



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5476

Introduced 2/15/2012, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

15 ILCS 15/5

from Ch. 127, par. 1805

Amends the Executive Reorganization Implementation Act. Prohibits an executive order of the Governor from (i) establishing or (ii) providing for the administration or operation of a State-based health benefit exchange in Illinois.

LRB097 20145 JDS 65541 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Executive Reorganization Implementation Act  
5 is amended by changing Section 5 as follows:

6 (15 ILCS 15/5) (from Ch. 127, par. 1805)

7 Sec. 5. An executive order of the Governor proposing  
8 reorganization may not provide for, and a reorganization under  
9 this Act may not have the effect of:

10 (a) Continuing any function beyond the period authorized by  
11 law for its exercise, or beyond the time when it would have  
12 terminated if the reorganization had not been made;

13 (b) Authorizing any agency to exercise any function which  
14 is not expressly authorized by law to be exercised by an agency  
15 in the executive branch when the executive order is transmitted  
16 to the General Assembly;

17 (c) Increasing the term of any office beyond that provided  
18 by law for the office; or

19 (d) eliminating any qualifications of or procedures for  
20 selecting or appointing any agency or department head or  
21 commission or board member; ~~or~~

22 (e) Abolishing any agency created by the Illinois  
23 Constitution, or transferring to any other agency any function

1 conferred by the Illinois Constitution on an agency created by  
2 that Constitution; or -

3 (f) Establishing, providing for the administration of, or  
4 providing for the operation of a State-based health benefit  
5 exchange in Illinois.

6 (Source: P.A. 81-984.)