

SB3631



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3631

Introduced 2/5/2026, by Sen. Paul Faraci

SYNOPSIS AS INTRODUCED:

5 ILCS 430/5-5

Amends the State Officials and Employees Ethics Act. In provisions regarding personnel policies and work time requirements, specifies that State employees of public institutions of higher education classified as faculty and those not eligible for overtime pay may satisfy the time sheets requirement by complying with the terms of their contract with the public institution of higher education. Effective immediately.

LRB104 20611 JDS 34103 b

A BILL FOR

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 5-5 as follows:

6 (5 ILCS 430/5-5)

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

8 Sec. 5-5. Personnel policies.

9 (a) Each of the following shall adopt and implement
10 personnel policies for all State employees under his, her, or
11 its jurisdiction and control: (i) each executive branch
12 constitutional officer, (ii) each legislative leader, (iii)
13 the Senate Operations Commission, with respect to legislative
14 employees under Section 4 of the General Assembly Operations
15 Act, (iv) the Speaker of the House of Representatives, with
16 respect to legislative employees under Section 5 of the
17 General Assembly Operations Act, (v) the Joint Committee on
18 Legislative Support Services, with respect to State employees
19 of the legislative support services agencies, (vi) members of
20 the General Assembly, with respect to legislative assistants,
21 as provided in Section 4 of the General Assembly Compensation
22 Act, (vii) the Auditor General, (viii) the Board of Higher
23 Education, with respect to State employees of public

1 institutions of higher learning except community colleges, and
2 (ix) the Illinois Community College Board, with respect to
3 State employees of community colleges. The Governor shall
4 adopt and implement those policies for all State employees of
5 the executive branch not under the jurisdiction and control of
6 any other executive branch constitutional officer.

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

11 (c) The policies required under subsection (a) shall
12 include policies relating to work time requirements,
13 documentation of time worked, documentation for reimbursement
14 for travel on official State business, compensation, and the
15 earning or accrual of State benefits for all State employees
16 who may be eligible to receive those benefits. No later than 30
17 days after the effective date of this amendatory Act of the
18 100th General Assembly, the policies shall include, at a
19 minimum: (i) a prohibition on sexual harassment; (ii) details
20 on how an individual can report an allegation of sexual
21 harassment, including options for making a confidential report
22 to a supervisor, ethics officer, Inspector General, or the
23 Department of Human Rights; (iii) a prohibition on retaliation
24 for reporting sexual harassment allegations, including
25 availability of whistleblower protections under this Act, the
26 Whistleblower Act, and the Illinois Human Rights Act; and (iv)

1 the consequences of a violation of the prohibition on sexual
2 harassment and the consequences for knowingly making a false
3 report. The policies shall comply with and be consistent with
4 all other applicable laws. The policies shall require State
5 employees to periodically submit time sheets documenting the
6 time spent each day on official State business to the nearest
7 quarter hour; contractual State employees may satisfy the time
8 sheets requirement by complying with the terms of their
9 contract, which shall provide for a means of compliance with
10 this requirement. The policies for State employees shall
11 require those time sheets to be submitted on paper,
12 electronically, or both and to be maintained in either paper
13 or electronic format by the applicable fiscal office for a
14 period of at least 2 years.

15 (d) The policies required under subsection (a) shall be
16 adopted by the applicable entity before February 1, 2004 and
17 shall apply to State employees beginning 30 days after
18 adoption.

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

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

21 Sec. 5-5. Personnel policies.

22 (a) Each of the following shall adopt and implement
23 personnel policies for all State employees under his, her, or
24 its jurisdiction and control: (i) each executive branch
25 constitutional officer, (ii) each legislative leader, (iii)

1 the President of the Senate, with respect to legislative
2 employees under Section 4 of the General Assembly Operations
3 Act, (iv) the Speaker of the House of Representatives, with
4 respect to legislative employees under Section 5 of the
5 General Assembly Operations Act, (v) the Joint Committee on
6 Legislative Support Services, with respect to State employees
7 of the legislative support services agencies, (vi) members of
8 the General Assembly, with respect to legislative assistants,
9 as provided in Section 4 of the General Assembly Compensation
10 Act, (vii) the Auditor General, (viii) the Board of Higher
11 Education, with respect to State employees of public
12 institutions of higher learning except community colleges, and
13 (ix) the Illinois Community College Board, with respect to
14 State employees of community colleges. The Governor shall
15 adopt and implement those policies for all State employees of
16 the executive branch not under the jurisdiction and control of
17 any other executive branch constitutional officer.

18 (b) The policies required under subsection (a) shall be
19 filed with the appropriate ethics commission established under
20 this Act or, for the Auditor General, with the Office of the
21 Auditor General.

22 (c) The policies required under subsection (a) shall
23 include policies relating to work time requirements,
24 documentation of time worked, documentation for reimbursement
25 for travel on official State business, compensation, and the
26 earning or accrual of State benefits for all State employees

1 who may be eligible to receive those benefits. No later than 30
2 days after the effective date of this amendatory Act of the
3 100th General Assembly, the policies shall include, at a
4 minimum: (i) a prohibition on sexual harassment; (ii) details
5 on how an individual can report an allegation of sexual
6 harassment, including options for making a confidential report
7 to a supervisor, ethics officer, Inspector General, or the
8 Department of Human Rights; (iii) a prohibition on retaliation
9 for reporting sexual harassment allegations, including
10 availability of whistleblower protections under this Act, the
11 Whistleblower Act, and the Illinois Human Rights Act; and (iv)
12 the consequences of a violation of the prohibition on sexual
13 harassment and the consequences for knowingly making a false
14 report. The policies shall comply with and be consistent with
15 all other applicable laws. The policies shall require State
16 employees to periodically submit time sheets documenting the
17 time spent each day on official State business to the nearest
18 quarter hour; contractual State employees may satisfy the time
19 sheets requirement by complying with the terms of their
20 contract, which shall provide for a means of compliance with
21 this requirement. In addition, State employees of public
22 institutions of higher education classified as faculty
23 (including tenure system and nontenure system), and those not
24 eligible for overtime pay as defined by the Fair Labor
25 Standards Act, may satisfy the time sheets requirement by
26 complying with the terms of their contract or employment

1 agreement with the public institution of higher education,
2 which shall provide for a means of compliance with this
3 requirement. The policies for State employees shall require
4 those time sheets to be submitted on paper, electronically, or
5 both and to be maintained in either paper or electronic format
6 by the applicable fiscal office for a period of at least 2
7 years.

8 (d) The policies required under subsection (a) shall be
9 adopted by the applicable entity before February 1, 2004 and
10 shall apply to State employees beginning 30 days after
11 adoption.

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

13 Section 95. No acceleration or delay. Where this Act makes
14 changes in a statute that is represented in this Act by text
15 that is not yet or no longer in effect (for example, a Section
16 represented by multiple versions), the use of that text does
17 not accelerate or delay the taking effect of (i) the changes
18 made by this Act or (ii) provisions derived from any other
19 Public Act.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.