



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB3030

Introduced 1/5/2022, by Sen. Jil Tracy

#### SYNOPSIS AS INTRODUCED:

- 5 ILCS 430/25-5
- 5 ILCS 430/25-15
- 5 ILCS 430/25-20
- 5 ILCS 430/25-50
- 5 ILCS 430/25-52

Amends the State Officials and Employees Ethics Act. Provides that the appointing authorities shall (rather than may) appoint both members of the General Assembly and members of the general public to the Legislative Ethics Commission. Provides open meetings requirements for the Commission. Provides that the Commission shall adopt no rule requiring the Legislative Inspector General to seek the Commission's advance approval before commencing any investigation or issuing a subpoena. Provides that any existing rule requiring the Legislative Inspector General to seek the Commission's advance approval before commencing any investigation or issuing a subpoena is void. Provides that the Legislative Inspector General may issue subpoenas to compel the attendance of witnesses for the purposes of testimony and production of documents and other items for inspection and copying and to make service of those subpoenas without the advance approval of the Legislative Ethics Commission. Provides that a complaint with the Legislative Ethics Commission must be filed within 12 months after the Legislative Inspector General's initiation of an investigation (currently, 12 months after receipt of the allegation of the violation or 18 months after the most recent act of the alleged violation or series of violations). Provides that the Legislative Ethics Commission shall make available to the public any summary report in which a subject of the report is a current or former member of the General Assembly, and the Legislative Inspector General found that reasonable cause exists to believe that a violation has occurred. Requires that publicly available summary reports be posted on the websites of the Legislative Ethics Commission and the Legislative Inspector General.

LRB102 23198 RJF 32360 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 Sections 25-5, 25-15, 25-20, 25-50, and  
6 25-52 as follows:

7 (5 ILCS 430/25-5)

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.

1 Commissioners may be reappointed to one or more subsequent  
2 terms.

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

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

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

1 candidate for statewide, federal, or judicial office.

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

11 (d) The Legislative Ethics Commission shall have  
12 jurisdiction over current and former members of the General  
13 Assembly regarding events occurring during a member's term of  
14 office and current and former State employees regarding events  
15 occurring during any period of employment where the State  
16 employee's ultimate jurisdictional authority is (i) a  
17 legislative leader, (ii) the Senate Operations Commission, or  
18 (iii) the Joint Committee on Legislative Support Services. The  
19 Legislative Ethics Commission shall have jurisdiction over  
20 complainants and respondents in violation of subsection (d) of  
21 Section 25-90. The jurisdiction of the Commission is limited  
22 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 (e-5) Except as otherwise provided in this subsection  
16 (e-5), all meetings and hearings of the Commission shall be  
17 open to the public. The Commission may hold administrative  
18 hearings that are closed to the public, but all votes in a  
19 closed administrative hearing must be made public and listed  
20 by case number. The Commission shall make available to the  
21 public a schedule of all dates and times of Commission  
22 meetings on the Illinois General Assembly website. The  
23 Commission shall also make available to the public on the  
24 Illinois General Assembly website a record of all minutes of  
25 meetings held by the Commission and any votes taken therein.  
26 The Commission may redact any confidential information that

1 may be disclosed under the requirements of this subsection  
2 (e-5), but must note of the fact that confidential information  
3 was withheld from disclosure. The Commission shall adopt rules  
4 to implement this subsection (e-5).

5 (f) No commissioner, other than a commissioner who is a  
6 member of the General Assembly, or employee of the Legislative  
7 Ethics Commission may during his or her term of appointment or  
8 employment:

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

10 (2) hold any other elected or appointed public office  
11 except for appointments on governmental advisory boards or  
12 study commissions or as otherwise expressly authorized by  
13 law;

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

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

19 (f-5) No commissioner who is a member of the General  
20 Assembly may be a candidate for statewide, federal, or  
21 judicial office. If a commissioner who is a member of the  
22 General Assembly files petitions to be a candidate for a  
23 statewide, federal, or judicial office, he or she shall be  
24 deemed to have resigned from his or her position as a  
25 commissioner on the date his or her name is certified for the  
26 ballot by the State Board of Elections or local election

1 authority and his or her position as a commissioner shall be  
2 deemed vacant. Such person may not be reappointed to the  
3 Commission during any time he or she is a candidate for  
4 statewide, federal, or judicial office.

5 (g) An appointing authority may remove a commissioner only  
6 for cause.

7 (h) The Legislative Ethics Commission shall appoint an  
8 Executive Director subject to the approval of at least 3 of the  
9 4 legislative leaders. The compensation of the Executive  
10 Director shall be as determined by the Commission. The  
11 Executive Director of the Legislative Ethics Commission may  
12 employ, subject to the approval of at least 3 of the 4  
13 legislative leaders, and determine the compensation of staff,  
14 as appropriations permit.

15 (i) In consultation with the Legislative Inspector  
16 General, the Legislative Ethics Commission may develop  
17 comprehensive training for members and employees under its  
18 jurisdiction that includes, but is not limited to, sexual  
19 harassment, employment discrimination, and workplace civility.  
20 The training may be recommended to the ultimate jurisdictional  
21 authorities and may be approved by the Commission to satisfy  
22 the sexual harassment training required under Section 5-10.5  
23 or be provided in addition to the annual sexual harassment  
24 training required under Section 5-10.5. The Commission may  
25 seek input from governmental agencies or private entities for  
26 guidance in developing such training.

1 (Source: P.A. 101-81, eff. 7-12-19; 101-221, eff. 8-9-19;  
2 101-617, eff. 12-20-19; 102-664, eff. 1-1-22.)

3 (5 ILCS 430/25-15)

4 Sec. 25-15. Duties of the Legislative Ethics Commission.  
5 In addition to duties otherwise assigned by law, the  
6 Legislative Ethics Commission shall have the following duties:

7 (1) To promulgate rules governing the performance of  
8 its duties and the exercise of its powers and governing  
9 the investigations of the Legislative Inspector General;  
10 except that, the Legislative Ethics Commission shall adopt  
11 no rule requiring the Legislative Inspector General to  
12 seek the Commission's advance approval before commencing  
13 any investigation authorized under this Article or issuing  
14 a subpoena under this Article. Any existing rule, as of  
15 the effective date of this amendatory Act of the 102nd  
16 General Assembly, requiring the Legislative Inspector  
17 General to seek the Commission's advance approval before  
18 commencing any investigation or issuing a subpoena is  
19 void. The rules shall be available on the Commission's  
20 website and any proposed changes to the rules must be made  
21 available to the public on the Commission's website no  
22 less than 7 days before the adoption of the changes. Any  
23 person shall be given an opportunity to provide written or  
24 oral testimony before the Commission in support of or  
25 opposition to proposed rules.



1           (2) To conduct administrative hearings and rule on  
2 matters brought before the Commission only upon the  
3 receipt of pleadings filed by the Legislative Inspector  
4 General and not upon its own prerogative, but may appoint  
5 special Legislative Inspectors General as provided in  
6 Section 25-21. Any other allegations of misconduct  
7 received by the Commission from a person other than the  
8 Legislative Inspector General shall be referred to the  
9 Office of the Legislative Inspector General.

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

14           (4) To prepare public information materials to  
15 facilitate compliance, implementation, and enforcement of  
16 this Act.

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

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

24           (7) To issue subpoenas with respect to matters pending  
25 before the Commission, ~~subject to the provisions of this~~  
26 ~~Article and in the discretion of the Commission,~~ to compel

1 the attendance of witnesses for purposes of testimony and  
2 the production of documents and other items for inspection  
3 and copying.

4 (8) To appoint special Legislative Inspectors General  
5 as provided in Section 25-21.

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

10 (10) To conspicuously display on the Commission's  
11 website any vacancies within the Office of the Legislative  
12 Inspector General.

13 (11) To appoint an Acting Legislative Inspector  
14 General in the event of a vacancy in the Office of the  
15 Legislative Inspector General.

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

17 (5 ILCS 430/25-20)

18 Sec. 25-20. Duties of the Legislative Inspector General.  
19 In addition to duties otherwise assigned by law, the  
20 Legislative Inspector General shall have the following duties:

21 (1) To receive and investigate, without advance  
22 approval of the Legislative Ethics Commission, allegations  
23 of violations of this Act and other wrongful acts within  
24 his or her jurisdiction based on a complaint. Except as  
25 otherwise provided in paragraph (1.5), an investigation

1           may not be initiated more than one year after the alleged  
2           wrongful act or the most recent act of a series of alleged  
3           wrongful acts based on the same wrongful conduct except if  
4           there is reasonable cause to believe that fraudulent  
5           concealment has occurred. To constitute fraudulent  
6           concealment sufficient to toll this limitations period,  
7           there must be an affirmative act or representation  
8           calculated to prevent discovery of the fact that a  
9           violation or other wrongful act has occurred. The  
10          Legislative Inspector General shall have the discretion to  
11          determine the appropriate means of investigation as  
12          permitted by law.

13           (1.5) Notwithstanding any provision of law to the  
14          contrary, the Legislative Inspector General, whether  
15          appointed by the Legislative Ethics Commission or the  
16          General Assembly, may initiate an investigation based on  
17          information provided to the Office of the Legislative  
18          Inspector General or the Legislative Ethics Commission  
19          during the period from December 1, 2014 through November  
20          3, 2017. Any investigation initiated under this paragraph  
21          (1.5) must be initiated within one year after the  
22          effective date of this amendatory Act of the 100th General  
23          Assembly.

24           Notwithstanding any provision of law to the contrary,  
25          the Legislative Inspector General, through the Attorney  
26          General, shall have the authority to file a complaint

1 related to any founded violations that occurred during the  
2 period December 1, 2014 through November 3, 2017 to the  
3 Legislative Ethics Commission, and the Commission shall  
4 have jurisdiction to conduct administrative hearings  
5 related to any pleadings filed by the Legislative  
6 Inspector General, provided the complaint is filed with  
7 the Commission no later than 6 months after the summary  
8 report is provided to the Attorney General in accordance  
9 with subsection (c) of Section 25-50.

10 (2) To request information relating to an  
11 investigation from any person when the Legislative  
12 Inspector General deems that information necessary in  
13 conducting an investigation.

14 (3) To issue subpoenas, ~~with the advance approval of~~  
15 ~~the Commission,~~ to compel the attendance of witnesses for  
16 the purposes of testimony and production of documents and  
17 other items for inspection and copying and to make service  
18 of those subpoenas and subpoenas issued under item (7) of  
19 Section 25-15.

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

21 (5) To file pleadings in the name of the Legislative  
22 Inspector General with the Legislative Ethics Commission,  
23 through the Attorney General, as provided in this Article  
24 if the Attorney General finds that reasonable cause exists  
25 to believe that a violation has occurred.

26 (6) To assist and coordinate the ethics officers for

1 State agencies under the jurisdiction of the Legislative  
2 Inspector General and to work with those ethics officers.

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

5 (8) To request, as the Legislative Inspector General  
6 deems appropriate, from ethics officers of State agencies  
7 under his or her jurisdiction, reports or information on  
8 (i) the content of a State agency's ethics training  
9 program and (ii) the percentage of new officers and  
10 employees who have completed ethics training.

11 (9) To establish a policy that ensures the appropriate  
12 handling and correct recording of all investigations of  
13 allegations and to ensure that the policy is accessible  
14 via the Internet in order that those seeking to report  
15 those allegations are familiar with the process and that  
16 the subjects of those allegations are treated fairly.

17 (10) To post information to the Legislative Inspector  
18 General's website explaining to complainants and subjects  
19 of an investigation the legal limitations on the  
20 Legislative Inspector General's ability to provide  
21 information to them and a general overview of the  
22 investigation process.

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

24 (5 ILCS 430/25-50)

25 Sec. 25-50. Investigation reports.

1 (a) If the Legislative Inspector General, upon the  
2 conclusion of an investigation, determines that reasonable  
3 cause exists to believe that a violation has occurred, then  
4 the Legislative Inspector General shall issue a summary report  
5 of the investigation. The report shall be delivered to the  
6 appropriate ultimate jurisdictional authority, to the head of  
7 each State agency affected by or involved in the  
8 investigation, if appropriate, and the member, if any, that is  
9 the subject of the report. The appropriate ultimate  
10 jurisdictional authority or agency head and the member, if  
11 any, that is the subject of the report shall respond to the  
12 summary report within 20 days, in writing, to the Legislative  
13 Inspector General. If the ultimate jurisdictional authority is  
14 the subject of the report, he or she may only respond to the  
15 summary report in his or her capacity as the subject of the  
16 report and shall not respond in his or her capacity as the  
17 ultimate jurisdictional authority. The response shall include  
18 a description of any corrective or disciplinary action to be  
19 imposed. If the appropriate ultimate jurisdictional authority  
20 or the member that is the subject of the report does not  
21 respond within 20 days, or within an extended time as agreed to  
22 by the Legislative Inspector General, the Legislative  
23 Inspector General may proceed under subsection (c) as if a  
24 response had been received. A member receiving and responding  
25 to a report under this Section shall be deemed to be acting in  
26 his or her official capacity.

1 (b) The summary report of the investigation shall include  
2 the following:

3 (1) A description of any allegations or other  
4 information received by the Legislative Inspector General  
5 pertinent to the investigation.

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

8 (3) Recommendations for any corrective or disciplinary  
9 action to be taken in response to any alleged misconduct  
10 described in the report, including, but not limited to,  
11 discharge.

12 (4) Other information the Legislative Inspector  
13 General deems relevant to the investigation or resulting  
14 recommendations.

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

1 Inspector General shall deliver to the Legislative Ethics  
2 Commission a copy of the summary report and response from the  
3 ultimate jurisdictional authority or agency head. If the  
4 Attorney General determines that reasonable cause exists to  
5 believe that a violation has occurred, then the Legislative  
6 Inspector General, represented by the Attorney General, may  
7 file with the Legislative Ethics Commission a complaint. The  
8 complaint shall set forth the alleged violation and the  
9 grounds that exist to support the complaint. Except as  
10 provided under subsection (1.5) of Section 20, the complaint  
11 must be filed with the Commission within 12 months after the  
12 Legislative Inspector General's initiation of an investigation  
13 ~~receipt of the allegation of the violation or within 18 months~~  
14 ~~after the most recent act of the alleged violation or of a~~  
15 ~~series of alleged violations, whichever is later, except where~~  
16 ~~there is reasonable cause to believe that fraudulent~~  
17 ~~concealment has occurred. To constitute fraudulent concealment~~  
18 ~~sufficient to toll this limitations period, there must be an~~  
19 ~~affirmative act or representation calculated to prevent~~  
20 ~~discovery of the fact that a violation has occurred.~~ If a  
21 complaint is not filed with the Commission within 6 months  
22 after notice by the Inspector General to the Commission and  
23 the Attorney General, then the Commission may set a meeting of  
24 the Commission at which the Attorney General shall appear and  
25 provide a status report to the Commission.

26 (c-5) Within 30 days after receiving a response from the



1 appropriate ultimate jurisdictional authority or agency head  
2 under subsection (a), if the Legislative Inspector General  
3 does not believe that a complaint should be filed, the  
4 Legislative Inspector General shall deliver to the Legislative  
5 Ethics Commission a statement setting forth the basis for the  
6 decision not to file a complaint and a copy of the summary  
7 report and response from the ultimate jurisdictional authority  
8 or agency head. The Inspector General may also submit a  
9 redacted version of the summary report and response from the  
10 ultimate jurisdictional authority if the Inspector General  
11 believes either contains information that, in the opinion of  
12 the Inspector General, should be redacted prior to releasing  
13 the report, may interfere with an ongoing investigation, or  
14 identifies an informant or complainant.

15 (c-10) If, after reviewing the documents, the Commission  
16 believes that further investigation is warranted, the  
17 Commission may request that the Legislative Inspector General  
18 provide additional information or conduct further  
19 investigation. The Commission may also refer the summary  
20 report and response from the ultimate jurisdictional authority  
21 to the Attorney General for further investigation or review.  
22 If the Commission requests the Attorney General to investigate  
23 or review, the Commission must notify the Attorney General and  
24 the Legislative Inspector General. The Attorney General may  
25 not begin an investigation or review until receipt of notice  
26 from the Commission. If, after review, the Attorney General

1 determines that reasonable cause exists to believe that a  
2 violation has occurred, then the Attorney General may file a  
3 complaint with the Legislative Ethics Commission. If the  
4 Attorney General concludes that there is insufficient evidence  
5 that a violation has occurred, the Attorney General shall  
6 notify the Legislative Ethics Commission and the appropriate  
7 Legislative Inspector General.

8 (d) A copy of the complaint filed with the Legislative  
9 Ethics Commission must be served on all respondents named in  
10 the complaint and on each respondent's ultimate jurisdictional  
11 authority in the same manner as process is served under the  
12 Code of Civil Procedure.

13 (e) A respondent may file objections to the complaint  
14 within 30 days after notice of the petition has been served on  
15 the respondent.

16 (f) The Commission shall meet, at least 30 days after the  
17 complaint is served on all respondents either in person or by  
18 telephone, in a closed session to review the sufficiency of  
19 the complaint. The Commission shall issue notice by certified  
20 mail, return receipt requested, to the Legislative Inspector  
21 General, the Attorney General, and all respondents of the  
22 Commission's ruling on the sufficiency of the complaint. If  
23 the complaint is deemed to sufficiently allege a violation of  
24 this Act, then the Commission shall include a hearing date  
25 scheduled within 4 weeks after the date of the notice, unless  
26 all of the parties consent to a later date. If the complaint is

1 deemed not to sufficiently allege a violation, then the  
2 Commission shall send by certified mail, return receipt  
3 requested, a notice to the Legislative Inspector General, the  
4 Attorney General, and all respondents the decision to dismiss  
5 the complaint.

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

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

19 (i) The proceedings on any complaint filed with the  
20 Commission shall be conducted pursuant to rules promulgated by  
21 the Commission.

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

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

26 (l) Within 30 days after the issuance of a final

1 administrative decision that concludes that a violation  
2 occurred, the Legislative Ethics Commission shall make public  
3 the entire record of proceedings before the Commission, the  
4 decision, any recommendation, any discipline imposed, and the  
5 response from the agency head or ultimate jurisdictional  
6 authority to the Legislative Ethics Commission.

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

9 (5 ILCS 430/25-52)

10 Sec. 25-52. Release of summary reports.

11 (a) Within 60 days after receipt of a summary report and  
12 response from the ultimate jurisdictional authority or agency  
13 head that resulted in a suspension of at least 3 days or  
14 termination of employment, the Legislative Ethics Commission  
15 shall make available to the public the report and response or a  
16 redacted version of the report and response. The Legislative  
17 Ethics Commission shall also make available to the public any  
18 summary report in which a subject of the report is a current or  
19 former member of the General Assembly, and the Legislative  
20 Inspector General found that reasonable cause exists to  
21 believe that a violation has occurred. The Legislative Ethics  
22 Commission may make available to the public any other summary  
23 report and response of the ultimate jurisdictional authority  
24 or agency head or a redacted version of the report and  
25 response. Publicly available summary reports shall be posted

1 on the websites of the Legislative Ethics Commission and the  
2 Legislative Inspector General.

3 (b) The Legislative Ethics Commission shall redact  
4 information in the summary report that may reveal the identity  
5 of witnesses, complainants, or informants or if the Commission  
6 determines it is appropriate to protect the identity of a  
7 person before publication. The Commission may also redact any  
8 information it believes should not be made public. Prior to  
9 publication, the Commission shall permit the respondents,  
10 Legislative Inspector General, and Attorney General to review  
11 documents to be made public and offer suggestions for  
12 redaction or provide a response that shall be made public with  
13 the summary report.

14 (c) The Legislative Ethics Commission may withhold  
15 publication of the report or response if the Legislative  
16 Inspector General or Attorney General certifies that  
17 publication will interfere with an ongoing investigation.

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