



## **Raise the Bar: Ethics reforms to restore government trust**

The shortcomings of Illinois' ethics laws have been highlighted for years by good governance advocates and research groups. Current corruption investigations only underscore the urgent need for change. Illinois long has been near the top of the list among states with the highest numbers of elected officials who have been indicted or charged with wrongdoing. In light of the ongoing federal probe, the time is now to adopt a new package of ethics reforms to send a strong message to would-be abusers of public trust and to all Illinoisans that corruption will not be tolerated.

The following reforms will help government officials restore trust with residents who are exhausted and exasperated by the near-daily headlines about federal probes of public officials whom they should be able to trust to represent them honorably.

### **I. Ban state officials from lobbying local governments**

State law gives local officials the authority to govern their communities. There is an inherent problem with allowing state lawmakers, who grant authority to local governments, to lobby local officials on behalf of private interests. Allowing this practice to continue undermines the notion that state officials can speak on matters of local governments impartially. Local officials should not feel pressured to act by state officials who have some power over their local authority. Banning this practice is a common-sense change that will ensure residents in both levels of government.

- State statute bans lawmakers from lobbying, but that definition is narrowly tailored to restrict a lawmaker from lobbying their colleagues in the General Assembly for legislative action. Changes are needed to expand the definition to include influencing state and local governments on behalf of any individual, association, or corporation for compensation. In addition to influencing legislative action, the definition of lobbying should also include attempts to influence executive and administrative actions.
- The description of legislators' lobbying activities should state that no member of the Illinois General Assembly shall be allowed to engage in lobbying, as defined in the act, other than in the course of their official duties on behalf of the public.

### **II. Restrictions on outside employment**

The Illinois Governmental Ethics Act has very few provisions to restrict lawmakers from outside employment. While a complete ban on outside employment would be problematic, the law should state that lawmakers cannot have direct or indirect financial interests in companies whose interests conflict with any of the state's financial interests.

- Add a provision that a member of the Illinois General Assembly cannot represent a client whose interest is in direct conflict with the state's interests.



### **III. Revolving-Door Policies**

Too often, a lawmaker's retirement or resignation from office is immediately followed by that lawmaker's registration as a lobbyist. When this occurs, the practice and perception is that the former lawmaker is using and benefitting from relationships made while in public office for personal gain. This practice also raises questions about whether the former lawmaker had constituents' best interests in mind during her or his tenure in office. The damage this does to public perception comes at a cost to our government's credibility.

- Require that lawmakers cannot register as lobbyists or lobby Illinois government for at least two years following their departure from office, whether through resignation or election. Illinois is one of only ten states that does not require a cooling-off period before lawmakers can register as lobbyists. The other forty states require cooling-off periods that vary between six months to two years.

### **IV. Strengthen lawmakers' annual financial disclosures**

The annual financial disclosures state lawmakers must file are not specific or detailed enough to be meaningful. The information required to be disclosed falls below the ethical standards for many local government officials, as well as the disclosure standards for federal lawmakers. There have been instances where state officials have not disclosed anything on their annual financial disclosure forms yet, when they move on to a different office, a potential conflict comes to light that was unknown during their time in the Illinois General Assembly. In Illinois, the practice largely has been to leave it up to elected officials to make their own judgment about whether to abstain or remove themselves from decisions and discussions where they may have a conflict of interest. A minimum standard should be set for lawmakers to follow.

- Require that lawmakers disclose the sources of all their income, including the income of spouses.
- Require that lawmakers disclose any clients with whom they work who get business from state contracts or who are regulated by the state.
- Require state lawmakers to report all real estate interests.



**V. Fully empower the Office of the Legislative Inspector General**

The Legislative Inspector General's office was created to serve as a watchdog over the legislative branch of government. It defies common sense that the Legislative Inspector General must receive approval from a group of lawmakers before launching an investigation or before issuing a subpoena. Rather than giving this office the authority it requires to perform independent investigations, it has been perverted and strangled by heavy oversight from the very people it is tasked with overseeing. The Legislative Inspector General office should be given the full, independent authority it needs to complete its duties and to publish all results of founded investigations without interference by lawmakers or other government officials.

- Require that the Legislative Ethics Commission must include some number of unelected members of the public to serve with officeholders.
- Increase the Legislative Inspector General's independence by giving the office the ability to start any investigation, including the ability to subpoena documents and witnesses, without prior approval from the Legislative Ethics Commission.
- Increase transparency and public trust by giving the Office of the Legislative Inspector General the authority to publish the results of founded investigations and summary reports without the prior approval of the Legislative Ethics Commission.

**VI. Lobbyist disclosure of "bundler fundraising"**

Lobbyists currently must disclose who their clients are, as well any direct gifts and purchases they make on behalf of elected officials and government employees, yet this is not enough. Some lobbyists also host political fundraising events or work to collect multiple donations for candidates. Lobbyists who host fundraisers or who bundle and collect multiple donations for candidates have greater influence with those candidates. This influence should be disclosed so the public has a full picture of how money is being funneled to candidates for office and who has influence.

- Require lobbyists to disclose if they are bundling on behalf of candidates or political committees. If a registered lobbyist serves on a political fundraising host committee or creates one, that should be disclosed along with the names of candidate or campaign beneficiaries and others on the fundraising host committee.



**VII. Special elections for Illinois General Assembly replacements**

According to the Illinois Constitution, a vacant General Assembly seat mid-term is often times filled through an appointment process, where political party officials pick the district's new representative. In some cases, the person, either leaving office or who ends up being appointed, gets to vote for who fills the vacancy. This leaves voters without a say in who will represent them for the remainder of the term. 25 other states hold special election to select a replacement, allowing voters to have a say in who represents them.

- Amend the Illinois Constitution to put in place a special election process in the event of a vacancy and give voters a say in who represents them, rather than allowing political party officials to select the successor or vote themselves into office.