

ILLINOIS DEPARTMENT OF AGRICULTURE
Economic Development and Infrastructure/Executive Agency

FY14 Headcount: 360

<http://www.agr.state.il.us/>

Summary of Agency Operations

The Illinois Department of Agriculture (IDA) advocates for Illinois' agricultural industry and provides regulatory functions to benefit consumers, the industry and natural resources, including livestock and meat inspections. In addition, the department licenses feeder swine dealers and livestock dealers. The department inspects all scales and measuring devices to ensure consumer protection against fraud, and also focuses on soil conservation and its impact on natural areas.

Internal Hiring

Agency positions subject to restrictions based on criminal history, by statute, regulation, or agency policy

All agency employees, by agency policy (titles not specified)

Statutory, regulatory restrictions applicable to internal hiring

None

Agency policy restrictions on internal hiring based on criminal history

Disqualifying offenses not enumerated in agency's report to the Task Force

System of personnel administration

Personnel Code [20 ILCS 415]

Title 80, Ill Admin Code, Section 302.130 Removal of names from eligible list

See section IV. of the Final Report for the enumerated criminal history restrictions in the Personnel Code related to being qualified for open competitive examinations and subsequent appointment.

Criminal history record check procedures

1) Self-disclosure on application

Yes (CMS 100), per agency's report to the Task Force

2) How criminal history is obtained

Not specified in agency's report to the Task Force

3) In-house review procedures

Not specified in agency's report to the Task Force

Exemption, waiver, or review mechanisms

None referenced in agency's report to the Task Force

Number of job applicants who were subject to a criminal history records check in 2010-2011

28

Occupational Licensing, Certification, Regulation

Occupations subject to criminal history restrictions

Feeder Swine Dealer

Livestock Dealer

Statutory/administrative rule restrictions applicable to occupational licensing

Illinois Feeder Swine Dealer Licensing Act [225 ILCS 620/1]

225 ILCS 620/9. Grounds for refusal to issue or renew license and for license suspension and revocation. The Department may refuse to issue or renew or may suspend or revoke a license on any one or more of the following grounds: e) **Conviction of any crime an essential element of which is misstatement, fraud or dishonesty or conviction of any felony**, if the Department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust

Restriction type: Discretionary

Restriction duration: Not specified

Title 68: Professions and Occupations, Chapter II; Department of Agriculture; Part 590 Feeder Swine Dealer

Section 590.100 License Application Information

Applications by individuals for original licenses shall be made to the Department in writing on forms prescribed by the Department, and shall be accompanied by the required bond and required fee, which shall not be returnable. Any such application shall require such information as in the judgment of the Department enable the Department to pass on the qualifications of the applicant for a license. This information shall include, but need not be limited to, information regarding legal address of the applicant, partners, corporate officers, managers, location(s) of holding facilities (if any), names and addresses of agents, bank and professional references, present and previous business connections and experience, whether any license dealing with the handling of livestock has ever been suspended or revoked, **and whether the applicant ever has been convicted of a felony. Such felony convictions may be taken into consideration by the Department in determining qualifications for licensing but shall not operate as a bar to licensing.**

Restriction type: Discretionary

Restriction duration: Not specified

Illinois Livestock Dealer Licensing Act [225 ILCS 625/1] The Department may refuse to issue or renew or may suspend or revoke a license on any of the following grounds: e). **Conviction of any felony, if the Department determines, after investigation, that such person has not been sufficiently rehabilitated to warrant the public trust; f) Conviction of any crime an essential element of which is misstatement, fraud or dishonesty; g) Conviction of a violation of any law in Illinois or any Departmental rule or regulation relating to livestock**

Restriction type: Discretionary

Restriction duration: Not specified

**Title 68: Professions and Occupations, Chapter II; Department of Agriculture; Part 610
Livestock Dealer Licensing**

Section 610.150 License Application Information

Applications by individuals for original licenses shall be made to the Department in writing on forms prescribed by the Department, and shall be accompanied by the required bond and required fee, which shall not be returnable. Any such application shall require such information as in the judgment of the Department enable the Department to pass on the qualifications of the applicant for a license. This information shall include, but need not be limited to, information regarding legal address of the applicant, partners, corporate officers, managers, location(s) of holding facilities (if any), names and addresses of agents, bank and professional references, present and previous business connections and experience, whether any license dealing with the handling of livestock has ever been suspended or revoked, **and whether the applicant ever has been convicted of a felony. Such felony convictions may be taken into consideration by the Department in determining qualifications for licensing but shall not operate as a bar to licensing.**

Restriction type: Discretionary

Restriction duration: Not specified

Criminal history record check procedures

1) Self-disclosure on application

Yes

2) Background check review procedure

Discretionary review prior to issuance of license, per administrative rule

Exemption, waiver, or review mechanisms

None referenced in agency's report to the Task Force

**Number of license applicants who were subject to a criminal history records check in
2010-2011**

Not reported

Employment Contracting

Contracting restrictions based on criminal history

Illinois Procurement Code (30 ILCS 500/)

30 ILCS 500/50-2 (Continuing disclosure; false certification)

30 ILCS 500/50-5 (Bribery)

30 ILCS 500/50-5 (c) (Conduct on behalf of business)

30 ILCS 500/50-10 (Felons)

30 ILCS 500/50-10.5 (Prohibited bidders and contractors)

See section IV. of this report for a discussion of criminal history-based restrictions on contracting with the State in the Illinois Procurement Code.

Summary of Employment Restrictions from Agency Report

Illinois Department of Agriculture conducts background checks for all full time positions.

In the past two years, 28 employees underwent criminal background checks. None were deemed disqualified and none sought waiver.