

2195-1

IN THE TWELFTH JUDICIAL CIRCUIT COURT
WILL COUNTY, ILLINOIS CHANCERY DIVISION

JL Properties Group B LLC, Mark
Dauenbaugh, and Steven Cole, not
individually, but as Trustee of the ALI
(401K) Trust FBO Steven Cole,

Plaintiffs,

-vs-

Jay Robert "J.B." Pritzker, the
Governor of Illinois, not individually,
but in his executive capacity,

Defendant.

Case No. 20CH601

**VERIFIED COMPLAINT FOR
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

Plaintiffs, JL Properties Group B LLC, Mark Dauenbaugh, and Steven Cole, not individually but as Trustee of the ALI (401 K) FBO Steven Cole, ("Plaintiffs") by and through their attorneys, Noonan & Lieberman, Ltd. and Jeffrey Grant Brown, P.C., seek a declaratory judgment and a preliminary and permanent injunction barring the enforcement of portions of the Illinois Governor's COVID-19 Executive Orders which have imposed a moratorium on the commencement of residential evictions; barring the enforcement of portions of the Illinois Governor's COVID-19 Executive Orders which have imposed a moratorium on enforcing residential and nonresidential orders of possession entered in actions currently pending in the circuit courts of this state; and permanently enjoining the Governor from issuing, re-issuing or extending any moratoria on the commencement of residential evictions and the enforcement of

Initial case management set for
10/13/2020 at: 9:00 a.m.

residential and nonresidential orders possession that have been entered in the circuit courts of this state. In support, Plaintiffs state as follows:

INTRODUCTION

1. The global COVID-19 pandemic (“Pandemic”) brought on by the 2019 Novel Coronavirus has caused catastrophic and unprecedented economic damage across the globe, and with it, significant loss of life and fundamental change to both world and national economies. The Pandemic has turned the world upside-down, causing profound damage to the lives of all Americans and to the national economy. To be sure, State and U.S. officials have faced tremendous adversity in planning, coordinating, and at times, executing effective nationwide and statewide policies to protect the general public’s health, safety and welfare during this time of crisis.

2. In response, Illinois Governor Jay Pritzker, acting under the authority given to him by the Illinois legislature pursuant to The Illinois Emergency Management Agency Act (20 ILCS 3305, et seq.) “to adequately deal with any disasters, preserve the lives and property of the people of this State and protect the public peace, health, and safety in the event of a disaster” has issued a number of Executive Orders addressing the Pandemic and curtailing various rights, movement and activities heretofore enjoyed by Illinois citizens. Among the rights curtailed were the rights of landlords to commence residential eviction actions and to enforce residential and nonresidential orders of possession they obtained prior to issuance of the Executive Orders.

3. The portions of Governor Pritzker’s Executive Orders prohibiting the commencement of residential evictions, and the enforcement of residential and nonresidential orders of possession, as well-intentioned as they may be, have had an unlawful and disproportionate impact on landlords, including Plaintiffs, to the point of jeopardizing their

businesses and livelihoods. Protecting economically needy citizens such as tenants, who the relevant portion of the Executive Orders were intended to protect, is sound and proper policy. But compelled subsidization by landlords is an improper and unconstitutional method of solving that problem.

4. This case goes to the heart of our constitutional, tripartite form of government and the separation of powers. This case focuses on whether the Illinois Governor can rely on his own declared public-health emergency to assume authority the legislature never granted, to waive or amend provisions in private contracts, to override and amend explicit statutory provisions as he chooses in his sole discretion, and to usurp powers belonging to the legislative and judicial branches of this state. In issuing the Executive Orders barring evictions and the enforcement of residential and nonresidential orders of possession previously entered, the Governor exceeded his statutory authority and the portions of those orders addressing evictions violate the Illinois Constitution.

PARTIES

5. Plaintiff, JL Properties Group B LLC is an Illinois Limited Liability Company, and is a landlord of real property in Will County, Illinois.

6. Plaintiff, Mark Dauenbaugh, is an individual landlord of real property in Winnebago County, Illinois.

7. Plaintiff, Steven Cole, not individually is the Trustee of the ALI (401 K) Trust FBO Steven Cole is the landlord of a real property owned by the Trust in Will County, Illinois.

8. Defendant Governor Jay Robert “J. B.” Pritzker is the Governor of Illinois (the “Governor”). He is sued not individually, but in his official capacity as Governor.

FACTS COMMON TO ALL COUNTS

The Plaintiffs

9. JL Properties Group B LLC (“JL”) is the owner and landlord for a single family residential property in that portion of Bolingbrook, Illinois, a Village located in Will County, Illinois.

10. On January 1, 2020, JL entered into a lease agreement with a tenant for the property described in paragraph 1 above. The rental rate was \$1350 per month. The tenant became delinquent in March of 2020, and currently owes \$450 for March rent and rent for April, May, and June, 2020, for a total of \$4500.00. Exhibit A. (Lease redacted as to information regarding the tenants and identification of the specific property where they reside).

11. Mark Dauenbaugh is the owner and landlord for a multi-unit residential property in Rockford Illinois, a City located in Winnebago County, Illinois.

12. On November 1, 2019, Dauenbaugh entered into a lease with tenants for one of the units in the property described in paragraph 3, at a monthly rental rate of \$425.00. The tenants became delinquent on their rent in February, 2020 and currently owe \$30.00 for February, 2020 rent and the full amount of the monthly rent for March, April, May and June, 2020, a total of \$1730.00; see, Group Exhibit B, p.4. (Lease redacted as to information regarding the tenants and identification of the specific property where they reside).

13. As of the date of filing this Complaint, the tenants residing in both Plaintiffs JL and Dauenbaugh’s properties continue to occupy the respective properties and remain delinquent on their rent payments.

14. As of the date of filing this Complaint, both Plaintiffs JL and Dauenbaugh are prohibited from commencing a proceeding for eviction of their respective tenants to recover the

rent due and owing because of the Governor's Disaster Proclamations and Executive Orders described below barring commencement of eviction actions.

15. The ALI (401 K) Trust FBO Steven Cole, ("Cole") is the owner of a residential property located in University Park, Illinois, a Village in Will County, Illinois. Steven Cole is the Trustee for the Trust and the landlord.

16. On March 6, 2020, Cole obtained an order of eviction ("Eviction Order") against the known and unknown occupants in the University Park, Illinois residential property. Exhibit C, Will County Circuit Court Order. (case number, tenant information and property information redacted).

17. Under terms of the Eviction Order, the subject of the order and any unknown occupants, were to vacate the property on or before March 13, 2020.

18. On March 9, 2020, the Governor issued Executive Order EO 2020-10, instructing all state, county, and local law enforcement officers in the State of Illinois to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. EO 2020-10.

19. As of the date of the filing of this Complaint, the individual subject to the Eviction Order continues to occupy the property.

20. As of the date of filing of this Complaint, Cole remains unable to enforce the Eviction Order lawfully obtained in state court.

21. An actual controversy exists between Plaintiffs and Defendant, caused by the issuance and implementation of portions of the Executive Orders described below barring commencement and enforcement of evictions and barring evictions and the enforcement of

residential and nonresidential orders of possession previously entered, and there is no other available remedy at law.

Restore Illinois Plan

22. “Restore Illinois” is the Executive Branch’s plan for reopening the State of Illinois as the need for restrictions on commerce and social behavior imposed under the Governor’s Disaster Proclamations and Executive Orders due to the Pandemic are reduced (the “Plan”). Exhibit D, Restore Illinois Plan.

23. Under the Plan, the State is divided into four quadrants. There are five phases for the activity allowed to take place in each quadrant. Progression into a new, less restrictive phase which allows a broader range of activities is based on health metrics assessed by the Illinois Department of Public Health. *Id.*

24. As of the date of filing this complaint, all regions of the state are in Phase 3 of the Plan, Recovery, in which the rate of COVID-19 infection is stable or declining, and select industries and retail establishments are allowed to reopen subject to certain restrictions. On or about June 26, 2020, the state is prepared to move into Phase 4, Revitalization, in which the rate of infection continues to descend, and hospitals have capacity and can quickly adapt, and among other services, schools and child care facilities can reopen. <https://www.nbcchicago.com/news/local/all-4-regions-in-illinois-on-track-to-enter-phase-4-next-week-pritzker-says/2291864/>.

Illinois Emergency Management Agency Act 20 ILCS 3305 et. seq.

25. Prior to March 9, 2020, there existed in Illinois a certain law entitled The Illinois Emergency Management Agency Act (the “Act”) (20 ILCS 3305, *et seq.*). Section 2 of the Act is captioned “Policy and Purposes” and provides that “to adequately deal with any disasters, preserve the lives and property of the people of this State and protect the public peace, health, and safety in the event of a disaster, it is found and declared to be necessary” to confer upon the Governor certain powers provided in the Act.

26. Section 7 of the Act captioned “Powers of the Governor” provides that “[i]n the event of a disaster, as defined in Section 4, the Governor may, by proclamation, declare that a disaster exists.” Upon such proclamation, the Governor shall have and may exercise for a period not to exceed 30 days the following emergency powers.” Those include the power:

(1) To suspend the provisions of any regulatory statute prescribing procedures for conduct of State business, or the orders, rules and regulations of any State agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder or delay necessary action, including emergency purchases, by the Illinois Emergency Management Agency, in coping with the disaster.

(2) To utilize all available resources of the State government as reasonably necessary to cope with the disaster and of each political subdivision of the State.

(3) To transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating disaster response and recovery programs.

(4) On behalf of this State to take possession of, and to acquire full title or a lesser specified interest in, any personal property as may be necessary to accomplish the objectives set forth in Section 2 of this Act ***and to take possession of and for a limited period occupy and use any real estate necessary to accomplish those objectives; but only upon the undertaking by the State to pay just compensation therefor as in this Act provided, and then only under the following provisions ***.

(8) To control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein.

(9) To suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

(12) Control, restrict, and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods, or services; and perform and exercise any other functions, powers, and duties as may be necessary to promote and secure the safety and protection of the civilian population.

20 ILCS 3305/7.

Disaster Proclamations

27. On March 9, 2020, due to the threat of COVID-19, “a novel severe acute respiratory illness that can spread among people,” Governor Pritzker issued a Gubernatorial Disaster Proclamation in which he declared all counties in the State of Illinois a disaster area pursuant to Section 7 of the Act. See, March 9, 2020 Disaster Proclamation, (“First Proclamation”). This First Proclamation remained in effect for 30 days. Group Exhibit E, Disaster Proclamations.

28. Based in part on the rising number of COVID-19 cases, on April 1, 2020, the Governor issued a second Gubernatorial Disaster Proclamation finding a “continuing disaster exists” (based upon the same COVID-19 pandemic) and declaring all counties a disaster area (the “Second Proclamation”). The Second Proclamation also declared that it remained in effect for 30 days.

29. Based in part on the fact that the State’s modeling, “... shows that its health care resources utilization will not peak until May and resources will continue to be limited after the peak...”, and that without a “stay at home” order 100,000 hospital beds, 25,000 ICU beds, and upwards of 100,000 ventilators would be necessary, and the number of deaths in the state would be 10 to 20 times higher than with a “stay at home” order, on April 30, 2020, the Governor issued a third Gubernatorial Disaster Proclamation, for all counties, which remained in effect for 30 days (the “Third Proclamation”).

30. On May 29, 2020, the Governor issued a fourth Gubernatorial Disaster Proclamation, for all counties (the “Fourth Proclamation”). The Fourth Proclamation is based in part on the fact that the number of COVID-19 cases continued to increase, and the peak health care resource utilization which was anticipated in May had not occurred. The Fourth Proclamation notes that the R_0 , the number of cases that an infectious person will cause during their infection, “has improved based on the State’s emergency measures, including most importantly, the “stay at home” order.” This is the only reference to the “stay at home” order in the Fourth Proclamation. The proclamation remains in effect by its terms for 30 days, expiring on June 27, 2020.

Executive Orders

31. On March 20, 2020, citing sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act (“the Act”), 20 ILCS 3305/7, the Governor issued Executive Order 2020-10, COVID-19 Executive Order No. 8, (“**EO 2020-10**”). EO 2020-10 ordering that all individuals currently living within the State of Illinois stay at home or at their place of residence except for Essential Activities, Essential Governmental Functions, or to

operate Essential Businesses. (“Stay at Home Order”). Group Exhibit F, Executive Orders, specifically EO 2020-10.

32. Citing sections 7(2), (8), and (10), of the Act, the Governor in EO 2020-10 also instructed all state, county, and local law enforcement officers in the State of Illinois to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. *Id.* The basis for this instruction was that “the enforcement of eviction orders for residential premises is contrary to the interest of preserving public health and ensuring that individuals remain in their homes during this public health emergency....” (herein, “Residential Enforcement Moratorium”) *Id.* Under EO 2020-10, tenants were not relieved of the obligation to pay rent, or to comply with any other obligation of their tenancy. *Id.* EO 2020-10, Section 2.

33. EO 2020-10 provided that it and the Stay at Home Order would remain in effect for the remainder of the duration of the Gubernatorial Disaster Proclamation, which at the time extended through April 7, 2020. *Id.*

34. On April 1, 2020, citing sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Act, the Governor issued Executive Order 2020-18, COVID-19 Executive Order No. 16, (“**EO 2020-18**”) continuing and extending EO 2020-10, and the Stay at Home Order, through the remainder of the duration of the Gubernatorial Disaster Proclamations, which at the time extended through April 30, 2020. *Id.* EO 2020-18.

35. On April 23, 2020, the Governor issued Executive Order 2020-30, COVID-19 Executive Order No. 28, (“**EO 2020-30**”) citing sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Act, 20 ILCS 3305 extending the Stay at Home Order for thirty days, until May 30, 2020, pursuant to the Third Proclamation. *Id.*, 2020-30.

36. Under Section 2 of EO 2020-30, the Governor also mandated that persons were prohibited from commencing a residential eviction action pursuant to or arising under 735 ILCS 5/9-101 *et seq.*, with limited exceptions (herein, “Residential Eviction Moratorium”). The Residential Eviction Moratorium was necessary, according to the Governor, because “ *** the ongoing public health emergency requires further action to prevent the initiation of residential eviction proceedings; and, *** residential evictions are contrary to the interest of preserving public health by ensuring that individuals remain in their homes during this public health emergency. *** ”. *Id.*

37. EO 2020-30 also provided that the continued need for the directive related to evictions shall be evaluated upon issuance of any new Gubernatorial Disaster Proclamation. EO 2020-30. Sec. 3. *Id.*

38. EO 2020-30 also instructed that all state, county, and local law enforcement officers in the State of Illinois shall cease enforcement of orders of eviction for non-residential premises for the duration of the Gubernatorial Disaster Proclamation (the “Non-Residential Enforcement Moratorium”). *Id.*

39. On April 30, 2020 the Governor issued the Third Gubernatorial Disaster Proclamation which ran through May 28, 2020. Group Exhibit E. The Third Gubernatorial Disaster Proclamation does not indicate on its face that the directive related to evictions had been evaluated and, upon information and belief, the directive had not been evaluated. *Id.*

40. Nonetheless, on April 30, 2020, citing Article V, Section 8 of the Illinois Constitution, in addition to sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Act, the Governor issued Executive Order 2020-32, COVID-19 Executive Order No. 28, (“**EO 2020-32**”) revising and expanding the exceptions to the Stay at Home Order. The stated intent of EO 2020-

32 was ‘...to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible.’ Group Exhibit F, 2020-32.

41. On the same date, April 30, 2020, the Governor issued Executive Order 2020-33, COVID-19 Executive Order No. 32, which amended and reissued Executive Order 2020-30, (“**EO 2020-33**”) in its entirety including the Residential Enforcement Moratorium, the Non-Residential Enforcement Moratorium, and the Residential Eviction Moratorium (collectively “Moratoria”) and extended them through May 29, 2020. *Id.* 2020-33.

42. On May 29, 2020 the Governor issued Executive Order 2020-38, “COVID-19 Executive Order No. 26, Restoring Illinois - Protecting Our Communities.” (“**EO 2020-38**”). The stated intent of the 2020-38 was to “ *** conscientiously resume activities that were paused as COVID-19 cases rose exponentially and threatened to overwhelm our healthcare system.” 2020-38 Sec. 1, “Intent.” EO 2020-38 superseded EO 2020-32. *Id.* EO 2020-38 did not contain a stay-at-home requirement, other than urging the elderly and individuals with health conditions that may make them vulnerable to COVID-19 to stay in their residences. 2020-38 Sec. 2 (c). (emphasis added). In effect, the Stay at Home Order was not renewed and was effectively lifted. *Id.* 2020-38.

43. The Illinois Department of Public Health has acknowledged that as of May 20, 2020 that Stay at Home Order was lifted and no longer in effect. Exhibit G, IDPH Restoring Illinois Protecting Our Communities FAQs.

44. Despite the lifting of the Stay at Home Order, on the same date, May 29, 2020, the Governor issued Executive Order 2020-39, COVID-19 Executive Order No. 37, (“**EO 2020-**

39”) which amended and reissued Executive Order 2020-30, (EO 2020-30) in its entirety, including the Moratoria, and extended them through June 27, 2020. Group Exhibit F, 2020- 39

45. In issuing EO 2020-39, the Governor did not reissue or extend the Stay at Home Orders found in EO 2020-10 and 2020-32. *Id.*

46. As with the Third Gubernatorial Disaster Proclamation, the Fourth Gubernatorial Disaster Proclamation issued on through May 29, 2020 did not indicate on its face that the directive related to evictions had been evaluated and, upon information and belief, the directive had not in fact been evaluated. Group Exhibit E.

47. On June 17, 2020 the Governor announced that in August of 2020 Illinois will launch a rental assistance program for renters impacted by the pandemic, and that the “ongoing residential eviction” ban would be extended through July 31, 2020, “to provide a smooth transition to the assistance Program.” Exhibit H, June 17 Press Release.

COUNT I
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Governor does not have the authority to enforce or extend the Moratoria because they are based upon a public health emergency which no longer exists and the Stay at Home Order which is no longer in effect)

48. Plaintiff restates and realleges paragraphs 1-47 of the Facts Common to All Counts as paragraph 48 of Count I.

49. On March 20, 2020, under the authority of EO 2020-10, the Stay at Home Order was put into effect ordering all individuals currently living within the State of Illinois to stay at home or at their place of residence except for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses. The Stay at Home Order was renewed and extended by EO 2020-18 through the remainder of the duration of the Second Proclamations.

50. The Moratoria imposed by EO 2020-30, 2020-33 and 2020-39 are based upon the Stay at Home Order as evidenced by statements such as “ *** residential evictions are contrary to the interest of preserving public health by ensuring that individuals remain in their homes during this public health emergency. *** .” EO 2020-30.

51. The provisions of EO 2020-30 continued through the duration of the Third Proclamation. EO 2020-30 does not indicate that the directive related to evictions had been evaluated and, upon information and belief, the directive had not been evaluated.

52. On April 30, 2020, the Governor issued EO 2020-32 which revised and created expanded exceptions to the Stay at Home Order.

53. On the same day, the Governor issued EO 2020-33 where he expressly warranted that the continued need for the directive related to evictions would be evaluated upon issuance of any new Gubernatorial Disaster Proclamation. EO 2020-33, Sec. 3.

54. The Third Proclamation expired on May 28, 2020.

55. On May 29, 2020, the Governor issued EO 2020-38, allowing Illinoisans to leave their homes, but subject only to the requirement that individuals take public health precautions such wearing a face mask in public, avoiding congregating in large groups, and practicing social distancing. Critically, EO 2020-38 did not extend the Stay at Home Order. EO2020-38 only “urges” rather than orders the elderly and vulnerable individuals to stay at home.

56. By loosening the restrictions imposed by the Stay at Home Order in EO 2020-32, and by not renewing or extending the Stay at Home Order in EO 2020-38, the Governor effectively lifted the Stay at Home Order as of May 29, 2020.

57. In fact, according to the Illinois Department of Public Health’s website, as of May 29, 2020, the Stay at Home Order is over. [Exhibit G](#).

58. Moreover, as of the date of filing this complaint, all areas of the State are in phase 3 of the Restore Illinois Plan, “Recovery”, and it is anticipated that the entire State will be prepared to move into phase 4, “Revitalization”, on June 26, 2020. <https://abc7chicago.com/illinois-reopening-coronavirus-covid-19-cases-deaths/6259834/>

59. Because the Stay at Home Order is no longer in effect, the Governor’s extension of the Moratoria in EO 2020-39, which was based upon the mandate that Illinois citizens shelter in place, was therefore illegal and the result of *ultra vires* conduct, the extension is therefore both void and cannot be further extended.

60. Because the extension of the Moratoria in EO 2020-39 was expressly premised on the Governor undertaking an evaluation of the need to extend the Moratoria which had not been reevaluated, rendering the current extension of the Moratoria illegal, and was the result of *ultra vires* conduct, the extension is therefore both void and cannot be further extended.

61. Because the Stay at Home Order was predicated on the need to shelter in place, which need no longer exists, there was no existing legal or public health reason for the Governor to extend the Moratoria in EO 2020-39 and it therefore cannot be further extended.

62. One or more of the Plaintiffs have been harmed by the extension of the Moratoria in one or more of the following ways:

A. by the State’s constructive possession of Plaintiffs’ property without the simultaneous payment of just compensation to the Plaintiffs;

B. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

C. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions;

D. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so;

E. by suffering a violation of their constitutional rights to a civil jury trial, remedy and justice, due process, equal protection, freedom from unwarranted interference with a private contract, and to receive just compensation for the taking of their private property; and

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Stay at Home Order has expired;
- B. Finding that the “Residential Eviction Moratorium” as defined above is unenforceable and no longer in effect, and terminating those portions of the Executive Orders related to the Eviction Moratorium;
- C. Finding the “Residential Enforcement Moratorium” and the “Non-Residential Enforcement Moratorium” as defined above are unenforceable and no longer in effect, and terminating those portions of the Executive Orders related to the “Residential Enforcement Moratorium” and the “Non-Residential Enforcement Moratorium”;
- D. Finding that the Governor exceeded his authority in extending the Mortaria once the Stay at Home Order was no longer in effect;
- E. Finding that the Governor exceeded his authority in extending the Mortaria once the public health emergency upon which the Stay at Home Order was based no longer existed;
- F. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the continuation of the Moratoria past the date the Stay at Home Order lapsed;
- G. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting any further enforcement of the Moratoria;
- H. Entering a preliminary and permanent injunction barring enforcement of the Moratoria and those portions of any Executive Orders related to eviction actions and the enforcement of order of possession;
- I. Barring the extension or renewal of the Moratoria, or any portion thereof, past June 27, 2020; and
- J. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT II
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Eviction Moratorium and its renewal or extension exceeds the Governor's authority under the Illinois Emergency Management Agency Act)

63. Plaintiffs restate and reallege paragraphs 1-62, of the Complaint as paragraph 63 of this Count II.

64. In the event of a disaster, the Governor can issue Executive Orders where the authority to do so is expressly provided under the Act.

65. The Governor does not have implied authority to issue Executive Orders where the authority to do so is not expressly provided under the Act, and an executive action that goes beyond the grant of statutory and constitutional authority is invalid.

66. The Governor's authority to impose the Moratoria issued under EO 2020-10, 2020-18, 2020-30, 2020-33, and 2020-39 is purportedly based on the authority given the Governor under sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Act.

67. The Moratoria variously prohibit, restrict and interfere with a landlord's right to commence an eviction action where their tenants are in breach of the lease for non-payment of rent and from a landlord's right to the enforcement of a valid court order of possession to restore possession of their property following their successful eviction actions.

68. The only relevant sections of the Act the Governor invoked to impose the Moratoria, are sections 7(8) allowing him "[t]o control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein" and the general police powers granted in 7(12) allowing him to take actions, "necessary to promote and secure the safety and protection of the civilian population." See, 20 ILCS 3305/7.

69. But under the Act, if the action is done “[t]o control ingress and egress to and from a disaster area, the movement of persons within the area, and the occupancy of premises therein” or because it is “necessary to promote and secure the safety and protection of the civilian population”, and also amounts to the constructive possession of real property as the Moratoria goes, the action must also include an undertaking by the State to pay just compensation as provided for in the Act.

70. The Governor had no authority under the Act to impose the Moratoria without simultaneously providing for just compensation, and otherwise complying with section 7(4) of the Act, and therefore the Moratoria are illegal, invalid and *ultra vires* and therefore void.

71. Alternatively, the Governor had no authority under the Act to impose the Residential Eviction Moratorium because preventing a landlord from commencing an eviction action has no effect on, connection to or relation to the control of ingress and egress to and from a disaster area, the movement of persons within the area, the occupancy of premises therein, or the promotion of the safety and protection of the civilian population, because the commencement of an eviction action does not dispossess tenants of their interests in the rental property.

72. Therefore, in the event the court does not find the Residential Enforcement Moratorium and Non- Residential Enforcement Moratorium illegal, invalid, *ultra vires* and void, the Residential Eviction Moratorium is illegal, invalid and *ultra vires* and therefore void for the reasons stated in paragraphs 7-9.

73. The purpose of the extension of the Moratoria through July 31, 2020 is to keep tenants in place until the State is prepared to provide financial assistance which is slated to begin in August. Any extension related to that purpose is well beyond the scope of the Act, and any Executive Order providing for a continuance on that basis is void. Exhibit H.

74. One or more of the Plaintiffs have been harmed by the extension of the one or more of the Moratoria in one or more of the following ways:

A. by the State's constructive possession of Plaintiffs' property without the simultaneous payment of just compensation to the Plaintiffs;

B. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

C. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions;

D. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

E. by suffering a violation of their constitutional rights to a civil jury trial, remedy and justice, due process, equal protection, freedom from unwarranted interference with a private contract, and to receive just compensation for the taking of their private property.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

A. Finding that the Governor exceeded his authority under the Act in issuing the "Residential Eviction Moratorium" as defined above and those portions of the Executive Orders related to the "Residential Eviction Moratorium";

B. Finding that the Governor exceeded his authority under the Act in issuing the "Residential Possession Moratorium" as defined above and those portions of the Executive Orders related to the "Residential Possession Moratorium";

C. Finding that the Governor exceeded his authority under the Act in issuing the "Non-Residential Possession Moratorium" as defined above and those portions of the Executive Orders related to the "Non-Residential Possession Moratorium";

D. Finding that the Moratoria as defined above is illegal, invalid and ultra vires and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;

- E. Finding that the Governor violated the Act by constructively taking possession of Plaintiffs' property without simultaneously offering to pay just compensation;
- F. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- G. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- H. Enjoining the enforcement and any continuation of the Moratoria; and
- I. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT III
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Moratoria and its renewal or extension are invalid and illegal as they amount to the constructive possession of Plaintiffs' property and they did not provide for just compensation as required by the Act)

74. Plaintiff restates and re-alleges paragraphs 1- 73 of Complaint as paragraph 74 of this Count III.

75. In the event of a disaster, the Governor can issue Executive Orders where the authority to do so is expressly provided under the Act.

76. The Governor does not have implied authority and an executive action that goes beyond the grant of statutory and constitutional authority is invalid.

77. Section 7(4) of the Act authorizes the Governor on behalf of the State to take possession of and use the real property of any private person for a limited period of time, but only upon an undertaking by the State to pay just compensation as provided for in the Act. 20 ILCS 3305/7(4).

75. The taking under section 7(4) must be simultaneously accompanied by a signed statement in writing that, among other things, describes the interest in the property taken. *Id.* The

Governor is also obliged to promptly file a copy of that statement with the Director of the Illinois Emergency Management Agency. *Id.*

76. The Moratoria issued under EO 2020-10, 18, 30, 33, and 39 amount to a constructive possession of Plaintiffs' properties because Plaintiffs are compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so and are legally barred from the restoration of the possession of their property under the Eviction Act against non-paying tenants.

77. The effect of the Moratoria is to transfer the possession of Plaintiffs' property from Plaintiffs, who have the present legal right to possession, to the tenants for the duration of the Moratoria who because of their default have no right to possession, which transfer amounts to divesting Plaintiffs of their right to the possession and use of their property.

78. Because the Moratoria result in the constructive possession of Plaintiffs' property by the State, the Governor was required to simultaneously undertake to pay just compensation to the Plaintiffs and otherwise comply with section 7(4) of the Act when he imposed the Moratoria.

79. Under EO 2020-10, 18, 30, 33, and 39 the Governor did not simultaneously undertake to pay just compensation to the Plaintiffs or otherwise comply with section 7(4) of the Act.

80. Because the Governor did not comply with the terms in section 7(4) of the Act, the Moratoria are illegal, invalid and *ultra vires* and therefore void.

81. One or more of the Plaintiffs have been harmed in one or more of the following ways:

A. by the State's constructive possession of Plaintiffs' property without the simultaneous payment of just compensation to the Plaintiffs;

B. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

C. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions;

D. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

E. by suffering a violation of their constitutional rights to a civil jury trial, remedy and justice, due process, equal protection, freedom from unwarranted interference with a private contract, and to receive just compensation for the taking of their private property.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor exceeded his authority under the Act in issuing the “Residential Eviction Moratorium” as defined above and those portions of the Executive Orders related to the “Residential Eviction Moratorium”;
- B. Finding that the Governor exceeded his authority under the Act in issuing the “Residential Possession Moratorium” as defined above and those portions of the Executive Orders related to the “Residential Possession Moratorium”;
- C. Finding that the Governor exceeded his authority under the Act in issuing the “Non-Residential Possession Moratorium” as defined above and those portions of the Executive Orders related to the “Non-Residential Possession Moratorium”;
- D. Finding that the Governor violated the Act by constructively taking possession of Plaintiffs’ property without simultaneously offering to pay just compensation;
- E. Finding that the Moratoria as defined above is illegal, invalid and ultra vires and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- F. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;

- G. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- H. Enjoining the enforcement and any continuation of the Moratoria; and
- I. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT IV
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Moratoria violate Article II, Section 1 of the Illinois Constitution mandating the Separation of Powers)

82. Plaintiff restates and re-alleges paragraphs 1- 81 of Complaint as paragraph 82 of this Count III.

83. Under the Illinois Constitution, the legislative, executive, and judicial branches are separate, and no branch may exercise powers properly belonging to another branch. Ill. Const. art. II, Sec. 1.

84. Executive power is vested in the Governor. Ill. Const. Art. V. Sec.8. The state Supreme Court is vested with general administrative and supervisory authority over the state courts. Ill. Const. Art. VI. Sec. 16.

85. Under the Separation of Powers doctrine, the Governor does not have inherent authority and can only exercise the authority specifically granted to him by the Illinois Constitution or by the General Assembly.

86. When one branch aggrandizes power unilaterally—including when the Governor does so through an executive order—it violates this constitutional principle of the separation of power.

87. The courts must hold invalid an executive action that goes beyond the Governor's grant of authority, such that it is fundamentally incompatible with existing laws and statutes as to impair the essential integrity of the constitutional powers of the General Assembly.

88. The General Assembly has granted the Governor specific emergency powers during crises, including the Covid-19 disaster and the resulting public health emergency, impacting the state of Illinois under Section 7 of the Act. 20 ILCS 3305/7. But an “[e]mergency does not create power. Emergency does not increase granted power or remove or diminish the restrictions imposed upon power granted or reserved.” *Home Bldg. & Loan Ass’n v. Blaisdell*, 290 U.S. 398, 425- 426 (1934).

89. The powers granted to the Governor under Section 7 of the Act to address the exigencies of the COVID-19 disaster and the resulting public health emergency do not permit the Governor to prohibit or restrict landlords from enforcing the terms of private leases.

90. The above powers granted to the Governor under the Act to address the exigencies of the COVID-19 disaster and public health emergency do not permit the Governor to prohibit or prevent landlords from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent.

91. The powers granted to the Governor under Section 7 of the Act to address the exigencies of the COVID-19 disaster and the resulting public health emergency do not permit the Governor to bar the Plaintiffs from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction action.

92. The above powers granted to the Governor under the Act to address the exigencies of the COVID-19 disaster and public health emergency do not permit the Governor to take constructive possession of Plaintiffs’ property without simultaneously undertaking to pay

just compensation to the Plaintiffs and filing an acknowledgement of same with the Director of Illinois Emergency Management Agency.

93. Furthermore, the above powers granted to the Governor under the Act to address the exigencies of the COVID-19 disaster and public health emergency do not permit the Governor to aggrandize the power of the judiciary to hear and decide cases or to interfere with the Supreme Court's general administrative and supervisory authority over the state courts in regards to eviction actions.

94. By the Moratoria, the Governor has unilaterally waived or modified numerous validly enacted laws without express legislative authorization; has usurped the power of the judiciary to hear and decide cases; and/or has interfered with the Supreme Court's general administrative and supervisory authority over the state courts in regards to eviction actions, by means of the Moratoria, all in violation of the Separation of Powers doctrine.

95. The Governor's unilateral waiver or amendment of valid legislative enactments has violated the separation of powers, and his aggrandizement of the power of the judiciary to hear and decide cases and/or his interference with the Supreme Court's general administrative and supervisory authority over the state courts in regards to eviction actions, through the Moratoria, are void *ab initio* and must fail.

96. One or more of the Plaintiffs have been harmed in one or more of the following ways by the Governor's violation of the Separation of Powers doctrine:

A. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

B. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

C. by suffering a violation of their constitutional rights to a civil jury trial, remedy and justice, due process, equal protection, freedom from unwarranted interference with a private contract, and to receive just compensation for the taking of their private property.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor's issuance and extension of the Moratoria violated the Separation of Powers doctrine;
- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT V

DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Residential Eviction Moratorium violates Article I, Section 13 of the Illinois Constitution guaranteeing the right to a civil jury trial)

96. Plaintiffs restate and reallege paragraphs 1- 95 of the Complaint as paragraph 96 of this Count V.

97. Article I, Section 13 of the Illinois Constitution provides that the right of trial by jury as heretofore enjoyed shall remain inviolate. Ill. Const. Art. I, § 13.

98. Currently, Section 9-108 of the Eviction Act entitles “either party” to demand trial by jury, notwithstanding any waiver of jury trial contained in any lease or contract. 735 ILCS 5/9-108.

99. Furthermore, prior to the adoption of the 1970 Constitution, the right to a jury trial in evictions were codified by Sections 11a, 12, 17 and 19 of the Civil Procedure Act (Ill.Rev.Stat. 1965, chap. 57, pars. 11a, 12, 17 and 19).

100. Moreover, the right to a jury trial in evictions was also available at common law.

101. In short, the right to a jury trial in evictions is the law of the land and has always been.

102. The Illinois Constitution’s right to a civil jury trial is violated when, because of a denial or suspension, an individual is not afforded, for any significant period of time, a jury trial he or she would otherwise receive.

103. Unlike other civil actions, an eviction action is an expedited, summary proceeding whose distinctive purpose is to restore possession of the property to the party that has the right of possession.

103. The Residential Eviction Moratorium mandated by Executive Orders 2020-30 and 39 violate Article I, Section 13 of the Illinois Constitution by depriving landlords of the right to an expedited civil jury trial that they are entitled to under the common law and the Eviction Act.

104. One or more of the Plaintiffs have been harmed in one or more of the following ways by the Governor's denial or suspension of the Plaintiffs’ right to a jury trial:

A. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

B. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

C. by suffering a violation of their constitutional rights to a civil jury trial.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor's issuance and extension of the Moratoria violated one or more of the Plaintiffs' constitutional rights to a civil jury trial;
- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT VI **DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

(The Moratoria Violate the Right to Remedy and Justice under Article I, Section 12 of the Illinois Constitution)

105. Plaintiffs restate and reallege paragraphs 1- 104 of the Complaint as paragraph 105 as paragraph 1 of this Count VI.

106. Article I, Section 12 of the Illinois Constitution provides that “[e]very person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property or reputation. He shall obtain justice by law, freely, completely, and promptly.”

Ill. Const. Art. I. §12.

107. Landlords who have leased their properties to tenants are guaranteed a remedy when their tenants do not pay or otherwise breaches the terms of the lease agreement through an eviction action governed by Article IX of the Illinois Code of Civil Procedure. 735 ILCS 5/9-101.

108. An eviction action under Article IX is the sole means for settling a dispute over the possession of a leasehold when the tenant fails to pay rent or otherwise breaches the terms of the lease agreement. An eviction is an expedited, summary proceeding whose distinctive purpose is to restore possession of the property to the party that has the right of possession.

109. It is through an eviction action, and only through an eviction action, that property owners, such as Plaintiffs, are able to protect their fundamental property interests in their leased premises when a tenant is in breach of the lease.

110. The Moratoria prohibit, restrict and interfere with Plaintiffs' right to commence an eviction action where their tenants are in breach of their lease for non-payment of rent, and prohibit, restrict and interfere with a landlord's Plaintiff's entitlement to the enforcement of a valid court order of possession to restore possession of their property following their successful eviction actions.

111. By prohibiting, restricting and interfering with a landlord's right to commence an eviction action where their tenants are in breach of their lease for non-payment of rent, and prohibiting restricting and interfering with a landlord's the Moratoria violates a landlords right under Article I, Section 12 of the Illinois Constitution to obtain, by law, remedy, right and justice promptly, and without delay.

112. One or more of the Plaintiffs have been harmed in one or more of the following ways by the Governor's violation of the constitutional right to obtain, by law, remedy, right and justice promptly, and without delay:

A. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

B. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions; and

C. by suffering a violation of their constitutional rights to obtain, by law, remedy, right and justice promptly, and without delay.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

A. Finding that the Governor's issuance and extension of the Moratoria violated one or more of the Plaintiffs' constitutional rights to obtain, by law, remedy, right and justice promptly, and without delay;

B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;

C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;

D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;

E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and

F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT VII
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

**(The Moratoria Violates the Equal Protection Clause of Article I, Section 2
of the Illinois Constitution)**

113. Plaintiffs restate and reallege paragraphs 1- 112 of the Facts Common to All Counts as paragraph 113 of this Count VII.

114. Article I, Section 2 of the Illinois Constitution, known as the Equal Protection Clause, provides that “[n]o person shall be... denied the equal protection of the laws.” Ill. Const. Art. I. Sec. 2.

115. The equal protection clause requires that the government treat similarly situated individuals in a similar fashion, unless the government can demonstrate an appropriate reason to treat them differently.

116. The applicable level of scrutiny applied to an equal protection challenge is determined by the nature of the right impacted.

117. Access to the courts and the right to obtain, by law, remedy, right and justice promptly, and without delay and the right to a civil jury trial are fundamental rights protected by the Constitution. Ill. Const. Art. I, Secs. 12, 13.

118. Government legislation implicating a fundamental right is subject to “strict scrutiny” analysis and will be upheld only if it is narrowly tailored to serve a compelling state interest.

119. The Moratoria imposed under EO 2020-30, 2020-33 and 2020-39 are based upon the Stay at Home Order evidenced by the statements such as, “*** residential evictions are

contrary to the interest of preserving public health by ensuring that individuals remain in their homes during this public health emergency. *** .” EO 2020-30.

120. The Moratoria are not narrowly tailored to serve the State’s compelling state interest to maintain the public health by ensuring that individuals remain in their homes during this public health emergency, for they apply only to a certain class of property owners, i.e., those who have leased their real property to a tenant and whose remedy in the event of default is an eviction action governed by Article IX of the Illinois Code of Civil Procedure. 735 ILCS 5/9-101.

121. Though the Government’s avowed compelling state interest is to ensure that individuals remain in their homes during this public health emergency, the Moratoria does not affect, bar or prohibit other types of property owners from obtaining possession of their property from an occupant through the courts.

122. The Moratoria does not affect, bar or prohibit an owner of real property from commencing an action for ejectment against a person unlawfully withholding possession of the property. 735 ILCS 5/6-101 et seq.

123. The Moratoria also does not affect, bar or prohibit a mortgagee with a mortgage on real property from being placed in possession where, in the case of a non-residential mortgage, the note is in default, mortgage allows possession and there is a reasonable probability that the mortgagee will prevail at the final hearing, 735 ILCS 5/15-1701(b)(2).

124. The Moratoria also does not affect, bar or prohibit a mortgagee with a mortgage on real property from being placed in possession where, in the case of a residential mortgage where the note is in default, the mortgagee can show good cause, the mortgagee has authority by the terms of the mortgage or other written instrument, and the court is satisfied that there is a

reasonable probability that the mortgagee will prevail on a final hearing of the cause. 735 ILCS 5/15-1701(b)(1).

125. The Moratoria also does not affect, bar or prohibit the holder of a security interest in a manufactured home from commencing a replevin action where the obligor is in default and is wrongfully withholding possession under Section 19-101 of the Illinois Code of Civil Procedure. 735 ILCS 5/19-101 *et seq.*

126. The Moratoria also does not affect, bar or prohibit a condominium association from evicting a unit owner for failing to perform his or her obligations under the Illinois Condominium Property Act. 765 ILCS. 605/9.2.

127. If the state interest is to ensure that individuals remain in their homes during this public health emergency, there is no basis to treat landlords differently than these other types of owners who also have the right to regain possession of their property but who are not prohibited or restricted from bringing actions in the court to restore possession of their property.

128. Because the Moratoria treat landlords differently than other property owners, and there are less restrictive means available to attain the State's goal, the Eviction Moratoria does not withstand the strict scrutiny analysis and therefore violates the equal protection clause of Article I, § 2 of the Illinois Constitution.

129. One or more of the Plaintiffs have been harmed in one or more of the following ways by the Governor's violation of their constitutional right to equal protection:

A. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

B. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions; and

C. by suffering a violation of their constitutional right to equal protection under the law.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor’s issuance and extension of the Moratoria violated one or more of the Plaintiffs’ constitutional right to equal protection under the law;
- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT VIII DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Moratoria Violate the Right to Due Process under Article I, Section 2 of the Illinois Constitution)

130. Plaintiffs restates and realleges paragraphs 1-130 of the Complaint as paragraph 131 of this Count VIII.

131. Article I, Sec. 2 of the Illinois Constitution provides that “[n]o person shall be deprived of life, liberty or property without due process of law.”

132. Though the government has broad latitude to legislate for public health or safety during an emergency, that power is not unlimited. The Illinois Constitution limits the scope of the state's police power, even during a pandemic.

134. Access to the courts and the right to obtain, by law, remedy, right and justice promptly, and without delay and the right to a civil jury trial are fundamental rights protected by the Constitution. Ill. Const. art. I, §§ 12, 13.

135. Government action that impacts a fundamental constitutional right is not reasonably related to a compelling state interest when it is overly broad, and is therefore, it is an unconstitutional restriction on a fundamental constitutional right.

136. The Moratoria imposed under EO 2020-30, 2020-33 and 2020-39 are based upon the Stay at Home Order evidenced by Governor's statements such as, " *** residential evictions are contrary to the interest of preserving public health by ensuring that individuals remain in their homes during this public health emergency. *** ." EO 2020-30.

137. The Moratoria are not narrowly tailored to serve the State's compelling state interest to maintain the public health by ensuring that individuals remain in their homes during this public health emergency, for they bar access to the court, to jury trial and remedy to those who have leased their real property to a tenant and whose remedy in the event of default is an eviction action governed by Article IX of the Illinois Code of Civil Procedure. 735 ILCS 5/9-101.

138. The Moratoria are an overly broad means of achieving the compelling state's interest because the Governor could have achieved the goal of protecting the health and safety of Illinois tenants who are in default under their leases by taking possession of landlords' property, subject to the payment of just compensation under section 7(4) of the Act or to utilize the

resources of the State to make provisions for and use temporary housing under section 7(10) of the Act.

139. Though the Government's avowed compelling state interest is to ensure that individuals remain in their homes during this public health emergency, the Moratoria is clearly overbroad since the Stay at Home order is no longer in effect, and Illinoisians are free to be out in public and the means expressed by the Government to avoid contracting COVID-19 is social distancing and face masks.

140. Because the Moratoria is overly broad, it is not reasonably related to the state's interest in ensuring that individuals remain in homes during the public health emergency, and is therefore an unconstitutional restriction on the Plaintiffs fundamental constitutional right to due process in violation of due process clause of Article I, Sec. 2 of the Illinois Constitution.

141. One or more of the Plaintiffs have been harmed in one or more of the following ways by the Governor's violation of their constitutional right to due process:

- A. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;
- B. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions; and
- C. by suffering a violation of their constitutional right to due process and to obtain, by law, remedy, right and justice promptly, and without delay.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor's issuance and extension of the Moratoria violated one or more of the Plaintiffs' constitutional right to constitutional right to due process and to obtain, by law, remedy, right and justice promptly, and without delay;

- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT IX
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF

(The Moratoria Violates the Takings Clause of under Article I, Section 15 of the Illinois Constitution)

142. Plaintiffs restate and reallege paragraphs 1- 141 of Complaint s as paragraph 142 of this Count IX.

143. Article I, Section 15 of the Illinois Constitution provides that “[p]rivate property shall not be taken or damaged for public use without just compensation as provided by law. Such compensation shall be determined by a jury as provided by law.” Ill. Const. Art. I. Sec. 15.

144. A temporary taking is as subject to just compensation as is a permanent taking.

145. Land use regulation does not result in a “taking” if it substantially advances legitimate governmental interests and does not deny an owner an economically viable use of its land. But when government regulation goes too far, it will be recognized as a taking. *Id.*

146. When government regulation compels a landlord to suffer a physical invasion of his property or when the regulation deprives a landlord of beneficial or productive use of the property it constitutes a taking.

147. The Moratoria prohibit landlords from using the remedies provided in the Eviction Act from regaining possession of their property, and results in keeping the unpaying tenant in possession and in physical occupancy of the property for the duration of the Moratoria.

148. The Moratoria deprive landlords from regaining possession of their property, and thus deprives landlords from being able to rent the property to a paying tenant or to otherwise use the property as they see fit for the duration of the Moratoria.

149. The Moratoria operate to take constructive possession of landlords' property and denies landlords the economic benefit of the property for the duration of the Moratoria without making provisions for just compensation.

150. The Moratoria goes too far and amount to a taking of landlords' properties without just compensation in violation of Article I, Sec. 15 of the Illinois Constitution.

151. One or more of the Plaintiffs have been harmed in one or more of the following ways by the unconstitutional taking of their property:

A. by the State's constructive possession of Plaintiffs' property without the simultaneous payment of just compensation to the Plaintiffs;

B. by being denied the right to the restoration of their property;

C. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

D. by being prohibited and restricted from the right to enforce a valid court order of possession to restore possession of their property following their successful eviction actions;

E. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

F. by suffering a violation of their constitutional right to receive just compensation for the taking of their private property.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

- A. Finding that the Governor's issuance and extension of the Moratoria violated one or more of the Plaintiffs' constitutional right to receive just compensation for the taking of their private property;
- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm through the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

COUNT X **DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

(The Moratoria Violate the Contract Clause of under Article I, Section 16 of the Illinois Constitution)

152. Plaintiffs restate and reallege paragraphs 1- 151 of the Complaint as paragraph 152 of this Count X.

153. Article I, Section 16 of the Illinois Constitution provides that “No ex post facto law, or law impairing the obligation of contracts or making an irrevocable grant of special privileges or immunities, shall be passed.” Ill. Const. Art. I, Sec. 16.

154. A law trenches impermissibly on contract rights (1) where there is a contractual relationship; (2) where the law at issue impairs that relationship; (3) where the impairment is substantial; and (4) where the law serves an important public purpose.

155. As alleged above, Plaintiffs had contractual relationships with their tenants which, among other things, required the tenants to pay the rent each month and an agreement that if the tenants failed to do so, the Plaintiffs may avail themselves of the right to evict the tenant under the Eviction Act.

156. The Moratoria substantially impairs Plaintiffs’ rights under their leases by prohibiting, restricting and interfering with the Plaintiffs’ right to commence an eviction action against non-paying tenants. The Moratoria nullify agreed-upon and bargained-for contract terms by allowing tenants to remain in the Plaintiff’s properties without paying rent which is exactly what the Contracts Clause forbids.

157. While the Governor’s Executive Orders generally serve a legitimate public purpose during this horrific Pandemic, the Moratoria do not. It is of tremendous importance that renters in the State receive relief from eviction during these terrible times, and the Act provides a mechanism to do this, but it does not adequately serve the public's interest to treat a discrete class of property owners differently than other property owners who are free to remove occupants from their properties during the Pandemic.

158. The goal of the Moratoria, to not displace tenants during the Pandemic, has been provided for under the Act and can be met by allowing the State to take possession of landlords' property, subject to the payment of just compensation under section 7(4) of the Act or to utilize the resources of the State to make provisions for and use temporary housing under section 7(10) of the Act.

159. The Governor elected to not utilize these powers bestowed on him under the Act, which would perforce cause the state to bear the cost burden of supporting displaced tenants, and instead has through the Moratoria put that cost burden solely on Illinois landlords.

160. One or more of the Plaintiffs have been harmed in one or more of the following ways by the unconstitutional impairment of their contract rights:

A. by the State's constructive possession of Plaintiffs' property without the simultaneous payment of just compensation to the Plaintiffs;

B. by being denied the right to the restoration of their property;

C. by being prohibited and restricted from commencing an eviction action where their tenants are in breach of the lease for non-payment of rent;

D. by being compelled to provide housing to non-paying tenants without receiving any remuneration or compensation for doing so; and

F. by substantially impairing and/or nullifying agreed-upon and bargained-for contract terms between Plaintiffs and their tenants.

PRAYER FOR RELIEF

WHEREFORE: Plaintiffs request that this Court enter an order:

A. Finding that the Governor's issuance and extension of the Moratoria violated the Contracts Clause by substantially impairing and/or nullifying agreed-upon and bargained-for contract terms between Plaintiffs and their tenants;

- B. Finding that the Moratoria as defined above is unconstitutional and therefore unenforceable, and terminating the implementation of those portions of any Executive Orders related to the Moratoria;
- C. Finding that one or more of the Plaintiffs have been subjected to irreparable harm the issuance of the Moratoria and those portions of the Executive Orders related to the Moratoria;
- D. Finding that one or more of Plaintiffs have no adequate remedy at law other than the issuance of an injunction prohibiting the enforcement of the Moratoria;
- E. Preliminarily and permanently enjoining the enforcement of any continuation of the Moratoria and those portions of the Executive Orders related to the commencement of eviction actions and to the enforce of lawful orders of possession; and
- F. Providing for any other relief that this Court deems appropriate, just and proper.

Respectfully submitted,

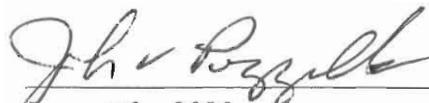
/s/ James V. Noonan
One of the Attorneys for the Plaintiffs

James V. Noonan #6200366
Solomon Maman #6299407
Noonan & Lieberman, Ltd.
105 W. Adams, Suite 1800
Chicago, IL 60603
(312) 431-1455
intake@noonandliberman.com
jnoonan@noonanandliberman.com
smaman@noonanandliberman.com

Jeffrey Grant Brown #6194262
Jeffery Grant Brown, P.C.
65 West Jackson Blvd. Suite 107
Chicago, Illinois 60604
(312)789-9700
Jeff@jgbrownlaw.com

VERIFICATION

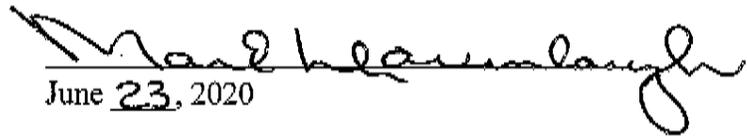
I, John V. Pezzullo, as Manager of JL Properties Group LLC B, a party to these proceedings, hereby certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statements set for in the Plaintiff's Verified Complaint, to which this Verification is attached, are true and correct to the best of my knowledge, based on information provided to me, except as to matters therein stated to be on information and belief and as to such matters I certify as aforesaid that I verily believe the same to be true.



June 22, 2020

VERIFICATION

I, Mark Dauenbaugh, a party to these proceedings, hereby certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statements set for in the Plaintiff's Verified Complaint, to which this Verification is attached, are true and correct to the best of my knowledge, based on information provided to me, except as to matters therein stated to be on information and belief and as to such matters I certify as aforesaid that I verily believe the same to be true.

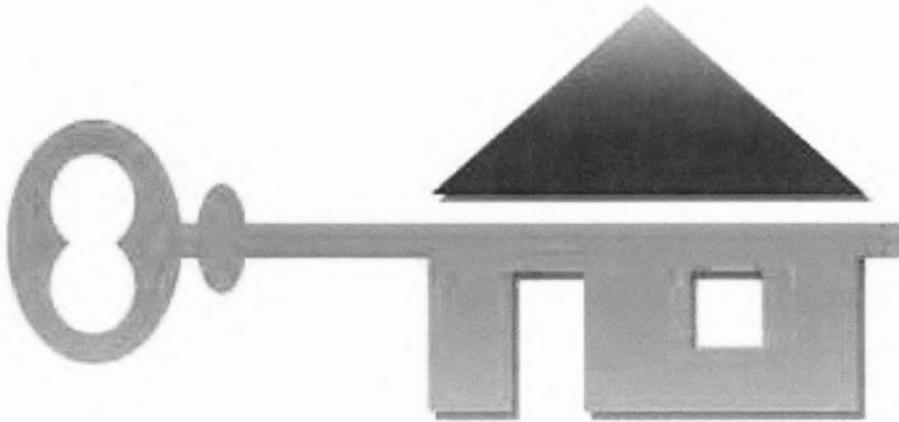

June 23, 2020

VERIFICATION

I, Steven Cole, not individually but as Trustee of the ALI (401K) FBO Steven Cole, a party to these proceedings, hereby certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statements set for in the Plaintiff's Verified Complaint, to which this Verification is attached, are true and correct to the best of my knowledge, based on information provided to me, except as to matters therein stated to be on information and belief and as to such matters I certify as aforesaid that I verily believe the same to be true.



June 22, 2020



Residential Lease Package

JL Properties Group LLC B

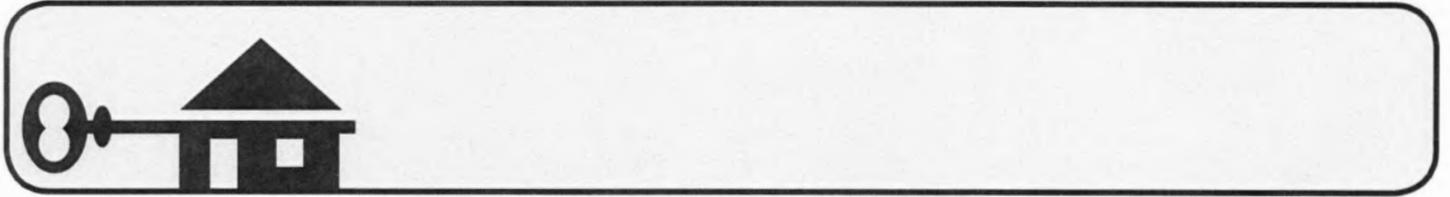
LANDLORD



TENANT

January 1, 2020

LEASE START DATE



Lease Documents

Residential Lease Agreement

pages 3 - 8

Addenda

Zero Tolerance for Criminal Activity

page 9

Disclosures

Lead-Based Paint Disclosure & Certification

page 10

Lead Paint Pamphlet (EPA) for Units Built Before 1978

pages 11 - 29

RESIDENTIAL LEASE AGREEMENT

This agreement, dated December 23, 2019, is between JL Properties Group LLC B and [REDACTED]

1. LANDLORD:

The Landlord(s) and/or agent(s) is/are:
JL Properties Group LLC B (Owner)
and will be referred to in this Lease Agreement as "Landlord."

2. TENANT:

The Tenant(s) is/are:
[REDACTED]
and will be referred to in this Lease Agreement as "Tenant."

3. RENTAL PROPERTY:

The Landlord agrees to rent to the Tenant the property described as a(n) house located at [REDACTED] Bolingbrook, IL, 60440, which will be referred to in this Lease as the "Leased Premises."

4. TERM OF LEASE AGREEMENT:

The Lease Agreement will begin on January 1, 2020 and will end on December 31, 2021.

5. USE & OCCUPANCY OF PROPERTY:

- A. The only person(s) living in the Leased Premises is/are [REDACTED]
- B. Any change in occupancy will require written consent of the Landlord and may be subject to an adjustment in the amount of rent.
- C. The Tenant will use the Leased Premises only as a residence.

6. RENT:

- A. The amount of the Rent is \$1,350.00 to be paid monthly.
- B. The rent is due in advance on or before the 1st day of each month. The rent due date is the date the Landlord must receive the Tenant's payment.
- C. Tenant(s) agree to pay the rent and all additional rent when due on time, without demand. All additional charges, costs and fees set forth throughout this Lease Agreement, are considered to be additional rent. Upon the non-payment of additional rent, Landlord will have the same rights to proceed against the Tenant(s) for the collection or eviction as if Tenant(s) defaulted on the rental payment.
- D. Rental payments are made payable to: JL Properties Group LLC B
- E. Rental payments paid by Certified Check and/or Personal Check shall be delivered to the Landlord at: JL Properties Group LLC B, 1776 S. Naperville Road, A206, Wheaton, IL 60189
- F. Rent may be paid by using the following electronic payment method(s): EFT (Electronic Funds Transfer) or PayPal / Online Transfer. Electronic payments such as those made via a credit/debit card, EFT or online payment processors such as PayPal refers to the network of banking institutions that have agreed to process transactions (usually instantly and automatically) electronically with no paper tender such as checks, money orders and/or cash or any other form of paper tender that is hand processed through a bank, financial institution clearinghouse or the Federal Reserve system.
- G. If an electronic payment is not paid by the financial institution on or before the date due as specified in this Lease, it shall be treated as a "Late Payment" under the terms and conditions contained in this Residential Lease Agreement.
- H. If an electronic payment fails to clear or is returned unpaid by the financial institution on or before the date due as specified in this Lease, it shall be treated as a "Returned Payment" under the terms and conditions contained in this Residential Lease Agreement.

- F. The Tenant is not permitted to paint, make any alterations, improvements or additions to the Leased Premises without first obtaining the written permission of the Landlord. The Landlord's permission to a particular painting, alteration, improvement, or addition shall not be deemed as consent to future painting, alterations, improvements, or additions.
- G. The Tenant is responsible for removing snow and ice from stairs and walkways.
- H. The Tenant shall maintain the lawn and landscaping by cutting grass, removing weeds and pruning trees.
- I. The Tenant shall provide his or her own pest control services.
- J. The Tenant shall contact John 630-742-0512 in the event of any repair or emergency.
- K. Upon approval of the Landlord, Tenant may have any necessary repair performed by a reputable contractor and then may deduct the cost from the next month's rent. Tenant must provide a receipt to the Landlord.
- L. Tenant must replace and/or clean the filters for the heater and/or air conditioner on a regular basis.

14. CONDITION OF PROPERTY:

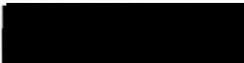
- A. The Tenant acknowledges that the Tenant has inspected the Leased Premises and at the commencement of this Lease Agreement, the interior and exterior of the Leased Premises, as well as all equipment and any appliances are found to be in an acceptable condition and in good working order.
- B. The Tenant agrees that neither the Landlord nor his agent have made promises regarding the condition of the Leased Premises.
- C. The Tenant agrees to return the Leased Premises to Landlord at end of the Lease Agreement in the same condition it was at the beginning of the Lease Agreement.

15. PETS:

- A. Pets are allowed.

16. RULES AND REGULATIONS:

- A. Vehicles parked on premises must be in working order with necessary registrations and/or inspections.
- B. Late fees are strictly enforced and any unpaid fees will not be waived.
- C. The Tenant may not interfere with the peaceful enjoyment of the neighbors.
- D. Garbage/Trash must be taken to the curb on the scheduled day(s) of trash removal and not before.
- E. The Tenant will be responsible for any fine and/or violation that is imposed on the Landlord due to the Tenant's negligence.
- F. The Tenant shall abide by all Federal, State, and Local laws.
- G. The Tenant shall notify the police and Landlord of any illegal activity that is witnessed in or around the Leased Premises.
- H. The Tenant agrees not to use the Leased Premises for any unlawful purpose including but not limited to the sale, use or possession of illegal drugs on or around the Leased Premises.
- I. The Tenant agrees to test smoke detector(s) periodically as well as maintain operational batteries at all times.
- J. The Tenant must report any malfunction with smoke detector(s) immediately to Landlord. The Tenant agrees not to remove, dismantle or take any action to interfere with the operation of any smoke detector(s) installed on the Leased Premises.
- K. The Tenant agrees to test carbon monoxide detector(s) periodically as well as maintain operational batteries at all times. The Tenant must report immediately to the Landlord any malfunction with carbon monoxide detector(s).
- L. Absolutely no hazardous materials are permitted to be in or around the Leased Premises at any time.
- M. The Tenant may not use or store Kerosene or space heaters at any time in or around the Leased Premises.
- N. Under no circumstance may a stove, oven or range be used as a source for heat.
- O. Charcoal and Gas Barbecue grills may not be used inside the Leased Premises.
- P. The Tenant shall use ventilating fans at all times when bathing and cooking.
- Q. All windows and doors must remain closed during inclement weather.
- R. The Tenant shall notify Landlord of any pest control problems.
- S. The Tenant must notify Landlord of any changes in employment.
- T. The basement and/or attic may not be modified for the use as living quarters without written permission of the Landlord.
- U. The Tenant may not store or park a recreational vehicle, commercial vehicle, or watercraft on Leased Premises without Landlord's written permission.
- V. The Tenant may not hang or place any signs on or about the Leased Premises.
- W. Tenant is not allowed to list the house on any short term rental sites for any reason.
- X. Both Landlord and Tenant agree to update either party with change of email or phone number.



17. ADDENDA:

The following Addenda, attached to this Lease Agreement, shall become part of this Lease Agreement:

- A. Zero Tolerance for Criminal Activity
- B. Lead-Based Paint Disclosure & Certification
- C. Lease Co-Signer Agreement
- D. Lead Paint Pamphlet (EPA) for Units Built Before 1978

18. INSURANCE:

Tenant is solely responsible for any damage or loss of the Tenant's personal property to the extent that the law permits. Accordingly, the Tenant is required to obtain personal property/renter's insurance with an insurance company properly licensed to do business in the state. This policy must become effective on or before the beginning date of this Lease Agreement.

19. SECURITY NOT PROMISED:

The Tenant has inspected and acknowledges that all locks and smoke detectors are in working order. Any provided fire extinguishers, security alarm systems, and/or carbon monoxide detectors have also been inspected by the Tenant and are in sound working order. Tenant understands that although the Landlord makes every effort to make the Leased Premises safe and secure, this in no way creates a promise of security.

20. RIGHT OF ENTRY:

- A. Landlord and/or his agents, with 24 hours written notice have the right during the term of this Lease Agreement to enter during reasonable hours to inspect the premises, make repairs or improvements or show prospective buyers and/or Tenant(s) the property.
- B. In the event of an emergency, Landlord reserves the right to enter Leased Premises without notice. It is required that Landlord have a working set of keys and/or security codes to gain access to the Leased Premises.
 - I. Tenants will not change, or install additional locks, bolts or security systems without the written permission of the Landlord.
 - II. Unauthorized installation or changing of any locks will be replaced at the Tenant's expense.
 - III. Tenant shall be responsible for any and all damages that may occur as a result of forcible entry during an emergency where there is an unauthorized placement of a lock.

21. LEASE RENEWAL:

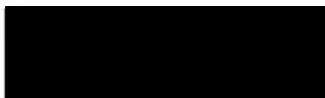
- A. At the end of this Lease Agreement, this lease will continue in full force and effect on a month to month basis unless Tenant or Landlord provides written notice to the other party at least 30 days before the end of the term (Term of Lease Agreement) to terminate the Lease (including any exercised renewal or extension thereof).

22. NOTICES:

- A. Any notice, required by the terms of this Lease Agreement shall be in writing.
- B. Notices sent to the Landlord may be sent to the following:
 - I. 1776 S. Naperville Road, A206, Wheaton, IL, 60189
 - II. Email: jpezzullo@jonlyn.com
- C. Notices may be given by either party to the other in any of the following ways, or any other manner provided for by law:
 - I. Regular mail
 - II. Personal delivery
 - III. Certified or registered mail, return receipt requested
 - IV. Email

23. ABANDONMENT:

If Tenant vacates the Leased Premises before the end of the Lease term or renewal thereof without written permission from the Landlord, Landlord may, at Landlord's sole discretion, hold Tenant in default of this Lease Agreement. If the Tenant fails to follow proper move out procedures, Tenant will be responsible for any and all damages and losses allowed by federal, state and local regulations as well as this Lease.



24. LANDLORD'S REMEDIES:

If Tenant violates any part of this Lease Agreement including non-payment of rent, the Tenant is in default of this Lease Agreement. In the event of a default, the Landlord may initiate legal proceedings in accordance with local and state regulations to evict or have Tenant removed from the Leased Premises as well as seek judgment against Tenant for any monies owed to Landlord as a result of Tenant's default.

- A. The Tenant agrees that any expenses and/or damages incurred as a result of a breach of the Lease Agreement including reasonable attorney's fees will be paid to the prevailing party.
- B. The Tenant agrees that any court costs and/or fees incurred as a result of a breach of the Lease Agreement will be paid to the Landlord or the prevailing party.
- C. All rent for the balance of the term of this Lease Agreement is immediately due to the Landlord and the Landlord may sue for the entire balance as well as any damages, expenses, legal fees and costs.

25. SUBORDINATION:

This Lease Agreement is subject and subordinate to any lease, financing, loans, other arrangements, or right to possession with regards to the building or land that the Landlord is obligated to now or in the future including existing and future financing, and/or loans or leases on the building and land.

26. CONDEMNATION:

If the whole or any part of the Leased Premises is taken by any authority having power of condemnation, this Lease Agreement will end. Tenant shall peaceably vacate the Leased Premises and remove all personal property and the lease terms will no longer apply. The Tenant, however is responsible for all rent and charges until such time that Tenant vacates the Leased Premises.

27. ASSIGNMENT OR SUBLEASE:

Tenant agrees not to transfer, assign or sub-lease the Leased Premises without the Landlord's written permission.

28. JOINT AND SEVERAL LIABILITY:

The Tenant understands and agrees that if there is more than one Tenant that has signed the Lease Agreement, each Tenant is individually and completely responsible for all obligations under the terms of the Lease Agreement.

29. MISREPRESENTATION:

If any information provided by Tenant in application for this Lease is found to be knowingly incorrect, untruthful and/or misleading, it is a breach of this Lease.

30. BINDING OF HEIRS AND ASSIGNS:

All provisions, terms and conditions of this Lease Agreement shall be binding to Tenant, Landlord, their Heirs, Assignees and Legal Successors.

31. SEVERABILITY:

If any part of this Lease Agreement is not valid, enforceable, binding or legal, it will not cancel or void the rest of this Lease Agreement. The remainder of the Lease Agreement will continue to be valid and enforceable by the Landlord, to the maximum extent of the laws and regulations set forth by local, state and federal governments.

32. GOVERNING LAW:

This Agreement shall be governed, construed and interpreted by, through and under the Laws of the State of Illinois.

33. ADDITIONAL CLAUSES:

- A. Landlord's acceptance of rental payments is not a waiver of any default by the Tenant.
- B. If any Tenant or occupant, on one or more occasions, uses or permits the use of the Leased Premises for the commission of a felony or Class A misdemeanor under the laws of the state of Illinois, the Landlord shall have the right to void the Lease Agreement and recover the Leased Premises.



34. PARAGRAPH HEADINGS:

Paragraph headings in this Lease Agreement are for convenient reference only and do not represent the rights or obligations of the Landlord or Tenant.

35. ENTIRE AGREEMENT:

- A. Landlord and Tenant agree that this Lease Agreement and any attached Addenda, Rules and Regulations, and/or Special Terms and Conditions accurately represent all terms and agreements between the Landlord and Tenant regarding the Leased Premises.
- B. Tenant acknowledges the receipt of any disclosures required by the State of Illinois as well as any disclosures required by federal, state, and local jurisdictions.

NOTICE: This is an important LEGAL document.

- You may have an attorney review the Lease Agreement prior to signing it.
- If the Landlord fails to enforce any provision of this Lease Agreement, it will not constitute a waiver of any default, future default or default of the remaining provisions.
- Time is of the essence in this Lease Agreement.

By signing this Lease Agreement, the Tenant certifies that he/she has read, understood and agrees to comply with all of the terms, conditions, Rules and Regulations of this Lease Agreement including any addenda and that he/she has received the following:

1. Copies of all Addenda, Rules and Regulations, Special Terms and Conditions, and Applications.
2. All necessary Key(s), Garage Door Opener(s), Security Card(s), and/or Auto Sticker(s) to the Leased Premises.

Tenant's Signature:

[Redacted Signature]

Date: January 06 2020

Tenant's Signature:

[Redacted Signature]

Date: 01/06/2020

Landlord/Agent Signature:

[Handwritten Signature]

Date: 1/6/20

[Redacted Initials]

ADDENDUM: ZERO TOLERANCE FOR CRIMINAL ACTIVITY

Landlord: JL Properties Group LLC B

Tenant: [REDACTED]

Leased Premises: [REDACTED] Bolingbrook, IL 60440

This LEASE ADDENDUM is incorporated into and made part of the Lease executed by the Landlord and the Tenant referring to and incorporating the Leased Premises.

The Landlord has zero tolerance for criminal activity in or around the Leased Premises.

This policy applies to all Tenants, occupants, guests, and any visitors in or around the Leased Premises. The Landlord will immediately report any evidence of criminal activity to the proper authorities, and the Tenant's engagement in any criminal activity is a default of the Lease.

The Tenant understands his/her responsibility to call the police/emergency services and report any suspicious activity observed, and then notify the Landlord.

The Tenant understands that disturbances of the peace not only infringe on the neighbors' peaceful enjoyment of their property, but are also a default of the Lease.

In the event of any criminal activity in which the Tenant is directly or indirectly involved, the Landlord will take the legal measures necessary to evict the Tenant(s) from the Leased Premises. This includes but is not limited to illegal drug activity, gang involvement, organized crime and disturbances of the peace.

The Tenant understands that violation of this addendum is a default of the Lease and will result in the Landlord taking the necessary steps towards eviction of the Tenant. The Tenant may then be responsible for the rent remaining due for the balance of the Lease term, court costs, attorney fees, and other charges in accordance with all applicable Illinois, local laws and regulations.

Tenant's Signature

[REDACTED]

Date: January 04, 2020

Tenant's Signature

[REDACTED]

Date: 01/06/2020

Tenant's Signature:

John Pizzullo

Date: 1/6/2020

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazard

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

Lessor's (Landlord's) Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (initial (i) or (ii) below):

(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the lessor (initial (i) or (ii) below):

(i) Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing. (list documents below)

(ii) Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Lessee's (Tenant's) Acknowledgement (initial):

(c) Lessee has received copies of all information listed above.

(d) Lessee has received the pamphlet Protect Your Family from Lead in Your Home.

Agent's Acknowledgment (initial):

e) Agent has informed the lessor of the lessor's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Lessee's (Tenant's) Signature: _____

Date: January 06 2020

Lessee's (Tenant's) Signature: _____

Date: 01/06/2020

Lessee's (Tenant's) Signature: _____

Date: _____

Lessor's (Landlord's) Signature: John Pryor

Date: 1/6/20

Agent's Signature: John Pryor

Date: 1/6/2020

In accordance with section 27-207 of the Municipal Code of the Village of Bolingbrook

MANDATORY ADDENDUM TO RENTAL/LEASE AGREEMENT

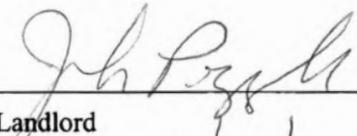
ADDRESS: 1022 Ridgewood Ln, Bolingbrook IL 60440

This Addendum is incorporated into and shall become a part of the Rental/Lease Agreement dated 12/23/2019 between JL Properties Group LLC B ("LANDLORD") and  ("TENANT").

Landlord and Tenant agree as follows:

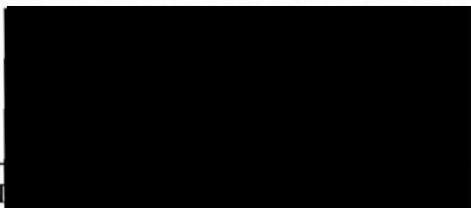
1. The Tenant, any member of the Tenant's household, any guest or any other person associated with the tenant on or near the leased premises:
 - a) Shall not engage in criminal activity, including drug-related criminal activity, on or near leased premises. "Drug related criminal activity" means the illegal manufacture, sale, distribution, use or possession of any illegal controlled substance as defined in 21 U.S.C. 802;
 - b) Shall not engage in any act intended to facilitate criminal activity;
 - c) Shall not permit the dwelling unit to be used for or to facilitate any criminal activity; or
 - d) Shall not maintain a "nuisance" on the premises as defined in Section 27-212 of the Municipal Code of the Village of Bolingbrook.

2. ANY ACTIVITY PROHIBITED BY THIS AGREEMENT SHALL CONSTITUTE A SUBSTANTIAL VIOLATION OF THE LEASE, MATERIAL NONCOMPLIANCE WITH THE LEASE, AND GROUNDS FOR TERMINATION OF TENANCY AND EVICTION.



Landlord

Date 1/6/20



Date 01/06/2020

4-29-20

[REDACTED] + [REDACTED]

A Reminder, that your
Rent is Past Due

Presently, you still owe
\$ 30.00 for february, 425.
MARCH, + 425.00 April.
total = 880.00

on May 1st, 425.00

~~total 1,305.00~~

Your Stimulus Check +
Social Security income will
catch you up.

~~Thank you,
Marilyn~~

DO NOT COPY.
Original produced by RAA
(Non-Profit Organization)

LANDLORD'S FIVE DAYS' NOTICE

To _____

You are hereby notified that there is now due me the sum of 1305.00
_____ Dollars and Zero Cents

(1) Rent per month \$ 425.00 . (2) Rent Due from MARCH to MAY 31

being rent for the premises situated in City of Rockford

County of Winnebago and State of Illinois, and known and described as follows, to wit;

_____ # _____

together with all buildings, sheds, closets, out-buildings, garages and barns used in connection with said premises.

And you are further notified that payment of said sum so due has been and is hereby demanded of you, and that unless payment thereof is made on or before the expiration of 5 days after service of this notice we shall, at the expiration of 5 days, take action to evict you from the premises.

Mark Davenport is hereby authorized to receive said rent, so due FULL PAYMENT of the rent demanded in this notice will waive the landlord's right to terminate the lease under this notice, unless the landlord agrees in writing to continue the lease in exchange for receiving partial payment.

Dated this 13th day of MAY A.D. 2020

Mark Davenport
Landlord



By _____
Agent or Attorney

LANDLORD'S FIVE DAYS' NOTICE

DO NOT COPY.
Original produced by RAA
(Non-Profit Organization)

To _____

You are hereby notified that there is now due me the sum of 1,305.00

Dollars and Zero Cents

(1) Rent per month \$ 425.00 (2) Rent Due from February to MAY 31

being rent for the premises situated in City of Rockford
County of Winnebago and State of Illinois, and known and described as follows, to wit;

Apt [redacted]

together with all buildings, sheds, closets, out-buildings, garages and barns used in connection with said premises.

And you are further notified that payment of said sum so due has been and is hereby demanded of you, and that unless payment thereof is made on or before the expiration of 5 days after service of this notice we shall, at the expiration of 5 days, take action to evict you from the premises.

Mark Dauenbaugh is hereby authorized to receive said rent, so due
FULL PAYMENT of the rent demanded in this notice will waive the landlord's right to terminate the lease under this notice, unless the landlord agrees in writing to continue the lease in exchange for receiving partial payment.

Dated this 29 day of MAY A.D. 20 20

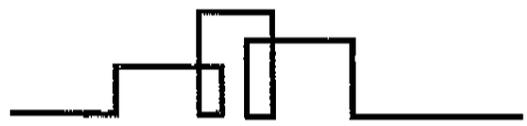
Mark Dauenbaugh
Landlord



By _____
Agent or Attorney
10921000

25 Dep pd
 25-Dec
 25 Feb
 75.
 Bal 25
 25 March

DO NOT COPY
 Original produced by RAA
 (Non-Profit Organization)



RENTAL CONTRACT

DATE OF LEASE	TERM OF LEASE		MONTHLY RENT	SECURITY DEPOSIT
	Beginning	Ending		
11-01-19	11-01-19	05-31-20	425.	100.

LESSEE (TENANT)

Name: [Redacted] (and no others)
 Address of Premise: [Redacted]
 Apartment No. _____

LESSOR (LANDLORD)

Name: Mark Davenport
 Business Address: 1009 1st Ave Rfd, IL 61104

In consideration of the mutual covenants and agreements contained in this CONTRACT LESSOR hereby leases to LESSEE and LESSEE hereby leases from LESSOR for a private dwelling the premises designated above (the "Premises"), together with the appurtenances thereto, for the above Term. LESSOR warrants it / he has authority to execute this Contract of Lease and in all respects act on behalf of Owner in enforcing it and stands in the positions of Owner in all respects with regard to this Lease which LESSEE understands and accepts.

ADDITIONAL COVENANTS AND AGREEMENTS

(If none are typed or written in, there are no additional covenants or agreements.)

- "Rules and Regulations" examined and accepted.
- "Application" is true and correct.
- "Services and Utilities Responsibilities" are examined and accepted. Electric + Gas paid by tenant
- Other: A Kitty Cat is OK, Dogs are not Permitted.
- A guest staying more than 3 days, must be approved by the Landlord. A \$50.00 per-month fee will be added to the Lessee's Rent.

RENT

SECURITY DEPOSIT

1. LESSEE shall on the first day of each month pay LESSOR in advance the rent set forth above at the address set forth above (or such other address as LESSOR may designate in writing). The time of each and every payment of rent of the essence of the Lease. Late payment of 25.00

may be charged by LESSOR if the rent in full is not paid by the 5th day of each month. The late charge is not a grace period and the LESSOR is entitled to make written demand for any rent unpaid on the second day of the rental period.

2. LESSEE has deposited with LESSOR the Security Deposit stated above for the performance of all covenants and agreements of LESSEE hereunder. LESSOR may apply all or any portion thereof in payment of any amounts due LESSOR from LESSEE, and upon LESSOR'S demand LESSEE shall in such case during the term of the Lease promptly deposit with LESSOR such additional amounts as may then be required to bring the Security Deposit up to the full amount stated above. Upon terminations of the Lease, full performance of all matters, and payment of all amounts due by LESSEE, so much of the Security Deposit as remains unapplied shall be returned to LESSEE. Where all or a portion of the Security Deposit is applied by LESSOR as compensation for property damage, LESSOR when and as required by law shall provide to LESSEE an itemized statement of such damage and of the estimated or actual cost of repairing same. LESSOR may sue LESSEE to recover damages in excess of Security Deposit. Any additional sums required to be deposited pursuant to the terms of this paragraph shall be considered additional rent under the terms of this Lease and shall be due within (30) days of the date of invoicing by the LESSOR.

FALSE APPLICATION

3. The APPLICATION for this Lease and all representations and promises contained herein are hereby made a part of this Lease. LESSEE warrants that the information given by LESSEE in the APPLICATION is true. If such information is false, LESSOR may at LESSOR'S option terminate this Lease by service of a ten (10) day written "Landlord's Notice."

RULES AND REGULATIONS

4. The RULES AND REGULATIONS for the mutual benefit of all LESSEES, which have been examined and approved by LESSEE form a portion of this Lease and any violation of said RULES AND REGULATIONS will create a forfeiture of this Lease the same as any other Lease violation. For any such violation LESSOR may at LESSOR'S option terminate this Lease by service of ten (10) day written "Landlord's Notice."

UTILITIES

5. The responsibilities for "SERVICES and UTILITIES" have been examined and accepted by the LESSOR and LESSEE and form the Agreement with relation to said SERVICES and UTILITIES which are to be provided by each of the parties hereto. Both LESSOR and LESSEE agree to promptly pay for such services to continue such services for the term of this Lease and may be enforced in the same manner as otherwise provided by this Lease or by law. Tenant is responsible for gas, ~~heat~~, electricity, ~~water~~, ~~sanitary~~, cable T.V., phone, ~~garbage pickup~~ and _____ (delete anything not applicable). LESSOR shall not be responsible to LESSEE for any loss or damage to the LESSEE, for use of the premises, contents, or otherwise, if any utility provider fails to provide service to the premises.

CONDITION OF PREMISES

6. LESSEE has examined said Premises and appurtenances prior to and as a condition precedent to his acceptance and execution of this Lease, and is satisfied with the physical condition thereof, and LESSEE'S taking possession shall be conclusive evidence of his receipt thereof in good order and repair. LESSEE AGREES THAT NO REPRESENTATION AS TO CONDITION OR REPAIR HAS BEEN MADE BY LESSOR OR HIS AGENT WHICH IS NOT HEREIN EXPRESSED IN THE ADDITIONAL COVENANTS AND THAT NO OTHER PROMISE TO DECORATE, ALTER, REPAIR AND IMPROVE, EITHER BEFORE OR AT THE EXECUTION HEREOF, NOT CONTAINED THEREIN, HAS BEEN MADE BY LESSOR OR HIS AGENT.

USE OF APARTMENT

7. The premises shall be occupied solely for residential purposes (no business use whatsoever) by LESSEE, those other persons specifically listed in the application for this Lease, and any children which may be born or legally adopted by LESSEE. Neither LESSEE nor any other person shall perform or permit any practice that may damage the reputation of or otherwise be injurious to the building, be illegal, increase, the rate of insurance on the building, or disturb the LESSEES of such building or the neighborhood. LESSEE acknowledges that LESSOR has the right to require any LESSEE'S guests to leave the premises or be banned from the premises if non-resident guests are deemed by the LESSOR to be disruptive in any way or violating any condition of this Agreement.

SUBLETTING

8. LESSEE shall not sublet the premises, or any part thereof, nor assign this Lease without in each case the written consent of the LESSOR first had, which consent may be withheld by LESSOR for any or no reason.

NON LIABILITY

9. Except as provided by Illinois Statute, LESSOR shall not be liable for any damage occasioned by failure to keep the Premises in repair, and shall not be liable for any damage done or occasioned by or from plumbing, gas, water, steam or other pipes, or sewerage, or the bursting, leaking or running of any cistern, tank, wash-stand, watercloset or wastepipe, in, above, upon or about said building or Premises, nor for damage occasioned by water, snow or ice being upon or coming through the roof, sky-light, trap-door or otherwise, nor for damages to LESSEE or others claiming through LESSEE for any loss or damage of or to property wherever located in or about said building or the premises, nor for any damage arising from acts or neglect of co-tenants or other occupants of the same building, or of any owners or occupants of adjacent or contiguous property.

DUTIES OF TENANT

10. LESSEE covenants to perform the following obligations during the term hereof:

(A) Maintain the premises and appurtenances in a clean, sanitary and safe condition.

(B) Remove all inoperable vehicles in accordance with applicable municipal codes. Current municipal codes provide for the removal of inoperable vehicles upon posting and 24 hour written notice. LESSEE hereby grants LESSOR authority to tow and/or remove any vehicles maintained at the premises in violation of municipal code. The cost of the removal and/or towing of said vehicles will be charged to the LESSEE as additional rent under this Agreement and shall be paid with the next rent payment following receipt of notice from the LESSOR that the removal/towing charge is due.

(C) Dispose of all machines, rubbish, garbage and other waste in a clean and sanitary manner from the premises to the refuse facilities. To not place in the premises or building any furniture, plants, animals, or any other things which harbor insects, rodents, or other pests. If while LESSEE is occupying the premises, the LESSEE fails to remove any such items from the Premises, for a period of five (5) days after receipt of notice of removal from LESSOR, LESSOR, or its agent, may come on the premises and remove said items. The cost of removal of said items will be charged to the LESSEE as additional rent under this Agreement and shall be paid with the next rent payment following receipt of notice from the LESSOR the removal charges due.

(D) Properly use and operate all appliances, electrical and gas and plumbing fixtures.

(E) Keep out of premises any building materials which may cause a fire hazard or safety hazard and comply with reasonable requirements of LESSOR'S fire insurance carrier.

(F) Not destroy, deface, damage, impair, or remove any part of the building or premises or facilities, equipment or appurtenances thereto; LESSEE agrees to reimburse LESSOR for any decorating and repair expenses caused by LESSEE'S misuse and neglect during the lease term. The costs in making said repairs shall be payable by LESSEE as additional rent under this agreement which shall be paid as additional rent under this agreement with the next rent payment following receipt of notice from the LESSOR that the fine is due.

(G) Prevent any person in the premises or building with LESSEE'S permission from violation any of the foregoing LESSEE'S obligations. LESSEE shall not suffer or commit any waste in or about the premises or building and shall at the LESSEE'S expense keep the premises in good order and repair, (except to extent the LESSOR has agreed to do so).

(H) Upon termination of this lease in any way, LESSEE will immediately yield up the premises and the appurtenances to LESSOR in as good condition as when the same entered upon by LESSEE, ordinary wear and tear excepted, and shall then return all keys to LESSOR and provide LESSOR with LESSEE'S forwarding address.

(I) If LESSOR is fined by a governmental unit because of actions or conduct by the Tenant or any of the Tenant's guests, then the Tenant shall be responsible to pay said fines or reimburse the management for any fines paid by the LESSOR. Said reimbursement shall be considered additional rent under this agreement and shall be paid with the next rent payment following receipt of notice from the LESSOR that the fine is due.

(J) Any additional rent charged in the provisions of this paragraph 10, and not paid at the end of the term of the lease or when the

MAILING
NOTICES

HOLDOVER

ACCESS

ABANDONMENT

LIABILITY FOR
RENT

LEGAL
EXPENSES
NOTICE

RIGHTS OF
LESSOR

FIRE AND
CASUALTY

BINDING ON
HEIRS

PAYMENT OF
REAL ESTATE
TAXES

LESSOR vacates the premises, said unpaid rent may be collected pursuant to paragraph 2.

11. LESSEE SHALL NOTIFY LESSOR IN WRITING OF LESSEE'S DESIRE TO RENEW THIS LEASE OR MOVE UPON THE END OF THE TERM NO LATER THAN SIXTY (60) DAYS BEFORE THE END OF THE TERM. SAID NOTICE SHALL IN NO WAY OBLIGATE LESSOR TO ANY EXTENSION HEREOF UNTIL LESSOR ACCEPTS SAID RENEWAL.

12. If the LESSEE retains possession of the premises or any part thereof after the termination of the term by lapse of time or otherwise, then the LESSOR may at LESSOR'S option within thirty (30) days after the termination of the term serve written notice upon LESSEE that such holding over constitutes either (a) renewal of the Lease for one year at a monthly rental to be established by LESSOR (LESSOR shall have the option to increase rent on any holding over) or (b) creation of a month to month tenancy, upon the terms of this Lease except at double the monthly rental specified on page 1, or (c) creation of a tenancy at sufferance, at a rental of \$ _____ dollars per day for the time LESSEE remains in possession. If no such written notice is served then a tenancy at sufferance with rental as stated in (c) shall have been created. LESSEE shall also pay to LESSOR all damages sustained by LESSOR resulting from retention of possession by LESSEE.

13. LESSOR reserves the right to free access to the premises at all reasonable hours for the purpose of examining or exhibiting same, or to make any needful repairs on the premises, which LESSOR may deem fit to make. In the event of apparent or actual emergency, LESSOR may enter the premises at any time without notice. LESSEE will allow LESSOR to have placed upon the premises, at all times, notice of "For Sale" and "To Rent" and will not interfere with the same. LESSEE shall pay LESSOR one (1) month's rent as liquidated damages for each interference with the rights set forth in this paragraph.

14. If LESSEE shall abandon or vacate the premises (ten days physical absence by LESSEE with rent being unpaid, or removal of the substantial portion of LESSEE'S personal property with rent being paid, and reason to believe LESSEE has vacated the premises with no intent again to reside therein, shall be conclusively deemed to be an abandonment), the same may be relet by LESSOR for such rent and upon such terms as LESSOR may see fit; and if a sufficient sum shall not thus be realized, after paying the expenses of such reletting and collecting, to satisfy the rent hereby involved, LESSEE agrees to satisfy and pay all deficiency. LESSEE shall be conclusively deemed to have abandoned any personal property remaining in the premises and LESSEE'S title thereto shall thereby pass under this Lease as a Bill of Sale to LESSOR without additional payment or credit by LESSOR to LESSEE.

15. In the event that the LESSOR is required to serve a Landlord's 5-day, 10-day or 30-day statutory notice to quit because of LESSEE'S breach of duties as LESSEE, LESSOR reserves the right at LESSOR'S election to recover from LESSEE the amount of lost rental charges for the term of this lease, if any, even though LESSOR serves such statutory notice and/or proceeds to evict LESSEE from the premises.

16. LESSEE will pay and discharge all reasonable costs, attorney fees, rent, judgement and expenses that shall be made and incurred by LESSOR in enforcing the COVENANTS AND AGREEMENTS of this Lease plus any and all costs incurred in or related to the collection of such charges including, but not limited to reasonable collection agency charges not to exceed 50% of the principle, plus attorney fees, and costs of suit.

17. It is expressly understood that after service of notice, or the commencement of a suit or after final judgment for possession of the premises, LESSOR may receive and collect any rent due and/or judgment damages due, and the payment of said rent and/or damages shall not waive said notice, said suit, or said judgment. Any payments tendered by LESSEE to LESSOR subsequent to the entry of a judgment shall be deemed to be payments on said judgment and shall not be deemed to be the payment of rent and/or the creations of a new tenancy unless LESSOR expressly so agrees in writing.

18. The rights and remedies of LESSOR under this Lease are cumulative. The exercise or use of any one or more thereof shall not bar LESSOR from exercise or use of any other right or remedy provided herein or otherwise provided by law, nor shall exercise nor use of any right or remedy by LESSOR waive any other right or remedy.

19. In case of the premises shall be rendered untenantable during the term of this Lease by fire or casualty, LESSOR at his option may terminate the Lease or repair the premises within sixty (60) days thereafter. If LESSOR elects to repair, this Lease shall remain in effect provided such repairs are completed within said time. If LESSOR shall not have repaired the premises within said time, then at the end of such time the term hereby created shall terminate. If this Lease is terminated by reason of fire or casualty as herein specified, rent shall be apportioned and paid to the day of such fire or other casualty.

20. The words "LESSOR" and "LESSEE" wherever herein occurring and used shall be construed to mean "LESSORS" and "LESSEES" in case more than one person constitutes either party to this Lease; and all the COVENANTS AND AGREEMENTS herein contained shall be binding upon, and inure to, their respective successors, heirs, executors, administrators and assigns and be exercised by his or their attorney or agent.

21. In the event any provision of this Lease be declared illegal or unenforceable, the remaining portions shall remain fully valid and enforceable.

22. APPLICABLE TO HOUSE RENTAL ONLY: THE LESSEE shall be liable for the payment of real estate taxes with respect to the residence in accordance with the terms and conditions of 35 ILCS § 200/15-175. The permanent real estate index number for the premises is _____ and the current amount of real estate taxes associated with the premises is \$ _____ /year or \$ _____ /month. The parties agree that the monthly rent as set forth above shall be increased or decreased pro rata (effective January 1st of each calendar year) to reflect any increase or decrease in real estate taxes. LESSEE shall be deemed to be satisfying LESSEE'S liability for the above-mentioned real estate taxes with the monthly rent payments as set forth above (or increased or decreased as

Witness the hand and seals of the parties hereto, as of the date of Lease stated above.

LESSEE:

[Redacted signature area]

(Seal)

LESSOR:

Handwritten signature

(Seal)

(Seal)

(Seal)

**Acknowledgement of Operating Detectors and
Receipt of Testing and Maintenance Information**

The Smoke Detector(s) and Carbon Monoxide Detector(s) in my apartment or house have been inspected and have been found to be in good working order.

A smoke detector and carbon monoxide detector have been installed within 15 feet of each sleeping room in the residence in which I intend to live. I have been provided literature explaining the nature of the smoke detectors and carbon monoxide detectors and how to properly test and maintain those detectors. I understand that the responsibility for replacing the batteries in those detectors and maintaining the detectors rests with me after I start my residency. I will notify the owner or the authorized agent of the owner of the building in writing of any deficiencies with the detectors.

Fire Extinguisher

City Ordinance requires that the head of each family occupying an apartment in a building of 6 or more units must furnish and maintain, for his own use, a fire extinguisher with a rating of at least 1A10BC. The owners and managers of your building will not be liable for any loss of life or property due to failure of this smoke detector or fire extinguisher. Sec12B519.2

Acknowledged this Date _____ LESSEE Signature _____
LESSEE Signature _____

Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards

Lead Warning Statement

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not taken care of properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and lead-based paint hazards in the dwelling. Tenants must also receive a Federally approved pamphlet on lead poisoning prevention.

LESSOR'S Disclosure (initial)

- _____ (a) Presence of lead-based paint or lead-based paint hazards (check one below):
 - Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

 - LESSOR has no knowledge of lead-based paint and/or lead-based paint hazards in the housing
- _____ (b) Records and reports available to the LESSOR (check one below):
 - LESSOR has provided the LESSEE with all available records and reports pertaining to lead-based paint and/or or lead-based hazards in the housing (list documents below):

 - LESSOR has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

LESSEE'S Acknowledgement (initial)

- _____ (c) LESSEE has received copies of all information listed above.
- _____ (d) LESSEE has received the pamphlet Protect Your Family from Lead in Your Home.

LESSEE'S Disclosure (initial e or f)

- _____ (e) LESSEE(S) and members of the household have previously been examined and found to have elevated levels of lead in their blood system. Date and Results of lead levels _____
- _____ (f) LESSEE(S) and members of household have no known elevated levels of lead in their system.

CERTIFICATION OF ACCURACY

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

LES _____ Date _____ LESSOR Mark Haulough Date _____
LESSEE _____ Date _____ LESSOR _____ Date _____

STATE OF ILLINOIS, CIRCUIT COURT Will _____ COUNTY	EVICTIION ORDER	<i>For Court Use Only</i>
--	------------------------	---------------------------

Instructions ▼ Directly above, enter the name of the county where the case was filed. Enter the full names of Plaintiff, Defendants, and the case number as listed on the <i>Eviction Complaint</i> . Check the box for Unknown Occupants if it was checked on <i>Eviction Complaint</i> .	Plaintiff <i>(For example, the landlord or owner):</i> <u>Steven Cole as Trustee of the ALI (401k) FBO Steven Cole</u> <u>#7446080</u> v. Defendants <i>(For example, the tenants or occupants):</i> _____ _____ <input checked="" type="checkbox"/> Unknown Occupants
--	--

20 LM _____ Case Number

Notice to Defendants: This *Order* is a judgment against you. It may appear on a background or credit check and affect your ability to rent housing. Do not agree to or sign off on this *Order* if:

- You have an agreement with Plaintiff that lets you stay in the property; or
- Plaintiff has agreed to dismiss this case if you move out by a certain date.

Check this box if the judge dismissed any Defendants from the case. Enter the names of those Defendants.
In 1, enter the complete address, including the street direction (N., E., etc.) and unit # or floor.
In 2, enter the date and time by which Defendants must move out.
In 3, enter the names of Defendants to be evicted and check the box for Unknown Occupants if it was checked on the <i>Eviction Complaint</i> .
In 4, check the boxes that apply. If Plaintiff is awarded money, enter the names of Defendants who have been ordered to pay the money.
Sections 1-4 must be completed.

The following individuals are dismissed as Defendants, and this *Order* does not apply to them:

1. Plaintiff is given possession of the property located at:

Street address *Unit*
 University Park IL 60466
City *State* *ZIP*

2. Defendants must move out of the property on or before March 13, 2020 by 11:59 p.m.
 or by _____
Date *Time*

3. Plaintiff may give the sheriff a copy of this *Eviction Order*. If Defendants do not move by the date and time listed above, the Sheriff is ordered to evict the following Defendants: _____
 Unknown Occupants

4. Plaintiff is owed (check all that apply): No money claimed in *Eviction Complaint*
 Money claim dismissed and Plaintiff may seek this money in the future
 Money claim dismissed and Plaintiff may not seek this money in the future
 \$ _____ in rent or assessments
 \$ _____ in court costs
 \$ _____ in attorneys' fees (if allowed)
 The total judgment amount of \$ _____ is entered against the following Defendants: _____

The Court is not yet ruling on the money claim. Case continued to _____
 for status hearing in courtroom _____ *Date* *Time*
 and the Court finds there is no just reason to delay enforcement or appeal of this *Eviction Order*.

Enter the name and contact information of the person completing this <i>Order</i> .

Name: Brian M. Krause, PC **ENTERED:** 3/6/20
 Address: 5277 Trillium Blvd. *Date*
 Telephone #: Hoffman Estates, IL 60112
 Attorney # (if any): 6296786

Judge



Illinois
Department of Commerce
& Economic Opportunity

**COVID-19 Update: RESTORE Illinois Roll-
Out Plan and COVID-19 Resources**

EXHIBIT D

State's Response to COVID-19

From the beginning of the novel coronavirus pandemic, Illinois' response has been guided by data, science, and public health experts. Relying on the experts, Governor Pritzker took decisive action to slow the spread of COVID-19 and save as many lives as possible.

Millions of Illinoisans working together by staying at home and following experts' recommendations have proven these mitigation and social distancing measures effective so far, but modeling projects a rapid surge in new cases if all of these measures are immediately lifted.

We must follow a safe and deliberate path forward to reopen our economy, guided by public health and data, to keep Illinoisans as safe as possible.



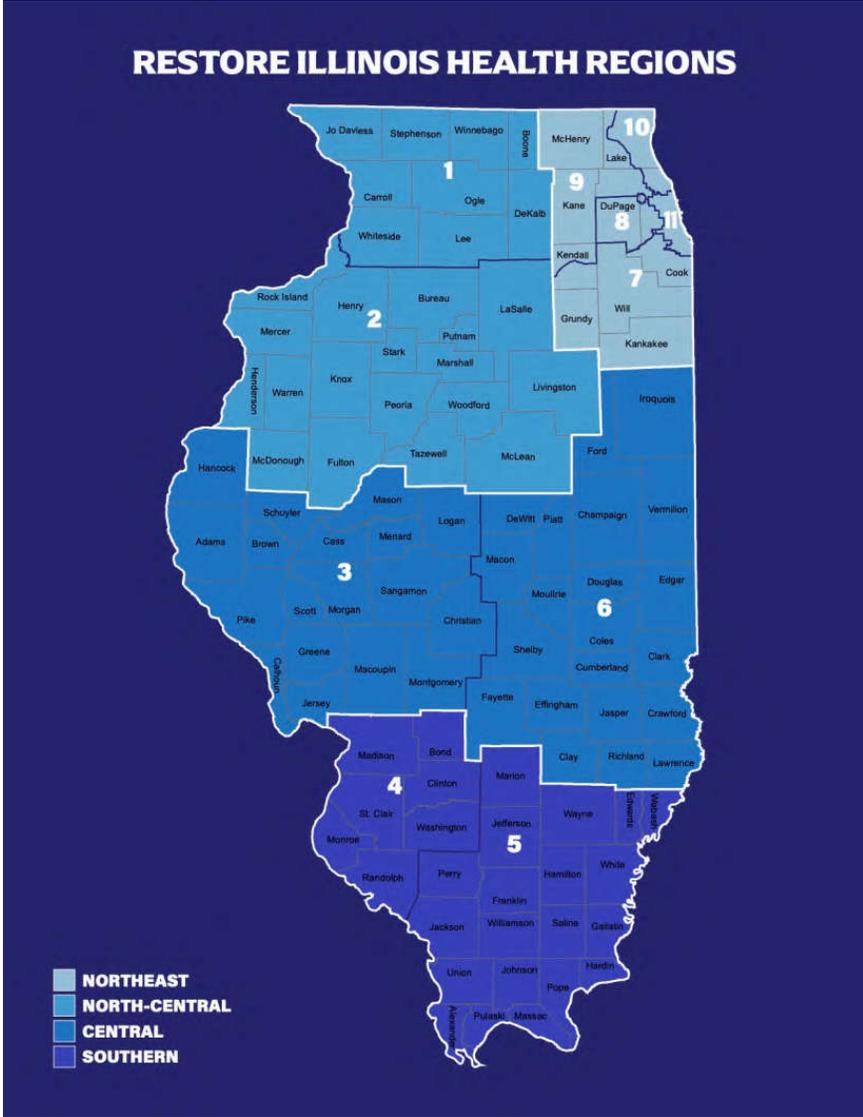
Restore Illinois



Illinois
Department of Commerce
& Economic Opportunity

RESTORE ILLINOIS: Five-Phase Regional Plan

- **Clear Phases:** Restore Illinois lays out five phases that regions will move through together, ensuring we move forward in a safe and deliberate manner while providing businesses and families more clarity on our next steps.
- **Health Metrics:** The plan is based on key health metrics, like positive test rates and hospital capacity and admissions, that the Illinois Department of Public Health will assess to determine when it is safe for a region to move forward.
- **Regional Approach:** Restore Illinois recognizes the distinct impact COVID-19 has had on different regions of the state. Using the long-existing Emergency Medical Services Networks, the plan uses four regions – Northeast Illinois, North-Central Illinois, Central Illinois, and Southern Illinois – that will move through each phase together.
- **Safe Reopening:** As health metrics tell us it is safe to move forward, regions will gradually reopen nonessential businesses, allow employees to begin returning to work, expand outdoor recreation, and increase gathering sizes.



RESTORE ILLINOIS

A Public Health Approach To Safely Reopen Our State

Phase 1 Rapid Spread	Phase 2 Flattening	Phase 3 Recovery	Phase 4 Revitalization	Phase 5 Illinois Restored
<p>Strict stay at home and social distancing guidelines are put in place, and only essential businesses remain open.</p> <p>Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.</p>	<p>Non-essential retail stores reopen for curb-side pickup and delivery.</p> <p>Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating & fishing while practicing social distancing.</p>	<p>Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions.</p> <p>Gatherings of 10 people or fewer are allowed.</p> <p>Face coverings and social distancing are the norm.</p>	<p>Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health.</p> <p>Face coverings and social distancing are the norm.</p>	<p>The economy fully reopens with safety precautions continuing.</p> <p>Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.</p>



Phase 1: Rapid Spread

The number of COVID-19 positive patients in the hospital, in ICU beds, and on ventilators is increasing.

What's open?

Gatherings: Essential gatherings of 10 or fewer allowed; No non-essential gatherings of any size

Education and child care: Remote learning in P-12 schools and higher education; Child care in groups of 10 or fewer for essential workers

Travel: Non-essential travel discouraged.

Businesses:

- **Manufacturing:** Essential manufacturing only
- **“Non-essential” businesses:** Employees of “non-essential” businesses are required to work from home except for Minimum Basic Operations
- **Bars and restaurants:** Open for delivery, pickup and drive-through only
- **Entertainment:** Closed
- **Personal care services and health clubs:** Closed
- **Retail:** Essential stores are open with strict restrictions; Non-essential stores are closed

Phase 1 Rapid Spread

Strict stay at home and social distancing guidelines are put in place, and only essential businesses remain open.

Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.

How do we move to the next phase?

Cases and Capacity:

- Slowing of the number of new cases
- Availability of surge capacity in adult medical and surgical beds, ICU beds, and ventilators

Testing:

- Ability to perform 10,000 tests per day statewide
- Testing available in region for any symptomatic health care workers and first responders

Phase 2: Flattening

The rise in the rate of infection is beginning to slow and stabilize.

What's open?

Gatherings: Essential gatherings of 10 or fewer allowed; No non-essential gatherings of any size

Education and child care: Remote learning in P-12 schools and higher education; Child care in groups of 10 or fewer for essential workers

Travel: Non-essential travel is discouraged

Businesses:

- **Manufacturing:** Essential manufacturing only
- **“Non-essential” businesses:** Employees of “non-essential” businesses are required to work from home except for Minimum Basic Operations
- **Bars and restaurants:** Open for delivery, pickup, and drive through only
- **Personal care services and health clubs:** Closed
- **Retail:** Essential stores are open with restrictions; Non-essential stores open for delivery and curbside pickup

Phase 2 Flattening

Non-essential retail stores reopen for curbside pickup and delivery.

Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating & fishing while practicing social distancing.

How do we move to the next phase?

Cases and Capacity: To move from Phase 2 to Phase 3 a region must be:

- At or under a 20% positivity rate and increasing no more than 10% points over a 14-day period, AND
- Have no overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
- Have an available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

Testing: Available for all patients, health care workers, first responders, people with underlying conditions, and residents and staff in congregate living facilities

Tracing: Begin contact tracing and monitoring within 24 hours of diagnosis

Phase 3: Recovery

The rate of infection among those surveillance tested is stable or declining.

What's open?

Gatherings: 10 people or fewer

Travel: Travel should follow IDPH and CDC guidance

Education and child care: Remote learning in P-12 schools and higher education; Limited child care and summer programs open

Businesses (subject to IDPH safety guidance):

- **Manufacturing:** Non-essential manufacturing that can safely operate w/ social distancing can reopen
- **“Non-essential” businesses:** Employees are allowed to return to work, tele-work strongly encouraged; Employers are encouraged to provide accommodations for COVID-19-vulnerable employees
- **Bars and restaurants:** Open for delivery, pickup, and drive through only
- **Personal care services and health clubs:** Barbershops and salons open; Health and fitness clubs can provide outdoor classes and one-on-one personal training
- **Retail:** Open with capacity limits and face coverings

Phase 3 Recovery

Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions.

Gatherings of 10 people or fewer are allowed.

Face coverings and social distancing are the norm.

How do we move to the next phase?

Cases and Capacity: To move from Phase 3 to Phase 4 a region must be:

- At or under a 20% positivity rate and increasing no more than 10% points over a 14-day period, AND
- No overall increase (i.e. stability or decrease) in hospital admissions for COVID-19-like illness for 28 days, AND
- Available surge capacity of at least 14 percent of ICU beds, medical and surgical beds, and ventilators

Testing: Testing available in region regardless of symptoms or risk factors

Tracing: Begin contact tracing and monitoring within 24 hours of diagnosis for more than 90% of cases in region

Phase 4: Revitalization

There is a continued decline in the rate of infection in new COVID-19 cases.

What's open?

Gatherings: Gatherings of 50 people or less

Education and child care: P-12 schools, higher education, all summer programs, and child care open

Travel: Follow IDPH and CDC guidelines

Businesses (subject to IDPH safety guidance):

- **Manufacturing:** All manufacturing open
- **“Non-essential” businesses:** All employees return to work. Employers are encouraged to provide accommodations for COVID-19-vulnerable employees
- **Bars and restaurants:** Open with capacity limits
- **Personal care services and health clubs:** All barbershops, salons, spas and health and fitness clubs open with capacity limits
- **Entertainment:** Cinema and theaters open with capacity limits
- **Retail:** Open with capacity limits

Phase 4 Revitalization

Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health.

Face coverings and social distancing are the norm.

How do we move to the next phase?

Post-pandemic: Vaccine, effective and widely available treatment, or the elimination of new cases over a sustained period of time through herd immunity or other factors

Phase 5: Illinois Restored

Testing, tracing and treatment are widely available throughout the state. Either a vaccine is developed to prevent additional spread of COVID-19, a treatment option is readily available.

What's open?

- All sectors of the economy reopen with businesses, schools, and recreation resuming normal operations with new safety guidance and procedures.
- Conventions, festivals, and large events can take place.

Phase 5 Illinois Restored

The economy fully reopens with safety precautions continuing.

Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.

What could cause us to move back?

IDPH will closely monitor data and receive on-the-ground feedback from local health departments and regional healthcare councils and will recommend moving back to the previous phase based on the following factors:

- Sustained rise in positivity rate
- Sustained increase in hospital admissions for COVID-19 like illness
- Reduction in hospital capacity threatening surge capabilities
- Significant outbreak in the region that threatens the health of the region

Support for Businesses



Illinois
Department of Commerce
& Economic Opportunity

Fast-Track Public Infrastructure Grant

Governor Pritzker announced Fast-Track Public Infrastructure Grants as part of Rebuild Illinois. This is a new program designed to accelerate work on planned public infrastructure projects around the state, but especially in underserved areas and Opportunity Zones. **The State is making \$25 million available to all types of local governments** in the wake of the COVID-19 pandemic, as many are face lost revenues and losing the ability to finance these much needed projects.

- Funds can be used to support projects such as expansions of water and sewer systems and reinvestment to modernize schools and other public buildings.
- Grants will range in size between \$500,000 and \$5 million and will be awarded on a rolling basis. For this grant, 30% of application scoring will be based on community need, such as whether a project is in an underserved area or Opportunity Zone. To see a map of underserved areas, click [here](#). To see a map of Opportunity Zones, click [here](#).
- Fast-Track projects must meet shovel-ready criteria, as well as the minority business participation requirements of the State of Illinois' Business Enterprise Program. Grant awardees must be prepared to start work within 90-days of receiving funds.
- To apply for the grants, please visit the [Rebuild Illinois website](#). A full program Guidebook can be found [here](#).



Rebuild Illinois Community Resources

Public Infrastructure

- The State has allocated \$50,000,000 in Rebuild Illinois funds. A grant ceiling of \$5,000,000 per project has been established. Grants for less than \$250,000 will not be awarded. Applications are due on June 30th.
- Eligible projects include water, sewer, rail, utility, and other public infrastructure capital improvements that can provide an improved foundation for economic growth in Illinois communities.
- Eligible applicants are local units of government (cities, villages, towns).
- Full Program Guidebook [Here](#).

Regional Economic Development

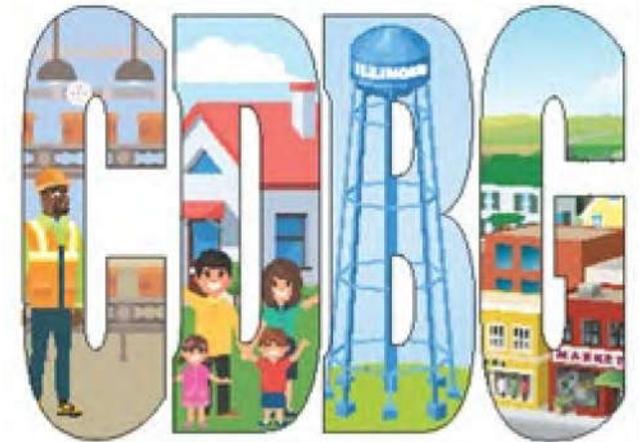
- The State has allocated \$16,500,000 in Rebuild Illinois funds. A grant ceiling of \$2,000,000 per project has been established. Grants for less than \$250,000 will not be awarded. Applications are accepted on a rolling basis.
- Eligible projects are capital infrastructure improvements that will foster economic development and increase employment.
- Eligible applicants include local units of government, local economic development organizations, local non-profits, and private companies.
- Full Program Guidebook [Here](#).

Shovel Ready Sites

- The State has allocated \$13,000,000 in Rebuild Illinois funds. A grant ceiling of \$2,000,000 per project has been established. Grants for less than \$250,000 will not be awarded. Applications are accepted on a rolling basis.
- Provide funding for site preparation for underutilized properties that can transform into economic development opportunities across Illinois. This includes development of vacant buildings, parking lots, empty schools, or other underused sites.
- Eligible applicants include local units of government, local economic development organizations, local non-profits, and private companies.
- Full Program Guidebook [Here](#).

Downstate Small Business Stabilization Fund

- This new \$20 million program supports non-essential small businesses in suburban and rural counties across Illinois.
- The program provides grants up to \$25,000 to small businesses in communities served by DCEO's Office of Community Development.
- Eligible businesses with up to 50 employees can partner with local governments to obtain grants of up to \$25,000 in working capital.
- The program redeploys Community Development Block Grant local small businesses.
- You can find out additional information and apply [here](#).



Federal Stimulus Bill – CARES Act

- Paycheck Protection Program: Up to \$10M forgivable loan program with loan amount based on payroll history (2.5x monthly average) with 2-year term at 1%
 - Small businesses and non-profits with < 500 employees are eligible ([other eligibility determinations may apply](#)).
 - Independent contractor expenses (1099's) cannot be included in payroll calculation or as expenses eligible to contribute for purpose of forgiveness
 - To apply, work with an SBA approved lender. Find an approved lender [here](#).
 - To check on application status, contact your lender.
 - Amount of forgiveness of a PPP loan depends on the borrower's payroll costs over an eight-week period that begins on the date the lender makes the first disbursement of the PPP loan to the borrower.
 - **As of May 7th, there was \$127 billion in remaining in appropriations for the program.**
- Economic Injury Disaster Loan: **This program is currently ONLY open for agricultural enterprises.** Working Capital Loan Program where eligible entities may qualify for loans up to \$2 million with terms up to 30 years.
 - The interest rates for this disaster are 3.75 % for small businesses/2.75 % for nonprofit organizations (first payment deferred for one year).
 - Small businesses with < 500 employees and private non-profits are eligible.
 - **Businesses who submitted their application prior to the new portal (pre-3/30/20) who haven't gone back in the system to reapply should do so.**
 - Applications are processed on a first come, first served basis. Apply through SBA [here](#).
 - Loan closing activities have begun.
 - To check on application status, go to disastercustomerservice@sba.gov.
- Economic Injury Disaster Loan Advance: Applicants can receive an emergency advance **up to \$10,000** within days of a successful application and DO NOT have to repay the advance if they are denied a loan.
 - Disbursements are ongoing.
- Subsidy for Current Loan Payments: The SBA will cover up to 6 months of principal and interest payments that are owed on most existing SBA loans. Full list of SBA debt relief resources can be found [here](#).
- SBA Express Bridge Loans: Allows small businesses who currently have a business relationship with an SBA Express Lender to access up to \$25,000 quickly. These loans can provide vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing and can be a term loans or used to bridge the gap while applying for a direct SBA Economic Injury Disaster loan. For more information, including how to apply, review the [SBA's Program Guide](#).

Other SBA Loan Programs

- SBA guarantees loans made by participant lenders to small businesses who may not have been approved for traditional lender financing.
- Primary programs are 7(a) loans, CDC/504, and microloans.
- Uses include working capital, inventory, real estate, equipment, export assistance, etc.
- Advantages include, very competitive rates, longer term loans, and no balloon payments.
- Work with an SBA-approved lender

RESOURCE:

- Find an SBA approved lender near you: www.sba.gov/lendermatch

Other Lending Resources

Community Development Financial Institutions (CDFIs)

- CDFIs offer loans (usually less than \$250k) for those typically ineligible for traditional bank loans.
- CDFIs are dedicated to responsible affordable lending to underserved entrepreneurs and **low-income** communities.
 - CDFIs provide **in-depth** support including mentoring and technical assistance.
 - Many CDFIs offer **microloan** programs, loans less than \$50k.

RESOURCE:

- **Opportunity Finance Network** is a national membership organization of CDFIs across the country. Find a CDFI for small business loans near you: ofn.org/cdfi-locator

The Business Invest - Illinois Small Business COVID-19 Relief Program

- Through this program, the Treasurer's Office partners with approved financial institutions to provide loans -- either lower rate loans, or loans to a business or non-profit that would not otherwise qualify -- to Illinois small businesses impacted by the COVID-19.
- The State Treasurer has made up to \$250 million in deposits available to financial institutions.
- Financial institutions must be or apply to become an approved program depository with the Treasurer's Office.

RESOURCE:

For more information, visit the Treasurer's website [here](#).

BRINGG NOW

BRINGG has released a new SME solution for **FREE** to help businesses manage delivery to customers.

Using BringgNOW small business owners can quickly load incoming orders, dispatch deliveries to their own drivers or crowdsourced fleets and deliver items to customers with a fully branded, real-time Uber-like experience.

If interested contact:

Tamir Gotfried
tamir@bringg.com

Isaac Buahnik
isaac@bringg.com

Website: www.bringg.com



Verizon Small Business Recovery Fund

An investment of \$2.5 million from Verizon is making it possible for LISC to begin offering critical relief and resiliency-building support to small businesses facing immediate financial threat because of the COVID-19 pandemic. The funding will go to make grants of up to \$10,000, especially to entrepreneurs of color, women-owned businesses and other enterprises in historically under-served places who don't have access to flexible, affordable capital.

- Grants will be made in the amounts of \$5,000, \$7,500, and \$10,000.
- Non-profit organizations are ineligible for this funding.
- Funds can be used for paying rent and utilities, meeting payroll, paying outstanding debt to vendors, and other immediate operational costs.
- Applications reopen Thursday, May 14th.

For more information, visit [LISC's FAQ](#) on the Grant Program.

Apply [here](#).



For More Information

General Inquires: 1-800-252-2923 or CEO.support@illinois.gov

Essential Business inquiries: contact 1-800-252-2923 or CEO.support@illinois.gov – [Frequently Asked Questions](#)

Business insurance coverage: contact the Department of Insurance (DOI) to file an online complaint:
<https://mc.insurance.illinois.gov/messagecenter.nsf>

Federal Small Business loans inquiries: contact (800) 659-2955, illinoisdo@sba.gov, or <https://disasterloan.sba.gov>

Governor's Office COVID-19 Website: coronavirus.illinois.gov

DCEO COVID-19 Resources: www2.illinois.gov/dceo



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APPENDIX

- **State Program FAQ**
- **Paycheck Protection Program FAQ**
- **Illinois Small Business Loan Fund**
- **Unemployment Insurance**
- **Unemployment Insurance FAQ**
- **Workforce Opportunities**
- **PPE and IL COVID-19 Response Fund**



Illinois
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Q&A



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State Program FAQ

Q: How do I find out if my business qualifies for the Downstate Stabilization Fund?

A: Local governments can apply on behalf of businesses with 50 employees or less. Only cities, villages, and counties that are not a HUD direct entitlement community or located in an urban county that receives “entitlement” funds are eligible to apply. A list of ineligible counties and municipalities can be found [here](#).

Q: Can independent contractors apply for unemployment insurance?

A: Yes. IDES is working to have the program running in early May. All benefits will be backdated to date of unemployment. Weekly benefit is calculated the same as that for regular unemployment in Illinois (table [here](#)) plus \$600/week.

Q: Is there any national / state discussion that benefits paid relating to COVID would not increase the tax rate?

A: Two things: (1) Any expansion of benefits due to the CARES Act (+\$600/wk, extension to 39 weeks from 26, sole proprietors) is completely covered by federal gov't and will not affect unemployment compensation tax; (2) As of now, unemployment compensation tax will be affected by baseline (as in, not including enhancements from CARES Act) unemployment insurance benefits received by employees from the business, like in normal times. There is discussion on this at both state and national level, but not far enough along to provide details here.

Q: If I'm located in the City of Chicago or Cook County, are there any programs available for my business?

A: Yes. For business in Chicago there is the [Chicago Small Business Resiliency Fund](#) and for businesses in Cook County there is the [Cook County Recovery Initiative](#).

Q: Where can I find guidance on “essential businesses”? Is there an appeals process for a business if they disagree with a "non-essential" ruling from DCEO? Who enforces the determination?

A: You can find an essential business and operation FAQ on [DCEO's website](#). No, there is no appeals process. The enforcement piece can either be by the state or the local municipality. DCEO generally give deference to municipalities.

Paycheck Protection Program FAQ

[Full List of FAQs HERE](#)

Q: Will a borrower's PPP loan forgiveness amount be reduced if the borrower laid off an employee, offered to rehire the same employee, but the employee declined the offer?

A: No. The SBA and Treasury intend to issue an interim final rule excluding laid-off employees whom the borrower offered to rehire (for the same salary/wages and same number of hours) from the CARES Act's loan forgiveness reduction calculation. The interim final rule will specify that, to qualify for this exception, the borrower must have made a good faith, written offer of rehire, and the employee's rejection of that offer must be documented by the borrower. Employees and employers should be aware that employees who reject offers of re-employment may forfeit eligibility for continued unemployment compensation.

Q: Can you apply for both the Paycheck Protection Program and the SBA Economic Injury Disaster Loan?

A: Yes. A recipient of an Economic Injury Disaster Loan is still eligible for a Paycheck Protection Program. Businesses cannot use an EIDL and a Paycheck Protection Program Loan for the same purpose. If you take advantage of an emergency EIDL grant advance up to \$10,000, that amount is subtracted from the amount forgiven up to the Paycheck Protection Loan. Businesses can also refinance an EIDL into the Paycheck Protection Loan for loan forgiveness purposes. Remaining portions of the EIDL, for purposes other than those laid out in loan forgiveness for a Paycheck Protection Loan, remain a loan.

Q: How can the Paycheck Protection Program Loan be forgiven?

A: At least 75% of funds must be used for payroll costs; continuation of group health care benefits during periods of paid sick, medical, or family leave, or insurance premiums; salaries or commissions or similar compensation. The employer also has to maintain or rehires their workforce.

Q: Should payments that an eligible borrower made to an independent contractor or sole proprietor be included in calculations of the eligible borrower's payroll costs?

A: No. Any amounts that an eligible borrower has paid to an independent contractor or sole proprietor should be excluded from the eligible business's payroll costs. However, an independent contractor or sole proprietor will itself be eligible for a loan under the PPP, if it satisfies the applicable requirements.

Q: What is the maximum amount I can borrow?

A: The amount any small business is eligible to borrow is 250 percent of their average monthly payroll expenses, up to a total of \$10 million.

Illinois Small Business Emergency Loan Fund

UPDATE: DCEO and our lending partners are continuing to review the large number of submitted loan applications. To allow us to process received applications as quickly as possible, we are temporarily suspending the acceptance of applications from businesses. Please refer back to the DCEO website and follow us on social media to stay updated on upcoming opportunities.

- \$60 million fund to support low-interest loans of up to \$50,000 for small businesses outside of Chicago. Businesses with fewer than 50 employees and less than \$3 million in revenue in 2019 will be eligible to apply.
- Successful applicants will owe nothing for six months and then will begin making fixed payments at 3% interest for the remainder of a five-year loan repayment period with no payments due for the first six months.
- Loan funds must be used for working capital. At least 50% of loan proceeds must be applied toward payroll or other eligible compensation, with a commitment to hire or retain at least 50% of a business workforce for six months.
- For more information, visit our website [here](#). Lenders differ based on business location.

Local Government Resources

The Cook County Recovery Initiative is a comprehensive initiative to provide economic relief to small businesses, non-profits, community service organizations and independent contractors (1099 workers) in response to the COVID-19 pandemic.

Unemployment Insurance

- Individuals without access to paid sick leave or unable to work due to COVID-19 can apply for unemployment insurance by visiting the IDES website: [IDES.Illinois.gov](https://www.ides.illinois.gov)
- Gov. Pritzker is waiving the 7-day waiting period for residents to apply for unemployment benefits
- **The federal CARES Act:**
 - Extended length of benefits from 26 weeks to 39 weeks
 - Additional \$600 per week
 - Independent contractors/gig workers can access benefits. IDES plans to have this program live on May 11th.



Unemployment Benefits Claim Form

Complete this accurately, giving as many details as possible. Failure to do so may result in the denial of benefits.

Personal Information		Other Names
Forename		
State:		Zip:
Mobile Telephone		



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Unemployment Insurance FAQ

Q: When will applications for the Pandemic Unemployment Assistance (PUA) from the CARES Act be open?

A: If someone is unemployed or underemployed, they should file for unemployment immediately. Upon receipt of the application, IDES will handle the claim so that the individual receives benefits from the proper program. IDES expects to be able to begin paying PAU benefits by the week of May 11th. To receive PUA, you must first be denied for unemployment insurance.

Q: Many small businesses are concerned that their unemployment contribution rates will go up as a result of COVID-19. Many states have already implemented legislation that provides that no COVID-19 related layoffs will be chargeable to the employer. Does IDES plan to raise rates or increase UI contributions from businesses who have laid off staff who are collecting UI benefits? If yes, how will the rate increase be decided as to not burden small and local businesses?

A: Assuming no legislative changes are made, employer rates will likely be higher next year. An employer that has laid someone off can typically expect a higher tax rate in the future. However, employers will not be charged for any of the benefits paid under the CARES Act (PUA, FPUC, PEUC).

Q: Will employers (i.e. park districts) be responsible for the \$600 in additional compensation?

A: No. The additional \$600 per week is 100% federally funded.

Q: Can unemployment rates for small businesses be frozen given the current situation?

A: IDES does not have the authority to do this; only the General Assembly has the authority to pass legislation effectively insulating employers from rate increases.

Q: As a business owner, I have received notice from IDES, requiring a "Reply Due Date". Unfortunately, the date for which a response was due, was the same date that I received the notice. Will there be any relief on these due dates?

A: You should retain the envelope, bearing the postmark date, and explain the issue in your response.

Q: If 1099 employees benefit from the PPP, are they eligible for UI through IDES?

A: It depends. If the loans are used to pay wages, those wages could impact an individual's eligibility or weekly benefit amount.

Workforce Opportunities

Virtual Workforce Centers

All 22 local workforce Investment areas are providing services via technology to Illinois' jobseekers. The workforce system has transitioned to providing virtual/remote workforce services including the use of video conferences and social media.

Rapid Response Funds to Help Businesses Avoid Layoffs

The OET has reprioritized WIOA *Statewide Workforce Funds* to help businesses avoid layoffs and adhere to "social distancing" provisions established by state and federal public health authorities.

- Funds can be used for cross training workers, deep cleaning services, establishing remote offices and other services.



For information and to access these programs work directly with your local LWIA

[Live Interactive LWIA Map](#)

Rapid Response Workshops

DCEO has provided Rapid Response to approximately 200 companies with more than 26,500 workers over the last month. This includes outreach, customized information and virtual rapid response workshops. Rapid response workshops provide workers with information regarding the workforce services that are available including job matching, retraining services and access to unemployment insurance.

Essential Jobs

All the Illinois' Local Workforce Investment Areas (LWIAs) are working with companies to match job seekers with high-demand occupations that pay a living wage.

Personal Protective Equipment (PPE) and COVID-19 Relief Fund

To **DONATE PPE** please

email: PPE.donations@illinois.gov

PPE Items include:

- Masks: N-95, ear loop, or surgical
- Gowns: Isolation or non-descript
- Gloves: Nitrile, sterile, or surgical
- Eye Protection: Face shields and goggles
- Infection Control Kits
- Hand Sanitizer: Any size
- Disinfectant Wipes: Any size
- Digital thermometers: Forehead only
- PAPR hoods
- Ventilators

To **MANUFACTURE PPE** contact the Illinois Manufacturers Association (IMA) at: <https://ima-net.org/covid-19/supplies/>

To **SELL PPE** or if you plan to in the future, contact: COVID.procurement@illinois.gov

Financial Support

- The Illinois COVID-19 Response Fund created to support nonprofit organizations serving those who lives have been upended by COVID-19 –launching with nearly \$23 million.
- More information can be found at www.ilcovidresponsefund.org
- For businesses wanting to make monetary **DONATIONS** please email: BusinessDonations@illinois.gov



Illinois
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GUBERNATORIAL DISASTER PROCLAMATION

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in China; and,

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, we are continuing our efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, the World Health Organization has reported 109,578 confirmed cases of COVID-19 and 3,809 deaths attributable to COVID-19 globally as of March 9, 2020; and,

WHEREAS, in response to the recent COVID-19 outbreaks in China, Iran, Italy and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and,

WHEREAS, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel, and has advised all travelers to exercise enhanced precautions; and,

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

WHEREAS, a vaccine or drug is currently not available for COVID-19; and,

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including staying at home when sick, when a household

member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider and keeping away from others who are sick; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to spread; and,

WHEREAS, there are currently 11 confirmed cases of COVID-19 and an additional 260 persons under investigation in Illinois; and,

WHEREAS, one of the confirmed cases of COVID-19 in Illinois has not been linked to any travel activity or to an already-confirmed COVID-19 case, which indicates community transmission in Illinois; and,

WHEREAS, based on the foregoing, the circumstances surrounding COVID-19 constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure; and,

WHEREAS, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including the Strategic National Stockpile of medicines and protective equipment, to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster;

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area.

Section 2. The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

Section 3. The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development of strategies and plans to protect the public health in connection with the present public health emergency.

Section 4. The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

Section 5. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

Section 6. Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

Section 7. The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

Section 8. The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address chronic absenteeism due to transmission of COVID-19 and to alleviate any barriers to the use of e-learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

Section 9. Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect:

Section 10. This proclamation can facilitate a request for Federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 11. This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor March 9, 2020
Filed by the Secretary of State March 9, 2020



FILED
INDEX DEPARTMENT

SPRINGFIELD, ILLINOIS

APR 6 2020

IN THE OFFICE OF
SECRETARY OF STATE

Proclamation

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, the State of Illinois is continuing its efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has reported more than 750,000 confirmed cases of COVID-19 and 36,500 deaths attributable to COVID-19 globally as of March 31, 2020; and,

WHEREAS, the Centers for Disease Control and Prevention (CDC) currently recommends that all United States residents take precautions to contain the spread of COVID-19, including that they: (1) practice social distancing by maintaining 6 feet of distance from others and avoiding all gatherings; (2) be alert for symptoms such as fever, cough, or shortness of breath, and take their temperature if symptoms develop; and (3) exercise appropriate hygiene, including covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

WHEREAS, the CDC also recommends the following precautions for household members, caretakers and other persons having close contact with a person who is symptomatic, during the period from 48 hours before onset of symptoms until the symptomatic person meets the criteria for discontinuing home isolation: (1) stay home until 14 days after last exposure and maintain social distance (at least 6 feet) from others at all times; (2) self-monitor for symptoms, including checking their temperature twice a day and watching for fever, cough, or shortness of breath; and (3) avoid contact with people at higher risk for severe illness (unless they live in the same home and had the same exposure); and,

WHEREAS, a vaccine or drug is currently not available for COVID-19; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to continue spreading; and,

WHEREAS, as of March 31, 2020, there were 5,994 confirmed cases of COVID-19 and 99 deaths in Illinois resulting from COVID-19; and,

WHEREAS, the outbreak of COVID-19 has resulted in significant negative economic impact, including loss of income and wages, that threatens to undermine housing security and stability and overall financial stability and security for individuals and businesses throughout Illinois; and,

WHEREAS, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

WHEREAS, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 in response to the outbreak of COVID-19; and,

WHEREAS, based on the foregoing, the circumstances surrounding COVID-19 constitute a continuing public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, the circumstances surrounding COVID-19 have resulted in the occurrence and threat of widespread and severe damage, injury, and loss of life and property under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized to the greatest extent possible and that Illinoisans remain safe and secure; and,

WHEREAS, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including the Strategic National Stockpile of medicines and protective equipment, to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster;

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a continuing disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area. This proclamation continues the Governor's authority to exercise all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20, ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

Section 2. The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to continue to coordinate with each other with respect to planning for and responding to the present public health emergency.

Section 3. The Illinois Department of Public Health is further directed to continue to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development and implementation of strategies and plans to protect the public health in connection with the present public health emergency.

Section 4. The Illinois Emergency Management Agency is directed to continue to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

Section 5. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act; the provisions of the Illinois

Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

Section 6. Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation continues the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

Section 7. The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to continue to recommend, and, as appropriate, take necessary actions to ensure consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

Section 8. The Illinois State Board of Education is directed to continue to recommend, and, as appropriate, take necessary actions to address chronic absenteeism due to transmission of COVID-19 and to alleviate any barriers to the use of e-learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

Section 9. All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to cope with and recover from the economic impact of COVID-19.

Section 10. Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect.

Section 11. This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 12. This proclamation shall be effective immediately and remain in effect for 30 days.

In Witness Whereof I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.



Done at the Capitol in the City of Springfield, this first day of April, in the Year of Our Lord two thousand and twenty, and the State of Illinois two hundred and second.

Dasee White

Secretary of State

FILED
INDEX DEPARTMENT

APR 01 2020

IN THE OFFICE OF
SECRETARY OF STATE

RBRA

Governor



Gubernatorial Disaster Proclamation

WHEREAS, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, it is critical that Illinoisans who become sick are able to be treated by medical professionals, including when a hospital bed, emergency room bed, or ventilator is needed; and,

WHEREAS, it is also critical that the State's health care and first responder workforce has adequate personal protective equipment (PPE) to safely treat patients, respond to public health disasters, and prevent the spread of communicable diseases; and,

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that has spread among people through respiratory transmissions, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has reported more than 3 million confirmed cases of COVID-19 and 200,000 deaths attributable to COVID-19 globally as of April 30, 2020; and,

WHEREAS, a vaccine or treatment is not currently available for COVID-19 and, on April 24, 2020, the World Health Organization warned that there is currently no evidence that people who have recovered from COVID-19 and have antibodies are protected from a second infection; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

WHEREAS, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19 (First Gubernatorial Disaster Proclamation); and,

WHEREAS, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

WHEREAS, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

WHEREAS, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area (Second Gubernatorial Disaster Proclamation); and,

WHEREAS, as circumstances surrounding COVID-19 rapidly evolve, there have been frequent changes in information and guidance from public health officials as a result of emerging evidence; and,

WHEREAS, from the outset, data suggested that older adults and those with serious underlying health conditions are more likely to experience severe and sometimes fatal complications from COVID-19; and,

WHEREAS, emerging evidence has shown that young people, including infants and toddlers, are also at risk for such complications; and,

WHEREAS, as of March 16, 2020, an analysis by the CDC showed that 38 percent of hospitalized COVID-19 patients were between the ages of 20 and 54, and there is evidence that COVID-19 causes blood clots and strokes, and has caused deadly strokes in young and middle-aged patients who exhibited few symptoms; and,

WHEREAS, the understanding on spread from infected individuals who have not shown symptoms has changed and, on April 12, 2020, the CDC changed the period of exposure risk from “onset of symptoms” to “48 hours before symptom onset”; and,

WHEREAS, previously, the CDC recommended against wearing cloth face coverings or masks as protection and, now, in light of new research on asymptomatic and pre-symptomatic transmission, the CDC now recommends wearing cloth face coverings in public settings where social distancing measures are difficult to maintain; and,

WHEREAS, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed; and,

WHEREAS, at the time I issued the First Gubernatorial Disaster Proclamation, there were 11 confirmed cases of COVID-19 in one Illinois county; and,

WHEREAS, as of today, April 30, 2020, there have been nearly 53,000 confirmed cases of COVID-19 in 97 Illinois counties; and,

WHEREAS, the first death attributed to COVID-19 in Illinois was announced on March 17, 2020; and,

WHEREAS, as of April 30, 2020, Illinois has had more than 2,350 deaths resulting from COVID-19, including 141 deaths reported over a 24-hour period on April 30; and,

WHEREAS, studies suggest that for every confirmed case there are many more unknown cases, some of which are asymptomatic individuals, meaning that individuals can pass the virus to others without knowing; and,

WHEREAS, the Illinois Department of Public Health activated its Illinois Emergency Operations Plan and its Emergency Support Function 8 Plan to coordinate emergency response efforts by hospitals, local health departments, and emergency management systems in order to avoid a surge hospital resources and capacity; and,

WHEREAS, as the virus has progressed through Illinois, the crisis facing the State has developed and now requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

WHEREAS, in order to ensure that health care professionals, first responders, hospitals and other facilities are able to meet the health care needs of all residents of Illinois, the State must have critical supplies, including PPE, such as masks, face shields, gowns, and gloves; and,

WHEREAS, the State of Illinois maintains a stockpile that supports the existing PPE supply chains and stocks at various healthcare facilities; and,

WHEREAS, across the State, hospitals and long-term care facilities use approximately 1.5 million N95 masks, 25 million gloves, 4.4 million gowns, and 700,000 surgical masks during a 10-day period; and,

WHEREAS, the State had distributed among all 102 Illinois counties millions of surgical masks and N95 masks, tens of thousands of gowns, millions of pairs of gloves, and hundreds of thousands of face shields from the State stockpile; and,

WHEREAS, the Illinois Department of Public Health has provided guidance to all hospitals and EMS providers recommending the immediate elevation of their conservation and contingency strategies as it relates to PPE; and,

WHEREAS, while the State is making every effort to procure additional PPE, if those procurement efforts are disrupted or Illinois experiences a surge in COVID-19 cases, the State faces a life-threatening shortage of respirators, masks, protective eyewear, face shields, gloves, gowns, and other protective equipment for health care workers and first responders; and,

WHEREAS, Illinois is using a high percentage of hospital beds, ICU beds, and ventilators as a result of the number of COVID-19 patients that require hospitalization and, if cases were to surge higher, the State would face a shortage of these critical health care resources; and,

WHEREAS, Illinois currently has a total of 32,010 hospital beds with 3,631 ICU beds, of which, as of April 30, 2020, only 33% of hospital beds and 25% of ICU beds were available statewide, and only 17% of ICU beds were available in the Chicago region; and,

WHEREAS, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze two months' worth of daily data on COVID-19 deaths and ICU usage and model potential outcomes; and,

WHEREAS, the State's modeling shows that its health care resource utilization will not peak until May, and that health care resources will continue to be limited after the peak; and,

WHEREAS, the State's modeling shows that without extensive social distancing and other precautions, the State will not have sufficient hospital beds, ICU beds or ventilators; and,

WHEREAS, Illinois currently has a total of 32,010 hospital beds, and the State's modeling shows that without a "stay at home" order, more than 100,000 hospital beds would be necessary; and,

WHEREAS, Illinois currently has a total of 3,631 ICU beds, and the State's modeling shows that without a "stay at home" order, more than 25,000 ICU beds would be necessary; and,

WHEREAS, Illinois currently has a total of 3,378 ventilators, and the State's modeling shows that without a "stay at home" order, upwards of 20,000 ventilators would be necessary; and,

WHEREAS, the State's modeling shows that without a "stay at home" order, the number of deaths from COVID-19 would be between 10 to 20 times higher than with a "stay at home" order in place; and,

WHEREAS, the epidemiology concept of R_0 (R-naught) – which represents the number of cases, on average, an infected person will cause during their infectious period – is an important measure of progress in combatting a virus like COVID-19, and that an R_0 of below 1 is a critical milestone because it suggests that the disease is declining rather than spreading; and,

WHEREAS, the State's estimated effective R_0 was approximately 3.5 at the beginning of the outbreak, but the number has improved to approximately 1.25 based on the State's emergency measures, including the "stay at home" order; and,

WHEREAS, hospital beds, ICU beds, and ventilators are needed not for just patients with COVID-19, but also for any number of additional illnesses and injuries; and,

WHEREAS, fewer Illinoisans have sought non-COVID-19 related medical care and emergency care in recent weeks and it is critical that Illinoisans are able to and willing to seek non-COVID-19 related medical care and emergency care; and,

WHEREAS, Illinoisans will be able to and willing to seek non-COVID-19 related medical care and emergency care if there are sufficient hospital beds, ventilators, and if medical personnel are able to protect themselves with PPE; and,

WHEREAS, the State has been limited in the number of COVID-19 tests that can be taken and processed due to a limited number of testing sites and labs, as well as a shortage of necessary supplies, including the swabs needed to take samples; and,

WHEREAS, at the time I issued the First Gubernatorial Disaster Proclamation, Illinois had capacity to test no more than a few hundred people per day for COVID-19 at a small number of testing sites; and,

WHEREAS, the State has developed testing sites throughout the State and now has increased the COVID-19 tests per day to more than 10,000; and,

WHEREAS, as of April 30, 2020, Illinois has tested nearly 270,000 total specimens for COVID-19; and,

WHEREAS, national projections adjusted for Illinois' population suggest the state may need to process several thousand more tests per day as part of the effort to permanently slow and reduce the spread of COVID-19; and,

WHEREAS, the World Health Organization has identified a positive test rate of 10% as a benchmark for adequate testing but currently over 20% of the COVID-19 tests administered in Illinois have positive results, suggesting that Illinois must continue increasing testing; and,

WHEREAS, based on the foregoing facts, and considering the expected continuing spread of COVID-19 and the resulting health impacts that will be felt over the coming month by people across the State, the current circumstances in Illinois surrounding the spread of COVID-19 constitute an epidemic emergency and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, based on the foregoing, the new circumstances surrounding the threatened shortages of hospital beds, ICU beds, ventilators, and PPE, and critical need for increased COVID-19 testing capacity constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that that our healthcare delivery system is capable of serving those who are sick and that Illinoisans remain safe and secure and able to obtain medical care; and,

WHEREAS, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including materials needed to test for COVID-19, personal protective equipment, and medicines, in an effort to support the State responses as well as the responses of local governments to the present public health emergency; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the new issuance of a proclamation of disaster; and,

WHEREAS, the Illinois Constitution, in Article V, Section 8, provides that "the Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws," and states, in the Preamble, that a central purpose of the Illinois Constitution is "provide for the health, safety, and welfare of the people";

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area. The proclamation authorizes the exercise of all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

Section 2. The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

Section 3. The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development and implementation of strategies and plans to protect the public health in connection with the present public health emergency.

Section 4. The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

Section 5. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

Section 6. Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

Section 7. The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure expanded access to testing for COVID-19 and that consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

Section 8. The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address any impact to learning associated with the present public health emergency and to alleviate any barriers to the use of remote learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

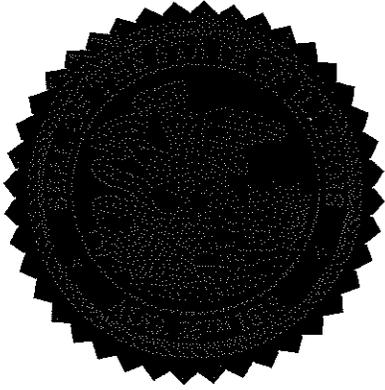
Section 9. All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to cope with and recover from the economic impact of the present public health emergency.

Section 10. Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect.

Section 11. This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 12. This proclamation shall be effective immediately and remain in effect for 30 days.

In Witness Whereof, I have herewith set my hand and caused the Great Seal of the State of Illinois to be affixed.



Done at the Capitol in the City of Springfield, this 30th day of April, in the Year of Our Lord two thousand and twenty, and of the State of Illinois two hundred and second.

Deese White
SECRETARY OF STATE

BRB
GOVERNOR



Gubernatorial Disaster Proclamation

WHEREAS, since early March 2020, Illinois has been faced with a disaster caused by a pandemic that has taken the lives of thousands of residents, infecting over 100,000 and growing, resulting in extraordinary sickness and loss of life; and,

WHEREAS, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, it is critical that Illinoisans who become sick are able to be treated by medical professionals, including when a hospital bed, emergency room bed, or ventilator is needed; and,

WHEREAS, it is also critical that the State's health care and first responder workforce has adequate personal protective equipment (PPE) to safely treat patients, respond to public health disasters, and prevent the spread of communicable diseases; and,

WHEREAS, as Illinois enters the fourth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that has spread and continues to spread rapidly among people through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has now reported more than 5.5 million confirmed cases of COVID-19 and 350,000 deaths attributable to COVID-19 globally; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

WHEREAS, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

WHEREAS, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"), covering all states and territories, including Illinois; and,

WHEREAS, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

WHEREAS, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, on April 30, 2020, due to the continued spread of COVID-19 in Illinois, the threatened shortages of hospital beds, ER beds, and ventilators, and the inadequate testing capacity, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, as circumstances surrounding COVID-19 rapidly evolve and new evidence emerges, there have been frequent changes in information and public health guidance; and,

WHEREAS, the unprecedented nature of COVID-19, including the variety of health effects it has on not just the respiratory system but the heart, brain, kidneys, and the body's immune response, has made the virus's effects and its path difficult to predict; and,

WHEREAS, from the outset, data suggested that older adults and those with serious underlying health conditions are more likely to experience severe and sometimes fatal complications from COVID-19; and,

WHEREAS, emerging evidence has shown that young people, including infants and toddlers, are also at risk of such complications; and,

WHEREAS, young and middle-aged people have comprised a significant proportion of hospitalized COVID-19 patients, and there is evidence that COVID-19 causes blood clots and strokes, and has caused deadly strokes in young and middle-aged people who exhibited few symptoms; and,

WHEREAS, the understanding of spread from infected individuals who have not shown symptoms has changed and, on April 12, 2020, the CDC changed the period of exposure risk from "onset of symptoms" to "48 hours before symptom onset"; and,

WHEREAS, some people infected by the virus remain asymptomatic but nonetheless may spread it to others; and,

WHEREAS, although the CDC initially recommended against wearing cloth face coverings or masks as protection, as a result of emerging research on asymptomatic and pre-symptomatic transmission, the CDC has revised its conclusions and recommends wearing cloth face coverings in public settings where social distancing measures are difficult to maintain; and,

WHEREAS, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming months extremely difficult; and,

WHEREAS, at the time I issued the first Gubernatorial Disaster Proclamation, there were 11 confirmed cases of COVID-19 in one Illinois county; and,

WHEREAS, as of today, May 29, 2020, there have been over 115,000 confirmed cases of COVID-19 in 100 Illinois counties; and,

WHEREAS, the first death attributed to COVID-19 in Illinois was announced on March 17, 2020; and,

WHEREAS, as of today, May 29, 2020, Illinois has had more than 5,180 deaths resulting from COVID-19, and many days, more than 100 Illinoisans lose their lives to the virus; and,

WHEREAS, studies suggest that for every confirmed case there are many more unknown cases, some of which are asymptomatic individuals who can pass the virus to others without knowing; and,

WHEREAS, although the number of new COVID-19 cases has stabilized and potentially begun to decrease in recent weeks, the virus continues to infect thousands of individuals and claim the lives of too many Illinoisans each day; and,

WHEREAS, COVID-19 has claimed the lives of and continues to impact the health of Black and Hispanic Illinoisans at a disproportionately high rate – magnifying significant health disparities and inequities; and,

WHEREAS, the Illinois Department of Public Health activated its Illinois Emergency Operations Plan and its Emergency Support Function 8 Plan to coordinate emergency response efforts by hospitals, local health departments, and emergency management systems in order to avoid a surge in the use of hospital resources and capacity; and,

WHEREAS, as the virus has progressed through Illinois, the crisis facing the State continues to develop and requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

WHEREAS, in order to ensure that health care professionals, first responders, hospitals and other facilities are able to meet the health care needs of all residents of Illinois, the State must have critical supplies, including PPE, such as masks, face shields, gowns, and gloves; and,

WHEREAS, the State of Illinois maintains a stockpile that supports the existing PPE supply chains and stocks at various healthcare facilities; and,

WHEREAS, while the State is making every effort to procure additional PPE, if those procurement efforts are disrupted or Illinois experiences a surge in COVID-19 cases, the State faces a life-threatening shortage of respirators, masks, protective eyewear, face shields, gloves, gowns, and other protective equipment for health care workers and first responders; and,

WHEREAS, while hospitalizations have very recently stabilized, Illinois is using a significant percentage of hospital beds, ICU beds, and ventilators to treat COVID-19 patients that require hospitalization and, if cases were to surge higher, the State could face a shortage of one or more of these critical health care resources; and,

WHEREAS, Illinois currently has a total of 33,662 hospital beds with 3,749 ICU beds, of which, only 34% of hospital beds and 34% of ICU beds currently are available statewide; and,

WHEREAS, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze daily data on COVID-19 deaths and ICU usage and model potential outcomes; and,

WHEREAS, the State's modeling showed that its health care resource utilization would peak in May, and that health care resources would continue to be limited after the peak; and updated modeling now shows that the peak may have been delayed, with the tail extending several more weeks; and,

WHEREAS, the State's modeling continues to show that without extensive social distancing and other precautions, the State will face a shortage of hospital beds, ICU beds and/or ventilators; and,

WHEREAS, the epidemiology concept of R_0 (R-naught) – which represents the number of cases, on average, an infected person will cause during their infectious period – is an important measure of progress in combatting a virus like COVID-19, and that an R_0 of below 1 is a critical milestone because it suggests that the disease is declining rather than spreading; and,

WHEREAS, the State's estimated effective R_0 was approximately 3.5 at the beginning of the outbreak, but the number has improved to approximately 1.13 based on the State's emergency measures, including, most importantly, the "stay at home" order; and,

WHEREAS, hospital beds, ICU beds, and ventilators are needed not for just patients with COVID-19, but also for any number of additional illnesses and injuries; and,

WHEREAS, fewer Illinoisans have sought non-COVID-19 related medical care and emergency care in recent weeks and it is critical for public health that Illinoisans are able to and willing to seek non-COVID-19 related medical care and emergency care; and,

WHEREAS, Illinoisans will be able to and willing to seek non-COVID-19 related medical care and emergency care if there are sufficient hospital beds, ventilators, and if medical personnel are able to protect themselves with PPE; and,

WHEREAS, over the course of the COVID-19 crisis, the State has been constrained in the number of COVID-19 tests that can be taken and processed due to a limited number of testing sites and labs, as well as a shortage of necessary supplies, including the swabs needed to take samples; and,

WHEREAS, at the time I issued the first Gubernatorial Disaster Proclamation, Illinois had capacity to test no more than a few hundred people per day for COVID-19 at a small number of testing sites; and,

WHEREAS, the State has developed testing sites throughout Illinois and now routinely exceeds 20,000 COVID-19 tests per day, and testing capacity continues to increase; and,

WHEREAS, Illinois now has tested over 829,000 total specimens for COVID-19; and,

WHEREAS, national projections adjusted for Illinois' population suggest the State must continue to increase the number of tests processed per day as part of an effective effort to permanently slow and reduce the spread of COVID-19; and,

WHEREAS, in addition to causing the tragic loss of 5,186 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

WHEREAS, nationwide, 40 million people have filed unemployment claims since the start of the pandemic – representing one in four U.S. workers; and,

WHEREAS, the Illinois Department of Employment Security announced that the State's unemployment rate rose to 16.4% in April, with 762,000 jobs lost during that month; and,

WHEREAS, over 180,000 small businesses in Illinois have received over \$22 billion in COVID-19 related financial support through the federal Paycheck Protection Program in an effort to prevent these businesses from closing; and,

WHEREAS, the economic loss and insecurity caused by COVID-19 threatens the viability of business and the access to housing, medical care, food, and other critical resources that impact the health and safety of residents; and,

WHEREAS, based on the foregoing facts, and considering the expected continuing spread of COVID-19 and the resulting health and economic impacts that will be felt over the coming month by people across the State, the current circumstances in Illinois surrounding the spread of COVID-19 constitute an epidemic emergency and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, based on the foregoing, the continuing burden on hospital resources, the potential shortages of these resources in the event of a surge in infections, and the critical need to increase the purchase and distribution of PPE as well as to expand COVID-19 testing capacity constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that that our healthcare delivery system is capable of serving those who are sick and that Illinoisans remain safe and secure and able to obtain medical care; and,

WHEREAS, this proclamation will assist the State in facilitating economic recovery for individuals and businesses in an effort to prevent further devastating consequences from economic instability; and,

WHEREAS, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including materials needed to test for COVID-19, personal protective equipment, and medicines, in an effort to support the State responses as well as the responses of local governments to the present public health emergency; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the new issuance of a proclamation of disaster; and,

WHEREAS, the Illinois Constitution, in Article V, Section 8, provides that “the Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws,” and states, in the Preamble, that a central purpose of the Illinois Constitution is “provide for the health, safety, and welfare of the people”;

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area. The proclamation authorizes the exercise of all of the emergency powers provided in Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, including but not limited to those specific emergency powers set forth below.

Section 2. The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

Section 3. The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development and implementation of strategies and plans to protect the public health in connection with the present public health emergency.

Section 4. The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

Section 5. To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

Section 6. Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor’s authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

Section 7. The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure expanded access to testing for COVID-19 and that consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

Section 8. The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address any impact to learning associated with the present public health

emergency and to alleviate any barriers to the use of remote learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

Section 9. All State agencies are directed to cooperate with the Governor, other State agencies and local authorities in the development and implementation of strategies and plans to cope with and recover from the economic impact of the present public health emergency.

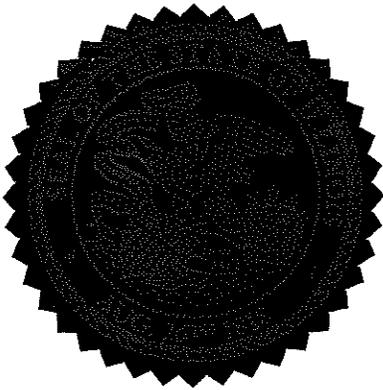
Section 10. Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect.

Section 11. This proclamation can facilitate requests for federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

Section 12. For purposes of Senate Bill 2135 (101st General Assembly), Article 15, section 15-5, amending the Open Meetings Act, new section 5 ILCS 120/7(e)(4), I find that the public health concerns at issue in this proclamation render in-person attendance of more than ten people at the regular meeting location not feasible.

Section 13. This proclamation shall be effective immediately and remain in effect for 30 days.

In Witness Whereof, I have herewith set my hand and caused the Great Seal of the State of Illinois to be affixed.



Done at the Capitol in the City of Springfield this 29th day of May, in the Year of Our Lord two thousand and twenty, and of the State of Illinois two hundred and second.

Deese White

SECRETARY OF STATE

BRB

GOVERNOR



March 20, 2020

Executive Order 2020-10

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 8)

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19;

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and stability;

WHEREAS, the enforcement of eviction orders for residential premises is contrary to the interest of preserving public health and ensuring that individuals remain in their homes during this public health emergency;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective March 21, 2020 at 5:00 pm and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020:

Section 1. Stay at Home; Social Distancing Requirements; and Essential Businesses and Operations

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Illinois are ordered to stay at home or at their place of residence except as allowed in this Executive Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this Executive Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make

such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH)). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Executive Order. Pursuant to current guidance from the CDC, any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

This Executive Order supersedes Section 2 of Executive Order 2020-07 (COVID-19 Executive Order No. 5), which prohibited gatherings of 50 people or more.

4. **Prohibited and permitted travel.** All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Executive Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations.
5. **Leaving the home for essential activities is permitted.** For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:
 - a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
 - b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need

to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, playgrounds may increase spread of COVID-19, and therefore shall be closed.
 - d. **For certain types of work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Executive Order, including Minimum Basic Operations.
 - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Executive Order prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health Act, 20 ILCS 2305.
7. **Healthcare and Public Health Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, group day care homes, and day care centers licensed as specified in Section 12(s) of this Executive Order; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Executive Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Essential Governmental Functions means all services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government. Nothing in this Executive Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Executive Order.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.
12. **Essential Businesses and Operations.** For the purposes of this Executive Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:¹
 - a. **Stores that sell groceries and medicine.** Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
 - b. **Food, beverage, and cannabis production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
 - c. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
 - d. **Media.** Newspapers, television, radio, and other media services;
 - e. **Gas stations and businesses needed for transportation.** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
 - f. **Financial institutions.** Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
 - g. **Hardware and supply stores.** Hardware stores and businesses that sell electrical, plumbing, and heating material;

¹ On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, issued a *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in that Memorandum.

- h. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- i. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- j. **Educational institutions.** Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede Executive Order 2020-05 (COVID-19 Executive Order No. 3) or Executive Order 2020-06 (COVID-19 Executive Order No. 4) except that affected schools are ordered closed through April 7, 2020;
- k. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- l. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with and does not amend or supersede Section 1 of Executive Order 2020-07 (COVID-19 Executive Order No. 5) except that Section 1 is ordered to be extended through April 7, 2020;
- m. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- o. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Executive Order;

- p. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
 - q. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
 - r. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
 - s. **Day care centers for employees exempted by this Executive Order.** Day care centers granted an emergency license pursuant to Title 89, Section 407.400 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.
 - t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
 - u. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible.
 - v. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
 - w. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
13. **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
 - b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
14. **Essential Travel.** For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- d. Travel to return to a place of residence from outside the jurisdiction.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. **Social Distancing Requirements.** For purposes of this Executive Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

- a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
 - i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
 - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
 - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

16. **Intent of this Executive Order.** The intent of this Executive Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Executive Order should be interpreted to effectuate this intent.

17. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

18. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government

body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closer of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

Section 2. Order ceasing evictions.

Pursuant to the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(2), (8), and (10), all state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. No provision contained in this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

Section 3. Savings clause.

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker, Governor

Issued by the Governor March 20, 2020
Filed by the Secretary of State March 20, 2020

FILED
INDEX DEPARTMENT
MAR. 20 2020
IN THE OFFICE OF
SECRETARY OF STATE



FILED
INDEX DEPARTMENT
APR 01 2020
IN THE OFFICE OF
SECRETARY OF STATE

April 1, 2020

Executive Order 2020-18

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 16)

WHEREAS, Coronavirus 2019 (COVID-19) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization (WHO) and the federal Centers for Disease Control and Prevention (CDC) have declared that it is expected to spread; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, social distancing, which requires maintaining at least a six-foot distance between people, is a paramount strategy for minimizing the spread of COVID-19 in our communities; and,

WHEREAS, current testing availability has identified further spread of confirmed cases throughout the State of Illinois, and it is expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Illinois that currently have not identified a confirmed case; and,

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified, to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (the First Gubernatorial Disaster Proclamation) in response to the outbreak of COVID-19; and,

WHEREAS, I again declared all counties in the State of Illinois as a disaster area on April 1, 2020 (the Second Gubernatorial Disaster Proclamation, and, together with the First Gubernatorial Disaster Proclamation, the Gubernatorial Disaster Proclamations) in response to the exponential spread of COVID-19; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19; and,

WHEREAS, I find it necessary to continue and extend the Executive Orders issued to date in response to the outbreak of COVID-19, Executive Orders 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, and 2020-17, and hereby incorporate the WHEREAS clauses of those Executive Orders;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following:

Part 1: Continuing and Extending Prior Executive Orders.

Executive Orders 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-10, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, and 2020-17 hereby are continued and extended by this Executive Order 2020-18 as follows:

Executive Order 2020-04 (Closure of James R. Thompson Center; Waiver of Sick Leave Requirement for State Employees):

Section 1. Beginning March 16, 2020, the James R. Thompson Center located at 100 W. Randolph Street, Chicago, Illinois, is closed for the duration of the Gubernatorial Disaster Proclamations to members of the public, except as necessary for the conduct of state business, to obtain services from a state agency or constitutional office, or to operate a business located in the James R. Thompson Center. This closure does not affect public access to businesses located on the ground floor in the James R. Thompson Center through exterior entrances, except as otherwise specified in this Order.

Section 2. Beginning March 13, 2020, the two-year continuous service requirement for state employees to receive advancement of sick leave pursuant to Title 80, Section 303.110 of the Illinois Administrative Code Personnel Rules, is suspended during the duration of the Gubernatorial Disaster Proclamations.

Executive Orders 2020-05 and 2020-06 (School Closures):

Executive Orders 2020-05 and 2020-06 are continued and extended in their entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through April 30, 2020.

Executive Order 2020-07 (Suspension of on-premises consumption at restaurants and bars; Unemployment insurance; Open Meetings Act):

Section 1. Beginning March 16, 2020 at 9 p.m. through April 30, 2020, all businesses in the State of Illinois that offer food or beverages for on-premises consumption—including restaurants, bars, grocery stores, and food halls—must suspend service for and may not permit on-premises consumption. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises, as currently permitted by law, through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up. In addition, customers may enter the premises to purchase food or beverages for carry-out. However, establishments offering food or beverages for carry-out, including food trucks, must ensure that they have an environment where patrons maintain adequate social distancing. Businesses located in airports, hospitals, and dining halls in colleges and universities are exempt from the requirements of this Executive Order. Hotel restaurants may continue to provide room service and carry-out. Catering services may continue.

Section 2. Pursuant to Sections 7(2) and 7(3) of the Illinois Emergency Management Act, the Illinois State Police, the Illinois Department of Public Health, the State Fire

Marshal, and the Illinois Liquor Control Commission are directed to cooperate with one another and to use available resources to enforce the provisions of this Executive Order with respect to entities under their jurisdiction under Illinois law.

Section 3. Nothing in this Executive Order shall amend or supersede the authority of the Illinois Department of Public Health pursuant to Section 2310-15 of the Department of Public Health Powers and Duties Law, 20 ILCS 2310/2310-15.

Section 4. During the duration of the Gubernatorial Disaster Proclamations, the provision of the Unemployment Insurance Act, 820 ILCS 405/500(D), requiring a one-week waiting period for unemployment insurance claims is suspended for claimants who are unemployed and who are otherwise eligible for unemployment insurance benefits.

Section 5. During the duration of the Gubernatorial Disaster Proclamations, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that “members of a public body must be physically present” is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended. Public bodies are encouraged to postpone consideration of public business where possible. When a meeting is necessary, public bodies are encouraged to provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well their activities relating to COVID-19.

Executive Order 2020-08 (Secretary of State Operations):

Executive Order 2020-08 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-09 (Telehealth):

Executive Order 2020-09 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-10 (Stay at Home; Social distancing; Evictions ceased):

Executive Order 2020-10 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-11 (Revisions to Executive Orders 2020-05 and 2020-10; Department of Corrections notification period):

Executive Order 2020-11 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-12 (Health care worker background checks; Department of Juvenile Justice notification period; Coal Mining Act):

Executive Order 2020-12 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-13 (Suspending Department of Corrections admissions from county jails):

Executive Order 2020-13 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-14 (Notary and witness guidelines):

Executive Order 2020-14 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-14, Section 2, Paragraphs (h) and (i) hereby are amended and revised as follows:

- h. The signatory must transmit by overnight mail, fax, or electronic means a legible copy of the entire signed document directly to the witness no later than the day after the document is signed;
- i. The witness must sign the transmitted copy of the document as a witness and transmit the signed copy of the document back via overnight mail, fax, or electronic means to the signatory within 24 hours of receipt; and

Executive Order 2020-15 (Suspending provisions of the Illinois School Code):

Executive Order 2020-15 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Order 2020-16 (Repossession of vehicles; suspension of classroom training requirement for security services):

Executive Order 2020-16 is continued and extended in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through **April 30, 2020**.

Executive Orders 2020-03 and 2020-17 (Cannabis deadlines and applications):

Section 1. The application submission deadlines in the Cannabis Regulation and Tax Act and implementing regulations for submitting applications by March 16, 2020, which previously were suspended pursuant to Executive Order 2020-03 and extended through March 30, 2020, and extended through Executive Order 2020-17 to April 7, 2020, hereby are suspended as follows:

- a. The March 16, 2020, deadline for submission of craft grower license applications pursuant to Title 8, Section 1300.300(b) of the Illinois Administrative Code, which was extended through Executive Order 2020-03 to March 30, 2020, and extended through Executive Order 2020-17 to April 7, 2020, is extended to **April 30, 2020**; and
- b. The March 16, 2020, deadline for submission of infuser license applications pursuant to Section 35-5(b) of the Cannabis Regulation and Tax Act, 410 ILCS 705/35-5(b) and Title 8, Section 1300.400(b) of the Illinois Administrative Code, which was extended through Executive Order 2020-03 to March 30, 2020, and extended through Executive Order 2020-17 to April 7, 2020, is extended to **April 30, 2020**; and
- c. The March 16, 2020, deadline for submission of transporter license applications pursuant to Section 40-5(b) of the cannabis Regulation and Tax Act, 40 ILCS 705/40-5(b) and Title 8, Section 1300.510(b)(1)(A) of the Illinois Administrative Code, which was extended through Executive Order 2020-03 to March 30, 2020, and extended through Executive Order 2020-17 to April 7, 2020, is extended to **April 30, 2020**.

Section 2. Any statutory or regulatory requirement to accept such applications in-person is suspended and the Department of Agriculture is directed to cease accepting in-person applications beginning 5 p.m. Central Time March 12, 2020.

Section 3. The Illinois Department of Agriculture is further directed to accept all craft grower, infuser, and transporter license applications post-marked on or before April 30, 2020, via certified US Mail at:

Illinois Department of Agriculture
c/o Bureau of Medicinal Plants
P.O. Box 19281
Springfield, IL 62794-9281 USA

Part 2: Savings Clause. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker, Governor

Issued by the Governor April 1, 2020
Filed by the Secretary of State April 1, 2020

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SECRETARY OF STATE

April 23, 2020

Executive Order 2020-30

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO.28)

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (First Gubernatorial Disaster Proclamation) in response to the outbreak of COVID-19; and,

WHEREAS, I again declared all counties in the State of Illinois as a disaster area on April 1, 2020 (the Second Gubernatorial Disaster Proclamation, and, together with the First Gubernatorial Disaster Proclamation, the Gubernatorial Disaster Proclamations) in response to the exponential spread of COVID-19; and,

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, the number of COVID-19 cases in Illinois has increased exponentially and across more locations in Illinois and is resulting in an increasing number of deaths; and,

WHEREAS, on March 20, 2020, I issued Executive Order 2020-10, in which I ordered all individuals currently living within the State of Illinois to stay at home or at their place of residence except as allowed in the Executive Order; and,

WHEREAS, in Executive Order 2020-10, I ordered all businesses and operations in the State, except Essential Businesses and Operations as defined in the Executive Order, to cease all activities within the State except Minimum Basic Operations, as defined in the Executive Order; and,

WHEREAS, Executive Order 2020-18 extended Executive Order 2020-10 in its entirety for the duration of the Gubernatorial Disaster Proclamations, which currently extends through April 30, 2020; and,

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threatens to undermine the financial security of many Illinoisans; and,

WHEREAS, while Executive Order 2020-10 prohibits law enforcement from enforcing eviction orders for residential properties, the ongoing public health emergency requires further action to prevent the initiation of residential eviction proceedings; and,

WHEREAS, residential evictions are contrary to the interest of preserving public health by ensuring that individuals remain in their homes during this public health emergency; and,

WHEREAS, protections for tenants of non-residential properties are necessary to ensure that Essential Businesses and Operations, as defined in Executive Order 2020-10, are able to continue providing necessary goods and services, and other businesses are able to comply with the previously mandated closures and restrictions; and,

WHEREAS, residential and non-residential eviction actions are governed by Article IX of the Illinois Code of Civil Procedure, 735 ILCS 5/9-101 et seq.; and,

WHEREAS, the Consular Identification Document Act, 5 ILCS 230/1 et seq., provides that each State agency and officer and unit of local government that requires members of the public to provide identification shall accept a consular identification document as valid identification of a person; and,

WHEREAS, consular identification documents are official identification cards issued by a foreign government through its consular offices for the purpose of identifying a foreign national who is living outside of that nation; and,

WHEREAS, in an effort to reduce the spread of COVID-19, many consular offices in the State of Illinois have suspended or reduced certain services, including the issuance and renewals of consular identification documents;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following, effective April 23, 2020 and for the remainder of the duration of the Gubernatorial Disaster Proclamations:

Section 1. Definitions. As used in this Executive Order, "State Agency" means any office, department, agency, board, commission or authority of the Executive Branch of the State of Illinois under the jurisdiction of the Governor.

Section 2. A person or entity may not commence a residential eviction action pursuant to or arising under 735 ILCS 5/9-101 et seq., unless a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Nothing in this Executive Order shall be construed as relieving any individual of the obligation to pay rent or comply with any other obligation that an individual may have pursuant to a lease or rental agreement. This Executive Order does not supersede any provision of any other prior Executive Order.

Section 3. All state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for non-residential premises, unless the tenant has been found to pose a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Nothing in this Executive Order shall be construed as relieving any individual or entity of the obligation to pay rent or comply with any other obligation that an individual or entity may have pursuant to a lease or rental agreement. The continued need for this directive shall be evaluated upon issuance of any new Gubernatorial Disaster Proclamation.

Section 4. Any State Agency that requires members of the public to provide identification pursuant to a statute, order, rule, or regulation shall accept a consular identification document issued pursuant to the Consular Identification Document Act, 5 ILCS 230/1 et seq., as valid identification of a person, including any consular identification document that expired on or after the date of the First Gubernatorial Disaster Proclamation.

Section 5. The provision of Title 56, Section 5300.30 of the Illinois Administrative Code, setting forth procedural rules for the Illinois Human Rights Commission and requiring motions, orders, notices, and other pleadings to be served either personally or by first-class mail, is suspended. Service of pleadings pursuant to Section 5300.30 shall be permitted personally, by first-class mail, or by electronic mail for the duration of the Gubernatorial Disaster Proclamations.

Section 6. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker

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April 30, 2020

Executive Order 2020-32

EXECUTIVE ORDER 2020-32
(COVID-19 EXECUTIVE ORDER NO. 30)

WHEREAS, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, it is critical that Illinoisans who become sick are able to be treated by medical professionals, including when a hospital bed, emergency room bed, or ventilator is needed; and,

WHEREAS, it is also critical that the State's health care and first responder workforce has adequate personal protective equipment (PPE) to safely treat patients, respond to public health disasters, and prevent the spread of communicable diseases; and,

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that has spread among people through respiratory transmissions, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has reported more than 3 million confirmed cases of COVID-19 and 200,000 deaths attributable to COVID-19 globally as of April 30, 2020; and,

WHEREAS, a vaccine or treatment is not currently available for COVID-19 and, on April 24, 2020, the World Health Organization warned that there is currently no evidence that people who have recovered from COVID-19 and have antibodies are protected from a second infection; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

WHEREAS, the CDC currently recommends that all United States residents take precautions to contain the spread of COVID-19, including that they: (1) stay home as much as possible; (2) if they must leave their home, practice social distancing by maintaining 6 feet of distance from others and avoiding all gatherings; (3) wear cloth face coverings in public settings where other social distancing measures are difficult to maintain; (4) be alert for symptoms such as fever, cough, or shortness of breath, and take their temperature if symptoms develop; and (5) exercise appropriate hygiene, including proper hand-washing; and,

WHEREAS, the CDC also recommends the following precautions for household members, caretakers and other persons having close contact with a person with symptomatic COVID-19,

during the period from 48 hours before onset of symptoms until the symptomatic person meets the criteria for discontinuing home isolation: (1) stay home until 14 days after last exposure and maintain social distance (at least 6 feet) from others at all times; (2) self-monitor for symptoms, including checking their temperature twice a day and watching for fever, cough, or shortness of breath; and (3) avoid contact with people at higher risk for severe illness (unless they live in the same home and had the same exposure); and,

WHEREAS, as circumstances surrounding COVID-19 rapidly evolve, there have been frequent changes in information and guidance from public health officials as a result of emerging evidence; and,

WHEREAS, as of April 30, 2020, there have been nearly 53,000 confirmed cases of COVID-19 in 97 Illinois counties and 2,350 deaths from COVID-19; and,

WHEREAS, studies suggest that for every confirmed case there are many more unknown cases, some of which are asymptomatic individuals, meaning that individuals can pass the virus to others without knowing; and,

WHEREAS, as the virus has progressed through Illinois, the crisis facing the State has developed and now requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

WHEREAS, Illinois is using a high percentage of hospital beds, ICU beds, and ventilators as a result of the number of COVID-19 patients that require hospitalization and, if cases were to surge higher, the State would face a shortage of these critical health care resources; and,

WHEREAS, Illinois currently has a total of 32,010 hospital beds with 3,631 ICU beds, of which, as of April 30, 2020, only 33% of hospital beds and 25% of ICU beds were available statewide, and only 17% of ICU beds were available in the Chicago region; and,

WHEREAS, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze two months' worth of daily data on COVID-19 deaths and ICU usage and model potential outcomes; and,

WHEREAS, the State's modeling shows that its health care resource utilization will not peak until May, and that health care resources will continue to be limited after the peak; and,

WHEREAS, the State's modeling shows that without extensive social distancing and other precautions, the State will not have sufficient hospital beds, ICU beds or ventilators; and,

WHEREAS, Illinois currently has a total of 32,010 hospital beds, and the State's modeling shows that without a "stay at home" order, more than 100,000 hospital beds would be necessary; and,

WHEREAS, Illinois currently has a total of 3,631 ICU beds, and the State's modeling shows that without a "stay at home" order, more than 25,000 ICU beds would be necessary; and,

WHEREAS, Illinois currently has a total of 3,378 ventilators, and the State's modeling shows that without a "stay at home" order, upwards of 20,000 ventilators would be necessary; and,

WHEREAS, the State's modeling shows that without a "stay at home" order, the number of deaths from COVID-19 would be between 10 to 20 times higher than with a "stay at home" order in place; and,

WHEREAS, I declared all counties in the State of Illinois as a disaster area on April 30, 2020 because the current circumstances in Illinois surrounding the spread of COVID-19 constitute an epidemic and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, I declared all counties in the State of Illinois as a disaster area on April 30, 2020 because the current circumstances surrounding the threatened shortages of hospital beds, ICU beds, ventilators, and PPE, and critical need for increased COVID-19 testing capacity constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

WHEREAS, the Illinois Constitution, in Article V, Section 8, provides that “the Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws,” and states, in the Preamble, that a central purpose of the Illinois Constitution is “provide for the health, safety, and welfare of the people;” and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take measures consistent with public health guidance to slow and stop the spread of COVID-19 and to prevent shortages of hospital beds, ICU beds, ventilators, and PPE and to increase COVID-19 testing capacity;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective May 1, 2020:

Section 1. Public Health Requirements for Individuals Leaving Home and for Businesses

1. **Wearing a face covering in public places or when working.** Any individual who is over age two and able to medically tolerate a face-covering (a mask or cloth face-covering) shall be required to cover their nose and mouth with a face-covering when in a public place and unable to maintain a six-foot social distance. Face-coverings are required in public indoor spaces such as stores.
2. **Requirements for essential stores.** Retail stores (including, but not limited to, stores that sell groceries and medicine, hardware stores, and greenhouses, garden centers, and nurseries) designated as Essential Businesses and Operations under this Order shall to the greatest extent possible:
 - provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
 - cap occupancy at 50 percent of store capacity, or, alternatively, at the occupancy limits based on store square footage set by the Department of Commerce and Economic Opportunity;
 - set up store aisles to be one-way where practicable to maximize spacing between customers and identify the one-way aisles with conspicuous signage and/or floor markings;
 - communicate with customers through in-store signage, and public service announcements and advertisements, about the social distancing requirements set forth in this Order (Social Distancing Requirements); and
 - discontinue use of reusable bags.

Households must limit the number of members who enter stores to the minimum necessary.

3. **Requirements for non-essential stores.** Retail stores not designated as Essential Businesses and Operations may re-open for the limited purposes of fulfilling telephone and online orders through pick-up outside the store and delivery – which are deemed to be Minimum Basic Operations. Employees working in the store must follow the social Distancing Requirements, and must wear a face covering when they may come within six feet of another employee or a customer.
4. **Requirements for manufacturers.** Manufacturers that continue to operate pursuant to this Order must follow Social Distancing Requirements and take appropriate precautions, which may include:

- providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
 - staggering shifts;
 - reducing line speeds;
 - operating only essential lines, while shutting down non-essential lines;
 - ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
 - downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.
5. **Requirements for all businesses.** All businesses must evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible. All businesses that have employees physically reporting to a work-site must post the guidance from the Illinois Department of Public Health (IDPH) and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency. The guidance will be posted on the IDPH webpage.

Section 2. Stay at Home; Social Distancing Requirements; and Essential Businesses and Operations

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Illinois are ordered to stay at home or at their place of residence except as allowed in this Executive Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this Executive Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH)). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations may remain open consistent with the express provisions of this Order and the intent of this Order as set forth in Section 2, Paragraph 16 below. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Executive Order. Pursuant to current guidance from the CDC, any gathering of more than ten people is prohibited unless exempted by this Executive

Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

4. **Prohibited and permitted travel.** All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Executive Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations.
5. **Leaving the home for essential activities is permitted.** For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities, and must follow the Social Distancing Requirements set forth in this Order, including wearing face coverings when in public or at work:
 - a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
 - b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, and biking. Individuals may go to public parks and open outdoor recreation areas, including specific State parks that remain open for certain activities, as designated by the Illinois Department of Natural Resources. Fishing, boating, and golf are permitted only when following the guidelines provided by the Illinois Department of Commerce and Economic Opportunity (DCEO). Playgrounds may increase spread of COVID-19, and therefore shall be closed.
 - d. **For certain types of work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Executive Order, including Minimum Basic Operations.
 - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.
 - f. **To engage in the free exercise of religion.** To engage in the free exercise of religion, provided that such exercise must comply with Social Distancing Requirements and the limit on gatherings of more than ten people in keeping with

CDC guidelines for the protection of public health. Religious organizations and houses of worship are encouraged to use online or drive-in services to protect the health and safety of their congregants.

6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Executive Order prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health Act, 20 ILCS 2305.
7. **Healthcare and Public Health Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare and grooming services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, and group day care homes; day care centers licensed as specified in Section 2, Paragraph 12(s) of this Executive Order; day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Sections 377.3(a)(1)-(a)(4), (b)(2), and (c); day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Section 377.3(d) (subject to the conditions governing exempt day care homes set forth in Section 1, Paragraph 12(s) of this Executive Order); residential settings and shelters for adults, seniors, children, and/or people with developmental

disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Executive Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Essential Governmental Functions means all services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government. Nothing in this Executive Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Executive Order.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

12. **Essential Businesses and Operations.** For the purposes of this Executive Order, Essential Businesses and Operations means Healthcare and Public Health Operations,

Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:¹

- a. **Stores that sell groceries and medicine.** Grocery stores, pharmacies; certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
- b. **Food, beverage, and cannabis production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;
- c. **Organizations that provide charitable and social services.** Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
- d. **Media.** Newspapers, television, radio, and other media services;
- e. **Gas stations and businesses needed for transportation.** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
- f. **Financial institutions.** Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
- g. **Hardware and supply stores and greenhouses, garden centers, and nurseries.** Hardware stores and businesses that sell electrical, plumbing, and heating material, and greenhouses, garden centers, and nurseries;
- h. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;

¹ On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, issued a *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in that Memorandum.

- i. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;
- j. **Educational institutions.** Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. Educational institutions may allow and establish procedures for pick-up of necessary supplies and/or student belongings and dormitory move-out if conducted in a manner consistent with public health guidelines, including Social Distancing Requirements. This Executive Order is consistent with and does not amend or supersede Executive Order 2020-05 (COVID-19 Executive Order No. 3) or Executive Order 2020-06 (COVID-19 Executive Order No. 4) except that affected schools have been closed past the April 7, 2020 date reflected in those Orders;
- k. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- l. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with and does not amend or supersede Section 1 of Executive Order 2020-07 (COVID-19 Executive Order No. 5) except that Section 1 is ordered to be extended through April 7, 2020;
- m. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;
- o. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Executive Order;
- p. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who

may travel to the child's home to provide care, and other in-home services including meal delivery;

- q. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- r. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- s. **Day care centers for employees exempted by this Executive Order.** Day care centers granted an emergency license pursuant to Title 89, Section 407.500 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation;
- t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations;
- u. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible;
- v. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services; and
- w. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.

13. **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:

- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
- b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- c. For retail stores, fulfilling online and telephonic orders through pick-up outside the store or delivery.

14. **Essential Travel.** For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
- b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- d. Travel to return to a place of residence from outside the jurisdiction.
- e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
- f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

15. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of this Executive Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

- a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
 - i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
 - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
 - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.
 - v. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.

16. **Intent of this Executive Order.** The intent of this Executive Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Executive Order should be interpreted to effectuate this intent. Businesses not specifically addressed by this Executive Order generally should cease

activities and reduce to Minimum Basic Operations.

17. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 15, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

Businesses must follow guidance provided or published by: the Office of the Governor, the Illinois Department of Commerce and Economic Opportunity, and State and local law enforcement regarding whether they qualify as Essential; and the Illinois Department of Public Health, local public health departments, and the Workplace Rights Bureau of the Office of the Illinois Attorney General with respect to Social Distancing Requirements. Pursuant to Section 25(b) of the Whistleblower Act, 740 ILCS 174, businesses are prohibited from retaliating against an employee for disclosing information where the employee has reasonable cause to believe that the information discloses a violation of this Order.

18. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

Section 3. Savings clause.

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable. This Executive Order is meant to be read consistently with any Court order regarding this Executive Order.


JB Pritzker, Governor

Issued by the Governor April 30, 2020
Filed by the Secretary of State April 30, 2020

FILED
INDEX DEPARTMENT
APR 30 2020
IN THE OFFICE OF
SECRETARY OF STATE



SPRINGFIELD, ILLINOIS

FILED
INDEX DEPARTMENT

MAY 06 2020

IN THE OFFICE OF
SECRETARY OF STATE
CORRECTED

Executive Order 2020-33

April 30, 2020

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 31)

WHEREAS, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that has spread among people through respiratory transmissions, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, as the virus has progressed through Illinois, the crisis facing the State has developed and now requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

WHEREAS, I declared all counties in the State of Illinois as a disaster area on April 30, 2020 because the current circumstances in Illinois surrounding the spread of COVID-19, including the devastating impacts to the health and lives of people throughout the State, the threatened shortages of hospital beds, ICU beds, ventilators, and PPE, and the critical need for increased COVID-19 testing capacity, constitute an epidemic emergency and a public health emergency; and,

WHEREAS, in response to the epidemic emergency and public health emergency described above, I find it necessary to re-issue Executive Orders 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-17, 2020-19, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, and 2020-31, and hereby incorporate the WHEREAS clauses of those Executive Orders;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective April 30, 2020:

Part 1: Re-Issue of Executive Orders.

Executive 2020-03, 2020-04, 2020-05, 2020-06, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-14, 2020-15, 2020-16, 2020-17, 2020-19, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, and 2020-31 hereby are re-issued by this Executive Order 2020-33 as follows:

Executive Order 2020-04 (Closure of James R. Thompson Center; Waiver of Sick Leave Requirement for State Employees):

Sections 2 and 3 of Executive Order 2020-04 are re-issued and extended through May 29, 2020.

Executive Orders 2020-05 and 2020-06 (School Closures):

Executive Orders 2020-05 and 2020-06 are re-issued in their entirety and extended through May 29, 2020.

Executive Order 2020-07 (Suspension of on-premises consumption at restaurants and bars; Unemployment insurance; Open Meetings Act):

Sections 1, 3, 4, 5, and 6, as amended below, of Executive Order 2020-07 are re-issued and extended through May 29, 2020.

Section 6. During the duration of the Gubernatorial Disaster Proclamation and through May 29, 2020, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that “members of a public body must be physically present” is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended. The provision of the Illinois Finance Authority Act that “[a]ll meetings shall be conducted at a single location within the State with a quorum of members physically present at this location,” 20 ILCS 3501/801-25, is suspended through May 29, 2020. The provision of the Illinois Administrative Code that a meeting of the Concealed Carry Licensing Review Board that requires a “quorum is in attendance at a meeting” as a condition for when “Commissioners may attend telephonically or electronically,” 20 Ill. Admin. Code 2900.110(c), is suspended through May 29, 2020.

Public bodies, including those listed specifically above, are encouraged to postpone consideration of public business where possible. When a meeting is necessary, public bodies are encouraged to provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well their activities relating to COVID-19.

Executive Order 2020-08 (Secretary of State Operations):

Executive Order 2020-08 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-09 (Telehealth):

Executive Order 2020-09 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-11 (Revisions to prior Executive Orders; Department of Corrections notification period):

Sections 3 and 4 of Executive Order 2020-11 are re-issued and extended through May 29, 2020.

Executive Order 2020-12 (Health care worker background checks; Department of Juvenile Justice notification period; Coal Mining Act):

Executive Order 2020-12 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-13 (Suspending Department of Corrections admissions from county jails):

Executive Order 2020-13 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-14 (Notary and witness guidelines):

Executive Order 2020-14, as amended below, is re-issued in its entirety and extended through May 29, 2020.

Section 2. During the duration of the Gubernatorial Disaster Proclamation related to the outbreak of COVID-19, any act of witnessing required by Illinois law may be completed remotely by via two-way audio-video communication technology, provided that:

- a. The two-way audio-video communication technology must allow for direct, contemporaneous interaction between the individual signing the document (“the signatory”) and the witness by sight and sound;
- b. The two-way audio-video communication technology must be recorded and preserved by the signatory or the signatory’s designee for a period of at least three years;
- c. The signatory must attest to being physically located in Illinois during the two-way audio-video communication;
- d. The witness must attest to being physically located in Illinois during the two-way audio-video communication;
- e. The signatory must affirmatively state on the two-way audio-video communication what document the signatory is signing;
- f. Each page of the document being witnessed must be shown to the witness on the two-way audio-video communication technology in a means clearly legible to the witness and initialed by the signatory in the presence of the witness;
- g. The act of signing must be captured sufficiently up close on the two-way audio-video communication for the witness to observe;
- h. The signatory must transmit by overnight mail, fax, or electronic means a legible copy of the entire signed document directly to the witness no later than the day after the document is signed;
- i. The witness must sign the transmitted copy of the document as a witness and transmit the signed copy of the document back via overnight mail, fax, or electronic means to the signatory within 24 hours of receipt; and,
- j. If necessary, the witness may sign the original signed document as of the date of the original execution by the signatory provided that the witness receives the original signed document together with the electronically witnessed copy within thirty days from the date of the remote witnessing.

Executive Order 2020-15 (Suspending provisions of the Illinois School Code):

Executive Order 2020-15 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-16 (Repossession of vehicles; suspension of classroom training requirement for security services):

Executive Order 2020-16 is re-issued in its entirety and extended through May 29, 2020.

Executive Orders 2020-03 and 2020-17 (Cannabis deadlines and applications):

Executive Orders 2020-03 and 2020-17, as modified by Executive Order 2020-18, are re-issued and shall remain in effect as specified by Executive Order 2020-18.

Executive Order 2020-19 (Immunity from civil liability for health care facilities, professionals, and volunteers):

Executive Order 2020-19, as amended below, is re-issued in its entirety and extended through May 29, 2020.

Section 1. For purposes of this Executive Order, the following terms are defined as set forth below:

- a. “Health Care Facilities” means:

- i. Facilities licensed, certified, or approved by any State agency and covered by the following: 77 Ill. Admin. Section 1130.215(a)-(f); University of Illinois Hospital Act, 110 ILCS 330; Alternative Health Care Delivery Act, 210 ILCS 3/35(2)-(4); Emergency Medical Services (EMS) Systems Act, 210 ILCS 50; or Department of Veterans' Affairs Act, 20 ILCS 2805;
- ii. State-operated Developmental Centers certified by the federal Centers for Medicare and Medicaid Services and licensed State-operated Mental Health Centers created pursuant to the Mental Health and Developmental Disabilities Administrative Act, 20 ILCS 1705/4;
- iii. Licensed community-integrated living arrangements as defined by the Community-Integrated Living Arrangements Licensing and Certification Act, 210 ILCS 135/2;
- iv. Licensed Community Mental Health Centers as defined in the Community Services Act, 405 ILCS 30;
- v. Federally qualified health centers under the Social Security Act, 42 U.S.C. § 1396d(1)(2)(B); ~~and~~
- vi. Any government-operated site providing health care services established for the purpose of responding to the COVID-19 outbreak;
- vii. Supportive living facilities certified by the Illinois Department of Healthcare and Family Services pursuant to the Illinois Public Aid Code, 305 ILCS 5/5-5.01(a); and,
- viii. Assisted living establishments and shared housing establishments licensed by the DPH pursuant to the Assisted Living and Shared Housing Act, 210 ILCS 9.

“Health Care Facility” is the singular form of the plural “Health Care Facilities.”

- b. “Health Care Professional” means all licensed or certified health care or emergency medical services workers who (i) are providing health care services at a Health Care Facility in response to the COVID-19 outbreak and are authorized to do so; or (ii) are working under the direction of the Illinois Emergency Management Agency (IEMA) or DPH in response to the Gubernatorial Disaster Proclamations.
- c. “Health Care Volunteer” means all volunteers or medical or nursing students who do not have licensure who (i) are providing services, assistance, or support at a Health Care Facility in response to the COVID-19 outbreak and are authorized to do so; or (ii) are working under the direction of IEMA or DPH in response to the Gubernatorial Disaster Proclamations.

Section 8. For purposes of Section 2, rendering assistance by hospitals licensed pursuant to the Illinois Hospital Licensing Act, 210 ILCS 85, must also include accepting a transfer of a COVID-19 patient from another hospital, including hospital inpatients, and state-operated entities (collectively, “transferring entities”) that do not have the capacity and capability necessary to provide treatment for a COVID-19 patient. The receiving hospital shall accept such transfer of a COVID-19 patient if it has sufficient capacity and capability necessary to provide treatment for the COVID-19 patient. In determining whether a hospital has sufficient capacity and capability necessary to provide treatment for a COVID-19 patient, the hospital shall consider, at a minimum, its ability to provide safe and effective treatment consistent with current public health recommendations and available supplies, staffing, and medical bed capacity.

Executive Order 2020-20 (Public assistance requirements):

Executive Order 2020-20 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-21 (Furlough of Illinois Department of Corrections inmates):

Executive Order 2020-21 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-22 (Township meetings; Funeral Directors and Embalmers Licensing Code; placements under the Child Care Act of 1969; fingerprint submissions under Health Care Worker Background Check Act):

Executive Order 2020-22 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-23 (Actions by the Illinois Department of Financial and Professional Regulation for licensed professionals engaged in disaster response):

Executive Order 2020-23 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-24 (Illinois Department of Human Services Forensic Treatment Program; investigations of Illinois Department of Human Services employees):

Executive Order 2020-24 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-25 (Garnishment and wage deductions):

Executive Order 2020-25 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-26 (Hospital capacity):

Executive Order 2020-26 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-27 (Cadavers testing positive for COVID-19):

Executive Order 2020-27 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-28 (Industrial radiography certifications):

Executive Order 2020-28 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-29 (In-person education or exams for professional insurance licenses):

Executive Order 2020-29 is re-issued in its entirety and extended through May 29, 2020.

Executive Order 2020-30 (Filing of residential eviction actions; enforcement of non-residential eviction orders; expired consular identification documents; electronic filings for the Illinois Human Rights Commission):

Executive Order 2020-30, as amended below, is re-issued in its entirety and extended through May 29, 2020.

Section 3. All state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential and non-residential premises, unless the tenant has been found to pose a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation. Nothing in this Executive Order shall be construed as relieving any individual or entity of the obligation to pay rent, to make mortgage payments, or comply with any other obligation that an individual or entity may have pursuant to a lease, or rental agreement, or mortgage. The continued need for this directive shall be evaluated upon issuance of any new Gubernatorial Disaster Proclamation.

Executive Order 2020-31 (Educator licensure and student graduation requirements):

Executive Order 2020-31 is re-issued in its entirety and extended through May 29, 2020.

Part 2: Savings Clause. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.



JB Pritzker, Governor

Issued by the Governor April 30, 2020
Filed by the Secretary of State April 30, 2020

FILED
INDEX DEPARTMENT
MAY 06 2021
IN THE OFFICE OF
SECRETARY OF STATE

May 29, 2020

Executive Order 2020-38

EXECUTIVE ORDER 2020-38
(COVID-19 EXECUTIVE ORDER NO. 36)

Restoring Illinois – Protecting Our Communities

WHEREAS, since early March 2020, Illinois has been faced with a disaster caused by a pandemic that has taken the lives of thousands of residents, infecting over 100,000 and growing, and resulting in extraordinary sickness and loss of life; and,

WHEREAS, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, as Illinois enters the fourth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that has spread and continues to spread rapidly among people through respiratory transmissions and continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders and governments throughout the State is unprecedented; and,

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic, and has now reported more than 5.5 million confirmed cases of COVID-19 and 350,000 deaths attributable to COVID-19 globally; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the federal Centers for Disease Control and Prevention (CDC) indicated that the virus was expected to continue spreading and it has, in fact, continued to spread rapidly, resulting in the need for federal and State governments to take significant steps; and,

WHEREAS, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

WHEREAS, on March 13, 2020, the President declared a nationwide emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”), covering all states and territories, including Illinois; and,

WHEREAS, on March 26, 2020, the President declared a major disaster in Illinois pursuant to Section 401 of the Stafford Act; and,

WHEREAS, on April 1, 2020, due to the exponential spread of COVID-19 in Illinois, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, on April 30, 2020, due to the continued spread of COVID-19 in Illinois, the threatened shortages of hospital beds, emergency room capacity, and ventilators, and the inadequate testing capacity, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, on May 29, 2020, due to the thousands of lives lost to COVID-19 in Illinois, the continued increase of cases, the continued threat of shortages of hospital beds, emergency room capacity, and ventilators, the improved but still insufficient testing capacity, and the financial destruction caused by the virus, I again declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, the CDC advises that limiting face-to-face contact with others is the best way to reduce the spread of COVID-19, and that social distancing – staying at least 6 feet away from other people, not gathering in groups, and staying out of crowded places – is among the best tools to slow the spread of the virus; and,

WHEREAS, the CDC recommends wearing cloth face coverings in public settings where social distancing measures are difficult to maintain; and,

WHEREAS, the CDC recommends other critical precautions to slow the spread of COVID-19, such as frequent hand washing, covering coughs and sneezes, and cleaning and disinfecting frequently touched surfaces; and,

WHEREAS, there have been over 117,000 confirmed cases of COVID-19 in 101 Illinois counties; and,

WHEREAS, Illinois has had more than 5,200 deaths resulting from COVID-19, and many days more than 100 Illinoisans lose their lives to the virus; and,

WHEREAS, although the number of new COVID-19 cases has stabilized and potentially begun to decrease in recent weeks, the virus continues to infect thousands of individuals and claim the lives of too many Illinoisans each day; and,

WHEREAS, COVID-19 has claimed the lives of and continues to impact the health of Black and Hispanic Illinoisans at a disproportionately high rate – magnifying significant health disparities and inequities; and,

WHEREAS, as the virus has progressed through Illinois, the crisis facing the State continues to develop and requires an evolving response to ensure hospitals, health care professionals and first responders are able to meet the health care needs of all Illinoisans and in a manner consistent with CDC guidance that continues to be updated; and,

WHEREAS, while hospitalizations have very recently stabilized, Illinois is using a significant percentage of hospital beds, ICU beds, and ventilators to treat COVID-19 patients that require hospitalization and, if cases were to surge higher, the State could face a shortage of one or more of these critical health care resources; and,

WHEREAS, the State worked with top researchers from the University of Illinois at Urbana-Champaign, the Northwestern School of Medicine, the University of Chicago, the Chicago and Illinois Departments of Public Health, along with McKinsey and Mier Consulting Group, and Civis Analytics, to analyze data on COVID-19 deaths and ICU usage and model potential outcomes; and,

WHEREAS, the State’s modeling showed that its health care resource utilization would peak in May, and that health care resources would continue to be limited after the peak, updated modeling now shows that the peak may have been delayed, with the tail extending several more weeks; and,

WHEREAS, the State’s modeling continues to show that without extensive social distancing and other precautions, the State will face a shortage of hospital beds, ICU beds and/or ventilators; and,

WHEREAS, in addition to causing the tragic loss of more than 5,200 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

WHEREAS, nationwide, 40 million people have filed unemployment claims since the start of the pandemic – representing one in four U.S. workers; and,

WHEREAS, the Illinois Department of Employment Security announced that the State’s unemployment rate rose to 16.4% in April, with 762,000 jobs lost during that month; and,

WHEREAS, over 180,000 small businesses in Illinois have received over \$22 billion in COVID-19 related financial support through the federal Paycheck Protection Program in an effort to prevent these businesses from closing; and,

WHEREAS, the economic loss and insecurity caused by COVID-19 threatens the viability of business and the access to housing, medical care, food, and other critical resources that impact the health and safety of residents; and,

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective immediately:

Restoring Illinois – Protecting Our Communities

1. **Intent of this Executive Order**. The intent of this Executive Order is to safely and conscientiously resume activities that were paused as COVID-19 cases rose exponentially and threatened to overwhelm our healthcare system. As Illinoisans resume these activities, we must not backslide on the progress we have made. We cannot risk overwhelming our healthcare system, and we must prioritize the health and lives of all Illinoisans, especially the most vulnerable among us. While protecting our communities, we will restore our economy and begin to repair the economic damage that the virus has caused. The intent of this Executive Order is to effectuate those goals.

This Executive Order supersedes Executive Order 2020-32 and Section 1 of Executive Order 2020-07.

2. **Public health requirements for individuals**. Individuals must take the following public health steps to protect their own and their neighbors' health and lives:
 - a. **Practice social distancing**. To the extent individuals are using shared spaces when outside their residence, including when outdoors, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person who does not live with them.
 - b. **Wear a face covering in public places or when working**.¹ Any individual who is over age two and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face covering when in a public place and unable to maintain a six-foot social distance. This requirement applies whether in an indoor space, such as a store, or in a public outdoor space where maintaining a six-foot social distance is not always possible.

¹ Throughout this Executive Order, any reference to a face covering requirement excludes those two years old and younger and those for whom wearing a face covering is not medically advisable. Guidance on use of face coverings from the Illinois Department of Human Rights is available here: https://www2.illinois.gov/dhr/Documents/IDHR_FAQ_for_Businesses_Concerning_Use_of_Face-Coverings_During_COVID-19_Ver_2020511b%20copy.pdf

- c. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those with a health condition that may make them vulnerable, are urged to stay in their residence and minimize in-person contact with others to the extent possible.
 - d. **Limit gatherings.** Any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence. Because in-person contact presents the greatest risk of transmission of COVID-19, Illinoisans are encouraged to continue limiting in-person contact with others and to expand their social contact cautiously. Gathering remotely continues to be the safest way to interact with those outside a household or residence.
 - e. **Go outdoors.** Public health guidance suggests that the risks of transmission of COVID-19 are greatly reduced outdoors as opposed to indoors. Where possible, Illinoisans are encouraged to conduct their activities outdoors.
3. **Public health requirements for businesses, nonprofits, and other organizations.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entity, regardless of the nature of the service, the function it performs, or its corporate or entity structure. Those entities must take the following public health measures to protect their employees, their customers, and all others who come into physical contact with their operations:
- a. **Requirements for all businesses.** All businesses must:
 - continue to evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible;
 - ensure that employees practice social distancing and wear face coverings when social distancing is not always possible;
 - ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
 - ensure that all visitors (customers, vendors, etc.) to the workplace can practice social distancing; but if maintaining a six-foot social distance will not be possible at all times, encourage visitors to wear face coverings; and
 - prominently post the guidance from the Illinois Department of Public Health (IDPH) and Office of the Illinois Attorney General regarding workplace safety during the COVID-19 emergency.²

² This guidance is available at: https://www.dph.illinois.gov/sites/default/files/COVID-19_WorkplaceHealth_SafetyGuidance20200505.pdf

The Department of Commerce and Economic Opportunity (DCEO), in partnership with IDPH, has developed industry-specific guidance and toolkits to help businesses operate safely and responsibly. These documents are available at: <https://www2.illinois.gov/dceo/Pages/RestoreILP3.aspx>.

- b. **Requirements for retail stores.** Retail stores must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance from customers and other employees at all times;
 - cap occupancy at 50 percent of store capacity, or, alternatively, at the occupancy limits based on store square footage set by the Department of Commerce and Economic Opportunity;
 - communicate with customers through in-store signage, and public service announcements and advertisements, about the social distancing and face covering requirements set forth in this Order; and
 - discontinue use of reusable bags.
- c. **Requirements for manufacturers.** Manufacturers must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
 - ensure that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
 - modify and downsize operations (staggering shifts, reducing line speeds, operating only essential lines, while shutting down non-essential lines) to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.
- d. **Requirements for office buildings.** Employers in office buildings must ensure all employees practice social distancing and must take appropriate additional public health precautions, in accordance with DCEO guidance, which may include:
- provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
 - consider implementing capacity limits where the physical space does not allow for social distancing;
 - allow telework where possible; and
 - develop and prominently post plans and signage to ensure social distancing in shared spaces such as waiting rooms, service counters, and cafeterias.

- e. **Requirements for restaurants and bars.** All businesses that offer food or beverages for on-premises consumption—including restaurants, bars, grocery stores, and food halls—must suspend service for and may not permit on-premises consumption, except as permitted by DCEO guidance. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises, as permitted by law, through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up. In addition, customers may enter the premises to purchase food or beverages for carry-out. However, establishments offering food or beverages for carry-out, including food trucks, must ensure that they have an environment where patrons maintain adequate social distancing.

Bars and restaurants located in airports, hospitals, and dining halls in colleges and universities are exempt from the requirements of this Executive Order. Hotel restaurants may continue to provide room service and carry-out. Catering services may continue. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only.

All businesses covered in this section may permit outdoor on-premises food and beverage consumption in accordance with DCEO guidance and when permitted by local ordinances and regulations.

- f. **Requirements for fitness and exercise gyms.** Fitness and exercise gyms may be open for the following activities, but must conduct business in a manner consistent with DCEO guidance: Personal training sessions involving one trainer and one customer; outdoor training in groups no larger than 10 with social distancing; sale of retail merchandise; and onsite filming or streaming of remote classes conducted by a single trainer. Fitness and exercise gyms may not allow other activities, including member workouts, because of the heightened risk of transmission of COVID-19 when people exercise together and share equipment in an indoor space.
- g. **Requirements for personal services facilities.** Personal services facilities such as spas, hair salons, barber shops, nail salons, waxing centers, tattoo parlors, and similar facilities may be open but must ensure the use of face coverings, adherence to social distancing requirements, and use of capacity limits in accordance with DCEO guidance.
- h. **Requirements for outdoor recreation, youth day camps, and youth sports.** Businesses offering outdoor recreation, youth day camps, and youth sports may

be open but must ensure the use of face coverings, adherence to social distancing requirements, and must take other public health steps in accordance with DCEO guidance.

- i. **Places of public amusement.** Except as permitted by this Executive Order or by DCEO guidance, places of public amusement must remain closed to the public. Places of public amusement include but are not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children’s play centers, playgrounds, theme parks, bowling alleys, movie and other theaters, and concert and music halls. Places of public amusement, like other businesses, may continue to:
 - i. Perform necessary activities to maintain the value of the business’s inventory, preserve the condition of the business’s physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
 - ii. Perform necessary activities to facilitate employees of the business being able to continue to work remotely.
 - iii. Fulfill online and telephonic retail orders through pick-up or delivery.

4. **Exemptions.**

- a. **Free exercise of religion.** This Executive Order does not limit the free exercise of religion. To protect the health and safety of faith leaders, staff, congregants and visitors, religious organizations and houses of worship are encouraged to consult and follow the recommended practices and guidelines from the Illinois Department of Public Health.³ As set forth in the IDPH guidelines, the safest practices for religious organizations at this time are to provide services online, in a drive-in format, or outdoors (and consistent with social distancing requirements and guidance regarding wearing face coverings), and to limit indoor services to 10 people. Religious organizations are encouraged to take steps to ensure social distancing, the use of face coverings, and implementation of other public health measures.
- b. **Emergency functions.** All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for or to support the emergency response are exempt from

³ This guidance is available at: <https://www.dph.illinois.gov/covid19/community-guidance/places-worship-guidance>

this Executive Order, but are encouraged to practice social distancing and take recommended public health measures.

- c. **Governmental functions.** This Executive Order does not apply to the United States government and does not affect services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public.
5. **Social Distancing, Face Covering, and PPE Requirements.** For purposes of this Executive Order, social distancing includes maintaining at least six-foot distance from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
 - a. **Required measures.** Businesses must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
 - i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers to maintain appropriate distance;
 - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers;
 - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely; and
 - v. **Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.
 6. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, *inter alia*, Section 7, Section 15, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.

Businesses must follow guidance provided or published by the Illinois Department of Commerce and Economic Opportunity regarding safety measures during Phase III, and the Illinois Department of Public Health, local public health departments, and the Workplace Rights Bureau of the Office of the Illinois Attorney General with respect to Social Distancing Requirements. Pursuant to Section 25(b) of the Whistleblower Act, 740 ILCS 174, businesses are prohibited from retaliating against an employee for disclosing information where the employee has reasonable cause to believe that the information discloses a violation of this Order.

7. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body to order (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closure of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall be construed as an exercise of any authority to order any quarantine, isolation, or closure. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

8. **Savings clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable. This Executive Order is meant to be read consistently with any Court order regarding this Executive Order.

JB Pritzker, Governor

Issued by the Governor May 29, 2020
Filed by the Secretary of State May 29, 2020



(1)

Restoring Illinois – Protecting Our Communities FAQs

On May 29, Gov. JB Pritzker signed Executive Order 36 – *Restoring Illinois – Protecting Our Communities* – to safely and conscientiously resume activities that were paused due to the COVID-19 pandemic. While continuing to protect communities, the Governor's action is part of the *Restore Illinois* plan and is designed to reopen the state's economy and begin to repair the economic damage brought on by the pandemic. For more information, see below.

Q: Does the latest Executive Order mean the stay at home mandate is over?

A: Yes. However, when outside your residence you must always and as reasonably possible maintain social distancing of at least 6 feet (about 2 arms' length) from other people who do not live with you. Keeping space between you and others is one of the best tools to avoiding being exposed to the virus.

Q: Do I need to wear a face covering?

A: Any individual over the age of 2 and able to medically tolerate a face covering (a mask or cloth covering) **must** cover their nose and mouth with a face covering when in a public place and unable to maintain a six-foot social distance. This applies whether indoor, such as in a store, or in a public outdoor space where maintaining a 6-foot distance is not always possible.

Q: Are large gatherings still limited?

A: Yes. Gatherings of more than 10 people are prohibited, except for members of a household or residence. Because in-person contact presents the greatest risk of COVID-19 transmission, Illinoisans are encouraged to continue limiting in-person contact with others and to expand their social contact cautiously.

Q: Is it safe to go outdoors?

A: Yes. The risks of transmission of COVID-19 are greatly reduced outdoors as opposed to indoors. Wherever possible, Illinoisans are encouraged to go outdoors for fresh air and exercise – walk, hike, jog,

EXHIBIT G

⊕ View up to date information on how Illinois is handling the Coronavirus Disease 2019 (COVID-19) from the [State of Illinois Coronavirus Response Site \(https://coronavirus.illinois.gov/\)](https://coronavirus.illinois.gov/)

Illinois.gov (/)

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Illinois News

Gov. Pritzker Announces \$900 Million Package of Equity-Driven Community and Business Grant Programs

Support for Working Families and Small Businesses' Disproportionately Impacted by COVID-19 and Civil Unrest

Wednesday, June 17, 2020 - Governor, Office of the

Chicago — Today, Governor JB Pritzker joined members of the Black, Latino and Asian Caucuses of the state legislature and small business owners to announce a package of state grant programs to support communities and businesses impacted by the pandemic and recent civil unrest.

The package includes more than \$900 million across more than ten programs and four state agencies to help working families and small businesses who have been hit the hardest by COVID-19's economic impacts, which was compounded by recent property damage and civil unrest.

"We are in a moment that requires a historic effort to mitigate this virus's devastating effects on the health and livelihoods of the residents of this state," **said Governor Pritzker**. "We must do so in a way that prioritizes those who were hurting long before we'd ever heard of COVID-19 - to be there for people who are in need, people who are falling through the cracks, people who never expected themselves to need a helping hand from anyone else - but now they do. With assistance from the federal CARES Act and in partnership with the General Assembly, including from the Black Caucus, Latino Caucus, and Asian Caucus, my administration has put together a support package of over 900 million dollars to lift up small businesses, working families and Black and Brown communities who have been hit the hardest by COVID-19's financial impacts. I'm deeply proud to lead a state government so committed to being there for the people we serve."

The economic toll of the COVID-19 pandemic has impacted residents across Illinois but has disproportionately affected households with limited resources who are least able to weather financial hardship. Businesses across every industry sector have faced significant economic strain.

To ensure families and businesses receive ongoing support to maintain their livelihoods, the new package of grant programs operate with equity requirements, ensuring that disproportionately impacted areas (DIAs) receive their fair share of support.

EMERGENCY RENTAL ASSISTANCE PROGRAM

The Illinois Housing Development Authority (IHDA) is launching a \$150 million program with \$5,000 grants to provide emergency rental assistance to Illinois tenants who are unable to pay their rent. The Emergency Rental Assistance Program (ERA) is expected to reach approximately 30,000 renters who are disproportionately impacted by the pandemic. The program will launch in August 2020 and

EXHIBIT H

run through the end of the year. Governor Pritzker will extend the ongoing residential eviction ban through July 31 to provide a smooth transition into the assistance program.

To address housing instability due to COVID-19, renters who have been disproportionately impacted by the pandemic will be prioritized in the grants process. Eligible tenants must already carry an unpaid rent balance from March through present day and certify that the reason they were unable to pay rent was due to a COVID-19 related loss of income on or after March 1, 2020. The assistance will be paid directly to a property owner or landlord on behalf of the tenant and as a condition of accepting the assistance, landlords must agree not to evict the tenant for the duration of the ERA. Assistance will be available on a first-come, first-approved basis until the funds are exhausted.

EMERGENCY MORTGAGE ASSISTANCE PROGRAM

IHDA is also launching a separate \$150 million program for eligible Illinois homeowners with grants of up to \$15,000 to provide support with mortgage payments. The Emergency Mortgage Assistance Program (EMA) is expected to assist approximately 10,000 eligible homeowners who are unable to pay their mortgage. The program is also expected to launch in August 2020 and provide assistance through the end of the year.

Building upon efforts to mitigate housing instability, homeowners who have been disproportionately impacted by the pandemic will also be prioritized in the grants process. Homeowners' income prior to the pandemic cannot exceed 120% of the area median income (AMI). Therefore, only homeowners with mortgage arrearages, or in forbearance, on or after March 2020 through present day may be eligible to apply. Eligible homeowners must be able to certify that the reason they could not pay their mortgage in full was due to a COVID-19-related loss of income on or after March 1, 2020. The assistance will be paid directly to the mortgage lender on behalf of the homeowner. Assistance will be available on a first-come, first-approved basis until the funds are exhausted.

NEW BUSINESS INTERRUPTION GRANTS PROGRAM

The Department of Commerce and Economic Opportunity (DCEO) will launch the first round of Business Interruption Grants (BIG) by providing \$60 million to businesses experiencing losses or business interruption as a result of COVID-19 related closures. The BIG Program is available for up to 3,500 businesses that experienced a limited ability to operate due to COVID-19 related closures. DCEO will begin distributing funds to qualifying businesses in early July. The total program funding will amount to at least \$540 million in grants for small businesses, \$270 of which has been set aside for childcare providers, and is funded by the CARES Act.

In the first wave of grants, priority will be given to small businesses that have been heavily restricted or completely shut down during the pandemic and are located in DIAs. Businesses eligible for the program must have experienced extreme hardship, demonstrated by eligible costs or losses in excess of the grant amount, since March and may continue to face depressed revenues or closure. Businesses must also have been in operation for at least three months prior to March 2020. An emphasis will also be placed on those businesses that are located in areas that have experienced recent property damage due to civil unrest, exacerbating the economic impacts of COVID-19.

Specifically, the program includes support for:

- Businesses in DIAs - \$20 million for businesses that are located in a subset of DIAs that have recently experienced significant property damage, providing 1,000 grants of \$20,000 each

- Bars and Restaurants - \$20 million for bars and restaurants unable to offer outside service, providing at least 1,000 grants of up to \$20,000 each
- Barbershops and Salons - \$10 million for barbershops and salons, providing 1,000 grants of \$10,000 each
- Gyms and Fitness Centers - \$10 million for gyms and fitness centers that have lost significant revenue due to COVID-19, providing 500 grants of \$20,000 each

DCEO will make the application for BIG available on Monday, June 22.

DISTRESSED CAPITAL PROGRAM

The Department of Commerce and Economic Opportunity's new economic recovery program will provide \$25 million to support Illinois businesses that have sustained property damage as a result of civil unrest during the recent protests and demonstrations on or after May 25, 2020.

The Distressed Capital Program will reimburse the costs to repair structural damages, including repairs to storefronts and entrances, improving electrical systems, and restoring exterior work.

The program will prioritize small businesses, women and minority-owned businesses, underinsured or uninsured businesses, businesses that have a high community impact - such as grocery stores - and businesses in communities that have experienced historic disinvestment.

The Rebuild Distressed Communities NOFO will solicit applications from regional and local organizations that will perform outreach, coordinate local qualified vendors, and provide funds to cover the cost of repairs and building improvements for businesses in their region. The Distressed Capital Program also includes provisions to ensure BEP-certified contractors, including minority- and women-owned businesses, are the first in line to do the repair work.

DCEO will invite applications for the Distressed Capital Program with a NOFO made available on Monday, June 22.

POVERTY ALLEVIATION STRATEGIES

The Department of Human Services (IDHS) will provide \$32.5 million in an effort to immediately mitigate poverty in Illinois and respond to the needs of hard-hit communities by COVID-19 and by the civil unrest. The program will support more than 73,000 people across the state by building upon contracts and services to target communities disproportionately affected by the pandemic. The actions will begin in June and extend through the summer.

Specifically, the IDHS strategies will provide:

- Unemployed Adults - Stipends of up to \$4 million to help rebuild businesses
- Summer Youth Providers - More than \$6 million to empower and engage youth and help rebuild communities
- Foods Banks - \$2 million to expand the capacity to feed hungry families in the hardest hit areas
- Illinois Black and Brown Farmers - \$1 million to increase the availability of fresh food and produce
- Mental Health Services - \$2 million to help meet the increased demand for crisis services and better serve diverse communities

- [Community-Based Organizations](#) - \$5 million to provide small grants for healing circles, restorative justice circles, and other healing activities
- [Temporary Assistance for Needy Families \(TANF\)](#) - One-time \$500 payment to help ensure food security, totaling \$11.5 million

Additionally, the Department on Aging will expand the Emergency Senior Services Funds by providing up to \$5 million to support senior residents in need of meals, groceries, medicine, and medical care. The funding will assist seniors who may not have been able to access necessary supplies due to damages to physical locations in their communities. The department will utilize the statewide case coordinator units (CCUs) throughout the Aging network to take referrals from all Aging providers for services.

Stay Informed

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- [Flag Honors \(/Pages/News/flag-honors.aspx\)](/Pages/News/flag-honors.aspx)
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