

ILLINOIS GOVERNMENTAL ETHICS ACT

5 ILCS 420

IN A NUT SHELL

“this Act is meant to ensure ethical standards and disclosure of any economic interests that occur within Illinois government. For this reason, the Act lays out rules of behavior for every type of government worker. From a ban on lobbying to restrictions on non-salary compensation, it is clear that government employees must follow strict financial rules.....

Furthermore, every government official must disclose any economic interests in the form of written statements. This annual ritual is supposed to reveal any conflicts of interest between a public official’s government job and personal finances.”

Dreger Law <http://dregerlaw.com/ethics-and-local-government-law-in-illinois/>

Accessed October 14, 2015

Article 1. is a series of definitions

Article 2. Restricted Activities

Applies only to legislators

Article 3. Code of Conduct has three parts

Part 1. Rules of Conduct for Legislators

Part 2. Ethical Principles for Legislators

Part 3. Ethical principles for persons with legislative interests and for persons who are close economic associates of legislators

Article 3A. Governmental Appointees

Persons appointed to positions or seats on state boards, commissions, etc by the Governor or Legislature.

The article that affects public libraries and library systems is **Article 4A.**

DISCLOSURE OF ECONOMIC INTERESTS

This section is the only section of the Act covered in Illinois Library Laws and Rules in effect April 2015.

The first section defines who has to file “**verified written statements of economic interest**”

Two classes of persons associated with Illinois Heartland fall under these definitions:

1. IHLS employees who have certain specific duties
2. IHLS Board members

IHLS EMPLOYEES

There are currently 9 employees who meet the definition in 4A-101 (i) or “those employed by a unit of local government and who are compensated for their services and who”:

- (1.) are or function as the head of a department....
- (2.) have direct supervisory authority over or direct responsibility formulation, negotiation, issuance of contracts entered into by the unit in the amount of \$1,000 or greater
- (3.) adjudicate, arbitrate or decide any administrative proceeding or review the same or the decision of the administrative proceeding within the authority of local government
- (4.) have the authority to issue or promulgate rules or regulations
- (5.) have supervisory responsibility for 20 or more employees

IHLS BOARD MEMBERS

Under **Article 4A-101 (h)** “Persons appointed to the governing board of a unit of local government or special district...and ...who have the authority to authorize the expenditure of public funds” are required to file.

STATEMENT OF ECONOMIC INTERESTS

Has 10 questions related to individual and family financial relations with businesses, real estate, securities, gifts, honorariums, lobbying and other employment by another government agency

Filed once a year with the County Clerks office of the county in which the Board member or employee resides. Currently online filing is possible in most counties in Illinois.

Filing must be done by the due date usually May1 or May15. Failure to file can result in a late filing fee, a \$100 per day penalty and or forfeiture of office or position.

Penalties for willfully filing a false or incomplete statement may be guilty of a Class A misdemeanor.

These are public documents and may be request under FOIA.