**Section 1620.1200 Procurement Code Conflicts of Interest Exemptions**

*An appropriate Chief Procurement Officer may file a request with the Executive Ethics Commission to exempt named individuals from the prohibitions of Section 50-13 of the Procurement Code when, in his or her judgment, the public interest in having the individual in the service of the State outweighs the public policy evidenced in that Section.* [30 ILCS 500/50-20]

a) The request shall be in writing and describe in detail the nature of the conflict and the reason or reasons why the individual should be exempted from Section 50-13 of the Procurement Code.

b) Upon receipt of the request for an exemption, the Commission shall set a date, time and location *for a public hearing at which any person may present written or oral testimony, and provide public notice of* the hearing *on its web site*. The Commission shall also appoint a hearing officer to conduct the public hearing.

c) *The Chief Procurement Officer making the request for an exemption shall publish notice of the date, time and location of the hearing in the online electronic* Illinois Procurement *Bulletin at least 14 days prior to the hearing and provide notice to the individual subject to the waiver and to the Procurement Policy Board.* [30 ILCS 500/50-20]

d) Within 60 days after the public hearing, the Commission shall release a decision that grants or denies the exemption. The decision shall include a statement setting forth the name of the individual and all the pertinent facts that would make that Section applicable, setting forth the reason for the exemption and declaring whether the individual was exempted from Section 50-13 of the Procurement Code. This decision shall be published in the Illinois Procurement Bulletin and, if the decision grants the exemption, also be filed with the Secretary of State and the Comptroller.

(Source: Added at 34 Ill. Reg. 13108, effective August 27, 2010)