**Section 1620.530 Decision of the Commission**

a) Within 60 days after the hearing or after briefs are due, whichever is later, the Commission shall enter a decision.

b) When the Commission is determining an appropriate fine pursuant to either Section 20-90(d) or 50-5 of the Act after a finding of liability, the Commission may consider the following mitigating and aggravating factors:

1) nature of violations;

2) the scope of the violation or scheme of violations;

3) the use of title or position;

4) the extent of the use of resources, money, time to the State;

5) the extent of a respondent's intent or knowledge of the facts surrounding the violation;

6) premeditation;

7) the duration of any series of violations;

8) position of authority;

9) involvement of others, especially other State employees;

10) impact on an ongoing investigation or the operations of government;

11) any impact statement submitted by a 20-63 Complainant;

12) self-disclosure;

13) cooperation;

14) in the absences of substantial aggravating factors, a self-employed person's incidental business or employment matters that are not reported under Section 5-45(f) of the Act in a timely manner or involve subject matter not directly related to prior State employment and that entail monetary amounts of less than $5,000 are deemed to be offenses warranting a warning or minimal fine;

15) prior disciplinary record or Ethics Act violation; and

16) years of service and type of service with the State.

c) *The decision shall include a description of the alleged misconduct, the decision of the Commission, including any fines levied and any recommendation of discipline and the reasoning for that decision.* [5 ILCS 430/20-55(a)]

d) Decisions of the Commission shall be signed by at least 5 commissioners.

e) *All decisions shall be delivered to the head of the appropriate State agency, the appropriate ultimate jurisdictional authority,* *the Executive Inspector General* or Secretary of State Inspector General, as appropriate, the respondent, and the Attorney General. [5 ILCS 430/20-55(a)]

f) Once a complaint has been filed with the Commission, any proposed settlement reached by the parties must be submitted to the Commission for review and approval.

(Source: Amended at 47 Ill. Reg. 12045, effective July 31, 2023)