



Ethics proposals to restore trust in Illinois government

State Sen. Martin Sandoval. State Rep. Luis Arroyo. State Sen. Tom Cullerton. State Sen. Terry Link. State Sen. Sam McCann. Mike McClain. Former House Speaker Mike Madigan. Illinois' recent corruption indictments and investigations underscore the urgent need for change. Illinois has long been near the top of the list among states with the highest numbers of elected officials convicted of wrongdoing.

Mike Madigan may be gone, but that doesn't mean the problem has been solved. Changing the culture of corruption in Springfield has never been more important. We believe the list of proposals below is the minimum needed to begin to restore people's trust in Illinois' government and send a strong message that corruption will not be tolerated.

I. Ban state officials from lobbying local governments

Problem: There is an inherent problem with allowing state lawmakers to lobby local officials on behalf of private interests. In addition to introducing potentially serious conflicts of interest, local officials should not feel pressured to act by state officials who have power over them.

Solution: Prohibit members of the Illinois General Assembly from engaging in lobbying, as defined in the Lobbying Registration Act, other than in the course of their official duties on behalf of the public.¹

II. Institute a two-year, revolving-door ban

Problem: Too often, a lawmaker's retirement or resignation is immediately followed by registration as a lobbyist. When this occurs, the perception is that the former lawmaker is

¹ **Note:** Any lobbying reforms, including any changes to the definition of lobbyist at the state or local level, must be narrowly tailored so they do not chill speech, prevent normal constituent interactions, or place burdensome requirements on individuals and organizations. An overbroad application at the state or local level can disproportionately impact communities with already existing barriers to political access, such as low-income areas and communities of color.

exploiting relationships made while in public office. It also raises questions about whether the former lawmaker had constituents' best interests in mind during their tenure in office.

Solution: Prohibit lawmakers and high-level staff from engaging in lobbying activities - including "shadow lobbying"² - for at least two years following their departure from office.

III. Strengthen conflict of interest disclosure and recusal requirements

Problem: Currently, state lawmakers are neither required to provide the public with meaningful information about potential conflicts of interest nor to recuse themselves when such conflicts arise in their official duties.

Solution: Improve financial disclosure forms by requiring that officials disclose significant sources of all their income, including the income of spouses and dependent family members. Require disclosure of the value of significant assets and income sources and of clients who provide a significant percentage of filers' income.³

Prevent conflicts of interest by making key parts of the legislative code of conduct enforceable⁴ and requiring lawmakers to recuse themselves from significant official action, such as leading hearings or committee hearings, on matters which present a substantial personal conflict. Provide for official guidance on ethics rules by the Legislative Inspector General and/or the Legislative Ethics Commission.

IV. Empower the Office of the Legislative Inspector General

Problem: It defies common sense that the Legislative Inspector General must receive approval from a group of lawmakers before launching an investigation or issuing a subpoena. This watchdog role has been strangled by heavy oversight from the very people it is tasked with overseeing.

Solution: Give the Legislative Inspector General the ability to open any investigation and subpoena documents and witnesses without prior approval from the Legislative Ethics Commission. Give 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. Require that the Legislative Ethics Commission include non-legislator members of the public, appointed by the Legislative Inspector General, to serve with officeholders.

² For more information about the "shadow lobbying" loophole and how states address it, see Craig Holman & Caralyn Esser, "Slowing the Federal Revolving Door: Reforms to Stop Lobbying Activity by Former Public Officials and States that Lead the Way," July 22, 2019, [Public Citizen](#).

³ Jurisdictions that require client disclosure, including the federal government, California, and New York, exempt clients for whom confidentiality is required by law or professional ethical obligations.

⁴ The code of conduct on conflicts and other ethical issues in the Illinois Governmental Ethics Act can be made enforceable by adding penalties where there are none and expanding the jurisdiction of the Legislative Inspector General and the Legislative Ethics Commission to cover the Act. Jurisdictions with mandatory recusal and other ethical provisions ensure fairness by having their ethics enforcement bodies provide guidance to officials seeking to act ethically.