

DIVISION 11
GIFT BAN ACT

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2-11-1: ADOPTION OF ACT:

The Code of Ordinances of the Village of Sheffield is hereby amended with the addition of the following provisions:

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. The solicitation or the acceptance of gifts prohibited to be solicited or accepted under the Act is prohibited by any elected or appointed official or any employee of the Village. All non-salaried appointed or elected officials are exempt from the Act and the provisions of this ordinance.

2-11-2: ETHICS OFFICER:

To the extent authorized by law and to the extent required by Section 35 of the Act (5 ILCS 425/35), Dennis Thompson, is appointed to serve as the "ethics officer" of the Village. The ethics officer's duties shall be as provided in Section 35.

2-11-3: STATE LEGISLATIVE ETHICS COMMISSION; COMPLAINTS:

All complaints for violations of the Act and this ordinance shall be filed with the State legislative ethics commission (created by Section 45(a)(6) of the Act).

2-11-4: 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.

2-11-5: FUTURE DECLARATION OF UNCONSTITUTIONALITY OF STATE GIFT BAN ACT:

A. If 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 unconstitutional in its entirety, then this ordinance shall be repealed as of the date that the Supreme Court's decision becomes final and not subject to any further appeals or rehearings. The ordinance shall be deemed repealed without further action by the corporate authorities of the Village if the Act is found unconstitutional by the Illinois Supreme Court.

B. If 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.

(Ord. No. 02-99-06-28)