

**11-O-34
ORDINANCE**

Sponsored by

**THE HONORABLE BRIDGET GAINER, JOHN P. DALEY, LARRY SUFFREDIN,
EARLEAN COLLINS, JOHN A. FRITCHEY, JEFFREY R. TOBOLSKI,
JESUS G. GARCIA, COUNTY COMMISSIONERS**

AMENDMENT TO CLERK'S FEES AND DOMESTIC PARTNERSHIP ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Sections 2-173 and 2-174 of the Cook County Code are hereby amended as follows:

Sec. 2-173. Cook County Clerk automation fee.

(a) Cook County Clerk Vital Records automation fee. The fees in Section 2-174 include an automation fee as set out in Section 32-1, which shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

(b) Cook County Clerk marriage application automation fee. The automation fee to apply for a marriage license as set out in Section 32-1 shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

(c) Cook County Clerk Civil Union application automation fee. The automation fee to apply for a civil union license as set out in Section 32-1 shall be remitted monthly by the Clerk to the County Treasurer, to be retained in a special fund designated as the Clerk's Automation Fund. Upon request of the County Clerk, the Board shall make expenditure from the fund to pay costs related to the automation of functions performed by the Clerk including hardware, software, research and development costs and personnel related thereto.

Sec. 2-174. Vital records fees for County Clerk.

(a) *Birth records.* The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a birth record as set out in Section 32-1.

(b) *Marriage records.* The Cook County Clerk shall continue to charge and collect a fee for the first copy, and a fee for each additional copy of a marriage record as set out in Section 32-1.

(c) *Death records.* The Cook County Clerk shall charge and collect a fee for the first copy, and a fee for each additional copy of a death record as set out in Section 32-1.

(d) *Genealogical records.* The County Clerk shall charge and collect a fee as set out in Section 32-1 for the first copy and a fee as set out in Section 32-1 for subsequent copies of any genealogical birth, death or marriage certificate.

(e) *Emergency fee.* The County Clerk shall charge and collect an emergency fee as set out in Section 32-1 for providing a copy of a vital record on an overnight basis. The emergency fee authorized in this subsection shall be in addition to any other fees authorized to be collected by the County Clerk for providing the requested document.

(f) *Waiver and refund of death record fee.* The County Clerk shall waive the County portion of the vital records fee for death records requested (first copy only) as set forth in Section 32-1 by those persons legally authorized to request and obtain a death certificate and seeking a copy of a death certificate for a decedent buried at Burr Oak Cemetery. Said waiver shall apply only to death records indicating a date of death prior to July 6, 2009, and burial at Burr Oak Cemetery; the waiver extends only to the County's portion of the fee for the first copy only and shall not extend to requests for additional copies. The County Clerk is required to continue to collect a \$2.00 fee for the first copy of the death record as required by State Statute unless waived by the State. The waiver shall run through September 15, 2009 unless otherwise authorized by the Cook County Board of Commissioners. In accordance with the County Clerk's records, the County Clerk is hereby authorized to refund Cook County's portion of the death records fee for death records requested (first copy only) to those individuals who legally requested and obtained a death record/certificate since July 6, 2009, for a decedent buried at Burr Oak Cemetery.

(g) *Civil Union records.* The Cook County Clerk shall charge and collect a fee for the first copy, and a fee for each additional copy of a civil union record as set out in Section 32-1.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Section 32-1 of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below listed sections shall be as shown below:

Code Section	Description	Fees, Rates, Charges (in dollars)
CHAPTER 2, ADMINISTRATION		
2-173(c)	Civil Union application automation fee	5.00
2-174(g)	Civil Union Record, first copy	15.00
	Each additional copy	4.00

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 42 Human Relations, Sections 42-75 and 42-79 of the Cook County Code is hereby amended as follows:

Sec. 42-75. Termination of registered domestic partnership.

(a) Either or both registered domestic partners may terminate a registered domestic partnership by filing in the Office of the County Clerk a notarized affidavit of termination declaring under penalty of perjury, that the domestic partnership is terminated, and if only one of the registered domestic partners executes the affidavit of termination, that such partner has sent written notice that such partner is terminating the registered domestic partnership to the other registered domestic partner at the other partner's last known address, by means of registered mail, return receipt requested.

(b) A registered domestic partnership shall terminate by operation of law:

- (1) Immediately upon either of the registered domestic partners marrying, as marriage is defined under Illinois law, or entering into a Civil Union under Illinois law;
- (2) If the provision of Subsection (b)(1) of this section does not apply, then 30 calendar days after the earliest date that one or both registered domestic partners has filed an executed affidavit of termination; or
- (3) Either of the registered domestic partners has died.

(c) The affidavit of domestic partnership, certificate of domestic partnership and affidavit of termination forms will reflect the information in this article as to when registered domestic partnerships commence and terminate by operation of law.

(d) An affidavit of termination may be rescinded by a registered domestic partner until the time that termination would otherwise take effect. Nothing in this article prevents former registered domestic partners from filing a new affidavit of domestic partnership if they satisfy the requirements of this article.

Sec. 42-79. Phasing out of domestic partnerships.

(a) In light of the enactment of Public Act 96-1513, the Illinois Religious Freedom Protection and Civil Union Act, effective June 1, 2011, notwithstanding any other provision of this Ordinance, or other law, no new domestic partnerships shall be registered after May 31, 2011.

(b) The issuance of a Civil Union license to joint applicants who are registered as domestic partners to one another shall terminate their domestic partnership when the certificate of Civil Union is returned to the County Clerk pursuant to section 40 of the Illinois Religious Freedom Protection and Civil Union Act. No additional filing pursuant to section 42-75 of this Ordinance shall be required to effect the termination of the domestic partnership between them.

(c) Applicants who are registered as domestic partners to one another and who jointly apply for a Civil Union license in Cook County shall have \$20.00 of the usual fee collected by the County Clerk for the issuance of such a license waived, provided such application is made on or before December 31, 2011.

Effective Date: This Amended Ordinance shall take effect on June 1, 2011.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-35
ORDINANCE**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

AMENDMENT TO THE PUBLIC MORALS AND NUISANCE VIOLATIONS ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 58 Offenses and Miscellaneous Provisions, Section 58-163.1 of the Cook County Code is hereby amended as follows:

Sec. 58-163.1. Public morals nuisance violations.

(j) *Women's Justice Services Fund.* As set forth in County Ordinance, fines collected for violations of this Section shall be accounted for and turned over not less than monthly to the Cook County Treasurer. The Treasurer shall create and deposit all such fees in a special fund, the "Women's Justice Services Fund" which shall be subject to budget and appropriation for purposes related to operation of the rehabilitation programs provided by the Department of Women's Justice Services and for female juveniles in the Juvenile Temporary Detention Center. The Fund shall be appropriated as follows:

- (1) Sixty percent shall be appropriated to the Office of the Sheriff for the operation of the rehabilitation programs of the Department of Women's Justice Services; and
- (2) Forty percent shall be appropriated to the Juvenile Temporary Detention Center Foundation to continue rehabilitation programs for girls detained on the Wings unit of the Juvenile Temporary Detention Center

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-36
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-578, is hereby amended as follows:

Sec. 2-578. Conflicts of Interest.

(a) No official or employee shall make, or participate in making, any County governmental decision with respect to any matter in which the official or employee, spouse, 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.

(b) Any employee who has a conflict of interest as described by Subsection (a) of this section shall advise his or her supervisor 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.

(c) Any official 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 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 publicly disclose the nature of such conflict on the report of proceedings of the Cook County Board of Commissioners, and shall also notify the Cook County Board of Ethics of such conflict within 72 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 potential conflict of interest. The Board of Ethics shall make all disclosures available for public inspection and copying immediately upon request.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-37
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-581, is hereby amended as follows:

Sec. 2-581. Interest in County Business

(a) 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 any contract, work or business of the County or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid with funds belonging to or administered by the County. 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.

(c) 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.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-38
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-582, is hereby amended as follows:

Sec. 2-582. Employment of Relatives.

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

(b) No official or employee, on behalf of any County agency, shall participate in a decision whether to contract with any person with whom or in which the official or employee knows that a relative, ~~or~~ domestic partner or civil union partner of that official or employee has a financial interest. No official or employee shall exercise contract management authority where any relative or domestic partner 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.

(c) 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 they may have with all persons, as defined in subsection (e), holding elective office in the State of Illinois, the County of Cook, or in any municipality within the County of Cook. 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 twelve month period immediately preceding the date of the contract:

- (1) All 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 of the entity;
- (4) All agents who are duly authorized to execute documents 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.

(d) For purposes of subsection (c), doing business means any one or any combination of leases, contracts or purchases to or with the County or any County agency in excess of \$25,000 in any calendar year.

(e) All persons registered as a lobbyist with the County of Cook shall be required, upon filing with the Cook County Clerk, to disclose to the Board of Ethics the existence of familial relationships they may have with all persons, as defined in subsection (f), holding elective office in the State of Illinois, the County of Cook, or in any municipality in the County of Cook.

(f) For purposes of this section, relative or familial relationship shall mean a person who is related to an official or employee as spouse or any of the following, whether by blood, marriage or adoption: 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.

(g) The disclosure required by this section shall be filed by January 1 of each calendar year or within 30 days of the execution of any contract or lease.

(h) Any person or business entity who is doing business with the county in accordance with sub-section (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.

(i) In addition to other penalties provided in this division, any person filing a late disclosure statement under this section shall be assessed a late filing fee as set out in Section 32-1 per day the disclosure is late, payable to the Cook County Board of Ethics upon filing. Any person filing a late disclosure statement after January 31 shall be subject to a penalty of \$100 per day per day after January 31 that the disclosure is late, payable to the Cook County Board of Ethics upon filing.

(j) In addition to the penalties provided for in subsection (h) of this section, any person or business entity convicted of a violation of any provision of this division is 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 guilty of knowingly or willfully filing 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.

(k) 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.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-39
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-583, is hereby amended as follows:

Sec. 2-583. Political Activity

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

(b) No employee with contract management authority shall serve on the political fundraising 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.

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

- (1) As part of that employee's County duties;
- (2) As a condition of County employment; or
- (3) During any time off that is compensated by the County (such as vacation, personal, or compensatory time off).

(e) A County employee 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 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 to engage in as a part of his or her official County employment duties or activities that are undertaken by an employee on a voluntary basis as permitted by law.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-40
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-579, is hereby amended as follows:

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.

(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.

(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.

(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 or employee which interest is related to the independent occupation, profession or employment of the spouse.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk

**11-O-41
ORDINANCE**

Sponsored by

**THE HONORABLE EARLEAN COLLINS, JOHN A. FRITCHEY, BRIDGET GAINER,
PETER N. SILVESTRI, LARRY SUFFREDIN AND JEFFREY R. TOBOLSKI,
COUNTY COMMISSIONERS**

BE IT ORDAINED, by the Cook County Board of Commissioners that, Chapter 2 Administration, Article VII Ethics, Division 2 Code of Ethical Conduct Section 2-572, is hereby amended as follows:

Section 2-572. Improper Influence.

(a) No official or employee shall make, participate in making or in any way attempt to use the 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, ~~or his~~ domestic partner, or civil union partner by any other official or employee.

Effective Date: This Amended Ordinance shall be in effect immediately upon adoption.

Approved and adopted this 15th day of March 2011.

TONI PRECKWINKLE, President
Cook County Board of Commissioners

Attest: DAVID ORR, County Clerk