



## WESTMONT PUBLIC LIBRARY

428 N Cass Ave, Westmont, IL 60559

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### **A Resolution Implementing the Provisions of the State Officials and Employees Ethics Act (5ILCS 430/1-1 ET SEQ.) for the Westmont Public Library**

**WHEREAS**, the Illinois General Assembly has enacted the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq. (“Act”) which is a comprehensive revision of the State statutes regulating ethical conduct, political activities and the solicitation and acceptance of gifts by State officials and employees; and

**WHEREAS**, pursuant to Section 70-5 of the Act (5ILCS 430/70-5) all units of local government and school districts are required to adopt on or before May 19, 2004 an ordinance or resolution regulating the political activities of, and the solicitation and acceptance of gifts by, their respective officers and employees, “in a manner no less restrictive” than the provisions of the Act; and

**WHEREAS**, the Board of Trustees of the Westmont Public Library desires to come into compliance with the provisions of the Act:

#### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES AS FOLLOWS:**

- A.** The regulations of Section 5-15 (5 ILCS 430/5-15) and Article 10 (5 ILCS 430/1-1 et seq. (hereinafter referred to as the “Act” in this Section) are hereby adopted by reference and made applicable to the officers and employees of the Westmont Public Library to the extent required by 5 ILCS 430/7-5.
- B.** The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act by any officer or any employee of the Westmont Public Library is hereby prohibited.
- C.** The offering or making of gifts prohibited to be offered or made to an officer or employee of the Westmont Public Library under the Act is hereby prohibited.
- D.** The participation in political activities prohibited under the Act by any officer or employee of the Westmont Public Library is hereby prohibited, this includes officers or employees intentionally performing any prohibited political activity during any compensated time or on the behalf of the Westmont Public Library Board of Trustees.
- E.** For purposes of this Resolution, the terms “officer” and “employee” shall be defined as set forth in 5 ILCS 430/70-5(c).
- F.** The penalties for violations of this Resolution shall be the same as those penalties set forth in 5 ILCS 430/50-5 for similar violations of the Act.
- G.** This Resolution does not repeal or otherwise amend or modify any existing resolutions or policies which regulate the conduct of officers and employees of the Westmont Public Library. To the extent that any such existing resolutions or policies are less restrictive than this Resolution, however, the provisions of this Resolution shall prevail in accordance with the provisions of 5 ILCS 430/70-5(a).

H. Any amendment to the Act that becomes effective after the effective date of this Resolution shall be incorporated into this Resolution by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by unites of local government shall not be incorporated into this Resolution by reference without formal action by the Board of Trustees.

I. If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this Resolution shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or re-hearings. This Resolution shall be deemed repealed without further action by the Board of Trustees if the Act is found unconstitutional by the Illinois Supreme Court.

J. If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this Resolution shall remain in full force and effect; however, that part of this Resolution relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Board of Trustees.

This Resolution shall be in full force and effect upon its passage, approval and promulgation.

**Reviewed and approved by the Westmont Board of Trustees on April 15, 2014**