



Rep. Kelly M. Burke

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1 AMENDMENT TO SENATE BILL 2135

2 AMENDMENT NO. _____. Amend Senate Bill 2135 by replacing
3 everything after the enacting clause with the following:

4 "ARTICLE 1. GOVERNMENT EMERGENCY ADMINISTRATION

5 Section 1-1. Short title. This Act may be cited as the
6 Government Emergency Administration Act.

7 Section 1-5. Findings and purpose.

8 (a) The General Assembly finds that the statewide public
9 health emergency caused by the outbreak of COVID-19 presents an
10 unprecedented danger to the People of the State of Illinois,
11 requiring the use of extraordinary precautions to reduce the
12 risk of infection, causing delays in critical functions, and
13 fundamentally altering the ways in which government must
14 operate in order to serve the People of the State of Illinois.

15 (b) The purpose of this Act is to provide government with

1 the tools that it needs to continue to serve the People of the
2 State of Illinois and to better respond to the statewide public
3 health emergency caused by the outbreak of COVID-19.

4 ARTICLE 5. RESTORE ILLINOIS

5 Section 5-1. Short title. This Act may be cited as the
6 Restore Illinois Collaborative Commission Act. As used in this
7 Article, "this Act" means this Article.

8 Section 5-5. Findings. The General Assembly finds that the
9 State is confronted with an unprecedented public health crisis.

10 Section 5-10. Definitions. In this Act:

11 "Commission" means the Restore Illinois Collaborative
12 Commission.

13 "Plan" means the Restore Illinois plan released by the
14 Governor on May 5, 2020.

15 Section 5-15. Restore Illinois Collaborative Commission.
16 The Restore Illinois Collaborative Commission is created. The
17 purpose of the Commission is to monitor actions taken by the
18 Office of the Governor with regard to the Restore Illinois plan
19 and to keep members of the General Assembly informed of those
20 actions and any need for further legislative action.

1 Section 5-20. Reports. Beginning July 1, 2020, the Office
2 of the Governor shall submit a monthly written report to the
3 Commission and all members of the General Assembly reporting
4 any actions taken with regard to the Plan. On a quarterly
5 basis, the Commission and the Office of the Governor shall
6 engage in a collaborative conversation with regard to the Plan
7 and any need for legislative action. These collaborative
8 conversations shall be conducted either in person or via
9 telephonic or video conferencing means. At the discretion of
10 the Commission, members of committees of the House of
11 Representatives and the Senate, as determined by the
12 Commission, may be invited to participate in the collaborative
13 conversations.

14 Section 5-25. Members.

15 (a) The Commission shall consist of 22 members, appointed
16 as follows:

17 (1) Seven members of the House of Representatives
18 appointed by the Speaker of the House of Representatives;

19 (2) Seven members of the Senate appointed by the
20 President of the Senate;

21 (3) Four members of the House of Representatives
22 appointed by the Minority Leader of the House of
23 Representatives; and

24 (4) Four members of the Senate appointed by the
25 Minority Leader of the Senate.

1 (b) The Speaker of the House of Representatives and the
2 President of the Senate shall each appoint one member of the
3 Commission to serve together as co-chairs.

4 (c) Members of the Commission shall serve without
5 compensation.

6 Section 5-30. Repeal. This Act is repealed on July 1, 2021.

7 ARTICLE 10. BROADBAND ACCESS

8 Section 10-5. The Broadband Advisory Council Act is amended
9 by adding Section 25 as follows:

10 (220 ILCS 80/25 new)

11 Sec. 25. Universal no-cost broadband Internet access.

12 (a) In furtherance of the purposes of this Act to expand
13 broadband service to unserved rural and urban areas of this
14 State and to achieve universal broadband service and Internet
15 access for the residents of this State, the Broadband Advisory
16 Council shall study the provision of free access by all
17 residents of this State to broadband service. The Office of
18 Broadband within the Department of Commerce and Economic
19 Opportunity shall support and assist the Council in the
20 development of the study.

21 (b) The study must include establishing access to broadband
22 service in zip codes identified as having high levels of

1 poverty and in the areas of the State without the
2 infrastructure necessary to meet the requirements for
3 high-speed access to the Internet. To the extent possible, the
4 study shall consider the incorporation and expansion of the
5 initiatives established in the Connect Illinois Broadband
6 Strategic Plan. The Council's study shall identify existing and
7 new streams of State revenue to underwrite the creation of
8 necessary infrastructure and provide unlimited broadband
9 Internet access, without charge, to all residents of the State.
10 The Council's study shall include a recommended schedule for
11 implementation of free universal broadband.

12 (c) The Council shall issue a report on its findings and
13 recommendations for any necessary legislation to the General
14 Assembly no later than March 31, 2021.

15 ARTICLE 15. AMENDATORY PROVISIONS

16 Section 15-5. The Open Meetings Act is amended by changing
17 Sections 2.01 and 7 as follows:

18 (5 ILCS 120/2.01) (from Ch. 102, par. 42.01)

19 Sec. 2.01. All meetings required by this Act to be public
20 shall be held at specified times and places which are
21 convenient and open to the public. No meeting required by this
22 Act to be public shall be held on a legal holiday unless the
23 regular meeting day falls on that holiday.

1 Except as otherwise provided in this Act, a ~~A~~ quorum of
2 members of a public body must be physically present at the
3 location of an open meeting. If, however, an open meeting of a
4 public body (i) with statewide jurisdiction, (ii) that is an
5 Illinois library system with jurisdiction over a specific
6 geographic area of more than 4,500 square miles, (iii) that is
7 a municipal transit district with jurisdiction over a specific
8 geographic area of more than 4,500 square miles, or (iv) that
9 is a local workforce investment area with jurisdiction over a
10 specific geographic area of more than 4,500 square miles is
11 held simultaneously at one of its offices and one or more other
12 locations in a public building, which may include other of its
13 offices, through an interactive video conference and the public
14 body provides public notice and public access as required under
15 this Act for all locations, then members physically present in
16 those locations all count towards determining a quorum. "Public
17 building", as used in this Section, means any building or
18 portion thereof owned or leased by any public body. The
19 requirement that a quorum be physically present at the location
20 of an open meeting shall not apply, however, to State advisory
21 boards or bodies that do not have authority to make binding
22 recommendations or determinations or to take any other
23 substantive action.

24 Except as otherwise provided in this Act, a ~~A~~ quorum of
25 members of a public body that is not (i) a public body with
26 statewide jurisdiction, (ii) an Illinois library system with

1 jurisdiction over a specific geographic area of more than 4,500
2 square miles, (iii) a municipal transit district with
3 jurisdiction over a specific geographic area of more than 4,500
4 square miles, or (iv) a local workforce innovation area with
5 jurisdiction over a specific geographic area of more than 4,500
6 square miles must be physically present at the location of a
7 closed meeting. Other members who are not physically present at
8 a closed meeting of such a public body may participate in the
9 meeting by means of a video or audio conference. For the
10 purposes of this Section, "local workforce innovation area"
11 means any local workforce innovation area or areas designated
12 by the Governor pursuant to the federal Workforce Innovation
13 and Opportunity Act or its reauthorizing legislation.

14 (Source: P.A. 100-477, eff. 9-8-17.)

15 (5 ILCS 120/7)

16 Sec. 7. Attendance by a means other than physical presence.

17 (a) If a quorum of the members of the public body is
18 physically present as required by Section 2.01, a majority of
19 the public body may allow a member of that body to attend the
20 meeting by other means if the member is prevented from
21 physically attending because of: (i) personal illness or
22 disability; (ii) employment purposes or the business of the
23 public body; or (iii) a family or other emergency. "Other
24 means" is by video or audio conference.

25 (b) If a member wishes to attend a meeting by other means,

1 the member must notify the recording secretary or clerk of the
2 public body before the meeting unless advance notice is
3 impractical.

4 (c) A majority of the public body may allow a member to
5 attend a meeting by other means only in accordance with and to
6 the extent allowed by rules adopted by the public body. The
7 rules must conform to the requirements and restrictions of this
8 Section, may further limit the extent to which attendance by
9 other means is allowed, and may provide for the giving of
10 additional notice to the public or further facilitate public
11 access to meetings.

12 (d) The limitations of this Section shall not apply to (i)
13 closed meetings of (A) public bodies with statewide
14 jurisdiction, (B) Illinois library systems with jurisdiction
15 over a specific geographic area of more than 4,500 square
16 miles, (C) municipal transit districts with jurisdiction over a
17 specific geographic area of more than 4,500 square miles, or
18 (D) local workforce innovation areas with jurisdiction over a
19 specific geographic area of more than 4,500 square miles or
20 (ii) open or closed meetings of State advisory boards or bodies
21 that do not have authority to make binding recommendations or
22 determinations or to take any other substantive action. State
23 advisory boards or bodies, public bodies with statewide
24 jurisdiction, Illinois library systems with jurisdiction over
25 a specific geographic area of more than 4,500 square miles,
26 municipal transit districts with jurisdiction over a specific

1 geographic area of more than 4,500 square miles, and local
2 workforce investment areas with jurisdiction over a specific
3 geographic area of more than 4,500 square miles, however, may
4 permit members to attend meetings by other means only in
5 accordance with and to the extent allowed by specific
6 procedural rules adopted by the body. For the purposes of this
7 Section, "local workforce innovation area" means any local
8 workforce innovation area or areas designated by the Governor
9 pursuant to the federal Workforce Innovation and Opportunity
10 Act or its reauthorizing legislation.

11 (e) Notwithstanding any provision of law, a meeting subject
12 to this Act may be conducted by audio or video conference,
13 without the physical presence of a quorum of the members, so
14 long as the following conditions are met:

15 (1) the Governor or the Director of the Illinois
16 Department of Public Health has issued a disaster
17 declaration related to public health concerns because of a
18 health pandemic or other similar emergency and all or part
19 of the jurisdiction of the public body is covered by the
20 disaster area;

21 (2) the presiding officer, chief legal counsel, or
22 chief administrative officer for the affected governing
23 body determines that an in-person meeting or a meeting
24 conducted under this Act is not practical or prudent
25 because of a health pandemic or another similar emergency;

26 (3) all members of the body participating in the

1 meeting, wherever their physical location, shall be
2 verified and can hear one another and can hear all
3 discussion and testimony;

4 (4) members of the public present at the regular
5 meeting location of the body can hear all discussion and
6 testimony and all votes of the members of the body, unless
7 attendance at the regular meeting location is not feasible
8 due to the health pandemic or emergency declaration, in
9 which case the public body must make arrangements to allow
10 any interested member of the public to hear all discussion,
11 testimony, and roll call votes;

12 (5) at least one member of the body, chief legal
13 counsel, or chief administrative officer is physically
14 present at the regular meeting location, unless unfeasible
15 due to the health pandemic or emergency declaration;

16 (6) all votes are conducted by roll call, so each
17 member's vote on each issue can be identified and recorded;

18 (7) except in the event of a bona fide emergency, 2
19 business days' notice shall be given of a meeting to be
20 held pursuant to this Section. Notice shall be given to all
21 members of the public body, shall be posted on the website
22 of the public body, and shall also be provided to any news
23 media who has requested notice of meetings pursuant to
24 subsection (a) of Section 2.02. If the public body declares
25 a bona fide emergency:

26 (A) Notice shall be given pursuant to subsection

1 (a) of Section 2.02 and the presiding officer shall
2 state the nature of the emergency at the beginning of
3 the meeting.

4 (B) The public body must comply with the verbatim
5 recording requirements of Section 2.06;

6 (8) each member of the body participating in a meeting
7 by audio or video conference for a meeting held pursuant to
8 this Section is considered present at the meeting for
9 purposes of determining a quorum and participating in all
10 proceedings; and

11 (9) the public body shall bear all costs associated
12 with compliance with this Section.

13 (Source: P.A. 100-477, eff. 9-8-17.)

14 Section 15-10. The Freedom of Information Act is amended by
15 adding Section 3.4 as follows:

16 (5 ILCS 140/3.4 new)

17 Sec. 3.4. 2020 exception. Notwithstanding any provision of
18 law or rule to the contrary, no public body shall be considered
19 in violation of this Act for failing to respond within the time
20 prescribed by this Act to any request due on or after March 9,
21 2020 and prior to June 1, 2020, provided the public body
22 provides a response by the later of 30 days after the effective
23 date of this amendatory Act of the 101st General Assembly or
24 the time prescribed by this Act for the relevant request.

1 Section 15-15. The Electronic Commerce Security Act is
2 amended by adding Section 95-20 as follows:

3 (5 ILCS 175/95-20 new)

4 Sec. 95-20. Remote Witnessing and Notarization.

5 (a) The purpose of this Section is to give statutory
6 approval to the notary and witness guidelines provided in State
7 of Illinois Executive Order 2020-14.

8 (b) Notwithstanding any provision of law, rule, or
9 regulation, effective March 26, 2020 and ending 30 days after
10 expiration of the Governor's emergency declaration regarding
11 COVID-19, a notarial act or an act of witnessing, including
12 when a person must "appear before", act "in the presence of",
13 or any variation thereof, may be performed through means of
14 two-way audio-video communication technology that allows for
15 direct contemporaneous interaction by sight and sound between
16 the individual signing the document, the witness and the notary
17 public.

18 (c) A notarial act satisfies the "appearing before"
19 requirement under Section 6-102 of the Illinois Notary Public
20 Act if the notary public performs a remote notarization via
21 two-way audio-video communication technology, provided that
22 the Notary Public commissioned in Illinois is physically within
23 the State while performing the notarial act and the transaction
24 follows any guidance or rules provided by the Illinois

1 Secretary of State in existence on the date of notarization.

2 (d) An act of witnessing and the technology used in the
3 audio-video communication must substantially comply with the
4 following process: (1) the two-way audio-video communication
5 technology must be recorded and preserved by the signatory or
6 the signatory's designee for a period of at least 3 years; (2)
7 the signatory must attest to being physically located in
8 Illinois during the two-way audio-video communication; (3) the
9 witness must attest to being physically located in Illinois
10 during the two-way audio-video communication; (4) the
11 signatory must affirmatively state on the two-way audio-video
12 communication what document the signatory is signing; (5) each
13 page of the document being witnessed must be shown to the
14 witness on the two-way audio-video communication technology in
15 a means clearly legible to the witness and initialed by the
16 signatory in the presence of the witness; (6) the act of
17 signing must be captured sufficiently up close on the two-way
18 audio-video communication for the witness to observe; (7) the
19 signatory must transmit by overnight mail, fax, electronic or
20 other means a legible copy of the entire signed document
21 directly to the witness no later than the day after the
22 document is signed; (8) the witness must sign the transmitted
23 copy of the document as a witness and transmit the signed copy
24 of the document back via overnight mail, fax, electronic or
25 other means to the signatory within 24 hours of receipt; and
26 (9) if necessary, the witness may sign the original signed

1 document as of the date of the original execution by the
2 signatory provided that the witness receives the original
3 signed document together with the electronically witnessed
4 copy within thirty days from the date of the remote witnessing.

5 (d) The prohibition on electronic signatures on certain
6 documents in subsection (c) of Section 120 remains in full
7 effect.

8 (e) Notwithstanding any law or rule of the State of
9 Illinois to the contrary, absent an express prohibition in a
10 document against signing in counterparts, all legal documents,
11 including, but not limited to, deeds, last wills and
12 testaments, trusts, durable powers of attorney for property,
13 and powers of attorney for health care, may be signed in
14 counterparts by the witnesses and the signatory. A notary
15 public must be presented with a fax or electronic copy of the
16 document signature pages showing the witness signatures on the
17 same date the document is signed by the signatory if the notary
18 public is being asked to certify to the appearance of the
19 witnesses to a document.

20 (f) Any technology issues that may occur do not impact the
21 validity or effect of any instrument or document signed under
22 this Section. As used in this Section, "technology issues"
23 include, but are not limited to, problems with the internet
24 connection, user error related to the use of technology, the
25 file containing a recorded act becoming corrupted, or other
26 temporary malfunctions involving the technology used in an act

1 of witnessing or a notarial act.

2 Section 15-20. The Illinois Governmental Ethics Act is
3 amended by changing Section 4A-105 as follows:

4 (5 ILCS 420/4A-105) (from Ch. 127, par. 604A-105)

5 Sec. 4A-105. Time for filing. Except as provided in
6 Section 4A-106.1, by May 1 of each year a statement must be
7 filed by each person whose position at that time subjects him
8 to the filing requirements of Section 4A-101 or 4A-101.5 unless
9 he has already filed a statement in relation to the same unit
10 of government in that calendar year.

11 Statements must also be filed as follows:

12 (a) A candidate for elective office shall file his
13 statement not later than the end of the period during which
14 he can take the action necessary under the laws of this
15 State to attempt to qualify for nomination, election, or
16 retention to such office if he has not filed a statement in
17 relation to the same unit of government within a year
18 preceding such action.

19 (b) A person whose appointment to office is subject to
20 confirmation by the Senate shall file his statement at the
21 time his name is submitted to the Senate for confirmation.

22 (b-5) A special government agent, as defined in item
23 (1) of Section 4A-101 of this Act, shall file a statement
24 within 30 days after making the first ex parte

1 communication and each May 1 thereafter if he or she has
2 made an ex parte communication within the previous 12
3 months.

4 (c) Any other person required by this Article to file
5 the statement shall file a statement at the time of his or
6 her initial appointment or employment in relation to that
7 unit of government if appointed or employed by May 1.

8 If any person who is required to file a statement of
9 economic interests fails to file such statement by May 1 of any
10 year, the officer with whom such statement is to be filed under
11 Section 4A-106 or 4A-106.5 of this Act shall, within 7 days
12 after May 1, notify such person by certified mail of his or her
13 failure to file by the specified date. Except as may be
14 prescribed by rule of the Secretary of State, such person shall
15 file his or her statement of economic interests on or before
16 May 15 with the appropriate officer, together with a \$15 late
17 filing fee. Any such person who fails to file by May 15 shall
18 be subject to a penalty of \$100 for each day from May 16 to the
19 date of filing, which shall be in addition to the \$15 late
20 filing fee specified above. Failure to file by May 31 shall
21 result in a forfeiture in accordance with Section 4A-107 of
22 this Act.

23 Any person who takes office or otherwise becomes required
24 to file a statement of economic interests within 30 days prior
25 to May 1 of any year may file his or her statement at any time
26 on or before May 31 without penalty. If such person fails to

1 file such statement by May 31, the officer with whom such
2 statement is to be filed under Section 4A-106 or 4A-106.5 of
3 this Act shall, within 7 days after May 31, notify such person
4 by certified mail of his or her failure to file by the
5 specified date. Such person shall file his or her statement of
6 economic interests on or before June 15 with the appropriate
7 officer, together with a \$15 late filing fee. Any such person
8 who fails to file by June 15 shall be subject to a penalty of
9 \$100 per day for each day from June 16 to the date of filing,
10 which shall be in addition to the \$15 late filing fee specified
11 above. Failure to file by June 30 shall result in a forfeiture
12 in accordance with Section 4A-107 of this Act.

13 All late filing fees and penalties collected pursuant to
14 this Section shall be paid into the General Revenue Fund in the
15 State treasury, if the Secretary of State receives such
16 statement for filing, or into the general fund in the county
17 treasury, if the county clerk receives such statement for
18 filing. The Attorney General, with respect to the State, and
19 the several State's Attorneys, with respect to counties, shall
20 take appropriate action to collect the prescribed penalties.

21 Failure to file a statement of economic interests within
22 the time prescribed shall not result in a fine or ineligibility
23 for, or forfeiture of, office or position of employment, as the
24 case may be; provided that the failure to file results from not
25 being included for notification by the appropriate agency,
26 clerk, secretary, officer or unit of government, as the case

1 may be, and that a statement is filed within 30 days of actual
2 notice of the failure to file.

3 Beginning with statements required to be filed on or after
4 May 1, 2009, the officer with whom a statement is to be filed
5 may, in his or her discretion, waive the late filing fee, the
6 monetary late filing penalty, and the ineligibility for or
7 forfeiture of office or position for failure to file when the
8 person's late filing of a statement or failure to file a
9 statement is due to his or her (i) serious or catastrophic
10 illness that renders the person temporarily incapable of
11 completing the statement or (ii) military service.

12 Notwithstanding any provision of law or rule to the
13 contrary, the deadlines for filing statements of economic
14 interests under this Section on or after March 17, 2020 shall
15 be suspended until August 1, 2020.

16 (Source: P.A. 101-221, eff. 8-9-19.)

17 Section 15-24. The Illinois Administrative Procedure Act
18 is amended by adding Section 5-45.1 as follows:

19 (5 ILCS 100/5-45.1 new)

20 Sec. 5-45.1. Emergency rulemaking; Secretary of State
21 emergency powers. To provide for the expeditious and timely
22 implementation of the extension provisions of Section 30 of the
23 Secretary of State Act, emergency rules implementing the
24 extension provisions of Section 30 of the Secretary of State

1 Act may be adopted in accordance with Section 5-45 by the
2 Secretary of State. The adoption of emergency rules authorized
3 by Section 5-45 and this Section is deemed to be necessary for
4 the public interest, safety, and welfare.

5 This Section is repealed on January 1, 2026.

6 Section 15-25. The Secretary of State Act is amended by
7 adding Section 30 as follows:

8 (15 ILCS 305/30 new)

9 Sec. 30. Emergency powers.

10 (a) Upon the Governor of the State of Illinois issuing a
11 statewide disaster declaration based on a health pandemic or
12 similar emergency, the Secretary may extend for the duration of
13 the proclaimed disaster and for a period of up to 30 days
14 beyond the expiration of the disaster declaration:

15 (1) the expiration dates of driver's licenses, driving
16 permits, identification cards, disabled parking placards
17 and decals, and vehicle registrations; and

18 (2) the expiration dates of professional licenses,
19 registrations, certifications and commissions issued by
20 the Secretary, including but not limited to, vehicle
21 dealership licenses, commercial driver training school
22 licenses, and securities, broker and investment adviser
23 registrations.

24 (b) To provide for the expeditious and timely

1 implementation of this amendatory Act of the 101st General
2 Assembly, emergency rules to implement the extension
3 provisions of this Section may be adopted by the Secretary of
4 State, subject to the provisions of Section 5-45 of the
5 Illinois Administrative Procedure Act. Any such rule shall:

6 (1) identify the disaster proclamation authorizing the
7 rulemaking;

8 (2) set forth the expirations being extended (that is,
9 the extension shall apply to all driver's licenses, driving
10 permits, identification cards, disabled parking placards
11 and decals, and vehicle registrations expiring on [date]
12 through [date]); and

13 (3) set forth the date on which the extension period
14 becomes effective, and the date on which the extension will
15 terminate if not extended by subsequent emergency
16 rulemaking.

17 (c) Where the renewal of any driver's license, driving
18 permit, identification card, disabled parking placard or
19 decal, vehicle registration, or professional license,
20 registration, certification or commission has been extended
21 pursuant to this Section, it shall be renewed during the period
22 of the extension. Any such renewal shall be from the original
23 expiration date and shall be subject to the full fee which
24 would have been due had the renewal been issued based on the
25 original expiration date, except that no late filing fees or
26 penalties shall be imposed.

1 (d) All law enforcement agencies in the State of Illinois
2 and all State and local governmental entities shall recognize
3 the validity of, and give full legal force to, extensions
4 granted pursuant to this Section.

5 (e) Upon the request of any person or entity whose driver's
6 license, driving permit, identification card, disabled parking
7 placard or decal, vehicle registration, or professional
8 license, registration, certification, or commission has been
9 subject to an extension under this Section, the Secretary shall
10 issue a statement verifying the extension was issued pursuant
11 to Illinois law, and requesting any foreign jurisdiction to
12 honor the extension.

13 Section 15-29. The Illinois Administrative Procedure Act
14 is amended by adding Section 5-45.2 as follows:

15 (5 ILCS 100/5-45.2 new)

16 Sec. 5-45.2. Emergency rulemaking; Secretary of State
17 Merit Commission. To provide for the expeditious and timely
18 implementation of subsection (14) of Section 8c of the
19 Secretary of State Merit Employment Code, emergency rules
20 implementing subsection (14) of Section 8c of the Secretary of
21 State Merit Employment Code may be adopted in accordance with
22 Section 5-45 by the Secretary of State. The adoption of
23 emergency rules authorized by Section 5-45 and this Section is
24 deemed to be necessary for the public interest, safety, and

1 welfare.

2 This Section is repealed on January 1, 2026.

3 Section 15-30. The Secretary of State Merit Employment Code
4 is amended by changing Section 8c as follows:

5 (15 ILCS 310/8c) (from Ch. 124, par. 108c)

6 Sec. 8c. Duties and powers of the Commission. The Merit
7 Commission, in addition to any other duties prescribed in this
8 Act, shall have the following duties and powers:

9 (1) Upon written recommendations by the Director of
10 Personnel, to exempt from jurisdiction B of this Act
11 positions which, in the judgment of the Commission, are by
12 their nature highly confidential or involve principal
13 administrative responsibility for the determination of
14 policy or principal administrative responsibility for the
15 way in which policies are carried out. No position which
16 has the powers of a law enforcement officer, except
17 executive security officers, may be exempted under this
18 section.

19 (2) To require such special reports from the Director
20 as it may consider desirable.

21 (3) To disapprove original rules or any part thereof
22 and any amendment thereof within 30 calendar days after the
23 submission of such rules to the Merit Commission by the
24 Director.

1 (4) To disapprove within 30 calendar days from date of
2 submission the position classification plan and any
3 revisions thereof submitted by the Director as provided in
4 the rules.

5 (5) To hear appeals of employees who do not accept the
6 allocation of their positions under the classification
7 plan.

8 (6) To hear and approve or disapprove written charges
9 filed seeking the discharge or demotion of employees or
10 suspension totaling more than 30 calendar days in any 12
11 month period, as provided in Section 9, appeals as provided
12 in Section 9a of this Act, and appeals from transfers from
13 one geographical area in the state to another, and in
14 connection therewith to administer oaths, subpoena
15 witnesses and compel the production of books and papers.

16 (7) (Blank).

17 (8) To make an annual report regarding the work of the
18 Commission to the Secretary of State, such report to be a
19 public record.

20 (9) If any violation of this Act is found, the
21 Commission shall direct compliance in writing.

22 (10) To appoint such employees, experts and special
23 assistants as may be necessary to carry out the powers and
24 duties of the commission under this Act. Employees, experts
25 and special assistants so appointed by the Commission shall
26 be subject to jurisdictions A, B and C of this Act, except

1 the Chairman of the Commission when serving as the
2 Administrator of the Commission shall not be subject to
3 jurisdictions A, B, and C of this Act.

4 (11) To promulgate rules and regulations necessary to
5 carry out and implement their powers and duties under this
6 Act, with authority to amend such rules from time to time
7 pursuant to The Illinois Administrative Procedure Act.

8 (12) Within one year of the effective date of this
9 amendatory Act of 1985, the Commission shall adopt rules
10 and regulations which shall include all Commission
11 policies implementing its duties under Sections 8, 9, 10
12 and 15 of this Act. These rules and regulations shall
13 include, but not be limited to, the standards and criteria
14 used by the Commission and Hearing Officers in making
15 discretionary determinations during hearing procedures.

16 (13) To hear or conduct investigations as it deems
17 necessary of appeals of layoff filed by employees appointed
18 under Jurisdiction B after examination, provided that such
19 appeals are filed within 15 calendar days following the
20 effective date of such layoff and are made on the basis
21 that the provisions of the Secretary of State Merit
22 Employment Code or the rules promulgated thereunder have
23 been violated or have not been complied with. All hearings
24 shall be public. A decision shall be rendered within 60
25 days after receipt of the transcript of the proceedings.
26 The Commission shall order the reinstatement of the

1 employee if it is proven that the provisions of the
2 Secretary of State Merit Employment Code or the rules
3 promulgated thereunder have been violated or have not been
4 complied with. In connection therewith the Commission may
5 administer oaths, subpoena witnesses, and compel the
6 production of books and papers.

7 (14) Upon the Governor of the State of Illinois issuing
8 a disaster declaration based on circumstances that may
9 interfere with an employee's ability to exercise his or her
10 rights under this Code, or that may prevent the Commission
11 from performing its duties in a timely manner, the
12 Commission may, by adoption of an emergency rule under
13 Section 5-45 of the Illinois Administrative Procedure Act,
14 extend for a period of up to 30 days beyond the expiration
15 of the disaster proclamation any time limits set forth in
16 this Code or in the Commission's rules, including but not
17 limited to, the time limits for filing complaints, filing
18 and serving other documents, holding of hearings and
19 rendering of decisions. Upon a determination that
20 circumstances necessitate additional time, the Commission
21 may adopt one additional 90-day extension of time limits.

22 (Source: P.A. 97-833, eff. 7-20-12.)

23 Section 15-32. The Illinois Finance Authority Act is
24 amended by changing Section 801-25 as follows:

1 (20 ILCS 3501/801-25)

2 Sec. 801-25. All official acts of the Authority shall
3 require the approval of at least 8 members. All meetings of the
4 Authority and the Advisory Councils shall be conducted in
5 accordance with the Open Meetings Act. Eight members of the
6 Authority shall constitute a quorum. Except as otherwise
7 authorized in the Open Meetings Act, all ~~All~~ meetings shall be
8 conducted at a single location within this State with a quorum
9 of members physically present at this location. Other members
10 who are not physically present at this location may participate
11 in the meeting and vote on all matters by means of a video or
12 audio conference. The Auditor General shall conduct financial
13 audits and program audits of the Authority, in accordance with
14 the Illinois State Auditing Act.

15 (Source: P.A. 93-205, eff. 1-1-04; 93-1101, eff. 3-31-05.)

16 Section 15-35. The Illinois Procurement Code is amended by
17 changing Section 1-13 as follows:

18 (30 ILCS 500/1-13)

19 Sec. 1-13. Applicability to public institutions of higher
20 education.

21 (a) This Code shall apply to public institutions of higher
22 education, regardless of the source of the funds with which
23 contracts are paid, except as provided in this Section.

24 (b) Except as provided in this Section, this Code shall not

1 apply to procurements made by or on behalf of public
2 institutions of higher education for any of the following:

3 (1) Memberships in professional, academic, research,
4 or athletic organizations on behalf of a public institution
5 of higher education, an employee of a public institution of
6 higher education, or a student at a public institution of
7 higher education.

8 (2) Procurement expenditures for events or activities
9 paid for exclusively by revenues generated by the event or
10 activity, gifts or donations for the event or activity,
11 private grants, or any combination thereof.

12 (3) Procurement expenditures for events or activities
13 for which the use of specific potential contractors is
14 mandated or identified by the sponsor of the event or
15 activity, provided that the sponsor is providing a majority
16 of the funding for the event or activity.

17 (4) Procurement expenditures necessary to provide
18 athletic, artistic or musical services, performances,
19 events, or productions by or for a public institution of
20 higher education.

21 (5) Procurement expenditures for periodicals, books,
22 subscriptions, database licenses, and other publications
23 procured for use by a university library or academic
24 department, except for expenditures related to procuring
25 textbooks for student use or materials for resale or
26 rental.

1 (6) Procurement expenditures for placement of students
2 in externships, practicums, field experiences, and for
3 medical residencies and rotations.

4 (7) Contracts for programming and broadcast license
5 rights for university-operated radio and television
6 stations.

7 (8) Procurement expenditures necessary to perform
8 sponsored research and other sponsored activities under
9 grants and contracts funded by the sponsor or by sources
10 other than State appropriations.

11 (9) Contracts with a foreign entity for research or
12 educational activities, provided that the foreign entity
13 either does not maintain an office in the United States or
14 is the sole source of the service or product.

15 Notice of each contract entered into by a public institution of
16 higher education that is related to the procurement of goods
17 and services identified in items (1) through (9) of this
18 subsection shall be published in the Procurement Bulletin
19 within 14 calendar days after contract execution. The Chief
20 Procurement Officer shall prescribe the form and content of the
21 notice. Each public institution of higher education shall
22 provide the Chief Procurement Officer, on a monthly basis, in
23 the form and content prescribed by the Chief Procurement
24 Officer, a report of contracts that are related to the
25 procurement of goods and services identified in this
26 subsection. At a minimum, this report shall include the name of

1 the contractor, a description of the supply or service
2 provided, the total amount of the contract, the term of the
3 contract, and the exception to the Code utilized. A copy of any
4 or all of these contracts shall be made available to the Chief
5 Procurement Officer immediately upon request. The Chief
6 Procurement Officer shall submit a report to the Governor and
7 General Assembly no later than November 1 of each year that
8 shall include, at a minimum, an annual summary of the monthly
9 information reported to the Chief Procurement Officer.

10 (b-5) Except as provided in this subsection, the provisions
11 of this Code shall not apply to contracts for medical supplies,
12 and to contracts for medical services necessary for the
13 delivery of care and treatment at medical, dental, or
14 veterinary teaching facilities utilized by Southern Illinois
15 University or the University of Illinois and at any
16 university-operated health care center or dispensary that
17 provides care, treatment, and medications for students,
18 faculty and staff. Other supplies and services needed for these
19 teaching facilities shall be subject to the jurisdiction of the
20 Chief Procurement Officer for Public Institutions of Higher
21 Education who may establish expedited procurement procedures
22 and may waive or modify certification, contract, hearing,
23 process and registration requirements required by the Code. All
24 procurements made under this subsection shall be documented and
25 may require publication in the Illinois Procurement Bulletin.

26 (b-10) Procurements made by or on behalf of the University

1 of Illinois for investment services scheduled to expire June
2 2020 may be extended through June 2021 without being subject to
3 the requirements of this Code. Any contract extended, renewed,
4 or entered pursuant to this exception shall be published on the
5 Executive Ethics Commission's website within 5 days of contract
6 execution. This subsection is inoperative on and after July 1,
7 2021.

8 (c) Procurements made by or on behalf of public
9 institutions of higher education for the fulfillment of a grant
10 shall be made in accordance with the requirements of this Code
11 to the extent practical.

12 Upon the written request of a public institution of higher
13 education, the Chief Procurement Officer may waive contract,
14 registration, certification, and hearing requirements of this
15 Code if, based on the item to be procured or the terms of a
16 grant, compliance is impractical. The public institution of
17 higher education shall provide the Chief Procurement Officer
18 with specific reasons for the waiver, including the necessity
19 of contracting with a particular potential contractor, and
20 shall certify that an effort was made in good faith to comply
21 with the provisions of this Code. The Chief Procurement Officer
22 shall provide written justification for any waivers. By
23 November 1 of each year, the Chief Procurement Officer shall
24 file a report with the General Assembly identifying each
25 contract approved with waivers and providing the justification
26 given for any waivers for each of those contracts. Notice of

1 each waiver made under this subsection shall be published in
2 the Procurement Bulletin within 14 calendar days after contract
3 execution. The Chief Procurement Officer shall prescribe the
4 form and content of the notice.

5 (d) Notwithstanding this Section, a waiver of the
6 registration requirements of Section 20-160 does not permit a
7 business entity and any affiliated entities or affiliated
8 persons to make campaign contributions if otherwise prohibited
9 by Section 50-37. The total amount of contracts awarded in
10 accordance with this Section shall be included in determining
11 the aggregate amount of contracts or pending bids of a business
12 entity and any affiliated entities or affiliated persons.

13 (e) Notwithstanding subsection (e) of Section 50-10.5 of
14 this Code, the Chief Procurement Officer, with the approval of
15 the Executive Ethics Commission, may permit a public
16 institution of higher education to accept a bid or enter into a
17 contract with a business that assisted the public institution
18 of higher education in determining whether there is a need for
19 a contract or assisted in reviewing, drafting, or preparing
20 documents related to a bid or contract, provided that the bid
21 or contract is essential to research administered by the public
22 institution of higher education and it is in the best interest
23 of the public institution of higher education to accept the bid
24 or contract. For purposes of this subsection, "business"
25 includes all individuals with whom a business is affiliated,
26 including, but not limited to, any officer, agent, employee,

1 consultant, independent contractor, director, partner,
2 manager, or shareholder of a business. The Executive Ethics
3 Commission may promulgate rules and regulations for the
4 implementation and administration of the provisions of this
5 subsection (e).

6 (f) As used in this Section:

7 "Grant" means non-appropriated funding provided by a
8 federal or private entity to support a project or program
9 administered by a public institution of higher education and
10 any non-appropriated funding provided to a sub-recipient of the
11 grant.

12 "Public institution of higher education" means Chicago
13 State University, Eastern Illinois University, Governors State
14 University, Illinois State University, Northeastern Illinois
15 University, Northern Illinois University, Southern Illinois
16 University, University of Illinois, Western Illinois
17 University, and, for purposes of this Code only, the Illinois
18 Mathematics and Science Academy.

19 (g) (Blank).

20 (h) The General Assembly finds and declares that:

21 (1) Public Act 98-1076, which took effect on January 1,
22 2015, changed the repeal date set for this Section from
23 December 31, 2014 to December 31, 2016.

24 (2) The Statute on Statutes sets forth general rules on
25 the repeal of statutes and the construction of multiple
26 amendments, but Section 1 of that Act also states that

1 these rules will not be observed when the result would be
2 "inconsistent with the manifest intent of the General
3 Assembly or repugnant to the context of the statute".

4 (3) This amendatory Act of the 100th General Assembly
5 manifests the intention of the General Assembly to remove
6 the repeal of this Section.

7 (4) This Section was originally enacted to protect,
8 promote, and preserve the general welfare. Any
9 construction of this Section that results in the repeal of
10 this Section on December 31, 2014 would be inconsistent
11 with the manifest intent of the General Assembly and
12 repugnant to the context of this Code.

13 It is hereby declared to have been the intent of the
14 General Assembly that this Section not be subject to repeal on
15 December 31, 2014.

16 This Section shall be deemed to have been in continuous
17 effect since December 20, 2011 (the effective date of Public
18 Act 97-643), and it shall continue to be in effect henceforward
19 until it is otherwise lawfully repealed. All previously enacted
20 amendments to this Section taking effect on or after December
21 31, 2014, are hereby validated.

22 All actions taken in reliance on or pursuant to this
23 Section by any public institution of higher education, person,
24 or entity are hereby validated.

25 In order to ensure the continuing effectiveness of this
26 Section, it is set forth in full and re-enacted by this

1 amendatory Act of the 100th General Assembly. This re-enactment
2 is intended as a continuation of this Section. It is not
3 intended to supersede any amendment to this Section that is
4 enacted by the 100th General Assembly.

5 In this amendatory Act of the 100th General Assembly, the
6 base text of the reenacted Section is set forth as amended by
7 Public Act 98-1076. Striking and underscoring is used only to
8 show changes being made to the base text.

9 This Section applies to all procurements made on or before
10 the effective date of this amendatory Act of the 100th General
11 Assembly.

12 (Source: P.A. 100-43, eff. 8-9-17.)

13 Section 15-40. The Park District Aquarium and Museum Act is
14 amended by changing Section 1 as follows:

15 (70 ILCS 1290/1) (from Ch. 105, par. 326)

16 Sec. 1. Erect, operate, and maintain aquariums and museums.
17 The corporate authorities of cities and park districts having
18 control or supervision over any public park or parks, including
19 parks located on formerly submerged land, are hereby authorized
20 to purchase, erect, and maintain within any such public park or
21 parks edifices to be used as aquariums or as museums of art,
22 industry, science, or natural or other history, including
23 presidential libraries, centers, and museums, such aquariums
24 and museums consisting of all facilities for their collections,

1 exhibitions, programming, and associated initiatives, or to
2 permit the directors or trustees of any corporation or society
3 organized for the construction or maintenance and operation of
4 an aquarium or museum as hereinabove described to erect,
5 enlarge, ornament, build, rebuild, rehabilitate, improve,
6 maintain, and operate its aquarium or museum within any public
7 park now or hereafter under the control or supervision of any
8 city or park district, and to contract with any such directors
9 or trustees of any such aquarium or museum relative to the
10 erection, enlargement, ornamentation, building, rebuilding,
11 rehabilitation, improvement, maintenance, ownership, and
12 operation of such aquarium or museum. Notwithstanding the
13 previous sentence, a city or park district may enter into a
14 lease for an initial term not to exceed 99 years, subject to
15 renewal, allowing a corporation or society as hereinabove
16 described to erect, enlarge, ornament, build, rebuild,
17 rehabilitate, improve, maintain, and operate its aquarium or
18 museum, together with grounds immediately adjacent to such
19 aquarium or museum, and to use, possess, and occupy grounds
20 surrounding such aquarium or museum as hereinabove described
21 for the purpose of beautifying and maintaining such grounds in
22 a manner consistent with the aquarium or museum's purpose, and
23 on the conditions that (1) the public is allowed access to such
24 grounds in a manner consistent with its access to other public
25 parks, and (2) the city or park district retains a reversionary
26 interest in any improvements made by the corporation or society

1 on the grounds, including the aquarium or museum itself, that
2 matures upon the expiration or lawful termination of the lease.
3 It is hereby reaffirmed and found that the aquariums and
4 museums as described in this Section, and their collections,
5 exhibitions, programming, and associated initiatives, serve
6 valuable public purposes, including, but not limited to,
7 furthering human knowledge and understanding, educating and
8 inspiring the public, and expanding recreational and cultural
9 resources and opportunities. Any city or park district may
10 charge, or permit such an aquarium or museum to charge, an
11 admission fee. Any such aquarium or museum, however, shall be
12 open without charge, when accompanied by a teacher, to the
13 children in actual attendance upon grades kindergarten through
14 twelve in any of the schools in this State at all times. In
15 addition, except as otherwise provided in this Section, any
16 such aquarium or museum must be open to persons who reside in
17 this State without charge for a period equivalent to 52 days,
18 at least 6 of which must be during the period from June through
19 August, each year. Beginning on the effective date of this
20 amendatory Act of the 101st General Assembly through June 30,
21 2022, any such aquarium or museum must be open to persons who
22 reside in this State without charge for a period equivalent to
23 52 days, at least 6 of which must be during the period from
24 June through August, 2021. Notwithstanding said provisions,
25 charges may be made at any time for special services and for
26 admission to special facilities within any aquarium or museum

1 for the education, entertainment, or convenience of visitors.
2 The proceeds of such admission fees and charges for special
3 services and special facilities shall be devoted exclusively to
4 the purposes for which the tax authorized by Section 2 hereof
5 may be used. If any owner or owners of any lands or lots
6 abutting or fronting on any such public park, or adjacent
7 thereto, have any private right, easement, interest or property
8 in such public park appurtenant to their lands or lots or
9 otherwise, which would be interfered with by the erection and
10 maintenance of any aquarium or museum as hereinbefore provided,
11 or any right to have such public park remain open or vacant and
12 free from buildings, the corporate authorities of the city or
13 park district having control of such park, may condemn the same
14 in the manner prescribed for the exercise of the right of
15 eminent domain under the Eminent Domain Act. The changes made
16 to this Section by this amendatory Act of the 99th General
17 Assembly are declaratory of existing law and shall not be
18 construed as a new enactment.

19 (Source: P.A. 99-3, eff. 1-1-16.)

20 Section 15-45. The Illinois Vehicle Code is amended by
21 adding Section 2-129 as follows:

22 (625 ILCS 5/2-129 new)

23 Sec. 2-129. Expiration dates. All expiration periods set
24 forth in this Code shall be subject to the provisions of

1 Section 30 of the Secretary of State Act.

2 ARTICLE 25. BUSINESS INTERRUPTION INSURANCE

3 Section 25-5. The Department of Insurance Law of the Civil
4 Administrative Code of Illinois is amended by adding Section
5 1405-32 as follows:

6 (20 ILCS 1405/1405-32 new)

7 Sec. 1405-32. Task force on business interruption
8 insurance policies. The Department of Insurance shall appoint a
9 task force on business interruption insurance policies
10 consisting of no more than 10 members representing the
11 Department of Insurance and the insurance industry. The Task
12 Force shall include a representative from a national trade
13 association, based in the State of Illinois, that represents
14 insurers who provide a significant segment of market share of
15 the commercial insurance provided in the State of Illinois. The
16 Task Force shall study the impacts of the COVID-19 pandemic on
17 businesses and the need for changes to business interruption
18 insurance policies based on those impacts, including
19 recommendations for legislation.

20 Task Force members shall serve without compensation but may
21 be reimbursed for their expenses incurred in performing their
22 duties.

23 The Department of Insurance shall provide administrative

1 and other support to the Task Force.

2 The Task Force shall submit the report of its findings and
3 recommendations to the Governor and the General Assembly by
4 December 31, 2020. The Task Force is dissolved, and this
5 Section is repealed, on December 31, 2021.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.".