



BOARD OF ETHICS
CITY OF CHICAGO

June 4, 2021

We are gratified that the General Assembly heeded our urging that Chicago's lobbying laws *not be superseded* by the ethics and lobbying reform bill recently passed by the General Assembly (SB 539: <https://www.ilga.gov/legislation/102/SB/PDF/10200SB0539ham002.pdf>.) We are gratified because Chicago's lobbying and ethics laws are *stricter* in critical respects than what is in the new state statute. Now our stricter laws will be preserved. The new state statute's home rule pre-emption clause, 25 ILCS 170/11.2, amends Illinois's Lobbyist Registration Act so that, except for the City of Chicago's lobbying and ethics laws, "all existing laws and ordinances [regulating lobbying] that are inconsistent with this Act are hereby superseded." That includes laws stricter than those in this new bill, which is why we in Chicago fought so hard to preserve our laws -- they are stricter in critical respects. Specifically:

- ♦ Chicago, since April 2020, bans all its elected officials and employees from lobbying on behalf of any private client before any government unit in the state, whether for compensation or *gratis*. In contrast, this new state law allows legislators to lobby without compensation and to engage in "occasional" lobbying, for compensation or *gratis*, even of their own colleagues, on behalf of their private, non-government employer. Chicago has absolutely prohibited that since 1987.
- ♦ Chicago, since April 2020, bans elected officials from anywhere in the state, including the General Assembly, from lobbying City officials or employees on behalf of private clients, whether for compensation or *gratis*, period. In contrast, this new state law would allow such lobbying without compensation.
- ♦ Chicago's revolving door lobbying bans are stricter than those in this new state statute. Chicago law has:
 - » Since 2014, banned aldermen from lobbying any City department for one full year after they leave office. This state law would ban elected officials from elsewhere to lobby their own former colleagues or government units after being gone from office for a mere six months.
 - » Since 2011, banned department heads and Mayoral staff from lobbying City-wide for two full years after they leave their City positions, and banned high-level executive officers and appointees (like Deputy Commissioners and commission members) from lobbying their former agency, department, or commission for two years after they leave City service. This state law would allow them to come back to lobby their former colleagues after a mere six months.
- ♦ Finally, Chicago has, since 2013, banned incoming City employees or officials who were lobbyists prior to joining the City from working on City matters involving their pre-City lobbying clients for two full years; the state law has no such ban.

These are the most significant ways in which Chicago's laws will remain stricter than this state law. Still, we are combing this important new statute for *new* ways to further tighten Chicago's ethics and lobbying laws.

William F. Conlon, Chair
Steven I. Berlin, Executive Director