

PROPOSED ORDINANCE AMENDMENT
Sponsored by
THE HONORABLE ANTHONY J. PERAICA, COUNTY COMMISSIONER

ETHICS ORDINANCE AMENDMENT

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Sec. 2-570, Sec. 2-573, Sec. 2-580, Sec. 2-581 and Sec. 2-585, of the Cook County Code is hereby amended as follows:

Subdivision II. Code of Ethical Conduct.

Sec. 2-570. Current and former elected officials; employment restrictions.

(a) Employment restrictions for current County elected officials.

- (1) No elected official shall accept other employment which will impair his or her independence of judgment in the exercise of official duties.
- (2) No elected official shall accept other employment which will impair his or her ability to perform County duties and responsibilities.
- (3) Beginning January 1, 2011, no elected official shall be registered as a lobbyist, be employed as lobbyist, or represent any individual or entity, other than Cook County, for the purpose of lobbying any local, state or federal official.

(b) Employment restrictions for former County elected officials.

- (1) No former elected official, nor any business or firm in which they have a financial interest, shall assist or represent any person other than the County in any judicial or administrative proceeding involving the County if the elected official was counsel of record or participated personally and substantially in the proceeding during his or her term of office. No former elected officials, or any business or firm in which they have a financial interest shall receive any compensation or reimbursement, for a period of two years after the termination of his or her term of office, for assisting or representing the County in any judicial or administrative proceeding.
- (2) No former elected official, nor any business or firm in which they have a financial interest, shall assist or represent any person in any business transaction involving the County, if the elected official participated personally and substantially in that transaction during his or her term of office.
- (3) No former elected official may, for a period of two years after the

termination of his or her term of office, knowingly accept employment or receive compensation or fees for services from an employer if the elected official, during the year immediately preceding the termination of his or her term of office, on behalf of the County, participated personally and substantially in the decision to award County contracts with a cumulative value of over \$25,000.00 to the person or entity, or its parent or subsidiary.

(4) The requirements of this section may be waived by the Board of Ethics if the Board of Ethics finds in writing that the County's negotiations and decisions regarding the procurement of the contract or contracts were not materially affected by any potential for employment of that elected official by the employer.

(5) This section applies only to persons who terminate an affected position on or after the effective date of this section.

Sec. 2-573. Dual employment.

(a) No official or employee shall accept other employment which will impair his or her independence of judgment in the exercise of official duties.

(b) No official or employee shall accept other employment which will impair his or her ability to perform County duties and responsibilities.

(c) Beginning January 1, 2011, no official or employee shall be registered as a lobbyist, be employed as lobbyist, or represent any individual or entity, other than Cook County, for the purpose of lobbying any local, state or federal official.

Sec. 2-580. Post employment restrictions.

(a) No former official or employee, nor any business or firm in which they have a financial interest, shall assist or represent any person other than the County in any judicial or administrative proceeding involving the County if the official or employee was counsel of record or participated personally and substantially in the proceeding during his or her term of office or employment.

(b) No former official or employee, nor any business or firm in which they have a financial interest, shall assist or represent any person in any business transaction involving the County, if the official or employee participated personally and substantially in that transaction during his or her term of office or employment.

(c) No former official or employee may, for a period of ~~one~~ two years after the termination of his or her term of office or employment, knowingly accept employment or receive compensation or fees for services from an employer if the employee or official, during the year immediately preceding termination of County employment and on behalf of the County, participated personally and substantially in the decision to award County contracts with a cumulative value of over \$25,000.00 to the person or entity, or its parent or subsidiary.

(d) The requirements of this section may be waived by the Board of Ethics if the Board of Ethics finds in writing that the County's negotiations and decisions regarding the procurement of the contract or contracts were not materially affected by any potential for employment of that official or employee by the employer.

(e) This section applies only to persons who terminate an affected position on or after the effective date of this article.

Sec. 2-581. Interest in County business.

(a) No current elected official or employee shall have a financial interest in his or her own name or in the name of any other person in any contract, work or business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County. No former elected official shall have a financial interest in his or her own name or in the name of any other person in any contract, work or business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County for a period of two years after the termination of his or her term of office. Compensation for property taken pursuant to the County's eminent domain power shall ~~not~~ constitute a financial interest within the meaning of this section. ~~Unless sold pursuant to a process of competitive bidding following public notice, no elected official or employee shall have a financial interest in the purchase of any property that:~~

~~(1) Belongs to the County;~~

~~(2) Is sold for taxes or assessments; or~~

~~(3) Is sold by virtue of legal process at the suit of the County.~~

(b) No appointed official shall engage in a transaction described in Subsection (a) of this section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities.

(c) For purposes of this section, the term "financial interest" shall ~~not~~ include the interest of the spouse of an official or employee which interest is related to the independent occupation, profession or employment of the spouse.

Sec. 2-585. Limitations of contributions to candidates and elected officials.

(a) No person who has done business with the County within the preceding four years or is seeking to do business with the County or is a lobbyist registered with the County shall make contributions in an aggregate amount exceeding \$750.00:

(1) To any candidate for County office or elected County official during a single candidacy; or

- (2) To an elected official of the government of the County during any nonelection year of his or her term.
- (3) To any local, state, or federal campaign committee that is controlled by, or established in support of, a candidate for County office or an elected County official.

The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A year, for purposes of this section, is from January 1 to December 31 of each year.

(b) For purposes of Subsection (a) of this section, 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. ~~However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which he is not reimbursed by a person with whom he or she is affiliated, even if that person has made the maximum contribution allowed under Subsection (a) of this section.~~

(c) Any contributions made under this section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.

(d) For purposes of Subsection (a) of this section, "done business" or "doing business" means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency, including professional and managerial services, in excess of ~~\$10,000.00~~ \$5,000.00 in any 12-consecutive months. "Done business" or "doing business" also means representation involving real property assessments, property tax appeals, zoning matters, and property tax incentives, the total fees of which earned or accrued by a person exceed ~~\$10,000.00~~ \$5,000.00 in any 12 consecutive months during the previous four years.

(e) To the extent that the Zoning Board, Zoning Administrator, Board of Review and County Assessor may be covered by the provisions herein each shall provide notice of the ethics disclosure requirements as set forth above. The notice should include a statement that any attorney or tax representative who has done business with any of these agencies and earned or accrued greater than ~~\$10,000.00~~ \$5,000.00 in any 12 consecutive months during the previous four years as result, must adhere to the campaign contribution limitations set forth by the Cook County Ethics Ordinance.

The Board of Ethics shall adopt such rules and regulations as necessary to implement this section.

(f) For purposes of Subsection (a) of this section, "seeking to do business" means taking action within the past ~~six~~ 12 months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County as defined in Subsection (d) of this section.

(g) For the purposes of Subsection (a), contributions to a candidate for County office or elected County official includes contributions to any non-County political funds under that individual's name, therefore any contributions to a candidate's or elected County official's County political fund or non-County political fund shall be combined and counted as an aggregate amount towards a single maximum.

Effective Date: This amended ordinance shall take effect immediately upon adoption.