

REVISED BETWEEN COW AND CC

Chapter 2: Administration

Sec 2-185 Disclosure of Economic Interests and Campaign Finances

(a) Definitions. As used in this section, the following terms are defined as follows:

1. "Covered person" means a person required under Sec. 4A-101.5 of the Illinois Governmental Ethics Act to file a verified written statement of economic interests with the county clerk with respect to the city, ~~excluding those persons required to file such statement because of their candidacy for election to public office in the city, or their membership on any board or commission of the city.~~ The definition of "Candidate" set forth in Section 15-130 of this Code of Ordinances shall apply to when a person becomes a covered person.

2. "Political Committee" has the same definition as set forth in the Illinois Election Code, 10 ILCS 5/9-1.8, and includes a candidate political committee, a political party committee, a political action committee, a ballot initiative committee, and an independent expenditure committee.

3. "Political Action Committee" or "PAC" shall mean any group, organization, or committee registered under the Illinois Election Code or Federal Election Campaign Act that makes contributions, expenditures, or independent

REVISED BETWEEN COW AND CC

expenditures to influence the outcome of an election in the City of Aurora or for candidates for city office.

1-4. "Immediate family" means any individual, **over the age of 18 years**, who resides within the same household as the covered person, including but not limited to the covered person's spouse, domestic partner, child (including adult or stepchild), parent, sibling, or any person for whom the covered person has legal or financial responsibility.

(b) Duty to comply with state law. All covered persons shall file a statement of economic interests in accordance with Illinois Governmental Ethics Act within the time provided by law.

(c) Local disclosure obligations. In addition to the disclosures of economic interests required by state law, each covered person shall disclose the following information:

1. Political committees and PACs. Whether the covered person or immediate family has authorized any political committee or PAC to solicit, receive, and make expenditures in furtherance of their candidacy for any public office; the name of each committee so authorized; and the name of the regulatory agency each committee is registered with.

REVISED BETWEEN COW AND CC

1 2. Outside occupation and employment. Whether the covered
2 person of immediate family is engaged in any outside
3 occupation or employment; the general nature of such
4 outside occupation or employment; the name of the
5 outside organization employing the covered person, and
6 whether any outside entity disclosed by the covered
7 person is or has been contracted by any person to perform
8 work or services on behalf of the city or has received
9 financial assistance of any kind from the city or any
10 entity providing such assistance on behalf of the city;
11 and the nature of said work, services, or financial
12 assistance. The obligations of this section do not apply
13 to outside occupations or employment exempted under sec.
14 2-184(f).

15 3. Ownership of Real Estate. List the City and State of all
16 common address and tax parcel number of any and all real
17 property located within the corporate limits or the one-
18 and-a-half-mile planning jurisdiction of the city in
19 which the covered person or immediate family have a
20 direct or indirect ownership or financial interest
21 presently or within the preceding calendar year, and
22 identify the nature of the ownership interest of the
23 real property. Receipt of city work or funding. Whether
24 any outside entity disclosed by the covered person under

REVISED BETWEEN COW AND CC

~~paragraph (2) above is or has been contracted by any person to perform work or services on behalf of the city or has received financial assistance of any kind from the city or any entity providing such assistance on behalf of the city; and the nature of said work, services, or financial assistance.~~

4. Entity Ownership. List the name of any entity located in whole or in part within the corporate limits of the city or doing business within said limits:

(i) In which the covered person or immediate family have an ownership interest;

(ii) From which the covered person or immediate family receive income in excess of \$2,500;

(iii) Identify whether any entity listed in response to (i) or (ii) is presently doing business or has done business during the preceding calendar year with the city;

~~(i)~~ (iv) Identify whether any entity listed in response to (i) or (ii) has applied to the city for any license, franchise, certificate, annexation, permit, zoning, grant, incentive, or other authorized approval either presently or during the preceding calendar year.

REVISED BETWEEN COW AND CC

1 5. City-Funded and City-Affiliated Organizations. List any
2 organization in which the covered person or immediate
3 family is an employee, officer, board member, or trustee
4 that receives funds from the city or has received funds
5 from the city in the preceding calendar year.

6 5-6. Gifts, Loans and Services. List any person or
7 entity doing business or having contractual relationship
8 with the city or seeking to do business with the city or
9 any entity which has applied to the city for any license,
10 franchise, certificate, annexation, permit, zoning,
11 grant, or incentive, or other authorized approval from
12 whom a covered person or immediate family have received
13 a gift or service, or has been released from any
14 indebtedness, during the preceding calendar year in
15 excess of \$150.00. For purposes of this section "doing
16 business" and "seeking to do business" shall have the
17 same definitions as Section 15-130(h) of this Code.

18 (d) Frequency of disclosure; reporting period. The
19 disclosures required of covered persons under paragraph
20 (c) shall be made annually on or before May 1st of the
21 year. ~~during the first fifteen (15) days of the months of~~
22 ~~January, April, July, and October of each calendar year~~
23 ~~and shall be made with respect to the three (3) months~~
24 ~~immediately preceding each reporting period. Whenever~~

REVISED BETWEEN COW AND CC

1 city offices are closed on May 1st ~~January 31st the~~
2 ~~fifteenth day of a reporting period,~~ the reporting period
3 shall be extended until the next date that city offices
4 are open.

5 (e) Initial disclosures. For first time candidates without
6 current statements of economic interest on file with the
7 city, shall file initial disclosure on date of candidate
8 filing or within 15 days of filing. The disclosures shall
9 be made with respect to the preceding reporting
10 period.~~Whenever a person first becomes a covered person~~
11 ~~as defined in this section, such person shall make the~~
12 ~~disclosures required under paragraph (c) within fifteen~~
13 ~~(15) days of qualification. The disclosures shall be made~~
14 ~~with respect to the preceding quarterly reporting period.~~

15 (f) Manner of disclosure. All disclosures required under
16 paragraph (c) shall be made electronically in a manner
17 and format approved by the city clerk sufficient to
18 capture and preserve all of the information required under
19 paragraph (c). The city clerk is authorized to approve a
20 reporting format that allows a covered person to satisfy
21 the obligations under this section by confirming that the
22 information previously disclosed during the immediately
23 preceding disclosure period remains unchanged.

REVISED BETWEEN COW AND CC

1 (g) Public transparency. The clerk ~~mayor~~ shall cause the
2 information required to be disclosed under this section
3 to be available for public inspection on the city's
4 website along with hyperlinks to any governmental website
5 that provides information as to a covered person's
6 disclosures under the Illinois Governmental Ethics Act
7 and to any election authority with which a covered person
8 has established a political committee.

9 (h) Penalty.

10 1. A covered person who willfully fails to make the
11 disclosures required by this section within the time set
12 forth by statute or herein, shall, in addition to the
13 penalties provided by law or ordinance, be subject to a
14 civil penalty of \$100, with each day of non-compliance
15 constituting a separate violation.

16 2. A covered person who willfully provides false
17 information as part of a disclosure required by this
18 section, shall in addition to the penalties provided by
19 ordinance, be subject to a civil penalty of not less
20 than \$1,000 and not more than \$5,000.

21

REVISED BETWEEN COW AND CC

Chapter 15: Ethics

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Sec 15-130 (b) "Candidate" is defined the same as in the Illinois Election Code, 10 ILCS 5/9-1.3, or as subsequently amended. means an individual who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at a regular election, as defined in Section 13 of the Election Code (10 ILCS 5/13-1).

* * *

Sec 15-130 (h): "Doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the city or any city department in an amount in excess of \$5,000.00 in any 12 consecutive months; and "seeking to do business" means (1) taking any action within the past six months to obtain a contract or business from the city when, if such action were successful, it would result in the person's doing business with the city; and (2) having any matter pending before the city council or any city council committee in the six months prior to the date of the contribution or any matter that will be pending before the city council or any city council committee in the six months after the date of the contribution, if that matter involved the award of loan funds, grant funds or bond proceeds, bond inducement ordinances, leases, land sales, zoning matters, the creation of

REVISED BETWEEN COW AND CC

tax increment financing districts, concession agreements or
establishing or changing property tax classifications.

* * *

Sec 15-320 Political Contributions.

(a) All officers and employees who hold elective city office or become candidates for election to any public office of this State or any of its subdivisions shall comply with the applicable limitations on campaign contributions as set forth in Article 9 of the Election Code of Illinois and as may be adjusted by the State Board of Elections as provided by State law.

(b) No officer or employee, individually or through a political committee acting at his or her behest, shall knowingly accept a campaign contribution or contributions in excess of the amounts authorized by law.

(c) No public official, city employee, candidate for an elective office, lobbyist, officer, employee, or agent of any political organization shall intentionally solicit, accept, offer or make contributions on city property.

(d) No person shall offer or make, and no candidate for city office, such candidate's political committee, or PAC, or person acting on behalf of either of them shall solicit or accept, any contribution that is (a) anonymously given; or

REVISED BETWEEN COW AND CC

1 (b) made or to be made other than in the name of the true
2 donor.

3 * * *

4 Sec 15-321 Limitation of contributing to candidates, elected
5 officials, and Political Action Committees.

6
7 (a) No entity who has done business with the city during the
8 preceding four reporting years or who is seeking to do
9 business with the city shall make contributions in an
10 aggregate amount exceeding \$1500.00:

11 1. To any candidate for city office during a reporting year;

12 or

13 2. To an elected official of the government of the city
14 during any reporting year of the official's term; or

15 3. During a reporting year, to any official or employee of
16 the city who is seeking election to any other office.

17 (b) No lobbyist or government relations specialist shall make
18 a direct or in-kind contribution to any elected official
19 or their authorized political committee or PAC, or to any
20 candidate for elected office or that candidate's authorized
21 political committee or PAC.

22 (c) For purposes of subsection (a) and (b) above, an entity
23 and its subsidiaries, parent company or otherwise
24 affiliated companies, and any of their employees, officers,

REVISED BETWEEN COW AND CC

1 directors and partners who make a political contribution
2 for which they are reimbursed by the entity or its
3 affiliates shall be considered a single person. An employee,
4 officer, director or partner of an entity subject to these
5 restrictions is also subject to these campaign contribution
6 limits if they are:

- 7 1. A general partner, managing member, executive officer,
8 or any individual with a similar status or function; or
- 9 2. They are materially involved in bidding for, negotiating
10 the terms of, or managing implementation of any
11 agreement to do business with the city. The contribution
12 limits apply separately to any entity or person subject
13 to these restrictions except as set forth in this
14 subsection (c).

15 (d) For purposes of subsection (a)-(b) above, (i) A
16 contribution to any political fund-raising committee of a
17 candidate for city office or elected official; or (ii)
18 any political fundraising committee which, during the
19 reporting year in which the contribution is to be made,
20 has itself made contributions or given financial support
21 in excess of 33 percent of that committee's total receipts
22 for the reporting year to a particular candidate for city
23 office, elected official, or the authorized fundraising
24 committee of that candidate or elected official, shall be

REVISED BETWEEN COW AND CC

1 considered a contribution to that candidate or elected
2 official.

3 ~~(a)~~ (e) Except as otherwise provided in this subsection (e), any
4 person who solicits, accepts, offers or makes a financial
5 contribution that violates the limits set forth in this
6 section shall be subject to the penalties provided in this
7 Article; provided, however, such person shall not be deemed
8 in violation of this section if such person returns or
9 requests in writing the return of such financial
10 contribution within 10 calendar days of the recipient's or
11 contributor's knowledge of the violation. Notwithstanding
12 the foregoing, any lobbyist, or any person or entity in
13 which a lobbyist has an ownership interest of more than 5%
14 and whom the lobbyist has lobbied on behalf of in the 12
15 months prior to the date of the contribution, that makes a
16 contribution to any elected official, to an elected
17 official's authorized political committee, or to any
18 candidate for public office or that candidate's authorized
19 political committee, shall be subject to a penalty equal
20 to the amount of the contribution. No person or entity who
21 has been found in violation of Section 15-321 may do
22 business with the city for a period of four years.