

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

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. 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 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
2 18 years, who resides within the same household as the
3 covered person, including but not limited to the covered
4 person's spouse, domestic partner, child (including
5 adult or stepchild), parent, sibling, or any person for
6 whom the covered person has legal or financial
7 responsibility.

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

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

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

23 2. Outside occupation and employment. Whether the covered
24 person or immediate family is engaged in any outside

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

13 3. Ownership of Real Estate. List the city and state of
14 any and all real property located within the corporate
15 limits or the one-and-a-half-mile planning jurisdiction
16 of the city in which the covered person or immediate
17 family have a direct or indirect ownership or financial
18 interest presently or within the preceding calendar year,
19 and identify the nature of the ownership interest of the
20 real property.

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

- 1 (i) In which the covered person or immediate family
2 have an ownership interest;
- 3 (ii) From which the covered person or immediate family
4 receive income in excess of \$2,500;
- 5 (iii) Identify whether any entity listed in response to
6 (i) or (ii) is presently doing business or has done
7 business during the preceding calendar year with
8 the city;
- 9 (iv) Identify whether any entity listed in response to
10 (i) or (ii) has applied to the city for any license,
11 franchise, certificate, annexation, permit, zoning,
12 grant, incentive, or other authorized approval
13 either presently or during the preceding calendar
14 year.
- 15 5. City-Funded and City-Affiliated Organizations. List any
16 organization in which the covered person or immediate
17 family is an employee, officer, board member, or trustee
18 that receives funds from the city or has received funds
19 from the city in the preceding calendar year.
- 20 6. Gifts, Loans and Services. List any person or entity
21 doing business or having contractual relationship with
22 the city or seeking to do business with the city or any
23 entity which has applied to the city for any license,
24 franchise, certificate, annexation, permit, zoning,

1 grant, or incentive, or other authorized approval from
2 whom a covered person or immediate family have received
3 a gift or service, or has been released from any
4 indebtedness, during the preceding calendar year in
5 excess of \$150.00. For purposes of this section "doing
6 business" and "seeking to do business" shall have the
7 same definitions as Section 15-130(h) of this Code.

8 (d) Frequency of disclosure; reporting period. The disclosures
9 required of covered persons under paragraph (c) shall be
10 made annually on or before May 1st of the year. Whenever
11 city offices are closed on May 1st, the reporting period
12 shall be extended until the next date that city offices
13 are open.

14 (e) Initial disclosures. Whenever a person first becomes a
15 covered person as defined in this section, such person
16 shall make the disclosures required under paragraph (c)
17 within fifteen (15) days of qualification. The disclosures
18 shall be made with respect to the preceding reporting
19 period.

20 (f) Manner of disclosure. All disclosures required under
21 paragraph (c) shall be made electronically in a manner and
22 format approved by the city clerk sufficient to capture
23 and preserve all of the information required under
24 paragraph (c). The city clerk is authorized to approve a

1 reporting format that allows a covered person to satisfy
2 the obligations under this section by confirming that the
3 information previously disclosed during the immediately
4 preceding disclosure period remains unchanged.

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

13 (h) Penalty.

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

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

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

Chapter 15: Ethics

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.

* * *

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

* * *

Sec 15-320 Political Contributions.

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

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

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

16 (d) No person shall offer or make, and no candidate for city
17 office, such candidate's political committee, or PAC, or
18 person acting on behalf of either of them shall solicit or
19 accept, any contribution that is (a) anonymously given; or
20 (b) made or to be made other than in the name of the true
21 donor.

22 * * *

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

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

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

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

or

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

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

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

(c) For purposes of subsection (a) and (b) above, an entity and its subsidiaries, parent company or otherwise affiliated companies, and any of their employees, officers, directors and partners who make a political contribution for which they are reimbursed by the entity or its affiliates shall be considered a single person. An employee, officer, director or partner of an entity subject to these

1 restrictions is also subject to these campaign contribution
2 limits if they are:

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

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

23 (e) Except as otherwise provided in this subsection (e), any
24 person who solicits, accepts, offers or makes a financial

1 contribution that violates the limits set forth in this
2 section shall be subject to the penalties provided in this
3 Article; provided, however, such person shall not be deemed
4 in violation of this section if such person returns or
5 requests in writing the return of such financial
6 contribution within 10 calendar days of the recipient's or
7 contributor's knowledge of the violation. Notwithstanding
8 the foregoing, any lobbyist, shall be subject to a penalty
9 equal to the amount of the contribution. No person or
10 entity who has been found in violation of Section 15-321
11 may do business with the city for a period of four years.