

1 AN ACT concerning ethics.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 State Appointee Disclosure Act.

6 Section 5. Disclosure. Upon appointment to a board,
7 commission, authority, or task force authorized or created by
8 State law, a person must file with the Secretary of State a
9 disclosure of all contracts the person or his or her spouse
10 or immediate family members have with the State and all
11 contracts between the State and an entity in which the person
12 or his or her spouse or immediate family members living with
13 the person have a majority financial interest.

14 Section 10. Penalty. Violation of this Act is a
15 business offense punishable by a fine of \$1,000.

16 Section 15. Administration; public records. The
17 Secretary of State must adopt rules for the implementation
18 and administration of Section 5. Disclosures filed under
19 this Act are public records.

20 Section 90. The Lobbyist Registration Act is amended by
21 adding Section 3.1 as follows:

22 (25 ILCS 170/3.1 new)

23 Sec. 3.1. Prohibition to serve on boards and
24 commissions. Notwithstanding any other law of the State,
25 registered lobbyists may not serve on a board, commission,
26 authority, or task force authorized or created by State law.

1 Section 95. The Illinois Procurement Code is amended by
2 changing Section 50-13 as follows:

3 (30 ILCS 500/50-13)

4 Sec. 50-13. Conflicts of interest.

5 (a) Prohibition. It is unlawful for any person holding
6 an elective office in this State, holding a seat in the
7 General Assembly, or appointed to or employed in any of the
8 offices or agencies of State government and who receives
9 compensation for such employment in excess of 60% of the
10 salary of the Governor of the State of Illinois, or who is an
11 officer or employee of the Capital Development Board or the
12 Illinois Toll Highway Authority, or who is the spouse or
13 minor child of any such person to have or acquire any
14 contract, or any direct pecuniary interest in any contract
15 therein, whether for stationery, printing, paper, or any
16 services, materials, or supplies, that will be wholly or
17 partially satisfied by the payment of funds appropriated by
18 the General Assembly of the State of Illinois or in any
19 contract of the Capital Development Board or the Illinois
20 Toll Highway Authority.

21 (b) Interests. It is unlawful for any firm,
22 partnership, association, or corporation, in which any person
23 listed in subsection (a) is entitled to receive (i) more than
24 7 1/2% of the total distributable income or (ii) an amount in
25 excess of the salary of the Governor, to have or acquire any
26 such contract or direct pecuniary interest therein.

27 (c) Combined interests. It is unlawful for any firm,
28 partnership, association, or corporation, in which any person
29 listed in subsection (a) together with his or her spouse or
30 minor children is entitled to receive (i) more than 15%, in
31 the aggregate, of the total distributable income or (ii) an
32 amount in excess of 2 times the salary of the Governor, to
33 have or acquire any such contract or direct pecuniary

1 interest therein.

2 (c-5) In addition to subsection (a), it is unlawful for
3 an appointed member of a board, commission, authority, or
4 task force authorized or created by State law, the spouse of
5 the appointee, or an immediate family member of the appointee
6 living in the appointee's residence to have or acquire a
7 contract or have or acquire a direct pecuniary interest in a
8 contract with the State that relates to the board,
9 commission, authority, or task force of which he or she is an
10 appointee during and for one year after the person's term of
11 office.

12 (c-10) It is unlawful for a partnership, association, or
13 corporation in which a person subject to subsection (c-5) has
14 majority ownership or managerial responsibility to have or
15 acquire a contract or a direct pecuniary interest in a
16 contract prohibited by subsection (c-5) during and for one
17 year after the person's term of office.

18 (d) Securities. Nothing in this Section invalidates the
19 provisions of any bond or other security previously offered
20 or to be offered for sale or sold by or for the State of
21 Illinois.

22 (e) Prior interests. This Section does not affect the
23 validity of any contract made between the State and an
24 officer or employee of the State or member of the General
25 Assembly, his or her spouse, minor child, or other immediate
26 family member living in his or her residence or any
27 combination of those persons if that contract was in
28 existence before his or her election or employment as an
29 officer, member, or employee. The contract is voidable,
30 however, if it cannot be completed within 365 days after the
31 officer, member, or employee takes office or is employed.

32 (f) Exceptions.

33 (1) Public aid payments. This Section does not
34 apply to payments made for a public aid recipient.

1 (2) Teaching. This Section does not apply to a
2 contract for personal services as a teacher or school
3 administrator between a member of the General Assembly or
4 his or her spouse, or a State officer or employee or his
5 or her spouse, and any school district, public community
6 college district, the University of Illinois, Southern
7 Illinois University, Illinois State University, Eastern
8 Illinois University, Northern Illinois University,
9 Western Illinois University, Chicago State University,
10 Governor State University, or Northeastern Illinois
11 University.

12 (3) Ministerial duties. This Section does not
13 apply to a contract for personal services of a wholly
14 ministerial character, including but not limited to
15 services as a laborer, clerk, typist, stenographer, page,
16 bookkeeper, receptionist, or telephone switchboard
17 operator, made by a spouse or minor child of an elective
18 or appointive State officer or employee or of a member of
19 the General Assembly.

20 (4) Child and family services. This Section does
21 not apply to payments made to a member of the General
22 Assembly, a State officer or employee, his or her spouse
23 or minor child acting as a foster parent, homemaker,
24 advocate, or volunteer for or in behalf of a child or
25 family served by the Department of Children and Family
26 Services.

27 (5) Licensed professionals. Contracts with licensed
28 professionals, provided they are competitively bid or
29 part of a reimbursement program for specific, customary
30 goods and services through the Department of Children and
31 Family Services, the Department of Human Services, the
32 Department of Public Aid, the Department of Public
33 Health, or the Department on Aging.

34 (g) Penalty. A person convicted of a violation of this

1 Section is guilty of a business offense and shall be fined
2 not less than \$1,000 nor more than \$5,000.
3 (Source: P.A. 90-572, eff. 2-6-98.)