



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2019-285(1)
Type: Ordinance **Status:** Passed
File created: 1/23/2019 **In control:** City Council
Final action: 4/10/2019

Title: Amendment of Municipal Code Sections 2-156-030, 2-156-080 and 2-156-160 regarding City official or employee code of conduct, conflicts of interest, improper influence and required content of statements of financial interest

Sponsors: Emanuel, Rahm

Indexes: Ch. 156 Governmental Ethics

Attachments: 1. SO2019-285(1).pdf

Date	Ver.	Action By	Action	Result
4/10/2019		City Council	Passed	Pass
4/8/2019	1	Committee on Committees, Rules and Ethics	Recommended to Pass	
4/8/2019	1	Committee on Committees, Rules and Ethics	Substituted in Committee	
1/23/2019	1	City Council	Referred	

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ORDINANCE

(Concerning the prohibition on presiding, or participating in debate, if there is a financial interest; the requirement to disclose conflicts in adequate detail; the prohibition on Chairmen recusing themselves more than 3 times in their Committee; and the requirement to supplement statements of financial interest with new information)

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

SECTION 1. Chapter 2-156 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

2-156-030 Improper influence.

a) No official or employee shall make, participate in making or in any way attempt to use his position to influence any city governmental decision or action in which he knows or has reason to know that he has any financial interest distinguishable from its effect on the public generally, or from which he has derived any income or compensation during the preceding twelve months or from which he reasonably expects to derive any income or compensation in the following twelve months.

b) No elected official, or any person acting at the direction of such official, shall contact either

orally or in writing any other city official or employee with respect to any matter involving any person with whom the elected official has any business relationship that creates a financial interest on the part of the official, or the domestic partner or spouse of the official, or from whom or which he has derived any income or compensation during the preceding twelve months or from whom or which he reasonably expects to derive any income or compensation in the following twelve months. In addition, no elected official may preside over or participate in any discussion in any eCity eCouncil eCommittee hearing or participate in any discussion in any eCity eCouncil meeting or vote on any matter involving the person with whom the elected official has any business relationship that creates a financial interest on the part of the official, or the domestic partner or spouse of the official, or from whom or which he has derived any income or compensation during the preceding twelve months or from whom or which he reasonably expects to derive any income or compensation in the following twelve months.

2-156-080 Conflicts of interest; appearance of impropriety.

(Omitted text is not affected by this ordinance)

(b) (1) With regard to any matter pending before the eCity eCouncil or any City eCouncil eCommittee, any member of the eCity eCouncil who has any financial interest that is either (1) distinguishable from that of the general public or all aldermen, or (2) from which he or she the member has derived any, income or compensation-during the preceding twelve months

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or from which he or she the member reasonably expects to derive any income or compensation in the following twelve months shall publicly disclose in detail the nature and extent of such interest, including when such interest commenced, on the records of proceedings of the eCity eCouncil and City Council Committee, and shall also notify, with the same detail, the BBoard of eEthics of such interest within 96 hours of delivery by the eClerk to the member, of the introduction of any ordinance, resolution, order or other matter in the eCity eCouncil, or as soon thereafter as the member is or should be aware of such potential conflict of interest. If a disclosing member believes that disclosure of any required detail is prohibited by applicable privacy law or a confidentiality requirement, that member shall include a statement of the pertinent basis for non-disclosure, and otherwise disclose fully. The Board of Ethics shall review any disclosure made under this subsection and shall determine whether the member has provided sufficient detail regarding the conflict of interest, and may request more detail if it deems that is necessary. The Board of Ethics shall give the member one opportunity to correct the defect in the disclosure within seven days from the date of such request. The bBoard of eEthics shall ~~make available for public inspection and copying~~ post such disclosures, including any additional detail submitted by the member, on the Board of Ethics website, in a searchable format, immediately upon receipt. ~~He or she~~ The member shall abstain from participating in any discussion concerning and voting on the matter but shall be counted present for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the member of the eCity eCouncil is or should be aware of such potential conflict.

(2) To avoid even an appearance of impropriety, any member of the eCity eCouncil who has any business relationship with a person or entity with a matter pending before the eCity eCouncil or any City eCouncil eCommittee: (4i) that creates a financial interest on the part of such member, or the domestic partner or spouse of such member, or (2-ji) from whom or which he or she the member has derived any income or compensation during the preceding twelve months or from whom or which he or she the member reasonably

expects to derive any income or compensation in the following twelve months, shall publicly disclose in detail the nature of such business relationship or income or compensation, including when such relationship commenced, on the records of proceedings of the eCity eCouncil and the City Council Committee, and shall also notify, with the same detail, the bBoard of eEthics of such relationship within 96 hours of delivery by the eClerk to the member, of the introduction of any ordinance, resolution, order or other matter in the eCity eCouncil, or as soon thereafter as the member is or should be aware of such potential conflict of interest. If a disclosing member believes that disclosure of any required detail is prohibited by applicable privacy law or a confidentiality requirement, that member shall include a statement of the pertinent basis for nondisclosure, and otherwise disclose fully. The Board of Ethics shall review any disclosure made under this subsection and shall determine whether the member has provided sufficient detail regarding the business relationship, and may request more detail if it deems that is necessary. The Board of Ethics shall give the member one opportunity to correct the defect in the disclosure within seven days from the date of such request. The bBoard of eEthics shall make post such disclosures, including any additional detail submitted by the member, on the Board of Ethics website, in a searchable format, ~~available for public inspection and copying immediately~~

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upon receipt. He The member shall abstain from participating in any discussion concerning and voting on the matter but shall be counted present for purposes of a quorum. The obligation to report a potential conflict of interest under this subsection arises as soon as the member of the eCity eCouncil is or should be aware of such potential conflict. For purposes of this subsection (2) only: "matter pending before the eCity eCouncil or any City eCouncil GCommittee" shall refer to City eCouncil action involving 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 the establishment of a Class 6(b) Cook County property tax classification.

3) Any Chairman of a City Council Committee who makes, pursuant to subsection (b)(1) or (b)(2) of this section, more than three conflict of interest disclosures within a 12-month period pertaining to distinct matters before or reported by that Committee, shall eliminate the conflict of interest or terminate the business relationship that caused such member to make such disclosures, or resign from serving as the Chairman of the Committee.

4) Any member who fails to provide additional details regarding a disclosed conflict of interest or business relationship if requested by the Board of Ethics, or who otherwise violates this subsection, in addition to any other applicable penalty, shall be subject to a fine of not less than \$500.00 and not more than \$2,000.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(Omitted text is not affected by this ordinance)

2-156-160 Content of statements.

(a) Statements of financial interests shall contain the following information:

(1) The name, address and type of any professional, business or other organization (other than the city) in which the reporting individual was an officer, director, associate, partner, proprietor or employee, or served in any advisory capacity, and from which any income in excess of \$1,000.00 was derived during the

preceding calendar year, and the category of such income as specified in subsection (b);

(Omitted text is not affected by this ordinance)

(6) The name of any covered relative of the reporting individual who is registered as a lobbyist with the Board of Ethics or who is an employee or full or part-owner of a city contractor;

(Omitted text is not affected by this ordinance)

(c) If a reporting individual adds a new reportable financial interest since the individual's last filing, that individual must file a supplement to the individual's current statement of financial interests on file with the Board of Ethics within 30 days of such occurrence, in a manner, prescribed by the Board of Ethics.

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SECTION 2. This ordinance shall take effect upon its passage and approval.

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COMMITTEE MEMBERSHIPS

Committees, Rules and Ethics (chairman)

Budget and Government Operations

Finance

License and Consumer Protection

Public Safety Zoning, Landmarks and Building Standards

**City Council
Meeting April
10,2019**

To the President and Members of the City Council:

Your Committee on Committees, Rules and Ethics, having considered the following Ordinances:

1. 02018-9024 Correction of City Council Journal of Proceedings of October 31, 2018
2. 02019-1331 Correction of City Council Journal of Proceedings of December 12, 2018
3. 02019-1429 Amendment of Municipal Code Section 2-8-050 by further regulating aldermanic expense allowances
4. 02019-285 Substitute Ordinance-Subdivided
 - 1) Concerning the prohibition on presiding, or participating in debate, if there is a financial interest; the requirement to disclose conflicts in adequate detail; the prohibition on Chairman recusing

themselves more than 3 times in their Committee; and the requirement to supplement statements of financial interest with new information
2) Concerning the new 6-month prohibition on campaign contributions (5) Concerning aldermanic notice periods and opportunity regarding driveway permit applications and building permits

begs leave to recommend that this Honorable Body pass said ordinances which are transmitted herewith.

This recommendation was concurred in by a viva voce vote of the Committee on Committees, Rules and Ethics.

Respectfully submitted,

Alderman Michelle A. Harris,
Chairman Committee on
Committees, Rules and Ethics