

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

COOK COUNTY BOARD OF ETHICS;

Plaintiff,

v.

TAMMY WENDT in her official capacity as
the Board of Review Commissioner, First
District for the Cook County Board of Review;
TODD THIELMANN in his personal capacity;

Defendants.

2022CH05182

Case No. _____

Hon. _____

VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT AND OTHER RELIEF

Plaintiff Cook County Board of Ethics (“Board of Ethics”), by and through its attorneys, Special State’s Attorneys Jose A. Lopez, Pravin B. Rao, and Gina M. Buschatzke, and for this Verified Complaint for Declaratory Judgment and Other Relief against Defendants Commissioner Tammy Wendt in her official capacity as the Cook County Board of Review (“Board of Review”) First District Commissioner and Todd Thielmann in his personal capacity, states as follows:

PRELIMINARY STATEMENT

1. The Cook County Board of Ethics is responsible for enforcing the Cook County Ethics Ordinance (“Ethics Ordinance”),¹ the purpose of which is to ensure that Cook County officials and employees put forth honest effort in the performance of their duties and adhere to all applicable laws and regulations.

2. As the Illinois Supreme Court has held, “Cook County has the most vital interest in preserving the integrity and efficient operation of its offices.” *Blanchard v. Berrios*, 2016 IL

¹ Unless otherwise indicated, all references to the Ethics Ordinance are to Ordinance No. 20-4404, adopted on December 16, 2021. The substance of the provisions of the Ethics Ordinance at issue in this case was unaffected by the December 16, 2021 amendments.

120315, ¶ 35. One of the most important directives in the Ethics Ordinance is the prohibition on Cook County officials hiring relatives, including first cousins.

3. Notwithstanding such a clear prohibition, almost immediately after Commissioner Wendt assumed the office of Board of Review Commissioner for the First District in December 2020, she hired her first cousin, Todd Thielmann, as her First Assistant Commissioner (“FAC”).

4. Despite the undeniable application of the Ethics Ordinance to Commissioner Wendt as an elected Cook County official, Commissioner Wendt maintains that she is not bound by the Ethics Ordinance and therefore could hire her first cousin as a Cook County employee.

5. As detailed below, the Board of Ethics investigated the matter and held a series of public meetings, which resulted in the Board of Ethics making a final determination that Commissioner Wendt inappropriately hired her first cousin, that he should be removed, and that Commissioner Wendt should be fined for violating the Ethics Ordinance. *See infra* § F. Commissioner Wendt has steadfastly refused to comply with the Board of Ethics’ order.

6. Commissioner Wendt has not sought administrative review of the Board of Ethics’ order and no more administrative remedies are available. Accordingly, the Board of Ethics now brings this action to enforce its order and for unjust enrichment against Mr. Thielmann.

PARTIES

7. Plaintiff Cook County Board of Ethics is a unit of the Cook County government, with its principal office located in Cook County. The Board of Ethics consists of five members appointed by the President of the Cook County Board of Commissioners (“County Board”) in accordance with § 2-591 of the Ethics Ordinance enacted by the County Board.

8. Defendant Tammy Wendt, a lawyer by trade, is the elected Board of Review Commissioner for the First District. The Board of Review is an office of the Cook County government with its principal office located in Cook County. Defendant Tammy Wendt is sued in her official capacity.

9. Defendant Todd Thielmann is First Assistant Commissioner to Board of Review Commissioner Wendt. He is also Commissioner Wendt's first cousin and received compensation in the form of a salary and benefits that are the proceeds of Commissioner Wendt's unlawful activities and unjustly enrich Mr. Thielmann, as he was precluded from serving in the position offered by Commissioner Wendt. Defendant Todd Thielmann is sued in his personal capacity.

JURISDICTION AND VENUE

10. This Court has jurisdiction under 735 ILCS 5/2-209(b)(2), as Defendants Tammy Wendt and Todd Thielmann are Illinois residents.

11. This Court has jurisdiction and venue is proper in this Court under 735 ILCS 5/2-101 and 103 because the conduct underlying this cause of action occurred in Cook County, Illinois.

FACTUAL ALLEGATIONS

A. The Cook County Board is Permitted to Impose Additional Duties Upon Board of Review Commissioners

12. Article VII § 4(c) of the Illinois Constitution permits the election of certain county officers as provided by law or by county ordinance. Section 4(d) provides that county officers "shall have those duties, powers and functions provided by law and those provided by county ordinance." Ill. Const. 1970, art. VII § 4(d).

13. Pursuant to the authority granted to it under Article VII of the Illinois Constitution, the Illinois General Assembly implemented the Illinois Property Tax Code ("Tax Code"), which creates a board of review in counties with three million or more inhabitants comprised of three commissioners, one elected from each election district in the county. 35 ILCS 200/5-5. The Tax Code also prescribes general duties, powers, and functions for a board of review, including to "review the assessments of all property." *Id.* §§ 5-5; 5-10.

14. The Illinois Counties Code provides that while "[n]o county board may alter the duties, powers and functions of county officers that are specifically imposed by law," the county board "may alter any other duties, powers or functions or impose additional duties, powers and

functions upon county officers.” 55 ILCS 5/5-1087. Accordingly, the County Board imposed on County officials and employees the duty to comply with a code of ethical conduct.

B. The Ethics Ordinance Vests Power in the Board of Ethics to Investigate Violations of and Enforce the Ethics Ordinance to Ensure Fair and Honest Government

15. In 1993, the County Board adopted the original version of the Cook County Ethics Ordinance. Cook County Code of Ordinances §§ 2-560–2-642 (approved Aug. 3, 1993).

Exhibit 1. The Ethics Ordinance establishes rules of conduct for County officials and employees to ensure fair and honest government. It created the Board of Ethics and empowers the Board of Ethics to enforce violations of the Ethics Ordinance. *Id.* § 2-591.

16. To fulfill its enforcement mandate, the Board of Ethics is “responsible for initiating, receiving, and investigating violations” of the Ethics Ordinance. *Id.* § 2-591(f).

17. Upon a majority of the Board of Ethics determining that there is reason to believe that a violation of the Ethics Ordinance has occurred, the Board of Ethics may impose sanctions and order corrective action. *Id.* § 2-591(j)(2). In particular, the Board of Ethics “may impose a fine of up to \$1,000.00 per offense on any person, including officials, . . . found by the Board [of Ethics] to have knowingly violated any provision of [the Ethics Ordinance] other than Section 2-574 or 2-583.” *Id.* § 2-602(d). Notably, the Board of Ethics may sue in its own name to enforce its imposition of sanctions and corrective action orders. *Id.* § 2-591(j)(2).

C. The Ethics Ordinance Prohibits Elected County Officials from Hiring Relatives and Imposes a Fiduciary Duty on Such Officials to Comply with That Prohibition

18. The Ethics Ordinance bans County employees and officials² from “hir[ing] a relative, on behalf of the county, or a county board or commission” or “participat[ing] in a hiring decision of a relative on behalf of the county, or a county board or commission.” *Id.* §§ 2-582(a);

² The Ethics Ordinance defines “employee” as “an individual employed by the County whether part-time or full-time or by a contract of employment. The term ‘employee’ shall include individuals employed by County Officers as referenced in Article VII, Section 4 of the Illinois Constitution.” *Id.* § 2-562. The term “official” is likewise defined as “any individual elected or appointed to an elected County office . . . including the . . . Cook County Board of Review Commissioners.” *Id.*

2-562. The Ethics Ordinance clearly classifies “first cousin” as falling within the definition of “relative” for purposes of the Ordinance. *Id.* § 2-562.

19. Moreover, Cook County officials and employees “at all times in the performance of their public duties, owe a fiduciary duty to the County.” *Id.* § 2-571. Pursuant to that fiduciary duty, Cook County officials and employees must “comply with laws and regulations by avoiding . . . the violation of any applicable law or regulation.” *Id.* §§ 2-571(b)(2).

D. Commissioner Wendt Was Elected to the Board of Review and Hired Her First Cousin

20. In November 2020, Commissioner Wendt was elected Board of Review Commissioner for the First District. In December 2020, shortly after she assumed office, Commissioner Wendt hired her first cousin, Todd Thielmann, as her First Assistant Commissioner (“FAC Position”). When Mr. Thielmann completed his application for the FAC Position, he left the following question blank: “Name the employees of the BOR [Board of Review] with whom you are acquainted or related. If related, please indicate relationship.” Mr. Thielmann’s annual salary was \$135,000 when he assumed the FAC Position, but in January 2021, with Commissioner Wendt’s approval, his salary was increased to at least \$150,000.

E. Commissioner Wendt and Mr. Thielmann Were on Notice That They Were Violating the Ethics Ordinance

21. During a June 29, 2021 Board of Review meeting, Commissioner Wendt’s fellow Board of Review Commissioners Larry Rogers Jr. and Michael Cabonargi informed her that she was in violation of the Ethics Ordinance due to her hiring Mr. Thielmann. *See Exhibit 2.* Commissioner Wendt vehemently denied that she was violating the Ethics Ordinance. *Id.*

22. On July 28, 2021, the Board of Ethics sent a letter to the Board of Review Commissioners, including Commissioner Wendt, further specifying that the Ethics Ordinance applied to the Board of Review Commissioners. *See Exhibit 3* (“July 28, 2021 Letter”). That letter explained:

We have been apprised of several potential violations of the Cook County Ethics Ordinance at the Board of Review. Please be aware

that the Ethics Ordinance applies to all Cook County entities, Commissioners, and employees, including the Cook County Board of Review and its staff. This is true notwithstanding any additional ethics requirements the Board of Review has or intends to implement.

Id.

23. During the County Board's October 26, 2021 Board of Review budget hearing, Commissioner Wendt publicly admitted that Mr. Thielmann was her first cousin. *See Exhibit 2.* During that hearing, Commissioner Wendt was informed that the hiring of her cousin was a violation of the Ethics Ordinance. *Id.* After the hearing, the County Board referred the matter to the Board of Ethics to investigate further. *Id.*

F. The Board of Ethics Initiated an Investigation, Determined Commissioner Wendt Was Violating the Ethics Ordinance, Ordered Her to Terminate Mr. Thielmann, and Imposed a \$2,000 Fine

24. After the referral from the County Board, the Board of Ethics staff opened an investigation into whether Commissioner Wendt hiring Mr. Thielmann as her FAC violated Ethics Ordinance § 2-582(a), "Employment of Relatives" (where "Relatives" is defined by § 2-562) and § 2-571(b)(2), "Fiduciary Duty." *See Exhibit 4.* The Board of Ethics staff determined that Commissioner Wendt violated the Ethics Ordinance and notified Commissioner Wendt on February 23, 2022 ("February 23, 2022 Letter"), that they intended to recommend the Board of Ethics enter a determination of violation of §§ 2-582(a) and 2-571(b)(2) at its upcoming March 10, 2022 meeting. *Id.*

25. The February 23, 2022 Letter also informed Commissioner Wendt that should the Board of Ethics find a violation of the Ethics Ordinance, it may impose a fine up to \$1,000 per offense and require corrective action. *Id.*; *See also Exhibit 1* § 2-591(j)(2).

26. In addition, the February 23, 2022 Letter notified Commissioner Wendt of her right to obtain legal counsel and submit written information, including the names of witnesses Commissioner Wendt believed should be interviewed, before the Board of Ethics staff made a recommendation to the Board of Ethics. *See Exhibit 4.*

27. Commissioner Wendt declined to respond to the February 23, 2022 Letter and failed to present any evidence or argument in connection with the March 10, 2022 meeting. *See Exhibit 5.*

28. At the March 10, 2022 meeting, the Board of Ethics entered a determination that Commissioner Wendt violated Ethics Ordinance §§ 2-582(a) and 2-571(b)(2). *See Exhibit 2.*

29. In its March 10, 2022 Order, the Board of Ethics referenced the July 28, 2021 Letter, which was sent to and advised the Board of Review that the Commissioners were bound by the Ethics Ordinance. *Id.*

30. The Board of Ethics also noted in its March 10, 2022 Order that Commissioner Wendt had publicly admitted that she was aware of the ban on hiring first cousins, had long been aware of her violation of that ban, and had taken no steps to rectify it. *Id.* As a result, the Board of Ethics imposed a \$2,000 fine (one for each Ethics Ordinance violation) and ordered Commissioner Wendt to take corrective action to terminate her first cousin from the FAC Position. *Id.*

31. On April 8, 2022, Commissioner Wendt submitted a request for reconsideration of the March 10 Order. *See Exhibit 6.* In her request, Commissioner Wendt argued that the Ethics Ordinance did not apply to her. *See generally, Id.* Commissioner Wendt further argued that she hired an attorney to advise her on which ethics policies apply to her and she was counseled that the Ethics Ordinance did not. *Id.* Commissioner Wendt reiterated that she was not in violation of any law, but again did not provide any documents or testimony as evidence, including any testimony or evidence from the attorney Commissioner Wendt had identified in her request for reconsideration. *Id.*

32. On April 26, 2022, the Board of Ethics denied Commissioner Wendt's Request for Reconsideration of its March 10, 2022 Order, finding that Commissioner Wendt did not present any new facts, additional evidence, or legal precedent. *See Exhibit 5.*

G. Commissioner Wendt Has Refused to Comply with the Board of Ethics' Orders and Continues to Violate the Ethics Ordinance

33. The April 26, 2022 Order Denying Commissioner Wendt's Request for Reconsideration set a 10-day deadline by which Commissioner Wendt was to comply with that Order. *Id.* To date, Commissioner Wendt has neither paid the \$2,000 fine nor terminated Todd Thielmann's employment as FAC. Consequently, Commissioner Wendt continues to violate the Ethics Ordinance, as she has a fiduciary duty to comply with applicable laws and regulations. *See Exhibit 1* § 2-571.

34. The April 26, 2022 Order Denying Request for Reconsideration is a final determination. Commissioner Wendt could therefore have sought administrative review of the Board's final determination within 30 days (by May 26, 2022) by filing a writ of certiorari to this Court. *See Id.* § 2-591(j)(4). Commissioner Wendt has not timely filed a writ and therefore has waived any further administrative review of the April 26, 2022 Order Denying Request for Reconsideration.

COUNT I

(Declaratory Judgment Against Defendant Tammy Wendt in Her Official Capacity)

35. The Board of Ethics incorporates by reference the allegations contained in Paragraphs 1 through 34, as if fully set forth herein.

36. The Ethics Ordinance applies to Commissioner Wendt.

37. The Board of Ethics' April 26, 2022 Order determining that Commissioner Wendt violated Ethics Ordinance §§ 2-571 (Fiduciary Duty) and 2-582(a) (Employment of Relatives), imposing a \$2,000 fine, and requiring Commissioner Wendt to remove Todd Thielmann as her FAC is valid and enforceable.

38. Under the Ethics Ordinance, the Board of Ethics may sue in its own name to enforce its imposition of sanctions and order of corrective action.

39. Commissioner Wendt has failed to comply with the Board of Ethics' April 26, 2022 Order and continues to violate the Ethics Ordinance.

40. There thus exists an actual controversy between the Board of Ethics and Commissioner Wendt because Commissioner Wendt, in violation of her legal duties under the Ethics Ordinance, wrongfully hired her first cousin as her FAC and refuses to terminate his employment.

41. The controversy is capable of a definite and immediate determination of the parties' rights under the law. The Court's determination of Commissioner Wendt's legal duties will aid in the resolution of the controversy.

WHEREFORE, the Board of Ethics respectfully prays for judgment in its favor and against Commissioner Tammy Wendt

- 1) for a declaratory judgement that:
 - a. The Ethics Ordinance applies to Commissioner Tammy Wendt as an elected Cook County official;
 - b. Commissioner Tammy Wendt is required to comply with the April 26, 2022 Order;
 - c. Commissioner Tammy Wendt is required to immediately remove Mr. Thielmann from his current employment as a County employee;
 - d. Commissioner Tammy Wendt pay the \$2,000 fine that was imposed plus pre- and post-judgment interest at the maximum legal rate and attorneys' fees and costs; and
- 2) such other and further relief as the Court deems just and proper.

COUNT II

(Unjust Enrichment Against Defendant Todd Thielmann)

42. The Board of Ethics incorporates by reference the allegations contained in Paragraphs 1 through 34, as if fully set forth herein.

43. The Board of Ethics alleges that Todd Thielmann has been unjustly enriched as a result of the compensation he received in the form of a salary and benefits that are the proceeds

of Commissioner Wendt’s unlawful activities described in this Complaint and his knowing acceptance and retention of those unlawful proceeds.

44. Upon information and belief, Todd Thielmann knew he was ineligible for the FAC Position and intentionally failed to accurately complete his employment application to obfuscate his relationship to Commissioner Wendt.

45. The continuing retention by Todd Thielmann of the salary and benefits provided to him by Cook County violates fundamental principles of justice, equity, and good conscience to the detriment of the Board of Ethics, which is responsible for ensuring fair and honest government in Cook County, and ultimately the Cook County taxpayers.

WHEREFORE, the Board of Ethics respectfully prays for judgment in its favor and against Todd Thielmann on COUNT II in an amount equal to the value of the salary and benefits he received related to the FAC Position, which amount is at least \$50,000; pay pre- and post-judgment interest on the salary and benefits; attorneys’ fees and costs; and award any further relief this Court deems fair and just.

Dated: May 31, 2022

Respectfully submitted,

PERKINS COIE LLP

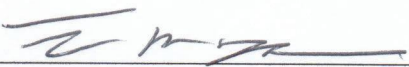
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*As Special State’s Attorneys for
The Cook County Board of Ethics*

VERIFICATION

Under penalties of perjury as provided by law pursuant to § 1-109 of the Illinois Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned certifies that he is Chairman of the Cook County Board of Ethics and that the statements set forth in this pleading are true and correct and as to such matters the undersign certifies that he verily believes the same to be true.

Dated: 5/31/22



Thomas Szromba
Chairman, Cook County Board of Ethics

Hearing Date: 9/28/2022 10:00 AM
Location: Court Room 2403
Judge: Hall, Sophia H

FILED
5/31/2022 3:13 PM
IRIS Y. MARTINEZ
CIRCUIT CLERK
COOK COUNTY, IL
2022CH05182
Calendar, 12
18100430

EXHIBIT 1

FILED DATE: 5/31/2022 3:13 PM 2022CH05182

20-4404
ORDINANCE AMENDMENT

Sponsored by

**THE HONORABLE TONI PRECKWINKLE, PRESIDENT, LARRY SUFFREDIN,
JOHN P. DALEY AND DONNA MILLER, COUNTY COMMISSIONERS**

ETHICS ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2 Administration, Article VII Ethics, Division 2, Subdivision I, Sections 2-560 through 2-570, Subdivision II, Sections 2-571 through 2-589, Subdivision III, Section 2-590, Subdivision IV, Sections 2-591 through 2-600, Subdivision V, Sections 2-601 through 2-609, Sections 2-610 through 2-620, Division 3, Subdivision 1, Sections 2-621 through 2-630, Subdivision II, Section 2-631 through 2-642 of the Cook County Code is hereby amended as Follows:

ARTICLE VII. - ETHICS

DIVISION 2. - CODE OF ETHICAL CONDUCT

Subdivision I. - In General

Sec. 2-560. - Short title.

This division shall be known and may be cited as the "Cook County Ethics Ordinance."

Sec. 2-561. - Purpose.

(a) The purpose of this division is to establish the code of conduct for every Official, Board or Commission Appointee, and Employee of the County. All Officials, Board or Commission Appointees, and Employees of the County shall:

- (1) Owe a fiduciary duty to the County;
- (2) Treat members of the public with respect and be responsive and forthcoming in meeting their requests for information to the extent authorized by State or local laws;
- (3) Protect the County's interests when contracting for outside services;
- (4) Put forth honest effort in the performance of their duties;
- (5) Conduct business on behalf of the County in a financially responsible manner;
- (6) Protect and conserve County property and assets, and use County property and assets for authorized purposes or activities;
- (7) Adhere to all applicable laws and regulations; and

- (8) Report any violations, suspected violations, or other misconduct under this article to the Board of Ethics or the Office of the Independent Inspector General of Cook County in a timely manner.

(b) This division is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the County, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Sec. 2-562. - Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Absolutely necessary means that another means of identification, such as employee identification number, cannot be substituted for the social security number without frustrating the purpose of the request.

Agency means the County Board, any committee or other subdivision thereof, any County department or other administrative unit, commission, board or other division of the government of the County.

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

Board or Commission Appointee means all individuals appointed by the President to any Boards or Commissions created by State Statute or County Ordinance that require the approval, confirmation or advice and consent of the County Board.

Board or Commission means any Board or Commission created under County Ordinance or State Statute whose members are appointed by the President subject to the approval, confirmation, or advice and consent of the County Board.

Candidate means any person who has filed nominating papers or petitions for nomination or election to an elected office, or who has been appointed to fill a vacancy in nomination, and who remains eligible for placement on the ballot at either a general primary election or general election or who has raised or expended money for themselves in pursuit of ~~elected office~~ any of the following offices: Cook County Board President, Cook County Commissioner, Cook County State's Attorney, Cook County Assessor, Clerk of the Circuit Court of Cook County, Cook County Sheriff, Cook County Clerk, Cook County Treasurer, Cook County Board of Review Commissioner.

Collective bargaining has the same meaning as that term is defined in Section 3 of the Illinois Public Labor Relations Act (5 ILCS 5/1-3).

Compensated time means any time worked by or credited to an employee that counts toward any minimum work time requirement imposed as a condition of employment but does not include any designated holidays or any period when the employee is on a leave of absence.

Compensation means money, thing of value or other pecuniary benefit received or to be received in return for, or as reimbursement for, services rendered or to be rendered.

Compensatory time off means authorized time off earned by or awarded to an employee to compensate in whole or in part for time worked in excess of the minimum work time required of that employee as a condition of employment.

Confidential Information means any information that may be exempt from disclosure under the Illinois Freedom of Information Act, codified at 5 ILCS 140/1, et seq. or required to be held confidential by agreement.

Contract management authority means personal involvement in or direct supervisory responsibility for the formation or execution of a County contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

Contribution has the same meaning as that term is defined in Section 9-1.4 of the Election Code (10 ILCS 5/9-1.4).

County means the County and all government agencies of the County.

Done Business or *Doing Business* means any one or any combination of sales, purchases, leases or contracts to, from or with the County or any County agency in excess of \$10,000.00 during the previous four years.

Economic interest means any interest valued or capable of valuation in monetary terms; provided that economic interest is subject to the same exclusion as financial interest.

Employee means an individual employed by the County whether part-time or full-time or by a contract of employment. The term "employee" shall include individuals employed by County Officers as referenced in Article VII, Section 4 of the Illinois Constitution. The term "employee" shall not include judges of election or Officials.

Employment means activity in which one engages or is employed in return for compensation, including but not limited to self-employment and work as a consultant.

Familial relationship shall mean a person who is a relative of ~~related to~~ an official, employee, board or commissioner appointee as spouse or any of the following, whether by blood, marriage, or adoption: as parent, father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father in law, mother in law, son in law, daughter in law, brother in law, sister in law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister. *and* the father, mother, grandfather, or grandmother of the official's, employee's, board or commission appointee's spouse domestic partner, civil union partner, parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, father in law, mother in law, son in law, daughter in law, brother in law, sister in law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister.

Financial interest means any of the following:

- (1) Any interest as a result of which the owner currently received or is entitled to receive in the future more than \$1,200.00 per year.
- (2) Any interest with a cost or present value of \$5,000.00 or more.

- (3) Any interest representing more than ten percent of a corporation, partnership, sole proprietorship, firm, enterprise, franchise, organization, holding company, joint stock company, receivership, trust, or any legal entity organized for profit provided, however, the term "financial interest" shall not include any of the following:
- a. Any ownership through purchase at fair market value of inheritance of less than one percent of the shares of a corporation, or any value of or dividends of such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.);
 - b. The authorized compensation paid to an official or employee for ~~his or her~~ their office or employment, or the authorized compensation paid to a board or commission appointee for ~~his or her~~ their office or employment;
 - c. Any economic benefit provided equally to all residents of the County;
 - d. A time or demand deposit in a financial institution;
 - e. An endowment or insurance policy or annuity contract purchased from an insurance company;
 - f. Any accrued pension rights in the County fund; or
 - g. With respect to a mutual fund, the individual securities of other instruments owned by the mutual fund.

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of an official, board or commission appointee or employee that is given without fair-market consideration. Gifts shall exclude:

- (1) Anything for which the official, board or commission appointee, or employee or ~~his or her~~ their spouse, domestic partner, civil union partner or ~~immediate family member~~ relative living with ~~him or her~~ them pays the market value;
- (2) Any opportunities, benefits, or services that are available to an official, board or commission appointee or employee or ~~his or her~~ their spouse, domestic partner, civil union partner or ~~immediate family member~~ relative living with ~~him or her~~ them on the same terms and conditions as the general public; and
- (3) Any contribution that is lawfully made and reported under the Election Code or under this article associated with political fundraising for a political organization, political committee, or candidate for elected office.

Leave of absence means any period during which an employee does not receive compensation for employment, service credit towards pension benefits, and health insurance benefits paid for by the employer.

Legislative action means the introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto or other official action or nonaction on any ordinance, resolution, motion, order, appointment, application or other matter pending or proposed in the County Board or any committee or subcommittee thereof.

Official means any individual elected or appointed to an elected County office, official (or appointed official, regardless of whether the individual official is compensated, including the Cook County Board President, Cook County Commissioners, Cook County State's Attorney, Cook County Assessor, Clerk of the Circuit Court of Cook County, Chief Judge of the Circuit Court of Cook County, Cook County Sheriff, Cook County Clerk, Cook County Treasurer, Cook County Board of Review Commissioners.

Official action means any decision or recommendation by a person acting in a capacity as an official. Official action shall not include matters that are ministerial in nature.

Person means any individual, entity, corporation, partnership, firm, association, organization, unincorporated organization, company, recipient of County funds, union, trust, trustee, legal representative, legal entity, estate, as well as any corporate affiliate of any of the foregoing, and whether or not operated for profit.

Political activity means any activity in support of or in connection with any campaign for elective office or any political organization or political committee, but does not include activities relating to the support or opposition of any executive, legislative or administrative action; if in furtherance of the person's official duties, relating to bargaining; or that are otherwise in furtherance of the person's official duties.

Political committee incorporates the definition of that that term as it appears in the Illinois Election Code, 10 ILCS 5/9-1.8(a).

Political organization means a party, committee, association, fund, or other organization (whether or not incorporated) that is required to file a statement of organization with the State Board of Elections or a county clerk under Section 9.3 of the Election Code (10 ILCS 5/9-3), but only with regard to those activities that require filing with the State Board of Elections or a county clerk.

Prohibited political activity means:

- (1) Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
- (2) Soliciting contributions, including, but not limited to, the purchase of, selling, distributing, or receiving payment for tickets for any political fund-raiser, political meeting, or other political event.
- (3) Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
- (4) Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes or for or against any referendum question.

- (5) Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes or for or against any referendum question.
- (6) Assisting at the polls on behalf of any political organization, political committee or candidate for elective office or for or against any referendum question.
- (7) Soliciting votes on behalf of a candidate for elective office or a political organization or political committee or for or against any referendum questions or helping in an effort to get voters to the polls.
- (8) Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
- (9) Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
- (10) Preparing or reviewing responses to candidate questionnaires in connection with a campaign for elective office or on behalf of a political organization or political committee for political purposes.
- (11) Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
- (12) Campaigning for any elective office or for or against any referendum question.
- (13) Managing or working on a campaign for elective office or for or against any referendum question.
- (14) Serving as a delegate, alternate, or proxy to a political party convention.
- (15) Participating in any recount or challenge to the outcome of any election.

Prohibited source means any person or entity who:

- (1) Is seeking official action:
 - a. By ~~the~~any official or board or commission appointee; or
 - b. In the case of an employee, by the employee or by the official, County agency, board or commission, or other employee directing the employee.
- (2) Does business or seeks to do business:
 - a. With ~~the~~any official or board or commission appointee; or
 - b. In the case of an employee, with the employee or with the official, County agency, board or commission, or other employee directing the employee.

- (3) Conducts activities regulated:
 - a. By ~~the~~ any official or board or commission appointee; or
 - b. In the case of an employee, by the official, County agency, board or commission, or other employee directing the employee.
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duties of ~~the~~ any official, board or commission appointee or employee; or
- (5) Is registered or required to be registered with the ~~State County pursuant to the Cook County Lobbyist Ordinance~~ to lobby Cook County, except that an entity not otherwise a prohibited source does not become a prohibited source merely because a registered lobbyist is one of its members or serves on its board of directors.

Publicly post or *publicly display* means to intentionally communicate or otherwise intentionally make available to the general public.

Relative means an Official's, Employee's, or Board or Commission appointee's spouse, domestic partner, civil-union partner, parent, step-parent, child, step-child, grandparent, sibling, step-sibling, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, half-brother, or half-sister, and all of the preceding forms of relation to the official's, employee's, or board or commission appointee's spouse, domestic partner, or civil union partner (if any).

~~Relative, meaning those people related to the, official, employee or board or commission appointee as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father in law, mother in law, son in law, daughter in law, brother in law, sister in law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the official's, employee's, board or commission appointee's spouse, domestic partner, or civil union partner.~~

Seeking to do business means taking action within the past six months to obtain a contract or business with the County when, if such action were successful, it would result in the person doing business with the County. This includes responding to a request for qualifications, joining a pool of pre-qualified vendors or any similar procurement vehicle. The presumption that such a person is "seeking to do business" will last for the same duration as any RFQ, pre-qualified pool or similar procurement vehicle remains valid for all qualified respondents.

Sexual Harassment means any unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature regardless of gender. Sexual Harassment includes, but is not limited to:(1) Verbal harassment (e.g., lewd or sexually suggestive remarks, pranks, epithets, jokes, threats or slurs);(2) Physical harassment (e.g., touching, patting, pinching or intentionally brushing against another's body);(3) Visual harassment (e.g., leering, making sexual gestures, or displaying or sending lewd or sexually suggestive posters, cartoons, pictures, drawings or objects);(4) Sexual innuendo and demands for sexual favors (e.g., unwelcome sexual statements or advances); or(5) Any form of unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature regardless of whether it occurs face-to-face, in writing, on the telephone, by electronic mail, via the Internet, or by some indirect form of communication, as defined in Sec. 44-53 Prohibition of discrimination and harassment in the Cook County Code of Ordinances.

Single candidacy means the time period during which a candidate is seeking office with primary election and general election being separate candidacies.

Statement means the disclosure of economic interest form required to be filed by the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.).

Sec. 2-563. – Applicability and Acknowledgment.

- (a) This Article shall apply to all employees, officials, and board or commission appointees.
- (b) This Article shall further apply, where applicable, to:
 - (1) Persons doing business, seeking to do business, or who have done business with Cook County;
 - (2) Prohibited sources;
 - (3) Persons seeking official action;
 - (4) Candidates for County office; and
 - (5) Persons that have been issued a subpoena pursuant to Section 2-591(g).

(c) Effective 90 days after the effective date of this ordinance, any new employees must agree to adhere to this Article as a condition of their employment prior to the commencement of their County employment, or within a reasonable time thereafter.

(d) Effective 90 days after the effective date of this ordinance, any new board or commission appointees must agree to adhere to this Article as a condition of their appointment in order to be eligible for appointment to any board or commission.

~~This Ordinance shall apply to all officials, board or commission appointees and employees of Cook County, as defined in Section 2-562. Board or commission appointees must agree to adhere to the Cook County Ethics Ordinance in order to be eligible for appointment to any board or commission as defined in Section 2-562. This Article shall further apply where applicable to persons doing business, seeking to do business or who have done business with Cook County, prohibited sources and candidates for County office.~~

Secs. 2-564—2-570. - Reserved.

Subdivision II. - Code of Ethical Conduct

Sec. 2-571. - Fiduciary duty.

(a) Officials and employees shall at all times in the performance of their public duties owe a fiduciary duty to the County. Board or commission appointees appointed under County Ordinance owe a fiduciary duty to the County in the performance of their public duties and appointed board or commission appointees appointed under State Statute owe a fiduciary duty to the members of the public for which they have been appointed to serve.

(b) The fiduciary duty owed by officials, Board or commission appointees, and employees shall include, the following duties:

- (1) Disclose any conflicts of interest to all appropriate parties as required by Section 2-578 and recuse oneself from voting or participating in a decision involving the conflicted interest; Avoid the appearance of impropriety;
- (2) Comply with laws and regulations by avoiding both the violation of any applicable law or regulation and the creation of a strong risk of a violation of any other law or regulation;
- (3) Conserve County property and assets and avoid their wasteful use;
- (4) Conduct business on behalf of the County in a financially responsible manner;
- (5) Protect the County's best interests when contracting for outside services; and
- (6) Report any violations, suspected violations, or other misconduct under this article to the Board of Ethics or the Office of the Independent Inspector of Cook County in a timely manner.

Sec. 2-572. - Improper influence.

~~(a) — No official or employee shall make, participate in making or in any way attempt to use their official position to influence any County governmental decision or action in which the official or employee knows, has reason to know or should know that the official or employee has any economic interest distinguishable from that of the general public of the County.~~

~~(b) — No official or employee shall make, participate in making or in any way attempt to use their official position to influence any County governmental decision or action, including decisions or actions on any Cook County Board Agenda Item, in exchange for or in consideration of the employment of said official's or employee's relatives, domestic partner or civil union partner by any other official or employee.~~

~~(c) — No board or commission appointee shall make, participate in making or in any way attempt to use his or her official position to influence any decision or action by the Board or Commission to which they are appointed in which the board or commission appointee knows, has reason to know or should know that the board or commission appointee has any economic interest distinguishable from that of the general public served by the board or commission to which they are appointed.~~

No employee, official, or board or commission appointee shall use or in any way attempt to use their official position to influence any County governmental decision or action, including employment, decisions or actions on any Board or Commission Agenda Item or proposed Board or Commission Agenda Items:

- (1) which the employee, official, or board or commission appointee knows, has reason to know, or should know that they or any relative has any economic interest in such action or decision that is distinguishable from that of the general public of the County;

- (2) from which the employee, official, or board or commission appointee knows, has reason to know, or should know that (a) they or their relative has derived any income or compensation during the preceding twelve (12) months; or (b) from which they or their relative reasonably expects to derive any income or compensation during the following twelve (12) months; or
- (3) which creates, obtains, acquires, transfers, sells, or disposes of any privilege, right, option, license, or similar legal entitlement on behalf of (a) the employee, official, or board or commission appointee; (b) the employee, official, or board or commission appointee's relative; or (c) any person from whom the employee, official, or board or commission appointee has received compensation during the previous twelve (12) months or expects reasonably to receive compensation during the following twelve (12) months.

Sec. 2-573. - Dual employment Employees and Officials.

(a) No ~~official or~~ employee shall accept or maintain other employment which will impair ~~his or her~~ their independence of judgment in the exercise of official duties.

(b) No ~~official or~~ employee shall accept or maintain other employment which will impair ~~his or her~~ their ability to perform County duties and responsibilities.

(c) No elected or appointed official shall engage in compensated lobbying of the governing body of a county, municipality, township, the General Assembly, a State executive branch office or agency, or an official thereof, on behalf of any lobbyist or lobbying entity that is registered with the State to lobby Cook County.

(d) The Ethics Director and Chief of the Bureau of Human Resources shall be authorized to promulgate rules regarding dual employment for employees; said rules shall be applicable to all offices and agencies under the jurisdiction of the Ethics Ordinance. Any deviation from said rules shall require approval ~~be approved~~ by the Ethics Director.

(e) Effective 90 days after the effective date of this ordinance, any official that holds employment outside their elected office shall disclose such employment, or any change in employment to the Ethics Director and the Board of Ethics within 30 days of engaging in such employment or change in employment. Such disclosures by officials should be posted and made publicly available on the Ethics Departments web-page. The Ethics Director shall be charged with developing and distributing such elected official employment disclosure form on or before 60 days after the effective date of this ordinance .

Sec. 2-574. - Receiving and soliciting gifts and favors.

(a) Gift ban.

(1) Except as otherwise provided in subsection (b) of this section, ~~division~~, no official, board or commission appointee, or employee shall;

(A) intentionally solicit any gift for ~~him or herself~~themselves, or any relative from a prohibited source, or

(B) accept any gift of cash, gift card(s), or cash equivalent for ~~him or herself~~themselves, or any relative from a prohibited source; or

(C) knowingly accept any gift from a prohibited source for him or herself, themselves, or any relative, unless the total value of all gifts given by the prohibited source ~~any prohibited source or in violation of any Federal or State statute, rule, or regulation or any County ordinance, rule or regulation.~~ This ban applies to the employee, official, or board or commission appointee, or their relative, amounts to no more than \$100.00 during a calendar year, or

(D) knowingly accept any gifts received from a prohibited source that do not fall under an exception listed in Subsection (b) of Sec. 2-574,

(2) ~~and includes spouse, domestic partners, civil union partners of, and immediate family living with the official, board or commission appointee or employee. No prohibited source shall intentionally offer or make a gift that violates this Section.~~

(b) Exceptions. The restriction in Subsection (a) of this Section does not apply to the following. Each of the exceptions listed in subsection (b) is independent of one another:

(1) Reasonable travel, food and lodging expenses provided by a prohibited source associated with ~~Educational~~ materials, events, trainings, conferences and missions related to educating and/or training County employees, officials, or board or commission appointees, or to educating or training others on County matters or initiatives.. This exception may be further defined by rules adopted by the Board of Ethics.

(2) Reasonable hosting, including travel, food and lodging provided by a prohibited source associated with meetings, appearances or public events or ceremonies where the employees, officials, or board or commission appointees, ~~Travel expenses for a meeting to discuss County represent the County, Board or Commission on official business.~~ This exception may be further defined by rules adopted by the Board of Ethics.

(3) Gift from relative. A gift from a prohibited source who is also a relative of the recipient official, board or commission appointee, or employee or ~~his or her~~ their spouse or ~~immediate family member~~ relative living with ~~him or her~~ them.

(4) Gift on basis of personal friendship. A gift from a prohibited source who is also a personal friend of the recipient official, board or commission appointee, or employee, or ~~his or her~~ their spouse or ~~immediate family member~~ relative living with ~~his or her~~ them, provided by that individual on the basis of the personal friendship, unless the official, board or commission appointee, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the official, board or commission appointee, or employee and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient Board of Ethics shall consider the circumstances under which the gift was offered, such as:

a. The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals, particularly the history of the relationship pre-dating the official position or employment of the official, board or commission appointee or employee;

- b. Whether to the actual knowledge of the official, board or commission appointee or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
 - c. Whether to the actual knowledge of the official, board or commission appointee or employee the individual who gave the gift also at the same time gave the same or similar gifts to other officials or employees or their spouses, domestic partners, civil union partners or ~~immediate family members~~ relative living with them.
- (5) *Food or refreshments not exceeding \$75.00 per person.* Food or refreshments not exceeding \$75.00 per person in value on a single calendar day; provided that the food or refreshments are consumed on the premises from which they were purchased or prepared or catered. For purposes of this subsection, the term "catered" means food or refreshments that are purchased ready to eat and delivered by any means.
- (6) *Food, refreshments, lodging, transportation, etc., from outside employment.* Food, refreshments, lodging, transportation, and other benefits resulting from the outside business or employment activities (or outside activities that are not connected to the duties of the official, board or commission appointee or employee as an office holder or employee) of the official, board or commission appointee or employee, or the spouse, domestic partner, or civil union partner of the official, board or commission appointee or employee, if the benefits have not been offered or enhanced because of the official position or employment of the official, board or commission appointee or employee, and are customarily provided to others in similar circumstances.
- (7) *Intra-governmental and inter-governmental gifts.* For the purpose of this article "intra-governmental gift" means any gift given to an official or employee of a County agency or board or commission appointee from another official or employee of the same County agency or board or commission appointee of the same County agency or board of commission; and "inter-governmental gift" means any gift given to an official, board or commission appointee or employee of a County agency or department by an official, board or commission appointee or employee of another County agency or department, of a State of Illinois agency, of a Federal agency, or of any governmental entity.
- (8) *Bequests.* Bequests, inheritances, and other transfers at death.
- (9) *Items valued at less than \$100.00.* Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.00.

~~Each of the exceptions listed in this subsection is independent of one another.~~

(c) An official, board or commission appointee or employee does not violate this article if the official, board or commission appointee or employee promptly takes reasonable action (within 30 days of receipt) to return the prohibited gift noted in Subsection (a) of this Section to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as now or hereafter amended, renumbered, or succeeded.

(d) Gifts which have a value of greater than \$100.00 (or a series of gifts with an aggregate value of greater than \$100.00 from one prohibited source during any calendar year) received by any official, board or commission appointee or employee from a prohibited source under Subsection (a) of this Section shall be disclosed to the Board of Ethics by the recipient within ten business days of receipt. The disclosure shall include the name and government title of the recipient; the name, address, occupation, and employer of the donor; a description of the gift and its value; and the intended use or disposition of the gift. ~~This requirement applies with equal force to gifts that are excepted from the restriction in Subsection (a) of this section and gifts for which an official, board or commission appointee or employee has taken an action under Subsection (e) of this section in order to remain compliant with Subsection (a).~~

(e) Any and all gifts or honoraria having a value greater than \$100.00 and received by an official, board or commission appointee, or employee for participating in speaking engagements, lectures, debates, or organized discussion forums arising out of ~~his or her~~their County employment shall be disclosed to the Board of Ethics within ten business days of receipt.

Sec. 2-575. – ~~Reserved~~–Sexual Harassment.

(a) No official, employee or board or commission appointee shall engage in or encourage behavior constituting sexual harassment or knowingly permit or condone behavior constituting sexual harassment by or against another Person

(b) The requirement in Subsection (a) of this Section does not limit or replace any other applicable law, rule, regulation, process, or policy regarding such conduct including compliance with Sec. 44-53 Prohibition of discrimination and harassment in the Cook County Code of Ordinances.

Sec. 2-576. - County-owned property.

No official, board or commission appointee or employee shall engage in or permit the unauthorized use of property and resources that ~~are is~~-owned or leased by the County or the Board or Commission to which they are appointed. Such property and resources shall ~~only~~ be used for official County or Board or Commission business. De minimis personal use of property and resources shall not be considered unauthorized.

Sec. 2-577. - Use or disclosure of confidential information.

No official, board or commission appointee or employee shall use or disclose confidential information gained in the course of or by reason of ~~his or her~~their position or employment, other than:

- (1) In the performance of ~~his or her~~their official duties;
- (2) As may be required by law; or
- (3) As permitted in Section 2-584 or other whistleblower law.

Sec. 2-578. - Conflicts of interest.

~~(a) No official or employee shall make, or participate in making, any County governmental decision and no board or commission appointee shall make, or participate in making, any board or commission decision with respect to any matter in which the official, board or commission appointee or employee, or the spouse, or dependent, domestic partner or civil union partner of the official or employee, has any economic interest distinguishable from that of the general public. For purposes of this Section, the term "dependent" shall have the same meaning as provided in the U.S. Internal Revenue Code, as amended.~~

No employee, official, or board or commission appointee shall make, participate in making, or preside over making any County governmental decision or action, including decisions or actions on any Board or Commission Agenda Item or proposed Board or Commission Agenda Item:

- (1) which the employee, official, or board or commission appointee knows, has reason to know, or should know that the employee, official, or board or commission appointee, or their relative, has any economic interest in such action or decision that is distinguishable from the general public of the County;
- (2) from which the employee, official, or board or commission appointee knows, has reason to know, or should know that:
 - (A) the employee, official, or board or commission appointee, or their spouse, domestic partner, civil union partner, dependent, or relative has derived any income or compensation during the preceding twelve (12) months; or
 - (B) the employee, official, or board or commission appointee, or their spouse, domestic partner, civil union partner, dependent, or relative, reasonably expects to derive any income or compensation during the following twelve (12) months; or
- (3) which creates, obtains, acquires, transfers, sells, or disposes of any privilege, right, option, license, or similar legal entitlement on behalf of (A) the employee, official, or board or commission appointee; (B) the employee, official, or board or commission appointee's relative; or (C) any person from whom the employee, official, or board or commission appointee has received compensation during the previous twelve (12) months or expects reasonably to receive compensation during the following twelve (12) months.
- (4) For purposes of this Section, the term "dependent" shall have the same meaning as provided in the U.S. Internal Revenue Code, as amended.

~~(b) Any employee who has a conflict of interest as described by Subsection (a) of this Section shall advise his or her supervisor and any other employees designated by the County to be informed of conflicts in writing of the conflict or potential conflict. The immediate supervisor shall either:~~

- (1) Assign the matter to another employee; or
- (2) Require the employee to eliminate the economic interest giving rise to the conflict and only thereafter shall the employee continue to participate in the matter.
- (3) The immediate supervisor shall also disclose to the Director of the Board of Ethics the conflict brought to their attention and the action taken to resolve it in writing within 30 days of taking the action.

(b) ~~Any official, board or commission appointee or employee who has a conflict of interest as described by Subsection (a) of this Section shall disclose the conflict of interest in writing the nature and extent of the interest to the Cook County Board of Ethics as soon as the employee, board or commission appointee or official becomes aware of such conflict and shall not take any action or make any decisions regarding that particular matter. A Cook County Board Commissioner shall vote present on any matter in which they may have a conflict of interest and shall also notify the Cook County Board of Ethics of such interest within 24 hours of introduction of any ordinance, resolution, contract, order or other matter before the Cook County Board of Commissioners, or as soon thereafter as the Commissioner is or should be aware of such conflict of interest. The Board of Ethics shall make all disclosures available for public inspection and copying immediately upon request.~~

Any official, or board or commission appointee who has a conflict of interest or a potential conflict of interest pursuant to Subsection (a) of this Section shall disclose the conflict of interest in writing and the nature and extent of the interest to the Board Secretary or applicable secretary responsible for keeping any meeting minutes as soon as the board or commission appointee or official becomes aware of such conflict and shall not take any action or make any decisions regarding that particular matter. An official or board or commission appointee shall vote present on any matter in which they may have a conflict of interest and shall also notify the Board Secretary or applicable secretary response for keeping any meeting minutes of such conflict of interest within 24 hours of introduction of any ordinance, resolution, contract, order, administrative action or other matter before the official or board or commission appointee, or as soon thereafter as the official or board or commission appointee is or should be aware of such conflict of interest. Such disclosures shall be available for public inspection and copying immediately upon request.

Sec. 2-579. - Representation of other persons.

(a) No elected official or employee may represent, or have an economic interest in the representation of any person other than the County in a formal or informal proceeding or transaction before any County agency in which the agency's action or nonaction is of a nonministerial nature and no board or commission appointee may represent, or have an economic interest in the representation of any person other than the board or commission in a formal or informal proceeding or transaction before said board or commission to which the board or commission appointee is a party in which the board or commission's action or nonaction is of a nonministerial nature.

(b) No elected official or employee may have an economic interest in the representation of any person in any judicial or quasi-judicial proceeding before any administrative agency or court in which the County is a party and that person's interest is directly adverse to that of the County and no board or commission appointee may have an economic interest in the representation of any person in any judicial or quasi-judicial proceeding before any administrative agency or court in which said board or commission to which the board or commission appointee is a party and that person's interest is directly adverse to that of the board or commission.

(c) No appointed official may represent any person in the circumstances described in Subsection (a) or (b) of this Section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities and no board or commission appointee may represent any person in the circumstances described in Subsection (a) or (b) of this Section unless the matter is wholly unrelated to the board or commission appointee's duties and responsibilities.

(d) For purposes of this Section, the term "economic interest" shall not include the interest of the spouse, domestic partner or civil union partner of an official, board or commission appointee or employee which interest is related to the independent occupation, profession or employment of the spouse, domestic partner, or civil union partner.

Sec. 2-580. - Post-employment restrictions.

(a) No ~~former official, or~~ employee, or board or commission appointee shall assist or represent any person other than the County in any judicial or administrative proceeding involving the County if the ~~former official, or~~ employee, or board or commission appointee was counsel of record on the specific matter or participated personally and substantially in the proceeding during ~~his or her~~ their term of office or employment.

(b) No ~~former official, or~~ employee, or board or commission appointee shall assist or represent any person in any business transaction involving the County, if the ~~official, or~~ employee, or board or commission appointee participated personally and substantially in that transaction during ~~his or her~~ their term of office or employment.

(c) Except as provided in subsection (f) of this Section, no official, or ~~employee, or board or commission appointee~~ may, for a period of 364 calendar days following one year after the termination of ~~his or her~~ their term of office or employment, knowingly accept employment or receive any form of compensation, consideration, or fees for services from any person an employer if the official, or ~~employee, or board or commission appointee~~ employee or official, during the year immediately preceding termination of County employment and on behalf of the County participated personally and substantially in the decision to award a contract with a value of more than \$15,000.00 on behalf of the County, or County contracts with a cumulative value of more than, \$15,000.00 on behalf of the County, to the person offering such employment, compensation, consideration, or fees for services during the 364 calendar days prior to the termination of the official, employee, or board or commission appointee's term of office or employment. over \$10,000.00 to the employer.

(d) Except as provided in subsection (f) of this Section ~~No former official or employee may,~~ for a period of 364 calendar days following one year after the termination of ~~his or her~~ their term of office or employment, no former employee, official, or board or commission appointee may knowingly and for compensation lobby any County agency, board, commission, official, board or commission appointee, knowingly and for compensation lobby any County official or employee on behalf of any other person, entity.

(e) Except as provided in subsection (f) of this Section ~~No former official or employee may,~~ for a period of 364 calendar days following one year after the termination of ~~his or her~~ their term of office or employment, no former employee, official, or board or commission appointee may contract with the County to provide more than \$15,000.00 in compensated professional services to the County or otherwise receive more than \$15,000.00 in compensation for ~~his or her~~ their labor from the County, unless the agency seeking to retain the former official or employee's services provides a certification to the Board of Ethics and the Chief Procurement Officer that the former official or employee's County experience or expertise is such that retention of that person for the specific services at issue is necessary to provide continuity of operations and/or will provide significant efficiencies to the County over hiring an employee or engaging an outside vendor to perform such services. Where the employee will be returning to the same agency, the required certification shall be made by the agency head. A copy of this certification shall be filed with the Secretary of the Cook County Board of Commissioners.

(f) The requirements of this Section may be waived by the Board of Ethics upon a showing by the former official or employee that such waiver would not result in a conflict of interest or in the disclosure of the County's confidential information or the appearance of impropriety. Additional requirements for waiver may be further defined by rules adopted by the Board of Ethics and approved by the County Board ~~as authorized.~~

(g) This Section applies only to persons who terminate an affected position on or after the effective date of this article.

Sec. 2-581. - Interest in county business or board or commission business.

(a) No elected official or employee shall have a financial interest in:

(1) ~~his or her~~their own name or in the name of any other person in any contract, work or business of the County; or

(2) ~~in the case of a board or commission appointee in any contract, work or business of the board or commission to which they are appointed or that which the board or commission approves. No elected official or employee shall have a financial interest in his or her own name or in the name of any other person in the~~ disposition, sale, or transfer of any article, property, or legal entitlement, whenever the expense, price, or consideration of such transaction ~~the contract, work, business or sale is paid with funds belonging to or administered by the County.~~

(b) Any board or commission appointee with a financial interest in:

(1) any contract, work or business of the board or commission to which they are appointed must disclose said financial interest to the Board of Ethics and recuse himself or herself~~themselves~~ from participating in any decision regarding said contract, work or business ; or

(2) appointee in the sale of any article, whenever the expense, price or consideration of the contract, work, business ~~the disposition, or sale, or transfer of any article, property or legal entitlement, whenever the expense, price, or consideration of such transaction is paid with funds belonging to or administered by the board or commission to which they are appointed must disclose said financial interest to the Board of Ethics and recuse himself or herself~~themselves~~ from participating in any decision regarding said matter.~~

(c) Unless sold pursuant to a process of competitive bidding following public notice, no employee, official or board or commission appointee shall have a financial interest in the purchase of any property that:

(1) Belongs to the County;

(2) Is sold for taxes or assessments; or

(3) Is sold by virtue of legal process at the suit of the County.

(d) Compensation for property taken pursuant to the County's eminent domain power shall not constitute a financial interest within the meaning of this Section. ~~Unless sold pursuant to a process of competitive bidding following public notice, no elected official or employee shall have a financial interest in the purchase of any property that:~~

- ~~(1) — Belongs to the County;~~
- ~~(2) — Is sold for taxes or assessments; or~~
- ~~(3) — Is sold by virtue of legal process at the suit of the County~~

~~(b) — No appointed official shall engage in a transaction described in Subsection (a) of this Section unless the matter is wholly unrelated to the appointed official's County duties and responsibilities and no board or commission appointee shall engage in a transaction described in Subsection (a) of this Section unless the matter is wholly unrelated to the board or commission appointee's board or commission duties and responsibilities.~~

(e) For purposes of this Section, the term "financial interest" shall not include the interest of the spouse, domestic partner, or civil union partner of an official or employee which interest is related to the independent occupation, profession, or employment of the spouse, domestic partner, or civil union partner.

Sec. 2-582. - Employment of relatives.

(a) No official, board or commission appointee, or employee shall: ~~participate in a hiring decision, or shall employ or advocate for employment, in any agency over which such official, board or commission appointee or employee either serves or over which he or she exercises authority, supervision or control, any person who is a relative of said official or employee, or in exchange for or in consideration of the employment of any said official's or employee's relatives, by any other official, board or commission appointee or employee.~~

- (1) hire a relative, on behalf of the county, or a county board or commission;
- (2) participate in a hiring decision of a relative on behalf of the county, or a county board or commission;
- (3) hire or participate in a hiring decision of any person on behalf of the county, or a county board or commission, in exchange for consideration of another person's employment of such official, employee, board or commission appointee's relative or in exchange for or in consideration of the employment of any said official's or employee's relatives, by any other official, board or commission appointee or employee.

(b) No employee, official, or board or commission appointee shall directly supervise or participate in the evaluation of the work or job performance of any relative of such employee, official or board or commission appointee unless:

- (1) such supervision is required by law;
- (2) the relationship is properly disclosed to the Director of the Board of Ethics and the Director of the Board of Ethics provides written approval of such arrangements; or

(3) the supervisory arrangement at issue predates the enactment of this amendment to Article

(c) No official or employee, on behalf of any County agency, shall:

(1) participate in a decision whether to contract with any person with whom or in which the official or employee knows that a relative of that official or employee has a financial interest;

(2) ~~No official or employee shall~~ exercise contract management authority where any relative of the official or employee is employed by or has contracts with persons doing County work over which the County official or employee has or exercises contract management authority.

(d) No board or commission appointee, on behalf of the board or commission to which they are appointed, shall:

(1) participate in a decision whether to contract with any person with whom or in which the board or commission appointee knows that a relative of that board or commission appointee has a financial interest;

(2) ~~No board or commission appointee shall~~ exercise contract management authority where any relative of the board or commission appointee is employed by or has contracts with persons doing board or commission work over which the board or commission appointee has or exercises contract management authority.

(e) (e) Any person or persons doing business with the County shall be required, upon execution of a contract with the County of Cook, to disclose to the Board of Ethics the existence of familial relationships such person may have with all persons, defined as a relative in Section 2-562, holding an elected office associated with the County of Cook, i.e., Cook County Commissioner, Cook County Board President, Cook County Sheriff, ~~Cook County State's Attorney~~, Cook County Assessor, Cook County Clerk, Cook County Clerk of the Circuit Court, ~~Cook County Recorder of Deeds~~, Cook County Treasurer, Cook County Board of Review, and Cook County State's Attorney. In the event that a business entity is contracted to do business with the County of Cook, the disclosure shall apply to the following persons who are employed by the business entity or who were employed by the business entity during the 12-month period immediately preceding the date of the contract:

(1) All natural persons who are designated as the entity's board of directors;

(2) All officers of the business entity;

(3) All persons who are responsible for the general administration or operation of the entity;

(4) All agents who are duly authorized to execute documents related to Cook County business on behalf of the business entity;

(5) All employees who are directly engaged in contractual work with the County on behalf of the -business entity.

(e) (f) The disclosure required by this Section shall be filed by January 12 of each calendar year or within 30 days of the execution of any contract or lease.

~~(f) Any person or business entity who is doing business with the county in accordance with Subsection (d), at the time this Ordinance is passed shall be required to file such disclosure no later than 60 days after the effective date of this Section.~~

(g) In addition to other penalties provided in this division, any person filing a late disclosure statement under this Section ~~shall~~ may be assessed a late penalty in the amount of \$100.00 per day that the disclosure is late, payable to the Cook County Board of Ethics upon filing. Any person filing an annual disclosure statement after January 31 shall be subject to the late penalty.

(h) In addition to the penalties provided for in subsection (g) of this Section, any person or business entity convicted of a violation of any provision of this division may be prohibited for a period of three years from the date of the conviction from engaging, directly or indirectly, in any business with the County of Cook. Any person or business entity who is found by the Board of Ethics to have knowingly or willfully filed a false, misleading or incomplete disclosure shall be prohibited for a period of three years from the date of the conviction from engaging, directly or indirectly, in any business with the County of Cook.

(i) The Cook County Board of Ethics is hereby authorized to promulgate rules and procedures for the reporting and enforcement of this Section, including the designation of a disclosure form to be used by all persons required to file under this Section.

Sec. 2-583. - Political activity.

(a) No official, board or commission appointee, or employee shall compel, coerce, or intimidate any County official or employee to make or refrain from making any political contribution. No official, board or commission appointee shall directly solicit any political contribution from ~~his or her~~ their employees, the spouses, domestic partners or civil union partners of, or ~~immediate family living relative living with his or her~~ their employees. Nothing in this subsection shall be construed to prevent any official, board or commission appointee, or employee from voluntarily making a contribution or from receiving a voluntary contribution.

(b) No employee with contract management authority or board or commission appointee of a County official whose board or commission appointment provides for compensation and requires confirmation by the Cook County Board of Commissioners shall serve on the political committee of any elected official or candidate for County office.

(c) County employees shall not intentionally perform any prohibited political activity during any compensated time (other than vacation, personal, or compensatory time off). County employees or officials shall not intentionally misappropriate any County property or resources by engaging in any prohibited political activity for the benefit of any campaign for elective office or any political organization or political committee.

(d) At no time shall any official or employee intentionally misappropriate the services of any County employee and at no time shall any board or commission appointee misappropriate the services of any board or commission employee by requiring that employee to perform any prohibited political activity:

- (1) As part of that employee's County duties or in the case of a board or commission, as part of that employee's board or commission duties;

- (2) As a condition of County employment or in the case of a board or commission, as a condition of board or commission employment; or during any time off that is compensated by the County or board or commission (such as vacation, personal, or compensatory time off).

(e) A County employee or board or commission appointee shall not be required at any time to participate in any prohibited political activity in consideration for that employee being awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise.

(f) A County employee or board or commission appointee shall not be awarded any additional compensation or employee benefit, in the form of a salary adjustment, bonus, compensatory time off, continued employment, or otherwise, in consideration for the employee's participation in any prohibited political activity.

(g) Nothing in this Section prohibits activities that are otherwise appropriate for a County employee or board or commission appointee to engage in on a voluntary basis as permitted by law.

Sec. 2-584. - Whistleblower protection.

(a) No complainant, or employee acting on behalf of a complainant, shall be discharged, threatened or otherwise discriminated against regarding compensation, terms, conditions, location or privileges of employment because:

- (1) The complainant or employee acting on behalf of the complainant reports or is about to report, verbally or in writing, a violation or suspected violation of this Ordinance; or
- (2) The complainant or employee acting on behalf of the complainant is requested to participate in an investigation, hearing or inquiry held pursuant to this Ordinance, or in any related court action.

(b) This Section shall not apply to a complainant, or employee acting on behalf of a complainant, who knowingly makes a false report.

Sec. 2-585. - Limitations of contributions to candidates and elected officials.

(a) No person shall make contributions exceeding the limits established by the Election Code, 10 ILCS 5/9-1 et seq., when making contributions to any of the following elected officials or candidates for such office: Cook County Commissioners, the Cook County Board President, the Cook County Sheriff, the Commissioner, Cook County State's Attorney, the Cook County Assessor, the Cook County Clerk, the Cook County Clerk of the Circuit Court, the Assessor, Cook County Treasurer, and members of the Cook County Board of Review, Commissioner, Cook County Sheriff, Cook County Clerk, and Cook County Recorder of Deeds except as otherwise provided in Section 2-585.

(b) No person who does business with the County; ~~or who has done business with the County within during the preceding four years; or is seeking to do business with the County; or is a person required to registered with the State to lobby as a lobbyist with the Cook County; or who is seeking official action or has sought official action by the County during within the preceding four years;~~ is an officer, director or partner of a firm, contracted by the County to act as financial counsel, bond counsel, underwriter's counsel, legal counsel, or financial manager for the issuance of any bond and directly working on said bond transaction; or is a firm, officer, director or partner, contracted by the County to provide financial audits of County finances and directly working on said contract shall make contributions in an aggregate amount exceeding \$750.00 \$1,500.00 in a calendar year to any local, state, or federal political committee that is established in support of a specific candidate for County office or to any local, state, or federal political committee that is established in support of a specific candidate for County office or an elected County official. The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a calendar year.

- (1) ~~To any candidate for County office or elected County official during a single candidacy; or~~
- (2) ~~To any elected official of the government of the County during any nonelection year of his or her term.~~
- (3) ~~To any local, state, or federal political committee that is established in support of, a specific candidate for County office or an elected County official. The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A calendar year, for purposes of this Section, is from January 1 to December 31 of each year.~~

(c) For purposes of Subsection (b) of this Section, an entity and its subsidiaries, parent company or otherwise affiliated companies (including a separate segregated fund of an entity, as that term is described in 52 U.S.C. § 30118(b)), shall be considered a single person. The political contributions of an entity's employees, officers, directors, and/or partners for which they are reimbursed by the entity or its affiliates shall also be considered those of a single person. However, nothing in this provision shall be construed to prohibit such an employee, officer, director or partner from making a political contribution for which ~~he is~~they are not reimbursed by a person with whom ~~he or she is~~they are affiliated.

(d) ~~Effective October 2, 2013, No no~~ Board or commission appointee of a County official whose board or commission appointment provides for compensation and requires confirmation by the Cook County Board of Commissioners shall make contributions in an aggregate amount exceeding ~~\$750.00 \$1,500.00 in a calendar year to any local, state, or federal political committee that is established in support of a specific candidate for County office.~~

- (1) ~~To the appointing County official or the Members of the Cook County Board of Commissioners during a single candidacy; or~~
- (2) ~~To the appointing County official or the Members of the Cook County Board of Commissioners during any nonelection year of his or her term.~~

~~The combined effect of these provisions is intended to permit total contribution up to, but not exceeding, \$1,500.00 in a year in which a candidacy occurs. A year, for purposes of this Section, is from January 1 to December 31 of each year.~~

(e) Any contributions made under this Section shall be reported as required by the Election Code, 10 ILCS 5/1-1 et seq.

(f) Any candidate for any County office or any current elected official in Cook County government shall return contributions found in excess of the limitations set forth in this Section within 30 days of notification from the Board of Ethics. Failure to return contributions within 30 days shall be a violation of this Section and subject to fines under Section 2-602.

Sec. 2-586. - Newsletters, brochures, public service announcements, and promotional materials.

(a) Except as provided by subsection (b), County funds and resources may not be used by any elected County official to print, mail, transmit, or pay for the printing, mailing, or transmission of, or mail any newsletters or brochures bearing the proper name of the elected County official during the period of time:

(1) ~~January 1 of the year of 60 days prior to a general primary election and ending the day after such general primary election; and~~

(2) ~~during a period beginning September 1 of the year of 60 days prior to a general election and ending the day after such general election, if the elected County official is a candidate in such primary or general election. A County elected official may not mail, during the period beginning January 1 of the year of a general primary election and ending the day after such general primary election and during a period beginning September 1 of the year of a general election and ending the day after such general election, any newsletters or brochures that were printed at any time using County funds or resources if the elected County official is a candidate in such primary or general election.~~

(b) Subsection (a) of this This Section shall not apply to:

(1) responses to unsolicited inquiries from constituents and other interested parties; or

(2) informational brochures that are solely related to and accompany any mailing of a property tax bill, notice of property tax assessment, or notice of voter registration or polling place information, or to a brochure mailed to a constituent in response to that constituent's inquiry concerning the needs of that constituent or questions raised by that constituent.

(c) No public service announcement or advertisement that is on behalf of any County administered program and contains the proper name, image, or voice of any elected County official shall be paid with County funds and broadcast or aired on radio or television or printed in a commercial newspaper or commercial magazine at any time on or after the date that the elected County official files nominating papers for any elected office, and ending the day after such general election if the elected County official is a candidate in such primary or general election. This Section shall not apply to any information available or posted by the County or any elected County official on any Cook County owned website or County owned social media account or broadcast or aired on the "public educational, government access" channels.

(d) The proper name or image of any elected official may not appear on any promotional materials or items if designed, paid for, produced, and/or distributed with public funds or resources, including, but not limited to:

- (1) Bumper stickers;
- (2) Commercial billboards;
- (3) Lapel pins or buttons;
- (4) Magnets;
- (5) Sports teams;
- (6) Items of clothing or apparel;
- (7) Stickers;
- (8) Calendars;
- (9) Vehicles or
- (10) Equipment.

Sec. 2-587. - Ethics Education Seminar.

(a) Each elected official, members of each elected official's personal staff, each employee holding a senior administrative service position with the County, and each board or commission appointee, upon due notice, shall attend an ethics education seminar offered on a regular basis by the Board of Ethics within 120 days of the effective date of this amendatory ordinance or within 120 days of becoming an elected official, becoming a member of an elected official's personal staff, becoming a board or commission appointee or holding a senior administrative service position with the County (or as soon thereafter as an ethics education seminar is offered by the Board of Ethics) and every four years thereafter. The seminar shall educate persons as to their duties and responsibilities under this article.

(b) The Board of Ethics shall define "senior administrative service position" by rule.

Sec. 2-588. - Identity protection policy.

- (a) *Prohibited activities.* No officer or employee of the County shall do any of the following:
- (1) Publicly post or publicly display in any manner an individual's social security number;
 - (2) Print an individual's social security on any card required for the individual to access products or services provided by the person or entity;
 - (3) Require an individual to transmit ~~his or her~~their social security number over the internet, unless the connection is secure or the social security number is encrypted;

- (4) Print an individual's social security number on any materials that are mailed to the individual, through the U.S. Postal Service, any private mail service, electronic mail, or any similar method of delivery, unless State or Federal law requires the social security number to be on the document to be mailed. A social security number that may be permissibly mailed under this Section may not be printed, in whole or in part, on a postcard or other mailer that does not require an envelope or be visible on an envelope without the envelope having been opened;
- (5) Collect, use or disclose a social security number from an individual, unless (i) required to do so under State or Federal law, rules or regulations, or the collection, use or disclosure of the social security number is absolutely necessary for the performance of that agency's duties and responsibilities; (ii) the need and purpose for the social security number is documented before collection of the social security number; and (iii) the social security number collected is relevant to the documented need and purpose;
- (6) Require an individual to use ~~his or her~~ their social security number to access an internet website;
- (7) Use the social security number for any purpose other than the purpose for which it was collected.
- (b) *Exceptions.* The prohibitions in subsection (a) do not apply in the following circumstances:
 - (1) The disclosure of social security numbers to agents, employees, contractors or subcontractors of the County or disclosure to another governmental entity or its agents, employees, contractors or subcontractors if disclosure is absolutely necessary in order for the entity to perform its duties and responsibilities;
 - (2) The disclosure of social security numbers pursuant to a court order, warrant or subpoena;
 - (3) The collection, use or disclosure of social security numbers if it is absolutely necessary in order to ensure the safety of County employees, persons committed to correctional facilities, local jails and other law enforcement facilities or retention centers; and all persons working in or visiting a County facility;
 - (4) The collection, use or disclosure of social security numbers if it is absolutely necessary for internal verification or administrative purposes;
 - (5) The collection or use of social security numbers to investigate or prevent fraud, to conduct background checks, to collect a debt, to obtain a credit report from a consumer reporting agency under the federal Fair Credit Reporting Act, to undertake any permissible purpose that is enumerated under the federal Gramm Leach Bliley Act, or to locate a missing person, a lost relative, or a person who is due a benefit such as a pension benefit or an unclaimed property benefit.
- (c) *Conflicts.* Any standards of the County for the collection, use or disclosure of social security numbers that are stricter than the standards under this policy with respect to the protection of those social security numbers shall control in the event of any conflict with the provisions of this policy.

(d) *Public Inspection and Copying of Documents.* Notwithstanding any other provision of this policy to the contrary, all officers of the County must comply with the provisions of any other State law with respect to allowing the public inspection and copying of information or documents containing all or any portion of an individual's social security number. All officers and employees of the County must redact social security numbers from the information or documents before allowing the public inspection or copying of the information or documents.

(e) *Applicability.*

- (1) This policy does not apply to the collection, use or disclosure of a social security number as required by State or Federal law, rule or regulation.
- (2) This policy does not apply to documents that are required to be open to the public under any State or Federal law, rule or regulation, applicable case law, Supreme Court Rule, or the Constitution of the State of Illinois.

(f) *Compliance with Federal Law.* If a Federal law takes effect requiring any Federal agency to establish a national unique patient health identifier program, the County shall follow that law.

(g) *Embedded Social Security Numbers.* No officer or employee of the County may encode or embed a social security number in or on a card or document including, but not limited to, using a bar code, chip, magnetic strip, RFID technology, or other technology, in place of removing the social security number as required by this policy.

(h) *Identity Protection Requirements.* In accordance with the requirements of the Identity Protection Act, 5 ILCS 179/1 et seq.

- (1) All officers, employees, and agents of the County identified as having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training shall include instructions on the proper handling of information that contains social security numbers from the time of collection to the time of destruction of such information.
- (2) Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
- (3) Social security numbers requested from an individual in permissible circumstances shall be provided in a manner that makes the social security number easily redacted if required to be released as part of a public records request.
- (4) When collecting a social security number in permissible circumstances or upon request by the individual, a statement of the purpose(s) for which the County is collecting and using the social security number shall be provided.
- (5) The County shall advise its employees of the existence of this policy and make a copy of the policy available to each employee, and shall also make this privacy policy available to any member of the public upon request. If the County amends this privacy policy, then the County shall also advise its employees of the existence of the amended policy and make a copy of the amended policy available to each employee.

(i) *Implementation.* All County agencies shall adopt procedures to come into compliance with this policy by the effective date of this Ordinance.

(j) *Violation.* Any person who intentionally violates the prohibitions in Subsection (a) of this policy is guilty of a Class B misdemeanor. Suspected violations shall be reported to the Board of Ethics or the Office of the Independent Inspector General as soon as practicable, and they will refer violations to the State's Attorney when appropriate for prosecution.

(k) *Supersede.* This policy does not supersede any more restrictive law, rule or regulation regarding the collection, use or disclosure of social security numbers. However, all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

Sec. 2-589.- Inducement of Others

(a) No Person shall induce or attempt to induce another person to violate the provisions of this Division.

(b) No Person shall intentionally aid or abet another person in violating the provisions of this Division.

Subdivision III. - Financial Disclosure

Sec. 2-59089. - Generally.

(a) Officers and employees shall file verified written statements of economic interests as required by the Illinois Governmental Ethics Act, 5 ILCS 420/4A-101 et seq. All statements shall be available in electronic form for examination and duplication by the Board of Ethics upon request.

(b) The Board of Review and the Cook County Assessor shall post on their respective internet websites information pertaining to appeals filed with each office. The information posted will consist of the name of the applicant, the disposition of the appeal, the property index number, the appeal number, the Attorney or other representative of record and the basis for the disposition. The website shall allow for users to search by address, pin number, appeal number or name of the Attorney or other representative of record.

The Board of Review and the Cook County Assessor shall post the required appeal information for a total of four assessment years on their respective websites.

~~Sec. 2-590. - Reserved.~~

Subdivision IV. - Board of Ethics

Sec. 2-591. - Composition and powers.

The organization and administration of the Cook County Board of Ethics shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Board of Ethics. The composition and powers of the Board of Ethics are as follows:

(a) The Board of Ethics shall be composed of five members appointed by the President of the County Board with the advice and consent of the County Board and will take into account the diversity of communities and conditions protected by this article. The Board of Ethics shall have an executive director who shall be appointed by the President.

(b) Each member of the Board shall:

- (1) Reside within the corporate boundaries of the County;
- (2) Not be an employee of the County or any agency thereof;
- (3) Not hold elected public or political party office within the County;
- (4) Have no individual financial interest in any work or business of or official action by the County;
- (5) Not take an active part in managing the political campaign of a candidate for County office;
- (6) Not be convicted of any felony or any crime involving moral turpitude;
- (7) Not be engaged in activities that require registration under the ~~Cook County~~ State of Illinois Lobbyist Registration ~~Ordinance~~ Act; and
- (8) Not be a relative as defined in Section 2-562 ~~to~~ of any elected official of the County.

(c) The members of the Board shall be appointed for terms of four years and hold office until their successors have been appointed. The initial appointment of the members shall be as follows: One member for four years; two members for three years; and two members for two years.

(d) Any member of the Board may be removed by the President, with the advice and consent of the Board of Commissioners, for incompetence, substantial neglect of duty, gross misconduct, malfeasance in office, or violation of any law, after written notice, stating the grounds for removal.

(e) Board members shall receive no compensation for their services.

(f) The Board shall be responsible for initiating, receiving, and investigating violations of this article. The Board's authority to investigate an alleged violation of this article is limited to violations which occurred not more than two years prior to the date upon which a complaint is received or discovery of the fact that an alleged violation has occurred.

(g) The Board shall have the authority to issue a subpoena~~s~~ for the appearance of witnesses and the production of evidence, ~~or both~~, in the course of investigations and hearings. A subpoena shall be served in the same manner as subpoenas issued under the rules of the Illinois Supreme Court and shall be subject to the same witness and mileage fees fixed by law for such subpoenas. The Board shall adopt rules as necessary to implement this process.

(h) 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.~~

(i) If necessary, the Board shall conduct hearings to determine contested facts relevant to the Board's determination of whether an investigation has found substantial evidence that a violation of the Ordinance has occurred. The Board may delegate this power to a duly licensed attorney of its choosing, provided that any recommended conclusions of fact are subject to review, rejection or ~~and~~ modification by the Board before those recommendations are adopted.

(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.

(k) Unless precluded by operation of law or rules of professional conduct, the Board shall be represented in all civil litigation and administrative proceedings by the Cook County State's Attorney.

- (1) Board in any civil litigation or administration proceeding, a Special State's Attorney should be appointed in accordance with 55 ILCS 5/3-9008.

- (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.

(l) The Board may also advise, by means of written advisory opinions, and may consult with the County Board of Commissioners, President, County agencies, officials and employees on matters involving this article.

(m) The Board may also from time to time recommend to the President or the Board of Commissioners such legislative action as it deems appropriate to effectuate the policy of this article.

(n) The Board may adopt appropriate rules, definitions and regulations for the conduct of Board activities and duties as set forth in this article.

(o) The Board shall prepare and publish an annual report summarizing the Board's activities and present the report to the President and the Board of Commissioners.

(p) The Board shall preserve all pertinent records and reports for a period of not less than ten years.

Sec. 2-592. - Confidentiality.

Investigations and consideration by the Board of Ethics of potential violations of this article shall be confidential, except as necessary to carry out powers and duties of the Board or to enable another person or agency to consider and act upon the notices and recommendations of the Board. The final determinations of the Board shall be made available to the public with such deletions as may be necessary to prevent disclosure of any information the Board determines to be confidential, in accordance with the Illinois Freedom of Information Act, as amended. The Board may require all persons who may be privy to confidential information regarding any aspect of its investigation sign an acknowledgement regarding the confidentiality of the information as provided in this Section.

Secs. 2-593—2-600. - Reserved.

Subdivision V. - Sanctions for Violation

Sec. 2-601. - Employment sanctions.

Any employee or official found to have violated any provision of this article, to have knowingly furnished false or misleading information in any investigation, hearing or inquiry held pursuant to this article, or to have failed to cooperate with an investigation under this article shall be subject to employment sanctions, including discharge by the employing official. The provisions of this article shall not limit the power of officials to otherwise discipline employees.

Sec. 2-602. – Fines and Penalties.

(a) As authorized by the State Officials and Employees Ethics Act, the Board may impose a fine of up to \$5,000.00 per violation against any person found by the Board to have violated, intentionally obstructed or interfered with an investigation of, or intentionally made a false, frivolous or bad faith allegation under Section 2-574 or 2-583.

(b) As authorized by the State Officials and Employees Ethics Act, a person who intentionally violates any provision of Section 2-574 is guilty of a business offense and subject upon conviction to a fine of ~~at least \$1,001.00 and~~ up to \$5,000.00, which is separate and distinct from any fine imposed under Subsection (a) of this section.

(c) As authorized by the State Officials and Employees Ethics Act, a person who intentionally violates any provision of Section 2-583 is guilty of a Class A misdemeanor, which is separate and distinct from any penalty imposed under Subsection (a) of this section..

(d) The Board of Ethics may impose a fine of up to \$1,000.00 per offense on any person, including officials or candidates, found by the Board to have knowingly violated any provision of this article other than Section 2-574 or 2-583, to have knowingly furnished false or misleading information to the Board or to have failed to cooperate with an investigation under this article.

(e) The Board of Ethics may impose a fine less than the amounts noted in this Section when the person determined to be subject to a penalty under his Section demonstrates that such fine is unreasonable under the circumstances or would result in an unjust financial hardship to that person.

Sec. 2-603. - Validity of contract.

Any contract negotiated, entered into, or performed in violation of any of the provisions of this article shall be voidable by the County.

Secs. 2-604—2-609. - Reserved.

Subdivision VI. - Requirement for Disclosure of Ownership Interest in Business Entities Seeking County Contracts

Sec. 2-610. - Actions requiring county approval; disclosure information required when.

Whenever any corporation; partnership; association; business trust; estate; two or more persons having a joint or common interest; other commercial or legal entity; trustee of a land trust; or any beneficiary or beneficiaries thereof makes application to the County of Cook for action requiring an ordinance, or ordinance amendment, county board approval, or other county agency approval, with respect to contracts, leases, or sale or purchase of real estate, the following disclosures and information shall be certified and attached to the application or document:

- (1) The name, address, email address, and percentage of ownership interest of each individual or entity having a legal or a beneficial interest of more than five percent in the applicant. Any entity required by law to file a statement providing substantially the information required by this paragraph with any other government agency may file a duplicate of such statement;

- (2) Whenever any interest required to be disclosed in paragraph (1) is held by an agent or agents, or a nominee or nominees, the principals for whom such agents or nominees hold such interest shall also be disclosed. The application of a spouse, domestic partner, or civil union partner or any other party, if constructively controlled by another person, or legal entity as set forth above, shall state the name, ~~and~~ address, email address, and percentage of beneficial interest of such person or entity possessing such constructive control and the relationship under which such control is being or may be exercised. Whenever a stock or beneficial interest is held by a corporation or other legal entity, such shareholder or beneficiary shall also make disclosure as required by paragraph (1) above;
- (3) A statement under oath that the applicant has withheld no disclosures as to economic interests in the undertaking nor reserved any information, data or plan as to the intended use or purpose for which it seeks county board or other county agency action.

Sec. 2-611. - Information to be kept current.

All disclosures and information shall be current as of the date upon which the application is presented to the county board or other county agency, and shall be maintained current until such time as the county board or other county agency shall take action on the application. Furthermore, this information shall be maintained in a database and made available for public viewing.

Sec. 2-613. - Failure to comply.

Any failure to comply with the provisions of this division shall render any ordinance, ordinance amendment, county board approval or other county action in behalf of the applicant, person, business, vendor failing to comply, voidable at the option of the county board or other county agency involved, upon the recommendation of the President or the majority of the County Board of Commissioners.

Sec. 2-614. - Rulemaking authority.

The Chief Procurement Officer for Cook County ~~County Purchasing Agent~~ is authorized to promulgate rules and regulations and prepare forms to effectuate the purposes of this subdivision.

Secs. 2-615—2-620. - Reserved.

~~DIVISION 3. - LOBBYISTS~~

~~Subdivision I. - In General~~

~~Sec. 2-621. - Short title.~~

~~This division shall be known and may be cited as the Cook County Lobbyist Registration Ordinance.~~

~~Sec. 2-622. - Definitions.~~

~~The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:~~

~~Board means the County Board and any and all of its standing or special committees or subcommittees.~~

~~Clerk means the duly elected or appointed Clerk of the County.~~

~~Commissioner means any of the duly elected or appointed Board members.~~

~~Compensation means money, thing of value or other pecuniary benefits received or to be received in return for, or as reimbursement for, or as a result of, services rendered or to be rendered, for Lobbying. This includes a contract, promise or agreement, whether or not legally enforceable, to provide or arrange for Compensation for services rendered or to be rendered.~~

~~County Agency means any board, commission, department or authority under the jurisdiction of the President or Board or any other County Official.~~

~~County Appointee means an individual appointed by the President to:~~

~~(a) — Any board or Commission created under County Ordinance or Illinois State Statute; or~~

~~(b) — Any units of local government (as defined in Article VII, Section 1 of the Constitution of the State of Illinois) created by Illinois state or County ordinance.~~

~~County Employee means an individual employed by the County whether part time or full time.~~

~~County Matter or County Matters means:~~

~~1. — The approval, drafting, development, consideration, amendment, modification, review, introduction, proposal, postponement, adoption, approval, passage, enactment, promulgation, execution, issuance, defeat, rejection, or veto of any rule, resolution, regulation, standard, fee, rate, contractual agreement, purchasing agreement, order, decision, determination, proceeding or motion, or a portion thereof, by a County Official, County Appointee or County Employee;~~

~~2. — The action of any County Official, County Appointee or County Employee in the development of a proposal for introduction before the Board.~~

~~County Official means the Assessor, members of the Board of Review, Clerk of the Circuit Court, Clerk, Commissioners, President, Recorder of Deeds, Sheriff, State's Attorney, and Treasurer of the County, and any County Agency or member thereof.~~

~~Expenditure means anything having a value of \$10.00 or more including, but not limited to, a payment, distribution, loan, advance, deposit, Political Contributions, honoraria, travel or entertainment expense, meal or beverage expense, or gift of money. This includes a contract, promise, or agreement, whether or not legally enforceable, to make an Expenditure for services rendered or to be rendered.~~

~~File, Filed, or Filing means submitting an electronic report via the Clerk's website. Online submissions received by 11:59[p.m.] on the prescribed filing date will be considered on time.~~

~~Gift means anything having a value of \$10.00 or more given without consideration or expectation of return.~~

~~*Lobby or Lobbying* means to for Compensation and on behalf of another Person, attempt to influence a County Official, County Appointee or County Employee with respect to any County matter for compensation and on behalf of another Person, including, but not limited to:~~

- ~~(1) — A bond inducement ordinance;~~
- ~~(2) — A zoning matter;~~
- ~~(3) — A concession agreement;~~
- ~~(4) — The creation of a tax increment financing district;~~
- ~~(5) — The establishment of a Class 6(b), Class 7(a), Class 7(b), Class 9, Class C, Class L, Class S and/or any Cook County property tax classification established under Section 74-63 of the Cook County Code;~~
- ~~(6) — The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the Board;~~
- ~~(7) — The preparation of contract specifications;~~
- ~~(8) — The solicitation, award or administration of a contract;~~
- ~~(9) — The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or~~
- ~~(10) — Any other determination made by a County Official, Appointee or Employee with respect to the procurement of goods, services or construction.~~

~~Provided, however, that solely submitting an application for a county permit or license or responding to a county request for proposals or qualifications is not an attempt to influence a County Official, Appointee or Employee with respect to a County Matter.~~

~~*Lobbyist* means any Person who engages in Lobbying as defined in Section 2-622.~~

~~Provided, however, that a Person shall not be deemed to have undertaken to influence any County Matter solely by submitting an application for a county permit or license or by responding to a county request for proposals or qualifications.~~

~~*Lobbying Activity Report* means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Clerk that records all Lobbying contacts by a Lobbyist with any County Official or County Employee.~~

~~*Lobbying Expenditure Report* means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Clerk that records all Expenditures made by the Person to or for the benefit of a County Official or County Employee, notwithstanding whether Lobbying was occurring at the time of the Expenditure, during the previous six months.~~

~~*Occasional Sales Related Inquiries or Solicitations* means any contact by a Person with a County Employee and/or County Official for no more than five times in a year to discuss the solicitation, award, administration, technical requirements or clarification of a potential contract. The term "Occasional Sales-Related Inquiries or Solicitations" shall only apply to any activity by a Person who has not retained a Lobbyist to influence any County Matter.~~

~~*Person* means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.~~

~~*Political Contribution* means any money or thing of value given to a political committee for County office, as defined in 10 ILCS 5/9-1.9 (political committee defined), in the County.~~

~~**Secs. 2-623 – 2-630. – Reserved.**~~

~~**Subdivision H. – Registration**~~

~~**Sec. 2-631. – Persons required to register.**~~

~~The following persons shall register with the Clerk as provided in this division:~~

- ~~(1) — Any person who lobbies.~~
- ~~(2) — Any person whose duties as an employee of another person include lobbying.~~
- ~~(3) — Any person who employs or contracts with another person for the purpose of lobbying, unless the existence of the employer or contractor and all expenditures made by the employer or contractor are fully disclosed by a lobbyist required to register under Subsection (1) or (2) of this Section.~~

~~**Sec. 2-632. – Persons not required to register.**~~

~~This division is not intended and shall not be construed to apply to the following:~~

- ~~(1) — Persons who own, publish, or are employed by a newspaper or other regularly published periodical, or who own or are employed by a radio station, television station, or other bona fide news medium which in the ordinary course of business disseminates news, editorial or other comment, or paid advertisements for the purpose of influencing any County Matter. This exemption shall not be applicable to such an individual insofar as they receive additional Compensation or expenses from some source other than the bona fide news medium for the purpose of influencing any County Matter. This exemption does not apply to newspapers and periodicals owned by or published by trade associations and for profit corporations engaged primarily in endeavors other than the dissemination of news.~~
- ~~(2) — Persons providing professional services in the drafting of ordinances, resolutions or bills or in advising and rendering opinions to clients as to the construction and effect of proposed or pending legislation, ordinances or resolutions where such professional services are not otherwise, directly or indirectly, connected with a County Matter.~~
- ~~(3) — Elected officials and employees of other units of government acting in their official capacity.~~

- ~~(4) — Persons who, by reason of their special skills or knowledge of any County Matter pending before the Board, are requested in writing by a Commissioner or the President to discuss such County Matter before the Board, regardless of whether or not such Persons receive Compensation for so appearing. This exemption shall only be applicable to the extent that such Persons appear in the foregoing capacity. To the extent that such Persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.~~
- ~~(5) — Any full-time employee of a bona fide church or religious organization who represents that organization solely for the purpose of protecting the right of the members thereof to practice the religious doctrines of such church or religious organization.~~
- ~~(6) — Persons seeking to do business with Cook County whose contacts with County Officials, County Appointees and/or County Employees are limited to Occasional Sales Related Inquiries or Solicitations, the submission of bids, or responses to requests for proposals or requests for qualifications, and who make no Expenditures which would otherwise be reportable under Section 2-634.~~
- ~~(7) — Persons representing clients before County agencies which conduct adversarial, assessment or quasi-judicial hearings and the decisions of which may ultimately be appealed to the Circuit Court of Cook County or the Board, representing clients in court proceedings and in anticipation of court proceedings, and representing clients at internal disciplinary hearings. This exemption shall only be applicable to the extent that such Persons appear in the foregoing capacity. To the extent that such Persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.~~
- ~~(8) — Persons who are negotiating the terms of a collective bargaining agreement or other contract. This exemption shall only be applicable to the extent of such activity. To the extent that such Persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.~~
- ~~(9) — Persons, including employees, officers, or directors Lobbying on behalf of a not for profit neighborhood, community or civic organization who receive no Compensation for Lobbying and who make no Expenditures to or for the benefit of a County Official or County Employee in connection with such Lobbying. This exemption shall only be applicable to the extent that such Persons appear in the foregoing capacity. To the extent that such Persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.~~
- ~~(10) — County Officials, County Appointees and County Employees acting in their official capacity.~~
- ~~(11) — Persons providing recommendations for other Persons seeking employment with the County. This exemption shall only be applicable to the extent that such Persons are involved in such activities. To the extent that such Persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.~~

- (12) ~~Persons who are owners, directors, officers or full-time employees of a business, which Person's Lobbying activities are limited to fewer than two County Matters per calendar year which would otherwise require registration under Section 2-631 and who make no Expenditures which would otherwise be reportable under Section 2-634.~~

~~Sec. 2-633. Information required of registrants.~~

(a) ~~Within 30 days of engaging in any activity, which requires such Person to register, and subsequently between January 1 and January 20 of each year, every Person required to register under Section 2-631 shall File in the office of the Clerk a written statement, subscribed under oath, containing the following information:~~

- (1) ~~The registrant's name, permanent address and temporary address (if any) while Lobbying.~~
- (2) ~~The registrant's business affiliation and business address, or, if none, the statement that the registrant is a sole proprietor.~~
- (3) ~~With respect to each Person on behalf of which the registrant acts as a Lobbyist:~~
 - a. ~~The name, business address, permanent address and nature of the business of the Person;~~
 - b. ~~Whether the relationship is expected to involve Compensation or Expenditures or both; and~~
 - c. ~~A brief description of the County Matter in reference to which such service is to be rendered.~~
- (4) ~~The name, business address, and permanent address of each Person employed by the registrant to perform such Lobbying services or who appears on behalf of the registrant.~~
- (5) ~~A picture of the registrant.~~
- (6) ~~Registrants shall pay an annual, nonrefundable, nontransferable filing fee as set out in Section 32-1, per entity and a separate fee per exclusive Lobbyist, payable to the Clerk upon Filing.~~

(b) ~~The separate fee, per exclusive Lobbyist, as set forth in subsection (a)(6) of this Section, shall be waived for employees of nonprofit organizations that are exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, provided such organizations Lobby only with their own employees and the employees who Lobby work a minimum of 1,000 hours per year for the organization.~~

(c) ~~In the event any substantial change or addition occurs with respect to the information required by this division to be contained in the registration statement, including the addition or subtraction of a client, an amendment to the statement shall be Filed with the Clerk within 14 days.~~

~~(d) — All reports Filed pursuant to this Section and Section 2-634 shall be Filed electronically and under oath, according to rules and regulations to be established by the Clerk, as of the date such rules and regulations are promulgated. Reports Filed electronically shall be timely if Filed by 11:59 p.m. on the established due date. The Clerk shall post the Filed reports on the Clerk's website within three business days from the established due date.~~

~~(e) — Within 48 hours of being retained, hired or employed by any Person to Lobby on that Person's behalf, a registrant shall amend the report Filed pursuant to this Section to include the information required under [subsection] (a)(3) of this Section, as to the Person newly retaining the registrant. The Clerk shall post the Filed amended reports on the Clerk's website within three business days from the established due date.~~

Sec. 2-634. — Reports.

~~(a) — Every Person so registering shall, so long as the Person's activity continues, File with the Clerk between January 1 and January 20 and between July 1 and July 20, two reports under oath: a Lobbying Expenditure Report and a Lobbying Activity Report.~~

~~(1) — The Lobbying Expenditure Report shall state all Expenditures made by the Person to or for the benefit of a County Officials or County Employee, notwithstanding whether Lobbying was occurring at the time of the Expenditure, during the previous six months. The report shall show in detail the County Officials or County Employee to whom or for whose benefit such Expenditure were made. Expenditures made by the registrant shall include Expenditures made by the registrant's employer and/or contractor for whom the registrant is performing Lobbying services unless the employer or contractor independently registers and reports pursuant to Section 2-631(3). If the registrant Lobbies for more than one Person, they shall identify which Expenditures were made on behalf of each such Person. Any Expenditure over \$100.00 shall disclose not only the amount of the Expenditure and to whom or for whose benefit such Expenditure was made, but also disclose the date of the Expenditure, the use and purpose for which the Expenditure was made, and the County Matter in connection with which the Expenditure was made. If the registrant made no such Expenditures during the reporting periods herein described, the registrant shall File and state herein that the registrant had no such Expenditures.~~

~~(2) — The Lobbying Activity Report shall include all Lobbying contacts made with County Officials, County Appointees or County Employees. For each such contact, the report shall list the date of the contact, the County Official, County Appointees or County Employee with whom the Lobbying contact was made, the entity on whose behalf the Lobbying contact was made, the location of the Lobbying contact, the subject matter of the Lobbying contact, including any County contact, involved in the contact. If the Lobbyist has a relationship by birth or marriage with the County Official, County Appointee or County Employee Lobbied, such relationship shall be stated. If the registrant made no such Lobbying contacts during the reporting periods herein described, the registrant shall File and state herein that the registrant had no such contacts.~~

~~(b) — Individual Expenditures which aggregate \$100.00 or less otherwise required to be reported under [subsection] (a)(1) of this Section may be reported in aggregate amounts without detail, provided that any Gift solicited by a County Official, County Appointee or County Employee must be reported in detail as set forth above, additionally listing the recipient of such Gift.~~

~~(c) — Reports required under [subsection] (a)(1) of this Section shall include for each client the following aggregate Expenditures attributable to Lobbying activities, to be identified as such: advertising and publications; lodging and travel that are not reported by another registrant; educational or advocacy expenses; honoraria; meals, beverages, and entertainment expenses; Political Contributions; and Gift.~~

~~(d) — With respect to each client of the registrant, the registrant shall report the following in the Lobbying Expenditure Report:~~

~~(1) — The name, business and permanent address and nature of business of the client and any other business entities on whose behalf Lobbying was performed for the same Compensation.~~

~~(2) — A statement of the amount of Compensation.~~

~~(3) — The name of each Person Lobbied and a brief description of the County Matter involved.~~

~~(e) — A registrant who terminates employment or duties which required registration under this division shall give the Clerk, within 30 days after the date of such termination, written notice of such termination and shall include therewith a Lobbying Activity Report and a Lobbying Expenditure Report described herein, covering the period of time since the Filing of the registrant's last report to the date of termination of employment, and a report of the Lobbying activity described herein, covering the period of time since the Filing of the registrant's last report to the date of termination of employment. The Clerk shall post the Filed reports on the Clerk's website within three business days from the established due date. Such notices and reports shall be final and relieve such registrant of further reporting under this division unless and until the Person later takes employment or assumes duties that require to again register under this division.~~

~~(f) — Failure without just cause to File any such report within the time designated herein or the knowing reporting of false or incomplete information shall constitute a violation of this division. In addition to other penalties provided in this division, any Person Filing a late report under this Section shall be assessed a late filing fee as set out in Section 32-1 per day the report is late, payable to the Clerk upon Filing. Any registrant who is required to File a report hereunder may effect one 30-day extension of time for Filing the report by Filing with the Clerk, not less than ten days before the date on which the statement is due, a declaration of intention to defer the Filing of the report. The Filing of such declaration shall suspend application of the penalty provisions contained herein for the duration of the extension. Failure to File by the extended date shall constitute a violation of this division and shall subject the registrant to the penalty described herein.~~

Sec. 2-635. — Duties of clerk.

~~(a) — It shall be the duty of the Clerk to provide appropriate forms for the registration and reporting of information required by this division and to keep such registrations and reports on file in the Clerk's office for ten years from the date of Filing. The Clerk shall also maintain a listing of registered Lobbyists. Such records and listing shall be considered public information and open to public inspection during normal business hours.~~

~~(b) — The Clerk shall administer this division. The Clerk shall review all forms that are Filed for completeness and potential violations including late Filed reports. The Clerk shall report all violations and suspected violations of this division to the Cook County Board of Ethics and any other appropriate law enforcement agency.~~

Sec. 2-636. — ~~Restricted activities.~~

~~(a) — No Person shall retain or employ another to Lobby for Compensation contingent in whole or in part upon the result obtained or the final disposition of any matter, and no Person shall accept any such employment or render any such service for contingent Compensation.~~

~~(b) — No County Official, County Appointee or County Employee may solicit any personal Gift from a registrant. Personal Gifts do not include contributions required to be reported under Article 9 of the Election Code or under Federal election law, or contributions solicited for bona fide humanitarian, civic, charitable or religious organizations, events or efforts.~~

~~(c) — No registrant shall knowingly make a false statement in any report required to be Filed under this division.~~

~~(d) — No County Official or County Employee shall receive Compensation for Lobbying County government other than from the County.~~

~~(e) — No registered Lobbyist retained on behalf of a client seeking action on a County Matter shall attempt to communicate with a member of the Cook County Board of Commissioners for purposes of discussing a County Matter in the Cook County Board Room, commonly known as Room 569 of the County Building, while said member is present on the floor of the Cook County Board Room and during such time as an active session of the Cook County Board of Commissioners, or any committee thereof, is convened and in progress.~~

Sec. 2-637. — ~~Enforcement, penalties and procedures.~~

~~(a) — Any Person Filing a late registration or report after January 31 (in the case of reports due after by January 20) or after July 31 (in the case of reports due by July 20) shall be assessed a fine of \$100.00 per day late. The Clerk shall collect the fine from any Person Filing a late registration or report.~~

~~(b) — in addition to the penalties provided for in subsection (a) of this Section, any Person violating any subsection of this division other than Section 2-637(a) shall be fined \$250.00 per occurrence by the Board of Ethics and may shall be prohibited for a period of up to three years from engaging, directly or indirectly, in any Lobbying activities. The Board may waive or impose a fine of less than \$250.00 when the Person determined to be subject to a penalty under Subsection (b) of this Section demonstrates that such fine is unreasonable under the circumstances or would result in an unjust financial hardship to that person.~~

~~(c) — The determination as to the imposition of penalties under this Section shall be made pursuant to Chapter 2, Article IX, Administrative Hearings. The Executive Director of the Board of Ethics shall have the authority to issue notices of violation to enforce provisions of this division, as applicable, and institute enforcement proceedings under Chapter 2, Article IX. Persons Filing a late report or registration may contest that violation pursuant to this Section. The Cook County Clerk shall publicly display notice of any violations of this Section.~~

Sec. 2-638. — ~~Right to petition County Officials.~~

~~Nothing in this Division shall be construed to infringe in any way the right to lawfully petition a Commissioner or any other County Official as guaranteed by the constitutions of the United States and the State.~~

~~Sec. 2-639. — Venue.~~

~~Any violation of this division may be prosecuted in the Cook County Department of Administrative Hearings pursuant to Chapter 2, Article IX, of the Cook County Code, by the State's Attorney of Cook County.~~

~~Sec. 2-640. — Lobbyist Ethics Education Seminar.~~

~~Each Lobbyist shall attend an online ethics education seminar offered on a regular basis by the Cook County Clerk and the Board of Ethics within 120 days of registering as a Lobbyist pursuant to Section 2-633. The seminar shall educate individuals regarding their duties and responsibilities under this article. The seminar shall also include a program of sexual harassment training in the context of lobbying activities and review pertinent provisions under Chapter 42, Article II of the Cook County Code, the Cook County Human Rights Ordinance. The Clerk may partner with the Cook County Department of Human Rights and Ethics and/or other applicable Department of Cook County to facilitate the provision of the sexual harassment training. For purposes of this section, the definition of "sexual harassment" includes, but is not limited to, the definitions set forth in Section 44-53 of the Cook County Code of Ordinances.~~

~~Sec. 2-641. — Prohibition from lobbying activities.~~

~~The President of the Cook County Board, the Assessor, the Clerk of the Circuit Court, the County Clerk, the Board of Review, the Recorder of Deeds, the Sheriff, the State's Attorney, the Public Defender, the Treasurer and any Cook County Commissioner are hereby prohibited, while serving in such elected or appointed position, from Lobbying (as defined under Chapter 2, Section 2-622 of Article I of the County Code).~~

~~Sec. 2-642. — Duty to display lobbyist registration identification.~~

~~All registered Lobbyists shall display Lobbyist registration identification while engaging in all Lobbyist activities on County premises. The Cook County Clerk shall issue the Lobbyist registration identification to Lobbyists.~~

~~Secs. 2-646—2-670. - Reserved.~~

~~Effective date:~~ This Ordinance shall be in on ~~December 15, 2020~~ become effective upon becoming law.

Approved and adopted this 16th of December 2021.



TONI PRECKWINKLE, President
Cook County Board of Commissioners

(S E A L)



Attest: KAREN A. YARBROUGH, County Clerk

**APPROVED AS SUBSTITUTED AND AMENDED
BY THE BOARD OF COOK COUNTY COMMISSIONERS**

DEC 16 2021

COM _____

FILED DATE: 5/31/2022 3:13 PM 2022CH05182

EXHIBIT 2

COOK COUNTY BOARD OF ETHICS

69 West Washington Street, Suite 1130

Chicago, Illinois 60602

IN THE MATTER OF)	Case No. 2021I005A
)	
)	
Commissioner Tammy Wendt,)	Entered: March 10, 2022
(Cook County Board of Commissioners, 1 st)	
District and Forest Preserve District)	
Commissioner))	

NOTICE OF DETERMINATION

Before the Cook County Board of Ethics (“Board”) is whether Cook County Board Commissioner Tammy Wendt (“Wendt”) violated two sections of the Cook County Ethics Ordinance (“Ethics Ordinance”) -- §§2-571 (Fiduciary Duty), and 2-582(a) (Employment of Relatives). The Board concludes that Wendt’s hiring of her first cousin as her First Assistant Commissioner violated both provisions of the Ordinance.

FACTUAL BACKGROUND

Wendt currently employs her first cousin, Todd Thielmann, as her First Assistant Commissioner (“FAC”) at the Board of Review, First District. On July 22, 2021, the Chicago Tribune ran a story regarding Wendt’s hiring of her cousin and referenced Wendt’s written response to their inquiry.¹ During the Cook County Commissioners’ October 26, 2021, Board of Review budget hearing, Wendt publicly admitted that her FAC is her first cousin.² During that meeting, Commissioner Lawrence Suffredin informed Wendt that the hiring of her cousin was a violation of the Cook County Ethics Code and said that he would make a referral to both the County inspector general and this Board.

The Cook County Office of the Independent Inspector General (“OIIG”) then initiated an investigation.³ The OIIG found that the preponderance of the evidence developed in its investigation supports the conclusion that Wendt violated Section 2-582(a) Employment of Relatives and recommended terminating her cousin from the FAC position. The Board has reviewed Summary Report No. IIG21-0386 (“Report”), issued by the OIIG regarding this matter and accepts in full the facts set out in the Report.

To date, Wendt continues to employ her first cousin as FAC.

ANALYSIS

Wendt violated §§2-571 and 2-582 of the Ethics Ordinance.

¹ Alice Yin, *Cook County elected official defends hiring her cousin as her chief of staff*, Chicago Tribune July 22, 2021, <https://www.msn.com/en-us/news/us/cook-county-elected-official-defends-hiring-her-cousin-as-her-chief-of-staff/ar-AAMslDT?ocid=Peregrine>

² Cook County Board of Commissioners’ October 26, 2021, Board of Review Budget Hearing, http://cook-county.granicus.com/MediaPlayer.php?view_id=2&clip_id=3464

³ See OIIG Quarterly Report, 4th Quarter 2021, http://opendocs.cookcountyil.gov/inspector-general/quarterly-reports/OIIG_Quarterly_Report_4th_Qtr_2021.pdf.

The Ethics Ordinance prohibits County officials from employing a relative in any agency over which such official exercises authority, supervision, or control. Cook County Code § 2-582(a). Per the Ordinance, “first cousin” falls within the definition of *relative*. Cook County Code § 2-562.

Here, Wendt has employed her first cousin as her First Assistant Commissioner in violation of the Ordinance. As FAC, Wendt’s cousin reports directly to her, which places him under her direct supervision and control. *See* Cook County Board of Review Organization Chart, attached as Exhibit A. Therefore, Wendt’s employment of her first cousin is a clear violation of the Ethics Ordinance.

Further, the Ordinance provides that officials owe a fiduciary duty to the County, which includes avoiding violation of any applicable law. Cook County Code § 2-571(b)(2). As a County official, Wendt must follow the Cook County Ethics Code. This Board specifically sent a letter to the Board of Review Commissioners, including Wendt, on July 28, 2021, advising them of their requirement to follow the Cook County Ethics Code, which includes an express ban on hiring relatives in situations such as this. *See* July 28, 2021, Letter attached as Exhibit B. We further note that Wendt has admitted in response to numerous public inquiries at various Board of Review meetings and Cook County Board of Commissioner meetings, as well as in response to media inquiries, that she is well aware of the ban.

In her on-going violation the Ethics Code’s probation on employment of relatives, Wendt has not only violated her fiduciary duty owed to the County, but she has done so in a manner that flagrantly disregards the tenants of government accountability to the public and transparency. The Ethics Board finds this particularly troubling as it is clear that Wendt has long been aware of the violation and has taken no steps to rectify it.

CONCLUSION

For the foregoing reasons, with respect to the above-captioned matter, the Board finds that Wendt violated §§2-571 and 2-582(a) of the Ethics Ordinance. The Board hereby orders Wendt to take corrective action to terminate her first cousin who is currently employed as her First Assistant Administrator to come into compliance with the Ordinance. The Board further imposes a total fine of \$2,000 (\$1,000 per offense), to be paid within thirty (30) days of receipt of this notice of determination. CCBE Pro. R. §5.17

Following a determination of violation of the Ethics Ordinance, any Respondent may file with the Board a request for reconsideration within thirty (30) days of receipt of this notice of determination. CCBE Pro. R. §5.17

The Board’s determination herein is based solely on the application of the Ethics Ordinance and other identified authority to the issues and facts presented. Additional laws, rules, regulations, and policies outside of our jurisdiction may also govern.

IT IS SO ORDERED.

March 10, 2022

COOK COUNTY BOARD OF ETHICS



Thomas Szromba, Chair

EXHIBIT 3



COOK COUNTY BOARD OF ETHICS

SISAVANH BAKER

DIRECTOR

69 W. Washington Street, Suite 3040 • Chicago, Illinois 60602 • (312) 603-1100

July 28, 2021

Commissioner Larry Rogers, Jr.
Cook County Board of Review
118 N. Clark, Suite 601
Chicago, Illinois 60602

Commissioner Michael Cabonargi
Cook County Board of Review
118 N. Clark, Suite 601
Chicago, Illinois 60602

Commissioner Tammy Wendt
Cook County Board of Review
118 N. Clark, Suite 601
Chicago, Illinois 60602

Via email: larry.rogers@cookcountyil.gov; michael.cabonargi@cookcountyil.gov;
tammy.wendt@cookcountyil.gov

Dear Cook County Board of Review Commissioners,

We have been apprised of several potential violations of the Cook County Ethics Ordinance at the Board of Review. Please be aware that the Ethics Ordinance applies to all Cook County entities, Commissioners, and employees, including the Cook County Board of Review and its staff. This is true notwithstanding any additional ethics requirements the Board of Review has or intends to implement.

The Cook County Ethics Ordinance was enacted to instill public confidence in County government by requiring all employees and officials to operate under the highest ethical obligations. Our goal is not just to investigate and enforce our ethics requirements, but also to encourage a culture where County government operates with integrity and to the benefit of the public over any private gain. To this end, we encourage you to review the Cook County Ethics Ordinance, which is readily available on our web site, and ensure that your staff is also aware of the obligations it imposes. Please contact the Board's staff with any questions or concerns.

Cook County Board of Ethics

Thomas Szromba
Chairman

cc: Patrick Blanchard, Cook County Inspector General
Toni Preckwinkle, President Cook County Board of Commissioners
Laura Lechowicz-Felicione, Special Legal Counsel to the President

TONI PRECKWINKLE

PRESIDENT

**Cook County Board
of Commissioners**

BRANDON JOHNSON

1st District

DENNIS DEER

2nd District

BILL LOWRY

3rd District

STANLEY MOORE

4th District

DEBORAH SIMS

5th District

DONNA MILLER

6th District

ALMA E. ANAYA

7th District

LUIS ARROYO JR

8th District

PETER N. SILVESTRI

9th District

BRIDGET GAINER

10th District

JOHN P. DALEY

11th District

BRIDGET DEGNEN

12th District

LARRY SUFFREDIN

13th District

SCOTT R. BRITTON

14th District

KEVIN B. MORRISON

15th District

FRANK J. AGUILAR

16th District

SEAN M. MORRISON

17th District

FILED DATE: 5/31/2022 3:13 PM 2022CH05182

EXHIBIT 4

TONI PRECKWINKLE
PRESIDENT, COOK COUNTY
BOARD OF COMMISSIONERS

SISAVANH BAKER
DIRECTOR



BOARD OF ETHICS MEMBERS
THOMAS SZROMBA
VON MATTHEWS
DR. SUSAN GAFFNEY
ANTARA NATH RIVERA
HON. MARCUS SALONE

COOK COUNTY BOARD OF ETHICS

69 W. WASHINGTON STREET, SUITE 1130
CHICAGO, ILLINOIS 60602
OFFICE 312/603-4304 - FAX 312/603-9988

February 23, 2022

Commissioner Tammy Wendt
Cook County Board of Review, 1st District
118 N. Clark St.
Chicago, IL 60602
Via Email tammy.wendt@cookcountyil.gov

RE: Confidential Board of Ethics Matter No. 21I005
Sections 2-571 (Fiduciary Duty), and 2-582(a) (Employment of Relatives)

Dear Commissioner Wendt.:

The Cook County Board of Ethics ("Board") has opened an investigation into whether the hiring of your first cousin as your First Assistant Commissioner violates the Cook County Ethics Ordinance, Section 2-582(a), Employment of Relatives (Relatives, as defined by Section 2-562) and Section 2-571(b)(2), Fiduciary Duty.

Board staff has reviewed Summary Report No. IIG21-0386 ("Report"), issued by the Cook County Office of the Independent Inspector General ("OIIG") regarding this matter. Based on the OIIG's factual findings, we intend to recommend that the Board of Ethics enter a determination of violation of Sections 2-582(a) and 2-571(b)(2) in this matter at the next Board meeting on March 10, 2022, at 2:00pm. Please note the if the Board finds a violation in this matter, it may impose a fine up to \$1,000 per offense and require corrective action. Cook County Code §2-591(j)(2).

You have the right to obtain legal counsel in relation to this matter. You may also submit any written information, including the name of any witnesses you believe should be interviewed prior to the report being made to the Board. See Cook County Board of Ethics, Amended Rules and Regulations at 5.9, 5.10. Please inform us as to whether you intend to appear at the meeting by 9:00am on March 10, 2022.

If you have any questions, please do not hesitate to contact Deputy Director Jennifer King regarding this matter, at (312) 603-1107.

Sincerely,

A handwritten signature in cursive script that reads "Sisavanh Baker".

Sisavanh Baker
Director

FILED DATE: 5/31/2022 3:13 PM 2022CH05182

EXHIBIT 5

COOK COUNTY BOARD OF ETHICS
69 West Washington Street, Suite 3040
Chicago, Illinois 60602

IN THE MATTER OF)

Case No. 2021I005A

Commissioner Tammy Wendt,)
(Cook County Board of Commissioners, 1st)
District and Forest Preserve District)
Commissioner))

Entered: April 26, 2022

ORDER DENYING REQUEST FOR RECONSIDERATION

Before the Cook County Board of Ethics (“Board”) is a Request for Reconsideration (“Request”) from Cook County Board of Review Commissioner Tammy Wendt (“Wendt”) in the above-captioned matter. For the reasons that follow, the Board denies this Request.

BACKGROUND

On March 10, 2022, the Board issued a Notice of Determination in which it determined that Tammy Wendt, a Cook County Board of Review Commissioner, knowingly violated Cook County Ethics Ordinance (“Ethics Ordinance”) §§2-571 (Fiduciary Duty), and 2-582(a) (Employment of Relatives) by employing her first cousin, Todd Thielmann, as her First Assistant Commissioner (“FAC”) at the Board of Review, First District. This fact is undisputed.

As a consequence, this Board imposed a fine of \$2,000 against Commissioner Wendt, \$1,000 for each offense.¹

Commissioner Wendt filed a timely request for reconsideration on April 8, 2022. Although the Board invited her or a representative to appear at the Board’s April 26th meeting to make or amplify any factual or legal arguments, Commissioner Wendt declined to appear or send a representative. Accordingly, in assessing her request for reconsideration, Commissioner Wendt’s April 8th letter is the only information before the Board. *See* Wendt Reconsideration Request, attached as Exhibit A.

ANALYSIS

The Rules and Regulations of this Board provide that “[a]fter the Board has issued its notice of determination in cases where a violation is found, the respondent may within thirty (30) days of

¹ Ethics Ordinance Section 2-602(d) provides, in relevant part, that “[t]he Cook County Board of Ethics (“Board”) may impose a fine of up to \$1,000.00 per offense on any person, including officials or candidates, found by the Board to have knowingly violated any provision of this article” County Code §2-602(d).

the date of the order file with the Board a request for reconsideration.” CCBE Pro. Rule (“Rule”) 5.17(B). Orders granting reconsideration are extraordinary remedies and so “[t]he party requesting review must state with specificity the reason(s) supporting the request for reconsideration. Requests for reconsideration shall be granted only in limited circumstances, such as, but not limited to, the discovery of new, relevant evidence.” Rule 5.17(C); *see e.g.* 11I001 (I and II) August 10, 2012, Order Denying Request for Reconsideration (request for reconsideration of violation and imposition of fines and corrective action denied by the Board because there was no presentation or new facts or legal precedent).

As an initial matter, this Board notes that Commissioner Wendt declined to respond to Board staff before the original Notice of Determination was issued. Specifically, she did not provide any response to the Board staff’s report of investigation and recommendation of violation, which was sent via email on February 23, 2022, and which advised Commissioner Wendt of the recommendation of violation, as well as her ability to present counter evidence and argument before or at the March 10, 2022 Ethics Board meeting. Commissioner Wendt did not respond to the Notice, nor did she appear at the March 10, 2022 Ethics Board meeting, (“February 23, 2022” Board Notice, attached here as Exhibit B) Importantly, we note that during this period, Commissioner Wendt was in correspondence with the Board’s staff related to other matters, such as D2 audits, suggesting that Commissioner Wendt was receiving and responding to other communications from the Board.

In her request for reconsideration, Commissioner Wendt makes one argument – namely, that the Cook County Ethics Ordinance does not apply to her. In support, Wendt says that she was told that the Ordinance did not apply to her by two third parties, her legal counsel, Burt Odelson, and then-Board of Review Secretary James Thompson. She also claims that two letters sent to her somehow show that there was ambiguity about whether the Ethics Ordinance applied to her. The two letters are a letter dated February 2, 2022 provided by Cook County Inspector General Patrick Blanchard² (see “February 2, 2022” Letter attached as Exhibit C) and a letter dated July 28, 2021 provided by this Board to all Commissioners at the Board of Review (see “July 28, 2021 Letter” attached Exhibit D).

Wendt’s claim that she is not subject to the Ethics Ordinance is meritless. It is well-established in this Board’s jurisprudence that the Cook County Ethics Ordinance applies to County officials, including Board of Review Commissioners. *See* CCBE Advisory Opinions, 10 A 0007; *see also, In re Rogers*, 2016 I 006. This Board’s jurisdiction over elected officials such as Wendt has been confirmed by Illinois courts. For example, the First District Appellate Court in *Berrios v. Cook County Board of Comm’rs*, 138 N.E. 3d 695 (1st Dist. 2018) found that the Ethics Ordinance applied to the Cook County Assessor, and its reasoning is applicable here against Board of Review Commissioners. *See Blanchard v. Berrios*, 2016 IL 120315. Because she is subject to the Cook County Ethics Ordinance and because the Ethics Ordinance expressly prohibits officials from hiring their relatives, including first cousins, Wendt’s hiring and continued employment of Thielmann violates the Ordinance.

None of the arguments made by Commissioner Wendt in her request for reconsideration alter this result. Wendt’s reliance on her legal counsel’s alleged opinion or on communications from the Secretary of the BOR to the contrary is not a legal defense. At best, even if she received

² The February 2, 2022 letter was in fact signed and sent by Inspector General Patrick Blanchard as well as the Board of Ethic’s Director Sisavanh Baker.

such mistaken counsel and advice, it would go only to her intent to violate the Ethics Ordinance and would not absolve her from complying with the Ethics Ordinance. Any contrary finding would result in the absurd situation in which any individual subject to the Ethics Ordinance could ignore it simply because they claim to have received legal counsel or other advice that so states. In addition, there is nothing before the Board to indicate whether Wendt's attorney was told all the facts of the situation involving her hiring of her first cousin, what the scope of the attorney's review was, or what exactly the attorney advised Wendt. Nor does Wendt provide any affidavits or statements from her attorney or former Board of Review Secretary. Under these circumstances, the Board is unable to determine whether this alleged advice (which is simply hearsay, at this point) should carry any weight in its reconsideration deliberations.

Commissioner Wendt's reliance on the February 2, 2022, IG Letter and this Board's July 28, 2021 letter is similarly unavailing. In fact, these letters *support* this Board's finding of violation. The crux of these letters makes clear that County elected officials, including Commissioner Wendt, are required to follow the Cook County Ethics Ordinance. Significantly, the February 2, 2022 IG Letter specifically states in a footnote that the "Ethics Ordinance applies to the offices of separately elected Cook County government officials. *See Berrios v. Cook County Bd. of Comm'rs*, 138 N.E.3d 695 (1st Dist. 2018); *Blanchard v. Berrios*, 72 N.E.3d 309 (Ill. 2016)." That letter goes on to state that no separate ethics policy, such as that adopted by the BOR, can override the Ethics Ordinance, concluding that "we strongly recommend that you alert your staff that the Ethics Ordinance must be adhered to notwithstanding any internal rule or policy."

Similarly, the July 28, 2021 Letter states:

We have been apprised of several potential violations of the Cook County Ethics Ordinance at the Board of Review. Please be aware that the Ethics Ordinance applies to all Cook County entities, Commissioners, and employees, **including the Cook County Board of Review and its staff. This is true notwithstanding any additional ethics requirements the Board of Review has or intends to implement.**

Exhibit B, (emphasis added). Far from somehow proving that there exists legitimate confusion over whether the Ethics Ordinance applies to her, the letters clearly confirm that it does. While certain County entities, such as the BOR, are generally free to adopt their own more restrictive ethics policies, they cannot adopt less restrictive ethics policies than those imposed by the Ethics Ordinance. Wendt's professed confusion over this commonsense point does not overcome a finding that she has been on notice for at least several months that the Ordinance applies to her and that she has violated, and is continuing to violate, the Ordinance by hiring and continuing to employ her first cousin. Nothing in Wendt's request for reconsideration leads the Board to a contrary conclusion.

Nor has Wendt provided the Board any reason to reconsider the amount of fines it has imposed. Indeed, her continued insistence in the face of unambiguous law and undisputed facts that she is "not in violation of any laws" confirms that the maximum fine amounts are warranted.

CONCLUSION

The Board finds that Commissioner Wendt has not submitted any new evidence or legal precedent that provides a basis for Reconsideration of its prior determination. Accordingly, the Board reaffirms its decision that Commissioner Wendt violated Sections 2-57 and 2-582 of the Ethics Ordinance. For the foregoing reasons, the Board DENIES the Request for Reconsideration in the above-captioned matter.

This Board orders that Commissioner Wendt terminate the employment of her first cousin and that she pay the fine levied in connection with this matter, totaling \$2,000, within 10 days of the date of this order.


This matter is now considered a final determination of the Cook County Board of Ethics. 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. County Code §2-591(10).

In addition, pursuant to Section 2-591(j)(2), the Executive Director shall bring a suit in this body's name to enforce its order of corrective action.

IT IS SO ORDERED.

April 26, 2022

THE COOK COUNTY BOARD OF ETHICS



Thomas Szromba
Chairperson

EXHIBIT 6



OFFICE OF THE BOARD OF REVIEW
OF COOK COUNTY

118 NORTH CLARK STREET
ROOM 601, COUNTY BUILDING
CHICAGO, IL 60602
(312)603-3446

TAMMY WENDT
COMMISSIONER

April 8, 2022

Cook County Board of Ethics

VIA EMAIL

Jennifer.king2@cookcountyil.gov

Sisavanh.baker@cookcountyil.gov

RE: Case No. 2021I005A

To Whom It May Concern:

I am in receipt of your March 10, 2022 Notice of Determination regarding the above referenced matter. Let this correspondence serve as my request for reconsideration of said determination.

First, I would like to re-state what I have informed your Board of previously, that when I hired my FAC, he was given a BOR Ethics Policy to sign and acknowledge that he was not violating said policy. This policy is given to every employee at the BOR. The BOR doesn't give employees the County Ethics Policy that you are using to support a determination against me. This fact should be noted in your determination letter.

Additionally, on February 2, 2022, 14 months after my FAC was hired, the Inspector General issued a letter to all county officials with the subject line "Potential Disparity Between Cook County Ethics Ordinance and Rules Pertaining to Separate Offices and Agencies". The letter states in part:

"In light of the enactment of the amended Ethics Ordinance, we take this opportunity to notify you that the current rules and policies in place within the offices of separately elected officials may have divergent provisions from those contained in the Ethics Ordinance that could become the source of confusion or disparate outcomes in their application. In this regard, we recommend that to avoid such outcomes, your office engage in an internal review of rules and policies to ensure that they are consistent with those set forth in the Ethics Ordinance. To the extent that an office elects to maintain existing rules and policies that deviate from the provisions of the Ethics Ordinance and are less restrictive in nature, we strongly recommend that you alert your staff that the Ethics Ordinance must be adhered to notwithstanding any internal rule or policy."

Clearly the Inspector General saw the obvious confusion that these multiple ethics policies have caused amongst county offices, enough to write a letter to all elected officials to advise them on the issue.



Furthermore, Commissioners Cabonargi and Rogers voted to change the BOR ethics policy well after my FAC was hired, so that "first cousin" was included in the meaning of relative.

Subsequent changes to the laws do not apply retroactively. I understand that moving forward a first cousin is no longer permitted, but you cannot go backwards and fire someone who was hired under different laws. And if you argue that the current laws were the existing laws at the time, then why would the Inspector General send a letter to clarify which laws to follow? And why would Commissioners Cabonargi and Rogers change the BOR ethics policy to include first cousin when it was not a forbidden hire under the BOR ethics policy in effect at the time of my FAC's hiring.

All of these subsequent measures that have been taken are clear indications that the effective ethics policy at the time of my FAC's hire was the BOR ethics policy.

You also failed to note in your determination letter that before I was even sworn in as a Commissioner, I took pro-active steps and hired attorney Burt Odelson to research whether the BOR ethics policy or the Cook County Ethics Policy governed the BOR. Attorney Odelson advised me that the Cook County Ethics Policy does not govern the BOR, and that I was free to hire my FAC regardless of his relation to me because he was my "trusted confidant". He further stated that it is well-established law that a "trusted confidant" can be anyone I choose.

Attorney Odelson further advised that the BOR is an independent office, not bound by the County rules. He stated that I didn't need to discuss or notify anyone of my relation to my FAC.

Another item not mentioned in your letter was that the BOR doesn't give any employees or Commissioners a copy of the Cook County Ethics Policy, nor do they advise any new (or existing) employees that it applies. On the contrary, the BOR only gives the BOR ethics policy to all new employees and even requires employees to sign an acknowledgement that they have read, understand, and are not in violation of said policy.

Before I was sworn in, when I inquired of James Thompson, then Secretary to the Board, as to which ethics policy applied, he stated that the BOR policy applied, and he gave me a copy of said policy through a third party.

When your office sent the July 28, 2021 correspondence to all BOR Commissioners, you never stated that I was in violation of the County Ethics Policy. The Board never identified a specific violation nor requested me to contact you or to take any action to come into compliance with any policy. Yet you rely on that letter now in making your determination that I "flagrantly" violated said policy, and that is just not true.

You further determined that I violated my fiduciary duty as an elected official in violating applicable law. The applicable law is the crux of this alleged violation, and I didn't intentionally violate any law. I still firmly believe that I am not in violation of any laws so to find that I violated my fiduciary duty is wrong and should be reversed.

Your Board mentioned in the opinion that Commissioner Sufferdin informed me in a public meeting of an ethics violation. If you watched the meeting, you could see Commissioner Sufferdin lose his temper, yell and demean me in a very personal nature. I think you should be looking into Commissioner Sufferdin's behavior and the way he speaks to not only another elected official, but to a human being in general. He clearly has issues with me, but I would hope that this Board would put the personal feelings of Mr. Sufferdin aside and look only to the facts.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tammy Wendt', with a long horizontal line extending to the right.

Tammy Wendt
Commissioner
Cook County Board of Review
1st District