

PROPOSED AMENDMENTS TO SUBSTITUTE ORDINANCE AMENDMENT ITEM 20-4404

Sponsored by: TONI PRECKWINKLE, President, LARRY SUFFREDIN and JOHN P. DALEY, Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

ETHICS ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 ADMINISTRATION, ARTICLE VII. ETHICS, DIVISION 2, Subdivision I., Sec. 2-560 through 2-570, Subdivision II., Sec. 2-571 through 2-589, Subdivision III., Sec. 2-590, Subdivision IV., Sec. 2-591 through Sec. 2-600, Subdivision V. Sec. 2-601- Sec. 2-609, Section 2-610 through Sec. 2-620; DIVISION 3., Subdivision 1., Sec. 2-621 through 2-630, Subdivision II., Sec. 2-631 through 2-of the Cook County Code is hereby amended as Follows:

1. Add to Section 2-562 – Definitions the following:

Board of Ethics or Board means the Cook County Board of Ethics, as defined in Section 2-591.

2. Substitute to Section 2-591(h) the following:

The Board may delegate to the Board staff as the Board considers necessary any matter properly before the Board, including the conduct of investigations. The Board shall adopt rules which specify those duties and responsibilities which may be delegated to Board staff, and those duties and responsibilities which shall remain with the members of the Board. County agencies, officials, board or commission appointees and employees shall cooperate with the Board, or its delegate, in all investigations, including providing documents and other information requested by the Board and attending interviews requested by the Board. ~~Information necessary to any investigation shall be made available upon written request.~~

3. Substitute to Section 2-591(k)(2) the following:

(2) Cook County State's Attorney or Special State's Attorney, representing the Board of Ethics in any civil litigation or administrative proceeding may settle, dismiss, or otherwise resolve such litigation or proceeding on behalf of the Board of Ethics at the same authority provided to the Cook County State's Attorney by the Cook County Board of Commissioners. Such settlements falling under the authority of the Cook County State's Attorney or Special State's Attorney shall be reported to the Board of Ethics. Any settlement, dismissal or resolution above this settlement authority shall be subject to the approval of the Board of Commissioners, with advice from the Board of Ethics.

4. Substitute to Section 2-591(j) the following:

(j) Upon determination by a majority of the Board that there is reason to believe that a violation of this article has occurred, the Board may:

- (1) Notify the person who may have violated this article and request corrective action;

(2) Impose sanctions for violations as set out in Section 2-602 and order corrective action, and sue in its own name to enforce its ~~determinations~~ imposition of sanctions and order of corrective action;

(3) Recommend to the President or the appropriate elected official that disciplinary or other action within the elected official's authority should be taken in relation to the potential violation; and

(4) Recommend to the President or the appropriate elected official such other remedies as shall be appropriate.

All recommendations shall be in writing and shall be set forth with specificity including a statement of reasons in support. An elected official to whom a recommendation has been sent shall, within 30 days of receipt of the recommendation, report to the Board in writing the actions taken on the recommendation and, to the extent that any recommended action is declined or different action is taken, provide a statement of reasons for that decision. Any person who has received an adverse determination by the Board of Ethics can seek administrative review within 30 days of the date of the Board's final determination via a writ of certiorari to the Circuit Court of Cook County.