



SENATE BILLS 3636 & 3030 ETHICS REFORM



ILLINOIS SENATE REPUBLICAN CAUCUS

STATEWIDE GRAND JURY FOR PUBLIC CORRUPTION

- SENATE BILL 3636 -

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

- SENATE BILL 3636 -

BILL SUMMARY:

Amends State RICO law to give wiretap authority to state's 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.

LEGISLATOR REVOLVING DOOR

- SENATE BILL 3636 -

BILL SUMMARY:

Strengthens the state's revolving-door protections. Prohibits legislators from accepting lobbying positions for one year after leaving office or until the end of the current term if a legislator resigned before the end of the term, whichever is longer.

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.

LEGISLATOR LOBBYING BAN

- SENATE BILL 3636 -

BILL SUMMARY:

Prohibits a General Assembly member, their spouse, or any immediate family member from lobbying as long as the individual is a member of the General Assembly. Also prohibits a legislator during their term of office from negotiating employment with a lobbying firm (such as a job after their term of office), if that firm lobbies the General Assembly.

LEGISLATIVE INSPECTOR GENERAL INDEPENDENCE/ LEGISLATIVE ETHICS COMMISSION MAKE-UP

- SENATE BILL 3030 -

BILL SUMMARY:

Gives the Legislative Inspector General (LIG) the ability to issue subpoenas without prior consent of the Legislative Ethics Commission (LEC). Changes the composition of the LEC to mandate the inclusion of members of the general public.

OBJECTIVE:

Aims to ensure independence of the LIG to 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 former 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

TRANSPARENT LEGISLATIVE ETHICS COMMISSION MEETINGS

- SENATE BILL 3030 -

BILL SUMMARY:

Requires Legislative Ethics Commission meetings to be open to the public and meetings must be publicly posted.

