



SENATE BILL 1350 ETHICS REFORM



ILLINOIS SENATE REPUBLICAN CAUCUS

STATEWIDE GRAND JURY FOR PUBLIC CORRUPTION

Not included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Allows the Attorney General to use a statewide grand jury to investigate, indict and prosecute bribery, official misconduct, solicitation misconduct, public contractor misconduct or public contracting violations under state public corruption crimes.

OBJECTIVE:

By providing the Attorney General with the tools to investigate these crimes at the state level, instead of being forced to refer all allegations of this nature to the federal government, we streamline the process and allow state laws to be enforced.

SUPPORTING INFORMATION:

The Illinois Attorney General can already convene a statewide grand jury to investigate certain specified crimes – but not public corruption. The current Statewide Grand Jury Act allows the Attorney General of Illinois to convene a statewide grand jury, but only in certain types of cases involving drugs, gangs, or child pornography. Other states, including Pennsylvania, have adopted statewide grand jury systems that have the power to investigate and prosecute criminal matters relating to the public duties of state officials and employees.

WIRETAP AUTHORITY FOR STATE'S ATTORNEYS

Not included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Amends State RICO law to give wiretap authority to states attorneys to investigate crimes of public corruption.

OBJECTIVE:

Makes further tools available at the state and local level to investigate corruption of public officials.

SUPPORTING INFORMATION:

At least thirty-three states, the Commonwealth of Puerto Rico and the Territory of the United States Virgin Islands have enacted statutes based, to a greater or lesser part, upon the federal Racketeer Influenced and Corrupt Organizations Act. Under current Illinois law, prosecutors cannot even obtain judicial approval for a wiretap in corruption cases, because corruption-related offenses are not included in the wiretap statute. Thus, while state and local prosecutors can use wiretaps to aggressively pursue gang, drug, and gun offenses, they are barred from using wiretaps to aggressively pursue corrupt public officials, no matter how serious the alleged offense.

In contrast, New York state law authorizes wiretap applications for a lengthy list of crimes including bodily harm and violent crimes, sex offenses, burglary, theft, property crimes, financial and fraud crimes, drugs and controlled substances, gambling, bribery, bribing a witness, and other offenses related to public corruption.

LEGISLATIVE INSPECTOR GENERAL INDEPENDENCE/ LEGISLATIVE ETHICS COMMISSION MAKE-UP

Not included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Gives the Legislative Inspector General (LIG) the ability to investigate and issue subpoenas without prior consent of the Legislative Ethics Commission (LEC). Changes the composition of the LEC to make all members of the general public and not sitting legislators.

BILL OBJECTIVE:

Aims to ensure independence of the LIG to investigate complaints against legislators and issue subpoenas without approval from the LEC. By taking legislators out of the process, the bill ensures independence in the investigation of these claims.

SUPPORTING INFORMATION:

The reforms aiming to increase independence for the LIG came at the request of the current LIG who argued that real independence and investigative authority was needed to fulfill the requirements of her office. Multiple reform groups have advocated for the LEC to be made up of members of the public.

LEGISLATOR LOBBYING BAN

Weaker version included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Bans legislators from lobbying other branches of state government, or units of local government for compensation.

BILL OBJECTIVE:

Eliminates loopholes that allow a legislator to leverage their position as an elected official at one level of government, to influence action at another level to their own financial benefit.

SUPPORTING INFORMATION:

In October 2019, former State Representative Luis Arroyo was hit with federal bribery charges on allegations that he had offered "a bribe to a fellow state lawmaker in an effort to influence and reward the lawmaker for supporting legislation that would benefit Arroyo's private lobbying client" Under this legislation this type of work would not be allowed for elected officials.

LEGISLATOR REVOLVING DOOR

Weaker version included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Creates a revolving door legislator to lobbyist prohibition for one year after leaving office or until the end of the current term if a legislator resigns before their term is over, whichever is longer.

BILL OBJECTIVE:

Aims to ensure that, while in office, legislators are focused on serving the public instead of lining up a lucrative lobbying position for personal gain after they leave office.

SUPPORTING INFORMATION:

Various revolving-door prohibitions that have been introduced over a number of General Assemblies have been met with resistance from the majority party.

LEGISLATOR CAMPAIGN FUNDS

Included in Democrats' Ethics Proposal (SB 4)

BILL SUMMARY:

Prohibits a legislator from leaving office and continuing to use their campaign fund if the legislator becomes a lobbyist or is appointed to an office that is confirmed by the Senate.

BILL OBJECTIVE:

Ensures that funds given to legislators to aid in their reelection bids, can't later be used to their personal financial benefit as a lobbyist. Aims to eliminate potential conflicts of interest if a person is appointed to a position confirmed by the Senate by prohibiting them from continuing to use campaign funds that were received to benefit their campaigns for public office.

SUPPORTING INFORMATION:

It is common practice for former legislators that become lobbyists to use their campaign funds for lobbying expenses and political donations that benefit their lobbying clients/business.

In 2019, a former state legislator who was appointed to serve on the State Board of Elections exploited a loophole that allowed them to re-designate their candidate committee, which is not allowed for members of this board, to a political committee and remain in control of those funds while serving on the State Board of Elections.

STATEMENT OF ECONOMIC INTEREST

Included in Democrats' Ethics Proposal (SB 4), but list different questions

BILL SUMMARY:

Updates the statement of economic interest requirements to enhance the disclosure of potential conflicts of interest.

BILL OBJECTIVE:

Aims to increase transparency about the financial interests of legislators to ensure they do not vote on matters for which they have a conflict of interest.

SUPPORTING INFORMATION:

A bipartisan piece of legislation to update the statement of economic interest requirements passed in the Senate but has not been called for a vote in the House.

POLITICAL FUNDRAISING

Included in Democrats' Ethics Proposal (SB 4), but only includes Sangamon County for virtual fundraising

BILL SUMMARY:

Prohibits political fundraising in person in Sangamon County and virtually throughout the state, the day immediately before, during, or after session.