

1 AN ACT concerning State employment.

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

4 Section 5. The Personnel Code is amended by changing
5 Section 8b.1 as follows:

6 (20 ILCS 415/8b.1) (from Ch. 127, par. 63b108b.1)

7 Sec. 8b.1. For open competitive examinations to test the
8 relative fitness of applicants for the respective positions.

9 Tests shall be designed to eliminate those who are not
10 qualified for entrance into or promotion within the service,
11 and to discover the relative fitness of those who are
12 qualified. The Director may use any one of or any combination
13 of the following examination methods which in his judgment best
14 serves this end: investigation of education; investigation of
15 experience; test of cultural knowledge; test of capacity; test
16 of knowledge; test of manual skill; test of linguistic ability;
17 test of character; test of physical fitness; test of
18 psychological fitness. No person with a record of misdemeanor
19 convictions except those under Sections 11-6, 11-7, 11-9,
20 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4,
21 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7,
22 32-1, 32-2, 32-3, 32-4, 32-8 and sub-sections 1, 6 and 8 of
23 Section 24-1 of the Criminal Code of 1961 or arrested for any

1 cause but not convicted thereon shall be disqualified from
2 taking such examinations or subsequent appointment, unless the
3 person is attempting to qualify for a position which would give
4 him the powers of a peace officer, in which case the person's
5 conviction or arrest record may be considered as a factor in
6 determining the person's fitness for the position. The
7 eligibility conditions specified for the position of Assistant
8 Director of Healthcare and Family Services in the Department of
9 Healthcare and Family Services in Section 5-230 of the
10 Departments of State Government Law (20 ILCS 5/5-230) shall be
11 applied to that position in addition to other standards, tests
12 or criteria established by the Director. All examinations shall
13 be announced publicly at least 2 weeks in advance of the date
14 of the examinations and may be advertised through the press,
15 radio and other media. The Director may, however, in his
16 discretion, continue to receive applications and examine
17 candidates long enough to assure a sufficient number of
18 eligibles to meet the needs of the service and may add the
19 names of successful candidates to existing eligible lists in
20 accordance with their respective ratings.

21 The Director may, in his discretion, accept the results of
22 competitive examinations conducted by any merit system
23 established by federal law or by the law of any State, and may
24 compile eligible lists therefrom or may add the names of
25 successful candidates in examinations conducted by those merit
26 systems to existing eligible lists in accordance with their

1 respective ratings. No person who is a non-resident of the
2 State of Illinois may be appointed from those eligible lists,
3 however, unless the requirement that applicants be residents of
4 the State of Illinois is waived by the Director of Central
5 Management Services and unless there are less than 3 Illinois
6 residents available for appointment from the appropriate
7 eligible list. The results of the examinations conducted by
8 other merit systems may not be used unless they are comparable
9 in difficulty and comprehensiveness to examinations conducted
10 by the Department of Central Management Services for similar
11 positions. Special linguistic options may also be established
12 where deemed appropriate.

13 Beginning with the 6th month after the month during which
14 this amendatory Act of the 96th General Assembly becomes law,
15 within 10 calendar days after the end of each month, the
16 Department must post on its Internet website a list showing the
17 total number of those taking competitive examinations for
18 employment during that month and receiving a "superior", "A",
19 or otherwise designated highest test result, together with a
20 breakdown of that total number categorizing the number of
21 applicants receiving that highest grade by race as follows:
22 African American, Hispanic, Asian American, Native American,
23 Caucasian, and Other. The list shall include only numbers and
24 shall not identify individuals by name.

25 (Source: P.A. 95-331, eff. 8-21-07.)