

# HB0406



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0406

by Rep. Michael J. Zalewski

### SYNOPSIS AS INTRODUCED:

5 ILCS 430/50-5

Amends the State Officials and Employees Ethics Act. Provides that a person is guilty of a Class 4 felony (currently, a Class A misdemeanor) for violating certain provisions of the Act.

LRB099 04361 JLK 24388 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 50-5 as follows:

6 (5 ILCS 430/50-5)

7 Sec. 50-5. Penalties.

8 (a) A person is guilty of a Class 4 felony ~~A misdemeanor~~ if  
9 that person intentionally violates any provision of Section  
10 5-15, 5-30, 5-40, or 5-45 or Article 15.

11 (a-1) An ethics commission may levy an administrative fine  
12 for a violation of Section 5-45 of this Act of up to 3 times the  
13 total annual compensation that would have been obtained in  
14 violation of Section 5-45.

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

18 (c) A person who intentionally violates any provision of  
19 Article 10 is guilty of a business offense and subject to a  
20 fine of at least \$1,001 and up to \$5,000.

21 (d) Any person who intentionally makes a false report  
22 alleging a violation of any provision of this Act to an ethics  
23 commission, an inspector general, the State Police, a State's

1 Attorney, the Attorney General, or any other law enforcement  
2 official is guilty of a Class A misdemeanor.

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

9 (f) In addition to any other penalty that may apply,  
10 whether criminal or civil, a State employee who intentionally  
11 violates any provision of Section 5-5, 5-15, 5-20, 5-30, 5-35,  
12 5-45, or 5-50, Article 10, Article 15, or Section 20-90 or  
13 25-90 is subject to discipline or discharge by the appropriate  
14 ultimate jurisdictional authority.

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