



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** O2019-326

**Type:** Ordinance      **Status:** Failed to Pass

**File created:** 1/23/2019      **In control:** City Council

**Final action:**

**Title:** Amendment of Municipal Code Section 2-56-050 regarding powers and duties of Inspector General to investigate conduct of city officers, employees and City Council entities

**Sponsors:** Moore, Joseph

**Indexes:** Ch. 56 Office of Inspector General

**Attachments:** 1. O2019-326.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
1/23/2019	1	City Council	Referred	

### ORDINANCE

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

SECTION 1. Section 2-56-050 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

#### **2-56-050 Conduct of city officers, employees and other entities.**

a) (4) The powers and duties of the ~~inspector-general~~ Inspector General shall extend to the conduct of the following: (1) all elected officers and appointed officers of the eity City government in the performance of their official duties; (2) all eity City employees in the performance of their official duties; (3) lobbyists engaged in the lobbying of elected or appointed eity Cjty officers or employees; (4) all contractors and subcontractors in the providing of goods or services to the eity City, the ~~eity-council~~ City Council, any ~~eity-council~~ City Council committee or bureau or other service agency of the ~~eity-council~~ City Council pursuant to a contract; (5) persons seeking contracts or certification of eligibility for contracts with the eity City, the ~~eity-council~~ City Council, any ~~eity-council~~ City Council committee or bureau or other service agency of the ~~eity-council~~ City Council; (6) persons seeking certification of eligibility for participation in any eity City program; and (7) any corporation, trust, or other entity established by the City pursuant to an ordinance adopted by the City Council on October 11, 2017 and in accordance with Division 13 of Article 8 of the Illinois Municipal Code, codified at 65 ILCS 5/8-13-5, et seq., for the limited purpose of issuing obligations for the benefit of the City. Nothing in this section shall preclude the ~~inspector-general~~ Inspector General from referring a complaint or information to the appropriate local, state or federal inspector general, the appropriate ~~sister-agency~~ Sister Agency, or the appropriate federal, state or local law enforcement authorities.

(3) ~~Th epowers and duties of th einspector-genera lrelativ eto th ecity-council, any member of the city council, and any city-employee defined as such under subsection 2-56-025(a)(2) or (a)(3), oshall be limited to investigoting allegations that such person has violated Chapter 2-156 or any other law, order or rule/regulation applicable to such person in the performance of his duties or the discharge of his re sponsibilities.~~

b) (1) Notwithstanding any other provision in this chapter to the contrary, if the ~~office~~ Office of the ~~inspector-general~~ Inspector General receives a complaint alleging a violation of Chapter 2-156 against any elected or appointed city officer, city employee or any other person subject to Chapter 2-156, the ~~inspector-gen eral~~ Inspector General, after reviewing the complaint, may only: (i) decline to open an investigation if he determines that the complaint lacks foundation or does not relate to a violation of Chapter 2-156; or (ii) refer

the matter to the appropriate authority if he determines that the potential violation is minor and can be resolved internally as a personnel matter; or (iii) open an investigation. The ~~board~~ Board of ethics Ethics shall promulgate, in consultation with the investigating authorities, rules setting forth the criteria to determine whether a potential violation of Chapter 2-156 is minor.

2) Notwithstanding any other provision in this chapter to the contrary, at any point during an investigation that the ~~inspector general~~ Inspector General conducts on matters pertaining to violations of Chapter 2-156, the ~~inspector general~~ Inspector General may only: (i) dismiss the matter and close the investigation based on a finding that the alleged violation is not sustained; or (ii) refer the matter to the appropriate law enforcement authority, if he reasonably believes that the alleged misconduct would violate a criminal statute; or (iii) request a probable cause finding in accordance with Section 2-156-385.

3) The ~~inspector general~~ Inspector General shall conclude his investigation of any violation of Chapter 2-156 under his jurisdiction no later than two years from the date of initiating the investigation; provided, however, that anytime period during which the person under investigation has taken affirmative, action^to conceal evidence or delay the investigation,

shall not count towards the two-year period. Notwithstanding any tolling or suspension of time applied, governmental ethics investigations by the ~~inspector general~~ Inspector General under this Chapter are subject to an absolute four-year time limit from the date of initiation.

(c) Before the ~~inspector general~~ Inspector General interviews a person subject to investigation or a subpoena in relation to a complaint under his jurisdiction, he shall inform the person of that person's right to be represented by counsel at the interview.

SECTION 2. This ordinance shall be in full force and effect upon passage and publication.