

CHAPTER 18

STATE GIFT BAN

SECTION:

1-18-1: Adoption of Act

1-18-2: Appointment of Ethics Officer

1-18-3: State Legislative Ethics Commission; Complaints

1-18-4: Future Amendments to State Gift Ban Act

1-18-5: Future Declaration of Unconstitutionality of State Gift Ban Act

1-18-1: ADOPTION OF ACT

- A. The State Gift Ban Act (5 ILCS 425 et seq.) is hereby adopted as required by Section 83 of the Act (5 ILCS 425/83)
- B. It is the policy of the Board that the solicitation or the acceptance of gifts is hereby permitted and prohibited to the extent permitted or prohibited by and consistent with the Act and shall apply to any appointed official or employee of the Village of East Alton.

1-18-2: APPOINTMENT OF ETHICS OFFICER: To the extent authorized by law and to the extent required by Section 35 of the Act (5 ILCS 425/35), the Chairman of the Board of Directors shall appoint an “ethics officer” of the Village of East Alton. The ethics officer’s duties shall be as provided in Section 35.

1-18-3: STATE LEGISLATIVE ETHICS COMMISSION; COMPLAINTS: All complaints shall be filed with the state legislative ethics commission as required by the Act.

1-18-4: FUTURE AMENDMENTS TO STATE GIFT BAN ACT: Any amendment to the State Gift Ban Act (5 ILCS 425/1 et seq.) that becomes effective after the passage of this Ordinance shall be incorporated into this Ordinance by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Ordinance by reference without formal action by the corporate authorities of the Village of East Alton.

1-18-5: FUTURE DECLARATION OF UNCONSTITUTIONALITY OF STATE GIFT BAN ACT

- A. In the event the Illinois Supreme Court declares the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional in its entirety, then this Ordinance shall be repealed as of the date that the Supreme Court’s decision becomes final and not subject to any further

appeals or rehearings. The Ordinance shall be deemed repealed without future action by the corporate authorities of the Village of East Alton if the act is found unconstitutional by the Illinois Supreme Court.

- B. In the event the Illinois Supreme Court declares part of the State Gift Ban Act (5 ILCS 425/1 et seq.) unconstitutional but upholds the constitutionality of the remainder of the Act or does not address the remainder of the Act, then the remainder of the Act as adopted by this Ordinance shall remain in full force and effect; however, that part of this Ordinance relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the Village of East Alton.