



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB6944

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

20 ILCS 405/405-335
55 ILCS 5/5-1018.5 new
60 ILCS 1/100-25 new
65 ILCS 5/10-4-10 new

Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that the Illinois Transparency and Accountability Portal (ITAP) shall also include a searchable database of all county, township, and municipal employees sorted by the employing unit of local government, employment position title, and current pay rate and year-to-date pay. Amends the Counties Code, the Township Code, and the Illinois Municipal Code. Provides that counties, townships, and municipalities must comply with the requirements established by the Department of Central Management Services concerning ITAP. Limits home rule powers.

LRB096 24293 RLJ 43758 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

1 AN ACT concerning government.

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

4 Section 5. The Department of Central Management Services
5 Law of the Civil Administrative Code of Illinois is amended by
6 changing Section 405-335 as follows:

7 (20 ILCS 405/405-335)

8 Sec. 405-335. Illinois Transparency and Accountability
9 Portal (ITAP).

10 (a) The Department, within 12 months after the effective
11 date of this amendatory Act of the 96th General Assembly, shall
12 establish and maintain a website, known as the Illinois
13 Transparency and Accountability Portal (ITAP), with a
14 full-time webmaster tasked with compiling and updating the ITAP
15 database with information received from all State agencies as
16 defined in this Section. The full-time webmaster must also
17 compile and update the ITAP database with information received
18 from all counties, townships, and municipalities.

19 (b) For purposes of this Section:

20 "State agency" means the offices of the constitutional
21 officers identified in Article V of the Illinois Constitution,
22 executive agencies, and departments, boards, commissions, and
23 Authorities under the Governor.

1 "Contracts" means payment obligations with vendors on file
2 with the Office of the Comptroller to purchase goods and
3 services exceeding \$10,000 in value (or, in the case of
4 professional or artistic services, exceeding \$5,000 in value).

5 "Appropriation" means line-item detail of spending
6 approved by the General Assembly and Governor, categorized by
7 object of expenditure.

8 "Individual consultants" means temporary workers eligible
9 to receive State benefits paid on a State payroll.

10 "Recipients" means State agencies receiving
11 appropriations.

12 (c) The ITAP shall provide direct access to each of the
13 following:

14 (1) A database of all current State employees and
15 individual consultants, except sworn law enforcement
16 officers, sorted separately by:

17 (i) Name.

18 (ii) Employing State agency.

19 (iii) Employing State division.

20 (iv) Employment position title.

21 (v) Current pay rate and year-to-date pay.

22 (2) A database of all current State expenditures,
23 sorted separately by agency, category, recipient, and
24 Representative District.

25 (3) A database of all development assistance
26 reportable pursuant to the Corporate Accountability for

1 Tax Expenditures Act, sorted separately by tax credit
2 category, taxpayer, and Representative District.

3 (4) A database of all revocations and suspensions of
4 State occupation and use tax certificates of registration
5 and all revocations and suspensions of State professional
6 licenses, sorted separately by name, geographic location,
7 and certificate of registration number or license number,
8 as applicable. Professional license revocations and
9 suspensions shall be posted only if resulting from a
10 failure to pay taxes, license fees, or child support.

11 (5) A database of all current State contracts, sorted
12 separately by contractor name, awarding officer or agency,
13 contract value, and goods or services provided.

14 (6) A database of all employees hired after the
15 effective date of this amendatory Act of 2010, sorted
16 searchably by each of the following at the time of
17 employment:

18 (i) Name.

19 (ii) Employing State agency.

20 (iii) Employing State division.

21 (iv) Employment position title.

22 (v) Current pay rate and year-to-date pay.

23 (vi) County of employment location.

24 (vii) Rutan status.

25 (viii) Status of position as subject to collective
26 bargaining, subject to merit compensation, or exempt

1 under Section 4d of the Personnel Code.

2 (ix) Employment status as probationary, trainee,
3 intern, certified, or exempt from certification.

4 (x) Status as a military veteran.

5 (7) A searchable database of all current county,
6 township, and municipal employees sorted separately by:

7 (i) Employing unit of local government.

8 (ii) Employment position title.

9 (iii) Current pay rate and year-to-date pay.

10 (8) A searchable database of all county, township, and
11 municipal employees hired on or after the effective date of
12 this amendatory Act of the 96th General Assembly, sorted
13 separately by each of the following at the time of
14 employment:

15 (i) Employing unit of local government.

16 (ii) Employment position title.

17 (iii) Current pay rate and year-to-date pay.

18 (d) The ITAP shall include all information required to be
19 published by subsection (c) of this Section that is available
20 to the Department in a format the Department can compile and
21 publish on the ITAP. The Department shall update the ITAP as
22 additional information becomes available in a format that can
23 be compiled and published on the ITAP by the Department.

24 (e) Each State agency, county, township, and municipality
25 shall cooperate with the Department in furnishing the
26 information necessary for the implementation of this Section

1 within a timeframe specified by the Department.

2 (Source: P.A. 96-225, eff. 1-1-10; 96-1387, eff. 1-1-11.)

3 Section 10. The Counties Code is amended by adding Section
4 5-1018.5 as follows:

5 (55 ILCS 5/5-1018.5 new)

6 Sec. 5-1018.5. Compliance with ITAP requirements. A county
7 must comply with the requirements of Section 405-335 of the
8 Department of Central Management Services Law of the Civil
9 Administrative Code of Illinois concerning the Illinois
10 Transparency and Accountability Portal (ITAP). A county may not
11 submit employment information for the ITAP in a manner that is
12 inconsistent with the requirements of Section 405-335 of the
13 Department of Central Management Services Law of the Civil
14 Administrative Code of Illinois. This Section is a limitation
15 under subsection (i) of Section 6 of Article VII of the
16 Illinois Constitution on the concurrent exercise by home rule
17 units of powers and functions exercised by the State.

18 Section 15. The Township Code is amended by adding Section
19 100-25 as follows:

20 (60 ILCS 1/100-25 new)

21 Sec. 100-25. Compliance with ITAP requirements. A township
22 must comply with the requirements of Section 405-335 of the

1 Department of Central Management Services Law of the Civil
2 Administrative Code of Illinois concerning the Illinois
3 Transparency and Accountability Portal (ITAP). A township may
4 not submit employment information for the ITAP in a manner that
5 is inconsistent with the requirements of Section 405-335 of the
6 Department of Central Management Services Law of the Civil
7 Administrative Code of Illinois.

8 Section 20. The Illinois Municipal Code is amended by
9 adding Section 10-4-10 as follows:

10 (65 ILCS 5/10-4-10 new)

11 Sec. 10-4-10. Compliance with ITAP requirements. A
12 municipality must comply with the requirements of Section
13 405-335 of the Department of Central Management Services Law of
14 the Civil Administrative Code of Illinois concerning the
15 Illinois Transparency and Accountability Portal (ITAP). A
16 municipality may not submit employment information for the ITAP
17 in a manner that is inconsistent with the requirements of
18 Section 405-335 of the Department of Central Management
19 Services Law of the Civil Administrative Code of Illinois. This
20 Section is a limitation under subsection (i) of Section 6 of
21 Article VII of the Illinois Constitution on the concurrent
22 exercise by home rule municipalities of powers and functions
23 exercised by the State.