

ILLINOIS GIFT BAN ACT POLICY

Purpose

The Executive Board has placed restrictions on both private and public sector IGFOA members per the Illinois Gift Ban Act (Gift Ban Act) on the giving and receiving of gifts. This policy is meant to be a guide for IGFOA members and is not intended to be an official interpretation or replace the opinions/interpretations of legal counsel on the Gift Ban Act statute.

Policy

As part of the Illinois State Officials and Employees Ethics Act, the Gift Ban Act prohibits state officers, employees, and General Assembly members from receiving gifts from prohibited sources exceeding certain dollar amounts. The Gift Ban Act also forbids prohibited sources from giving gifts exceeding certain dollar limitations. The Gift Ban Act excludes units of local governments and their officers. However, the Act requires all local governmental entities to adopt an ordinance or a resolution that is no less restrictive than the Gift Ban Act applicable at the State level. The Gift Ban Act permits gifts of food or refreshments so long as it does not exceed \$75 per person on a single calendar day. The food or refreshment must be either catered or consumed on the premises from which they were purchased or prepared. The Gift Ban Act permits gifts from any one prohibited source during any calendar year having a cumulative value of less than \$100.00. These allowances are mutually exclusive and independent of each other.

IGFOA Public Sector members

Every public sector member employed by a unit of local government is subject to the Gift Ban Act via adoption of a local ordinance or resolution. Public sector members should review the specific provisions adopted in their local ordinance or resolution. Seek assistance or clarification from your government's legal counsel if the requirements are unclear. Your local ordinance may be more restrictive than the State prohibitions. Every IGFOA public sector member is responsible for understanding the restrictions defined by their local ordinance and for

determining if an offer from a prohibited source violates their ethics ordinance. Accordingly, the statute is enforced through self-monitoring.

IGFOA Partners and Exhibitors

IGFOA Partners and Exhibitors should be aware that all public sector members are subject to the Gift Ban Act, and that some public sector members must comply with local ordinances more restrictive than the minimum State required prohibitions. In some cases, those ordinances have a zero-tolerance on gifts where any offer of a gift must be declined.

Partners should also be aware that if they are considered to be a “prohibited source”, they are subject to the Gift Ban Act and may be in violation of the Act by offering gifts exceeding the State minimum restrictions.

Partners and Exhibitors are strictly prohibited from raffling prizes at the Annual Conference and other IGFOA events. Partners and Exhibitors may offer gifts of nominal value, such as pens and candy.

IGFOA does not accept donations from Partners or Exhibitors for gifts or prizes to public sector members.

IGFOA allows participants to “opt-in” to raffles rather than automatically including all registrants in the drawing.

IGFOA does not accept third party payments. For example, a partner may not pay for a public sector member’s golf outing fee or registration fees for IGFOA educational or social events.

Approved by the Executive Board – May 7, 2020