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HOUSE REPUBLICAN STAFF ANALYSIS

BILL: HB 3501

DATE: April 17, 2019

HOUSE SPONSOR: Manley

SENATE SPONSOR:

COMMITTEE: Executive (8D/5R)

ANALYST: Derek Persico (2-5591)

EFFECTIVE DATE: Immediate

STATUS: Passed the House

COMMITTEE VOTE: DP 13-0-0

COMMENTS: *Amends the Public Officer Prohibited Activities Act to state that an elected or appointed official of a unit of local government may not hire or appoint themselves to a second position in the unit of local government. However, the governing body can hire or appoint an elected or appointed official to a second position if done via an ordinance or resolution that includes the salary or compensation.*

Similar to HB 2184 (Manley) which states that no officeholder in a unit of local government may hire themselves to a position over which the officeholder has supervisory authority.

EFFECT AS INTRODUCED

Amends the Public Officer Prohibited Activities Act. Provides that an elected or appointed official of a unit of local government may not hire or appoint himself or herself to a second position in the unit of local government if the second position is a salaried or hourly position. Allows the governing body of the unit of local government to hire or appoint an elected or appointed official to a second position in the unit of local government with a salary or hourly wages by ordinance or resolution if the ordinance or resolution states the salary or total compensation of an hourly position. Effective immediately.

EFFECT AS PASSED COMMITTEE

Same as introduced.

DETAIL

Amends the Public Officer Prohibited Activities Act.

New Sec. 4.1. Official hiring self.

(a) An elected or appointed official of a unit of local government may not hire or appoint himself or herself to a second position in the unit of local government if the second position is a salaried or hourly position.

(b) Notwithstanding subsection (a), the governing body of the unit of local government may hire or appoint an elected or appointed official to a second position in the unit of local government with a salary or hourly wages by ordinance or resolution if the ordinance or resolution states the salary or total compensation of an hourly position.

CURRENT LAW

There is no current prohibition on hiring oneself for a position with a unit of local government over which they have supervisory authority.

REASON FOR CHANGE

The city clerk in Bolingbrook, IL, had an opening for an assistant under her, and hired herself for the position.

SUGGESTED BY

Sponsor

FISCAL IMPACT

Unknown

PROPOSERS

None

OPPOSERS

None

RELATED LEGISLATION

HB 2184 (Manley) which is currently in the House Judiciary-Civil Committee, and deals with the same issue. The language of HB 2184 states that that no officeholder in a unit of local government may hire themselves to a position over which the officeholder has supervisory authority.

EFFECT AS PASSED THE HOUSE

Amends the Public Officer Prohibited Activities Act. Provides that an elected or appointed official of a unit of local government may not hire or appoint himself or herself to a second position in the unit of local government if the second position is a salaried or hourly position. Allows the governing body of the unit of local government to hire or appoint an elected or appointed official to a second position in the unit of local government with a salary or hourly wages by ordinance or resolution if the ordinance or resolution states the salary or total compensation of an hourly position. Effective immediately.

HOUSE VOTE

113-0-0