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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2015

Issue#	Rules Due Date	Date of Issue
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015
18	April 20, 2015	May 1, 2015
19	April 27, 2015	May 8, 2015
20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015

22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
25	June 8, 2015	June 19, 2015
26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
39	September 14, 2015	September 25, 2015
40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Hotel Operators' Occupation Tax Act
- 2) Code Citation: 86 Ill. Adm. Code 480
- 3) Section Number: 480.101 Adopted Action:
Amendment
- 4) Statutory Authority: 35 ILCS 145/3(d)
- 5) Effective Date of Rule: January 16, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 9198, May 2, 2014
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: The only changes made were the ones agreed upon with JCAR. Only grammatical and technical changes were made. No substantive changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Section 480.101(b)(7) addresses the exemption from tax for rooms rented to foreign missions, consular officials and to officials of the Taipei Economic and Cultural Representative Office (TECRO). Pursuant to Section 3 of the Hotel Operators' Occupation Tax Act, the tax is not imposed upon gross rental receipts for which the hotel operator is prohibited from obtaining reimbursement of the tax from the customer by reason of a federal treaty. Under the Vienna Convention, some

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foreign diplomats are not required to pay reimbursement charges that are similar in nature to taxes. The amendment explains that in June 2011, the U.S. Department of State, Office of Foreign Missions, began issuing newly-designed diplomatic tax exemption cards. The American Institute in Taiwan/Washington, pursuant to the provisions of 22 U.S.C. 3301 et seq., the Taiwan Relations Act (Pub. L. 96-8), and Executive Order 13014, with the authority of the Secretary of State, U.S. Department of State, issues Mission Tax Exemption Cards and Personal Tax Exemption Cards to officials of TECRO. TECRO was established to represent the political, social and economic interests of Taiwan after the United States established diplomatic relations with China. Under the authority of the Taiwan Relations Act, various tax exemptions are granted to officials on their purchases.

- 16) Information and questions regarding this adopted rule shall be directed to:

Richard S. Wolters
Associate Counsel
Legal Services Office
Illinois Department of Revenue
101 West Jefferson
Springfield IL 62794

217/782-2844

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 480
HOTEL OPERATORS' OCCUPATION TAX ACT

Section

480.101	Nature, Rate and Scope of the Tax
480.105	Definitions
480.110	Registration and Returns
480.115	Books and Records
480.120	Penalties, Interest and Procedures
480.125	Claims to Recover Erroneously Paid Tax

AUTHORITY: Implementing the Hotel Operators' Occupation Tax Act [35 ILCS 145] and authorized by Section 2505-795 of the Civil Administrative Code of Illinois [20 ILCS 2505/2505-795].

SOURCE: Adopted July 6, 1962; codified at 8 Ill. Reg. 8611; amended at 13 Ill. Reg. 10693, effective June 16, 1989; amended at 16 Ill. Reg. 3578, effective February 25, 1992; amended at 21 Ill. Reg. 2383, effective February 3, 1997; amended at 21 Ill. Reg. 13654, effective September 29, 1997; amended at 24 Ill. Reg. 17814, effective November 28, 2000; amended at 39 Ill. Reg. 1849, effective January 16, 2015.

Section 480.101 Nature, Rate and Scope of the Tax

- a) Nature and Rate of Tax
 - 1) The Hotel Operators' Occupation Tax Act imposes a tax upon persons engaged in the business of renting, leasing or letting rooms in a hotel at the rate of 5% of 94% of the gross rental receipts from ~~thesueh~~ renting, leasing or letting, excluding, however, from ~~thesaid~~ gross rental receipts, the proceeds of ~~thesueh~~ renting, leasing or letting to permanent residents of ~~thatsueh~~ hotel (i.e., from persons who occupy or have the right to occupy such rooms for at least ~~30~~^{thirty} consecutive days).
 - 2) There is also imposed an additional tax upon persons engaged in the business of renting, leasing or letting rooms in a hotel at the rate of 1% of 94% of the gross rental receipts from ~~thesueh~~ renting, leasing or letting,

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excluding, however, from gross rental receipts, the proceeds of ~~thesueh~~ renting, leasing or letting to permanent residents of that hotel.

- 3) A hotel is any kind of building in which the public may, for a consideration, obtain living quarters, sleeping or housekeeping accommodations. (For a more complete definition of "hotel", see Section 480.105 ~~of this Part.~~)
 - 4) The exclusion for permanent residents means that the tax is imposed on the business of renting rooms for use as living quarters, or for sleeping or housekeeping accommodations, ~~whenwhere such~~ renting is done on a transient basis.
 - 5) The tax is an occupation tax whose legal incidence is on the lessor of the rooms. Nevertheless, persons subject to the tax imposed by ~~theThe~~ Hotel Operators' Occupation Tax Act may reimburse themselves for their tax liability under the Act by separately stating ~~thesueh~~ tax as an additional charge ~~that, which charge~~ may be stated in combination, in a single amount, with any locally imposed ~~hotel operators' occupation tax~~ ~~Hotel Operators' Occupation Tax.~~
 - 6) Any amount added to a taxable rental charge and collected because of the tax also represents a portion of the gross rental receipts that are subject to the tax. However, the tax rate, instead of being a flat 6% of total receipts, has been adjusted by the General Assembly ~~so as~~ to be 5% of 94% plus 1% of 94% of total receipts, in order to avoid the payment of tax on amounts ~~which are~~ added to rental charges because of the tax.
- b) Scope of the Tax – Examples of Taxability and Exemption
- 1) Since ~~theThe~~ Hotel Operators' Occupation Tax is imposed on receipts from renting rooms for living quarters, or for sleeping or housekeeping accommodations, the tax does not apply to the receipts from the renting of rooms for other purposes, such as for use as display rooms or sample rooms, as meeting rooms, as offices or as private dining rooms.
 - 2) Since the tax is limited to the renting of rooms to the "public", a private club ~~thatwhich~~ restricts its renting of rooms to its members and their guests would not be liable for the tax on its rental receipts from ~~thosesueh~~

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rooms.

- 3) The business of renting rooms to the public for use as living quarters, or for sleeping or housekeeping accommodations, is subject to the tax even if the person paying for the room may be a church, charity or school or some other kind of nonprofit organization, and even if the person paying for the room may be a governmental agency or instrumentality (~~federal~~~~Federal~~, State or local, or even a foreign government).
- 4) There is no exemption simply because the lessor of the rooms is a nonprofit organization, such as a church, charity or school. However, a college or other school is not subject to the tax on its receipts from renting rooms to its students for use as living quarters or for sleeping or housekeeping accommodations because this is not the renting of the rooms to the "public". Nevertheless, if the school rents rooms for ~~thesesuch~~ purposes to persons who are not enrolled with the school in courses of study for credit, ~~thatsuch~~ renting is not being done to students, but is being done to the "public", and the school incurs Hotel Operators' Occupation Tax liability on its rental receipts from this activity, if ~~thesuch~~ lessees do not qualify as permanent residents.
- 5) Likewise, the renting of rooms on a transient basis to the public for use as living quarters or sleeping or housekeeping accommodations ~~whenwhere~~ the lessor is a charitable organization, such as the Y.M.C.A. or the Y.W.C.A., is subject to ~~theThe~~ Hotel Operators' Occupation Tax.
- 6) If an operator should make a separate and specific charge for the use of bedding or other facilities furnished in connection with the use of a room as living quarters or for sleeping or housekeeping accommodations, the operator's additional receipts from this source are subject to ~~theThe~~ Hotel Operators' Occupation Tax. However, that tax does not apply to the operator's receipts from selling food, beverages or other tangible personal property, nor to receipts from the selling of tickets to theatre performances or other similar activities, nor to other receipts ~~thatwhich~~ are not in any way reasonably connected with or attributable to the renting, leasing or letting of rooms for use as living quarters or for sleeping or housekeeping accommodations; ~~provided;~~ ~~Provided~~ that exemption for ~~such~~ nontaxable receipts cannot be claimed unless supported by proper books and records as provided for in Section 4 of ~~theThe~~ Hotel Operators' Occupation Tax

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Act and in Section 480.115 ~~of this Part~~.

- 7) *The Hotel Operators' Occupation Tax is not imposed upon gross rental receipts for which the hotel operator is prohibited from obtaining reimbursement for the tax from the customer by reason of a federal treaty (Section 3 of the Act). Under the Vienna Convention, some foreign diplomats are not required to pay reimbursement charges that are similar in nature to taxes.*
- A) The exemption for rentals to certain diplomatic personnel applies only to diplomatic personnel possessing certain types of diplomatic tax exemption cards issued by the U.S. Department of State, Office of Foreign Missions. There are 2 types of diplomatic tax exemption cards: personal tax exemption cards and mission tax exemption cards. For each of these categories, 2 types of color-coded cards are issued: a blue-striped card that allows an individual or mission to make purchases exempt from all sales and use taxes and taxes on hotel rooms and a striped card of one of several other colors (yellow, green, red, or red-green) that allows an individual or mission to make tax-exempt purchases in all purchase categories except for the restricted purchase categories printed on the colored stripe. In June 2011, the Office of Foreign Missions began issuing newly designed diplomatic tax exemption cards. In addition, the American Institute in Taiwan/Washington issues Mission Tax Exemption Cards and Personal Tax Exemption Cards to officials of the Taipei Economic and Cultural Representative Office. For examples of these cards, see 86 Ill. Adm. Code 130.Illustration A.
- B) In documenting this exemption, a hotel operator must obtain the mission's name, the card holder's name, the exemption number, the expiration date, and ~~the color of the stripe on the card, or a~~ photocopy of the diplomatic card.
- c) How to Compute Applicable Tax Rate or Effective Date of New Tax
- 1) For the purposes of ~~the~~The Hotel Operators' Occupation Tax Act, any tax liability incurred in respect to the renting, leasing or letting of rooms in a hotel shall be computed by applying, to the gross receipts from ~~thesuch~~

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renting, leasing or letting, the tax rate in effect as of the date ~~when~~ the lessee occupies a specific room or rooms or becomes irrevocably liable to pay rent for the right to occupy a specific room or rooms. Deposits paid in advance shall be deemed to be received as rental receipts when the specific room or rooms to which ~~the~~ deposit is applied as rent shall be deemed to be rented, leased or let within the meaning of the preceding sentence.

- 2) Likewise, when something that has been exempted becomes taxable as to room renting, leasing or letting that occurs on or after some particular date, the date of renting, leasing or letting for this purpose shall be deemed to be the date when the lessee occupies a specific room or rooms or becomes irrevocably liable to pay rent for the right to occupy a specific room or rooms.

(Source: Amended at 39 Ill. Reg. 1849, effective January 16, 2015)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION
TO INTERNAL RULEMAKING

POLLUTION CONTROL BOARD

Heading of the Part: Organization, Public Information, and Types of Proceedings

Code Citation: 2 Ill. Adm. Code 2175

Section Numbers: 2175.110 2175.120 2175.125
2175.305 2175.315 2175.320
2175.535 2175.APPENDIX A

Date Originally Published in the Illinois Register: 12/5/14
38 Ill. Reg. 22834

At its meeting on January 15, 2015, the Joint Committee on Administrative Rules considered the above-cited rulemaking and recommended that the Pollution Control Board be more timely in updating its rules to reflect statutory changes.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

NOTICE OF PUBLIC INFORMATION

NOTICE OF CAMPAIGN CONTRIBUTION VIOLATION OF PROCUREMENT CODE

1. Statutory Authority: Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37, prohibits business entities with contracts and solicitations worth in excess of \$50,000.00 in combined annual value pending with a given officeholder responsible for awarding the contracts from making campaign contributions to campaign committees established to promote the candidacy of the officeholder or any other declared candidate for that office. The prohibition also extends to contributions made by various affiliated persons and businesses of a business entity that is subject to the prohibition. Section 50-37 requires that notice of violation of the prohibition and the penalty imposed is to be published in the *Illinois Register*.
2. Name of Contributor: John Vignocchi, an affiliated person of John Keno & Company, Inc.
3. Date of Violation: October 20, 2014
4. Description of Violation: John Vignocchi, an affiliated person of the business entity John Keno & Company, Inc., made a contribution of \$2,000.00 to the Citizens for Rauner, Inc. political fund, a campaign committee established to support the gubernatorial candidacy of Bruce Rauner. At the time of the contribution, Bruce Rauner was and is currently the Republican candidate for the office of Governor of the State of Illinois in the 2014 general election, and John Keno & Company, Inc., had in place an active contract with Central Management Services, the total annual value of which was in excess of \$50,000.00.
5. Summary of Action Taken by the Agency: Section 50-37 provides that State contracts with a business entity that violates the campaign contribution prohibition are voidable at the discretion of the chief procurement officer. The Chief Procurement Officer for General Services has notified John Keno & Company, Inc. of the apparent violation, reviewed responsive material provided by John Keno & Company, Inc., and has considered the value, status, and necessity of the contracts. In addition, the Chief Procurement Officer has taken into consideration the recognition by John Keno and Company, Inc. of the violation and its understanding of the necessity to avoid such situations in the future. The Chief Procurement Officer finds that voiding affected contracts, bids or proposals would not be in the best interest of the State.

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES

NOTICE OF PUBLIC INFORMATION

As required by Section 50-37(e) of the Procurement Code, Citizens for Rauner, Inc. is required to pay to the State an amount equal to the value of the contribution within 30 days of the publication of this notice.

EXECUTIVE ORDERS

2015-9**Executive Order to Ensure Ethical and Responsive Government**

WHEREAS, properly performing government business and maintaining the confidence of the people of Illinois require employees of the State of Illinois to adhere to the highest standards of honesty, integrity, and impartiality in their conduct and the performance of their official duties; and

WHEREAS, meeting this standard requires State Employees to avoid conflicts of interest in both appearance and practice; and

WHEREAS, the people of Illinois deserve to know that their state government is being conducted in an open and honest manner and in the public interest; and

WHEREAS, a higher code of ethical conduct is required to restore the public's trust in state government and its officers, employees, and appointees; and

WHEREAS, Section 2 of Article XIII of the Constitution of the State of Illinois recognizes the authority of any branch of government to establish and enforce ethical standards for that branch; and

WHEREAS, investigations by organizations such as the Better Government Association continue to identify misconduct by various government officials in the State of Illinois, such as, for example, the Better Government Association's recent investigation into the hiring practices at the Illinois Department of Transportation;

THEREFORE, I, Bruce Rauner, Governor of Illinois, pursuant to the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, hereby order as follows:

I. DEFINITIONS

As used in this Executive Order:

"Commission" means the Executive Ethics Commission.

"Gift" has the meaning given to it in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

"Lobby" or "Lobbying" has the meaning given to it in the Lobbyist Registration Act (25 ILCS 170/2(e)).

EXECUTIVE ORDERS

"Lobbyist" has the meaning given to it in the Lobbyist Registration Act (25 ILCS 170/2(j)).

"Lobbying Entity" has the meaning given to it in the Lobbyist Registration Act (25 ILCS 170/2(k)).

"Prohibited Source" has the meaning given to it in the State Officials and Employees Ethics Act (5 ILCS 430/1-5).

"State Agency" means any officer, department, agency, board, commission, or authority of the Executive Branch of the State of Illinois.

"State Employee" means any employee, officer, or board member of any State Agency.

II. REVOLVING DOOR BAN

- a) No State Employee, while employed by or serving as an appointee of a State Agency, shall negotiate for employment or other compensation with any person or entity that is registered as a Lobbyist or Lobbying Entity and has identified that State Agency on its then-current Lobbyist or Lobbying Entity registration filed with the Secretary of State.
- b) No former State Employee, within one year after leaving his or her position with a State Agency, shall accept compensation from any person or entity for Lobbying any State Agency.
- c) The restrictions of this Section II are in addition to, and not in place of, the restrictions set forth in applicable law, including the State Officials and Employees Ethics Act (5 ILCS 430/5) and the Illinois Procurement Code (30 ILCS 500/50-30).

III. GIFTS FROM PROHIBITED SOURCES: GIFT AND TRAVEL BAN

- a) No State Employee, and no spouse of or immediate family member living with a State Employee, shall intentionally solicit or knowingly accept any Gift from any Prohibited Source that would be prohibited by Section 10-10 of the State Officials and Employees Ethics Act (5 ILCS 430/10-10) (the "statutory gift ban").
- b) The exceptions to the statutory gift ban contained in Subsection (8) (food and refreshments of up to \$75 per day) and Subsection (12) (other gifts of up to \$100 per year) of Section 10-15 of such Act do not apply to State Employees. This

EXECUTIVE ORDERS

provision is not intended to preclude a State Employee from accepting de minimis meals or refreshments served at a business meeting or reception attended by the State Employee in the course of his or her official duties, provided that the State Employee adheres to any rules issued by the Governor's Office of Management and Budget and his or her State Agency.

- c) The exceptions to the statutory gift ban contained in Subsection (4) (educational missions) and Subsection (5) (travel expenses) of Section 10-15 of such Act do not apply to State Employees. This provision is not intended to preclude a Prohibited Source from paying for the cost of registration fees, travel, lodging, or meals, provided that, in addition to complying with all other applicable laws and regulations (including Section 1620.700 of the Illinois Administrative Code), (a) the Prohibited Source makes or arranges payment or reimbursement of such costs directly with the State Agency, and (b) the trip is approved in writing in advance by the Executive Director of the Commission.
- d) Gifts, including but not limited to grants and monetary or in-kind donations, from any source to the State of Illinois are excluded from the statutory gift ban and this section.

IV. ECONOMIC INTEREST DISCLOSURE

- a) Each State Employee that is required to file a statement of economic interest pursuant to Article 4A of the Illinois Governmental Ethics Act (5 ILCS 420/4A-101 et seq.) shall, in conjunction with such filing each year, also disclose the following information:
 - 1) The address and nature of interest in any real property in which the employee or spouse or minor child of the employee has a greater than 5% financial interest and in which the State of Illinois is a tenant, lessor, or otherwise has an ownership or other beneficial interest in the real property, excepting the primary personal residence of those individuals;
 - 2) Any non-governmental position held, whether compensated or not, with any business entity, non-profit organization, labor group, educational institution, or other entity of any type, together with the nature and amount of any compensation; and
 - 3) Any litigation involving the State of Illinois or any entity with a relationship with the State of Illinois, where the employee is a party to, or has a financial interest in, that litigation.

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- b) The Commission shall prepare forms or amend existing forms to be used to report the information described in this Section IV and shall provide those forms or amended forms to each individual required to report such information on or before April 1 of each year. Such statement shall be filed by each such individual with the Commission on or before May 1 of each year. The Commission shall ensure that all statements filed pursuant to this Section IV are made readily available for public inspection.
- c) Each State Employee required to submit a statement pursuant to this Section IV shall notify the Commission in writing and without delay of any material change in circumstance that might result in a change to his or her disclosures filed pursuant to this Section IV.

V. COOPERATION WITH SPECIAL MASTER

Every State Agency and State Employee is directed to fully cooperate with the Special Master appointed by the United States District Court of the Northern District of Illinois pursuant to an order in Michael L. Shakman and Paul M. Lurie et al. v. The Democratic Organization of Cook County et al. (No. 69 C 2145) to investigate hiring practices in State Agencies.

VI. EMPLOYMENT CONTRACTS

- a) No State Agency shall enter into any employment contract with any person without prior review and approval by the Governor's Office of Management and Budget.
- b) As soon as practicable, the Governor's Office of Management and Budget shall conduct a thorough review of the use of employment contracts by other agencies, boards, commissions, institutions, universities, authorities, and units of local government established under state law and other subdivisions of the State and shall recommend to the Governor legislation, regulations, rules, and policies to prevent the use of employment contracts for political, wasteful, or other improper purposes.

VII. OTHER PROVISIONS CONTINUE TO APPLY

This Executive Order does not alter the application of any other provision to State Employees.

VIII. PRIOR EXECUTIVE ORDERS

EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any prior Executive Order.

IX. SAVINGS CLAUSE

Nothing in this Executive Order shall be construed to contravene any state or federal law. This Executive Order is intended only to improve the internal management of the Executive Branch of the State of Illinois and does not create any right to administrative or judicial review, or any other rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the State of Illinois, its agencies or instrumentalities, its officers or employees, or any other person.

X. SEVERABILITY

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

XI. EFFECTIVE DATES

Section II of this Executive Order shall take effect on February 15, 2015, and the remainder of this Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by Governor: January 13, 2015

Filed with Secretary of State: January 13, 2015

2015-10**Executive Order Requiring Transparency
Within State and Local Government**

WHEREAS, the State of Illinois and its units of local government are committed to transparency and full disclosure of data on numerous topics; and

WHEREAS, the Department of Central Management Services maintains the Illinois Transparency & Accountability Portal website designed to provide easily accessible data to the general public, including a database of all current state employees and individual consultants, and a database of all current state contracts; and

EXECUTIVE ORDERS

WHEREAS, the State of Illinois, by statute (20 ILCS 405/405-335), mandates that its residents be able to access certain information required to be disclosed, and compliance with the statute has been inadequate, in regards to, among other things, providing incomplete documentation related to employee classifications; and

WHEREAS, employees classified as Rutan-exempt serve at the discretion of the Governor in senior-level positions and should be easily identifiable as such; and

WHEREAS, the names of local government employees, their titles and salary information should be readily available to the general public;

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

I. DEFINITIONS

"CMS" means the Illinois Department of Central Management Services.

"ITAP" means the Illinois Transparency and Accountability Portal website.

"Rutan-Exempt" means a position of employment to which principles set forth by the United States Supreme Court in *Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990), do not apply.

"State Agency" means any officer, department, agency, board, commission, or authority of the Executive Branch of the State of Illinois.

II. RUTAN-EXEMPT HIRES

- a) CMS shall conspicuously publish all Rutan-Exempt hires on the ITAP, in a list that can be sorted by (a) name, (b) employing State Agency, (c) employing State Agency division, and (d) employing position title.
- b) Each State Agency shall provide CMS with the necessary and accurate information to comply with the provisions herein.

III. LOCAL GOVERNMENT HIRES

EXECUTIVE ORDERS

CMS shall assist each State Agency and unit of local government to provide timely access to all necessary and accurate information to comply with the local government employee provisions mandated by 20 ILCS 405/405-335.

IV. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any prior Executive Order.

V. SAVINGS CLAUSE

This Executive Order does not contravene and shall not be construed to contravene any State or federal law or any collective bargaining agreement.

VI. SEVERABILITY CLAUSE

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

VII. EFFECTIVE DATE

This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor: January 15, 2015

Filed with the Secretary of State: January 15, 2015

2015-11**Executive Order Rescinding Executive Order Numbers 15-01,
15-02, 15-03, 15-04, 15-05, 15-06 and 15-07**

WHEREAS, the taxpayers of Illinois elected a new Governor on November 4, 2014, who would reform state government and serve the public's interest; and

WHEREAS, between January 5 and January 12, 2015, in his last eight days in office, the outgoing Governor issued seven Executive Orders that were not wholly motivated by serving in the public's interest; and

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order that Executive Order Numbers 15-01, 15-02, 15-03, 15-04, 15-05, 15-06, and 15-07 be revoked and

EXECUTIVE ORDERS

rescinded, effective immediately upon the filing of this Executive Order with the Secretary of State.

Issued by the Governor: January 16, 2015

Filed with the Secretary of State: January 16, 2015

ORDER FORM

<input type="checkbox"/> Print Version of the Illinois Register <input type="checkbox"/> New <input type="checkbox"/> Renewal	\$290.00 (annually)
<input type="checkbox"/> Back Issues of the Illinois Register (2012-2013 Only) Volume # _____ Issue# _____ Date _____	\$ 10.00 (each)
<input type="checkbox"/> Microfiche sets of the Illinois Register (1977 – 2003) Specify Year(s) _____	\$ 200.00 (per set)
<input type="checkbox"/> Cumulative/Sections Affected Indices (2010) Specify Year(s) _____	\$ 5.00 (per set)
(Processing fee for credit cards purchases, if applicable.)	\$ 2.00
TOTAL AMOUNT OF ORDER	\$ _____

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Check Make Checks Payable To: **Secretary of State**

<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover <small>(There is a \$2.00 processing fee for credit card purchases.)</small>
Card #: _____ Expiration Date: _____
Signature: _____

Send Payment To: Secretary of State
 Department of Index
 Administrative Code Division
 111 E. Monroe
 Springfield, IL 62756

Fax Order To: (217) 557-8919

Name:	Attention:	ID #:
Address:		
City:	State:	Zip Code:
Phone:	Fax:	E-Mail:

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