



# City of Chicago



O2022-1218

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:**

4/27/2022

**Sponsor(s):**

Sposato (38)  
Cappleman (46)  
Hadden (49)  
Smith (43)  
Lopez (15)  
Silverstein (50)  
Cardona, Jr. (31)  
O'Shea (19)  
Reilly (42)  
Reboyas (30)

**Type:**

Ordinance

**Title:**

Amendment of Municipal Code Chapter 2-156 regarding  
unauthorized use of real or personal city property and  
offering, receiving and solicitation of gifts or favors

**Committee(s) Assignment:**

Committee on Ethics and Government Oversight

## **ORDINANCE**

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** Section 2-156-010 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored as follows:

#### **2-156-010 Definitions.**

*(Omitted text unaffected by this ordinance)*

(t) "Political contribution", "campaign contribution", or "contribution" means any gift, subscription, loan, advance, deposit of money, allotment of money, or anything of value given or transferred by one person to another, including in cash, by check, by draft, through a payroll deduction or allotment plan, by pledge or promise, whether or not enforceable, or otherwise, for purposes of influencing in any way the outcome of any election. For the purposes of this definition, a political contribution, campaign contribution, or contribution does not include:

- (1) A loan made at a market rate by a lender in his or her ordinary course of business;
- (2) The use of real or personal property and the cost of invitations, food, and beverages, voluntarily provided by an individual in rendering voluntary personal services on the individual's residential premises for candidate-related activities; provided the value of the service provided does not exceed an aggregate of \$150.00 in a reporting period as defined in Article 9 of the Illinois Election Code;
- (3) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if such charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor.

**SECTION 2.** Section 2-156-060 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored as follows:

#### **2-156-060 Unauthorized use of real or personal city property.**

No official or employee shall engage in or permit the unauthorized use of any real or personal property owned or leased by the city for city business, provided, however, that nothing in this section shall prohibit the incidental use of such property in connection with the solicitation and acceptance of any gifts on behalf of a charitable or religious organization or for a charitable purpose, in accordance with Section 2-156-142(d)(13) or Section 2-156-142(d)(13), as applicable.

**SECTION 3.** Section 2-156-142 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck through, and inserting the language underscored as follows:

#### **2-156-142 Offering, receiving and soliciting of gifts or favors**

(a) (1) Except as otherwise provided in this chapter, no city official, candidate for city office, or employee, and, subject to subsection (g) no covered relative, shall:

- (i) solicit any gift for himself or any covered relative;
- (ii) accept any anonymous gift; or
- (iii) accept any gift of cash, gift card or cash equivalent.

*(Omitted text unaffected by this ordinance)*

(d) The restriction in subsection (a) shall not apply to the following:

*(Omitted text unaffected by this ordinance)*

(8) Any gift that is given to, or is accepted on behalf of the city or any city agency or department, provided that any person receiving the gift on the city's behalf shall immediately report the type of gift and, if known, the value of such gift to the board and to the comptroller, who shall add such gift to an inventory of the city's property.

*(Omitted text unaffected by this ordinance)*

(13) Any gift or donation solicited for a charitable purpose that is either made directly to or accepted on behalf of and promptly remitted to the charitable organization, religious organization, or person identified in such solicitation when there is no resulting direct pecuniary benefit to the city official or employee or a covered relative and the solicitation is not targeted towards specific potential donors.

(14) Any tangible or perishable gifts solicited and accepted in connection as part of a traditional or customary charitable drive for distribution to the general public or to the charitable organization, religious organization, or person identified in such solicitation to individuals identified in such solicitation.

*(Omitted text unaffected by this ordinance)*

(h) In addition to the prohibition on soliciting on behalf of a covered relative in subsection (a) above, no city official or employee shall solicit any gift on behalf of a third party, if: (i) that official or employee knows that the prospective donor is seeking administrative or legislative action from the City, and (ii) the official or employee is in a position to directly affect the outcome of that action. Notwithstanding the foregoing, the requirements of this subsection shall not apply to solicitations on behalf of a charitable organization or for a charitable purpose in accordance with subsections (d)(13) or (d)(14) of this section.

**SECTION 3.** Section 2-156-143 of the Municipal Code of the City of Chicago is hereby amended by deleting the language struck through, and inserting the language underscored as follows:

**2-156-143 Employee-to-employee gifts.**

(a) For purposes of this section, the following definitions shall apply:

*(Omitted text unaffected by this ordinance)*

"Solicit" means to request ~~contributions~~ donations by personal communication or by general announcement.

"~~Voluntary contribution donation~~" means a ~~contribution donation~~ given freely, without pressure or coercion. A ~~contribution donation~~ is not voluntary unless it is made in an amount determined by the contributing employee, except that where an amount for a gift is included in the cost for a luncheon, reception or similar event, an employee who freely chooses to pay a proportionate share of the total cost in order to attend such event shall be deemed to have made a voluntary contribution donation.

(b) Except as provided in this section, an employee shall not (i) give a gift to or make a donation towards a gift for an official superior; or (ii) solicit a contribution donation from another employee for a gift to either his own or the other employee's official superior.

*(Omitted text unaffected by this ordinance)*

(d) The restriction in subsections (b) and (c) shall not apply to the following:

*(Omitted text unaffected by this ordinance)*

(3) An employee may solicit a voluntary contribution donation of no more than \$20.00 from a fellow employee for an appropriate gift to an official superior and an employee may make a voluntary contribution donation of \$20.00 or less to an appropriate gift to an official superior:

*(Omitted text unaffected by this ordinance)*

**SECTION 4.** This ordinance shall take effect upon passage and publication.

James Capplemann (46)

M. Haddy (49)

Michael Smith (43)

John C. [Signature] 31ST

Nicholas Sposato  
ALDERMAN NICHOLAS SPOSATO, 38 Ward

Mary J. O'H (19) 42

[Signature] 30

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[Signature] 50