

**A RESOLUTION IMPLEMENTING THE PROVISIONS  
OF THE STATE OFFICIALS AND EMPLOYEES  
ETHICS ACT (5 ILCS 430/1-1 ET SEQ.)  
PEKIN PUBLIC LIBRARY  
IN THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS**

**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 (5 ILCS 430/70-5), all units of local government and school districts are required to adopt an ordinance or resolution regulating the political activities or, and the solicitation and acceptance of gifts by, their respective officers and employees, “in a manner not less restrictive” than the provisions of the Act, on or before May 19, 2004; and

**WHEREAS**, the Pekin Public Library is a municipal library in the City of Pekin under 75 ILCS 5/1-2; and

**WHEREAS**, the Pekin Public Library desires to come into compliance with the provisions of the act;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PEKIN PUBLIC LIBRARY AS FOLLOWS:

- A. The regulations of Sections 5-15 (5 ILCS 430/5/5-15) and Article 10 (5 ILCS 430/10-10 through 10-40) of the State Officials and Employees Ethics Act, 5 ILCS 430/1-1 et seq., (hereinafter referred to as the “Act” in this Resolution) are hereby adopted by reference and made applicable to the trustees and employees of the Pekin Public Library to the extent required by 5 ILCS 430/70-5.
- B. The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any trustee or any employee of the Library, is hereby prohibited.
- C. The offering or making of gifts prohibited to be offered or made to a trustee or employee of the library under the Act, is hereby prohibited.
- D. The participation in political activities prohibited under the Act, by any trustee or employee of the Library is hereby prohibited.
- E. For purposes of this Resolution, the terms “trustee” and “employee” shall be defined as set forth in 5 ILCS 430/70-5 (c).
- F. The penalties for violations of this Resolution as it pertains to City ordinance 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 policies which regulate the conduct of Library trustees and employees. To the extent that any such existing 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 provisions optional for adoption by municipalities shall not be incorporated into this resolution by reference without formal action by the Board of Trustees of the Pekin Public Library.
- 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 of the Pekin public Library 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 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 Section relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Board of Trustees of the Pekin Public Library.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2004, pursuant to a roll call vote as follows:  
 AYES: \_\_\_\_\_  
 NAYS: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
 President, Board of Trustees

ATTEST:

\_\_\_\_\_  
 Secretary, Board of Trustees

Adopted May 17, 2004.