end of a term shall be filled by the
25 appointing authority only for the balance of the term of the
26 commissioner whose office is vacant.

1 Terms shall run regardless of whether the position is
2 filled.

3 (c) The appointing authorities shall appoint commissioners
4 who have experience holding governmental office or employment
5 and may appoint commissioners who are members of the General
6 Assembly as well as commissioners from the general public. A
7 commissioner who is a member of the General Assembly must
8 recuse himself or herself from participating in any matter
9 relating to any investigation or proceeding in which he or she
10 is the subject or is a complainant. A person is not eligible to
11 serve as a commissioner if that person (i) has been convicted
12 of a felony or a crime of dishonesty or moral turpitude, (ii)
13 is, or was within the preceding 12 months, engaged in
14 activities that require registration under the Lobbyist
15 Registration Act, (iii) is a relative of the appointing
16 authority, (iv) is a State officer or employee other than a
17 member of the General Assembly, or (v) is a candidate for
18 statewide, federal, or judicial office.

19 (c-5) If a commissioner is required to recuse himself or
20 herself from participating in a matter as provided in
21 subsection (c), the recusal shall create a temporary vacancy
22 for the limited purpose of consideration of the matter for
23 which the commissioner recused himself or herself, and the
24 appointing authority for the recusing commissioner shall make
25 a temporary appointment to fill the vacancy for consideration
26 of the matter for which the commissioner recused himself or

1 herself.

2 (d) The Legislative Ethics Commission shall have
3 jurisdiction over current and former members of the General
4 Assembly regarding events occurring during a member's term of
5 office and current and former State employees regarding events
6 occurring during any period of employment where the State
7 employee's ultimate jurisdictional authority is (i) a
8 legislative leader, (ii) the Senate Operations Commission, or
9 (iii) the Joint Committee on Legislative Support Services. The
10 Legislative Ethics Commission shall have jurisdiction over
11 complainants and respondents in violation of subsection (d) of
12 Section 25-90, and it shall also have jurisdiction over
13 employers who make offers of employment, compensation, or fees
14 for services in violation of subsection (j) of Section 5-45.
15 The jurisdiction of the Commission is limited to matters
16 arising under this Act.

17 An officer or executive branch State employee serving on a
18 legislative branch board or commission remains subject to the
19 jurisdiction of the Executive Ethics Commission and is not
20 subject to the jurisdiction of the Legislative Ethics
21 Commission.

22 (e) The Legislative Ethics Commission must meet, either in
23 person or by other technological means, monthly or as often as
24 necessary. At the first meeting of the Legislative Ethics
25 Commission, the commissioners shall choose from their number a
26 chairperson and other officers that they deem appropriate. The

1 terms of officers shall be for 2 years commencing July 1 and
2 running through June 30 of the second following year. Meetings
3 shall be held at the call of the chairperson or any 3
4 commissioners. Official action by the Commission shall require
5 the affirmative vote of 5 commissioners, and a quorum shall
6 consist of 5 commissioners. Commissioners shall receive no
7 compensation but may be reimbursed for their reasonable
8 expenses actually incurred in the performance of their duties.

9 (f) No commissioner, other than a commissioner who is a
10 member of the General Assembly, or employee of the Legislative
11 Ethics Commission may during his or her term of appointment or
12 employment:

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

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

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

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

23 (f-5) No commissioner who is a member of the General
24 Assembly may be a candidate for statewide, federal, or
25 judicial office. If a commissioner who is a member of the
26 General Assembly files petitions to be a candidate for a

1 statewide, federal, or judicial office, he or she shall be
2 deemed to have resigned from his or her position as a
3 commissioner on the date his or her name is certified for the
4 ballot by the State Board of Elections or local election
5 authority and his or her position as a commissioner shall be
6 deemed vacant. Such person may not be reappointed to the
7 Commission during any time he or she is a candidate for
8 statewide, federal, or judicial office.

9 (g) An appointing authority may remove a commissioner only
10 for cause.

11 (h) The Legislative Ethics Commission shall appoint an
12 Executive Director subject to the approval of at least 3 of the
13 4 legislative leaders. The compensation of the Executive
14 Director shall be as determined by the Commission. The
15 Executive Director of the Legislative Ethics Commission may
16 employ, subject to the approval of at least 3 of the 4
17 legislative leaders, and determine the compensation of staff,
18 as appropriations permit.

19 (i) In consultation with the Legislative Inspector
20 General, the Legislative Ethics Commission may develop
21 comprehensive training for members and employees under its
22 jurisdiction that includes, but is not limited to, sexual
23 harassment, employment discrimination, and workplace civility.
24 The training may be recommended to the ultimate jurisdictional
25 authorities and may be approved by the Commission to satisfy
26 the sexual harassment training required under Section 5-10.5

1 or be provided in addition to the annual sexual harassment
2 training required under Section 5-10.5. The Commission may
3 seek input from governmental agencies or private entities for
4 guidance in developing such training.

5 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 8-9-19;
6 101-617, eff. 12-20-19; 102-664, eff. 1-1-22.)

7 (Text of Section after amendment by P.A. 104-435)

8 Sec. 25-5. Legislative Ethics Commission.

9 (a) The Legislative Ethics Commission is created.

10 (b) The Legislative Ethics Commission shall consist of 8
11 commissioners appointed 2 each by the President and Minority
12 Leader of the Senate and the Speaker and Minority Leader of the
13 House of Representatives.

14 The terms of the initial commissioners shall commence upon
15 qualification. Each appointing authority shall designate one
16 appointee who shall serve for a 2-year term running through
17 June 30, 2005. Each appointing authority shall designate one
18 appointee who shall serve for a 4-year term running through
19 June 30, 2007. The initial appointments shall be made within
20 60 days after the effective date of this Act.

21 After the initial terms, commissioners shall serve for
22 4-year terms commencing on July 1 of the year of appointment
23 and running through June 30 of the fourth following year.
24 Commissioners may be reappointed to one or more subsequent
25 terms.

1 A vacancy shall occur upon a commissioner's death,
2 resignation, removal, disqualification, termination of
3 legislative service in the house or caucus of the appointing
4 authority, or other inability to act. Vacancies occurring
5 other than at the end of a term shall be filled by the
6 appointing authority only for the balance of the term of the
7 commissioner whose office is vacant.

8 Terms shall run regardless of whether the position is
9 filled.

10 (c) The appointing authorities shall appoint commissioners
11 who have experience holding governmental office or employment
12 and may appoint commissioners who are members of the General
13 Assembly as well as commissioners from the general public. A
14 commissioner who is a member of the General Assembly must
15 recuse himself or herself from participating in any matter
16 relating to any investigation or proceeding in which he or she
17 is the subject or is a complainant. A person is not eligible to
18 serve as a commissioner if that person (i) has been convicted
19 of a felony or a crime of dishonesty or moral turpitude, (ii)
20 is, or was within the preceding 12 months, engaged in
21 activities that require registration under the Lobbyist
22 Registration Act, (iii) is a relative of the appointing
23 authority, (iv) is a State officer or employee other than a
24 member of the General Assembly, or (v) is a candidate for
25 statewide, federal, or judicial office.

26 (c-5) If a commissioner is required to recuse himself or

1 herself from participating in a matter as provided in
2 subsection (c), the recusal shall create a temporary vacancy
3 for the limited purpose of consideration of the matter for
4 which the commissioner recused himself or herself, and the
5 appointing authority for the recusing commissioner shall make
6 a temporary appointment to fill the vacancy for consideration
7 of the matter for which the commissioner recused himself or
8 herself.

9 (d) The Legislative Ethics Commission shall have
10 jurisdiction over current and former members of the General
11 Assembly regarding events occurring during a member's term of
12 office and current and former State employees regarding events
13 occurring during any period of employment where the State
14 employee's ultimate jurisdictional authority is (i) a
15 legislative leader or (ii) the Joint Committee on Legislative
16 Support Services. The Legislative Ethics Commission shall have
17 jurisdiction over complainants and respondents in violation of
18 subsection (d) of Section 25-90, and it shall also have
19 jurisdiction over employers who make offers of employment,
20 compensation, or fees for services in violation of subsection
21 (j) of Section 5-45. The jurisdiction of the Commission is
22 limited to matters arising under this Act.

23 An officer or executive branch State employee serving on a
24 legislative branch board or commission remains subject to the
25 jurisdiction of the Executive Ethics Commission and is not
26 subject to the jurisdiction of the Legislative Ethics

1 Commission.

2 (e) The Legislative Ethics Commission must meet, either in
3 person or by other technological means, monthly or as often as
4 necessary. At the first meeting of the Legislative Ethics
5 Commission, the commissioners shall choose from their number a
6 chairperson and other officers that they deem appropriate. The
7 terms of officers shall be for 2 years commencing July 1 and
8 running through June 30 of the second following year. Meetings
9 shall be held at the call of the chairperson or any 3
10 commissioners. Official action by the Commission shall require
11 the affirmative vote of 5 commissioners, and a quorum shall
12 consist of 5 commissioners. Commissioners shall receive no
13 compensation but may be reimbursed for their reasonable
14 expenses actually incurred in the performance of their duties.

15 (f) No commissioner, other than a commissioner who is a
16 member of the General Assembly, or employee of the Legislative
17 Ethics Commission may during his or her term of appointment or
18 employment:

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

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

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

26 (4) advocate for the appointment of another person to

1 an appointed or elected office or position or actively
2 participate in any campaign for any elective office.

3 (f-5) No commissioner who is a member of the General
4 Assembly may be a candidate for statewide, federal, or
5 judicial office. If a commissioner who is a member of the
6 General Assembly files petitions to be a candidate for a
7 statewide, federal, or judicial office, he or she shall be
8 deemed to have resigned from his or her position as a
9 commissioner on the date his or her name is certified for the
10 ballot by the State Board of Elections or local election
11 authority and his or her position as a commissioner shall be
12 deemed vacant. Such person may not be reappointed to the
13 Commission during any time he or she is a candidate for
14 statewide, federal, or judicial office.

15 (g) An appointing authority may remove a commissioner only
16 for cause.

17 (h) The Legislative Ethics Commission shall appoint an
18 Executive Director subject to the approval of at least 3 of the
19 4 legislative leaders. The compensation of the Executive
20 Director shall be as determined by the Commission. The
21 Executive Director of the Legislative Ethics Commission may
22 employ, subject to the approval of at least 3 of the 4
23 legislative leaders, and determine the compensation of staff,
24 as appropriations permit.

25 (i) In consultation with the Legislative Inspector
26 General, the Legislative Ethics Commission may develop

1 comprehensive training for members and employees under its
2 jurisdiction that includes, but is not limited to, sexual
3 harassment, employment discrimination, and workplace civility.
4 The training may be recommended to the ultimate jurisdictional
5 authorities and may be approved by the Commission to satisfy
6 the sexual harassment training required under Section 5-10.5
7 or be provided in addition to the annual sexual harassment
8 training required under Section 5-10.5. The Commission may
9 seek input from governmental agencies or private entities for
10 guidance in developing such training.

11 (Source: P.A. 104-435, eff. 7-1-26.)

12 (5 ILCS 430/50-5)

13 Sec. 50-5. Penalties.

14 (a) A person is guilty of a Class A misdemeanor if that
15 person intentionally violates any provision of Section 5-15,
16 5-30, 5-40, or 5-45 or Article 15.

17 (a-1) An ethics commission may levy an administrative fine
18 for a violation of Section 5-45 of this Act of up to 3 times
19 the total annual compensation that was offered or would have
20 been obtained in violation of Section 5-45.

21 (b) A person who intentionally violates any provision of
22 Section 5-20, 5-35, 5-50, or 5-55 is guilty of a business
23 offense subject to a fine of at least \$1,001 and up to \$5,000.

24 (c) A person who intentionally violates any provision of
25 Article 10 is guilty of a business offense and subject to a

1 fine of at least \$1,001 and up to \$5,000.

2 (d) Any person who intentionally makes a false report
3 alleging a violation of any provision of this Act to an ethics
4 commission, an inspector general, the Illinois State Police, a
5 State's Attorney, the Attorney General, or any other law
6 enforcement official is guilty of a Class A misdemeanor.

7 (e) An ethics commission may levy an administrative fine
8 of up to \$5,000 against any person who violates this Act, who
9 intentionally obstructs or interferes with an investigation
10 conducted under this Act by an inspector general, or who
11 intentionally makes a false, frivolous, or bad faith
12 allegation.

13 (f) In addition to any other penalty that may apply,
14 whether criminal or civil, a State employee who intentionally
15 violates any provision of Section 5-5, 5-15, 5-20, 5-30, 5-35,
16 5-45, or 5-50, Article 10, Article 15, or Section 20-90 or
17 25-90 is subject to discipline or discharge by the appropriate
18 ultimate jurisdictional authority.

19 (g) Any person who violates Section 5-65 is subject to a
20 fine of up to \$5,000 per offense, and is subject to discipline
21 or discharge by the appropriate ultimate jurisdictional
22 authority. Each violation of Section 5-65 is a separate
23 offense. Any penalty imposed by an ethics commission shall be
24 separate and distinct from any fines or penalties imposed by a
25 court of law or a State or federal agency.

26 (h) Any natural person or lobbying entity who

1 intentionally violates Section 4.7, paragraph (d) of Section
2 5, or subsection (a-5) of Section 11 of the Lobbyist
3 Registration Act is guilty of a business offense and shall be
4 subject to a fine of up to \$5,000. The Executive Ethics
5 Commission, after the adjudication of a violation of Section
6 4.7 of the Lobbyist Registration Act for which an
7 investigation was initiated by the Inspector General appointed
8 by the Secretary of State under Section 14 of the Secretary of
9 State Act, is authorized to strike or suspend the registration
10 under the Lobbyist Registration Act of any person or lobbying
11 entity for which that person is employed for a period of up to
12 3 years. In addition to any other fine or penalty which may be
13 imposed, the Executive Ethics Commission may also levy an
14 administrative fine of up to \$5,000 for a violation specified
15 under this subsection (h). Any penalty imposed by an ethics
16 commission shall be separate and distinct from any fines or
17 penalties imposed by a court of law or by the Secretary of
18 State under the Lobbyist Registration Act.

19 (Source: P.A. 102-538, eff. 8-20-21.)

20 Section 95. No acceleration or delay. Where this Act makes
21 changes in a statute that is represented in this Act by text
22 that is not yet or no longer in effect (for example, a Section
23 represented by multiple versions), the use of that text does
24 not accelerate or delay the taking effect of (i) the changes
25 made by this Act or (ii) provisions derived from any other

1 Public Act.