

AN ACT concerning State government.

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

Article 1.

Section 1-1. Short Title. This Act may be cited as the Fiscal Year 2025 Budget Implementation Act.

Section 1-5. Purpose. It is the purpose of this Act to make changes in State programs that are necessary to implement the State budget for Fiscal Year 2025.

Article 2.

Section 2-1. Short title. This Act may be cited as the Pretrial Success Act. References in this Article to "this Act" mean this Article.

Section 2-5. Intent; purposes. This Act creates a comprehensive approach to ensuring pretrial success, justice, and individual and communal well-being. The Act minimizes the number of people detained pretrial by ensuring access to community-based pretrial supports and services.

Section 2-10. Definitions. As used in this Act:

"Case management" means assessment, planning, coordination, and advocacy services for individuals who need multiple services and require assistance in gaining access to and in using behavioral health, physical health, social, vocational, educational, housing, public income entitlements and other community services to assist the individual in the community. "Case management" may also include identifying and investigating available resources, explaining options to the individual, and linking the individual with necessary resources.

"Community-based pretrial supports and services" means voluntary services provided in the community to an individual charged with a criminal offense who has been granted pretrial release. Community-based pretrial supports and services shall be trauma-informed, culturally competent, and designed and delivered according to best practice standards to maximize pretrial success.

"Court stakeholders" means Judges, State's Attorneys, defense attorneys including Public Defenders, Sheriffs, police departments, and any other individuals, agencies, or offices or their employees involved in pretrial criminal court proceedings.

"Department" means the Department of Human Services.

"Detoxification" means the process of withdrawing a person from a specific psychoactive substance in a safe and effective

manner.

"Eligible participant" means an Illinois resident charged with a criminal offense who has been granted pretrial release.

"Medication assisted treatment" means the prescription of medications that are approved by the U.S. Food and Drug Administration and the Center for Substance Abuse Treatment to assist with treatment for a substance use disorder and to support recovery for individuals receiving services in a facility licensed by the Department. Medication assisted treatment includes opioid treatment services as authorized by a Department license.

"Pretrial success" means ensuring court appearances and reducing subsequent involvement with the criminal-legal system.

"Service area" means a judicial circuit or group of judicial circuits.

Section 2-15. Findings. The General Assembly finds that:

(1) The Pretrial Fairness Act defines when an arrested person can be denied pretrial release and prohibits the imposition of financial conditions for release by abolishing money bond. This prevents the pretrial detention of many arrested individuals with mental health or substance use disorders or others who could benefit from community-based supports and services.

(2) Because people awaiting trial are legally presumed

innocent, the Illinois Supreme Court Commission on Pretrial Practices recommends, consistent with national best practices, that "conditions and supervision shall not mandate rehabilitative services (substance abuse, mental health, partner abuse intervention programs, etc.) unless the court finds them to be a risk factor directly related to further criminal behavior and failure to appear at court hearings. The inability to pay for such court-ordered services shall not interfere with release."

(3) Research shows that mental health and substance use disorder services, including treatment, are generally most effective when participation is voluntary and access is assured.

(4) Communities throughout Illinois have significant gaps in the availability of mental health and substance use disorder services and other community-based pretrial supports and services.

(5) If services are available, navigating complicated systems can be a barrier to access and success. Services are most effective if they are coordinated with but not duplicative of other programs such as those funded under the Reimagine Public Safety Act.

(6) Community-based pretrial supports and services are most effective when delivered by organizations trusted within the community and developed with the input of community members, including those directly impacted by

the criminal-legal system.

Section 2-20. Grant making authority.

(a) The Department of Human Services shall have grant-making, operational, and procurement authority to distribute funds to local government health and human services agencies, community-based organizations, and other entities necessary to execute the functions established in this Act.

(b) Subject to appropriation, the Department shall issue grants to local governmental agencies and community-based organizations to maximize pretrial success each year. Grants shall be awarded no later than January 1, 2025. Grants in subsequent years shall be issued on or before September 1 of the relevant fiscal year and shall allow for pre-award expenditures beginning July 1 of the relevant fiscal year.

(c) Beginning in fiscal year 2028 and subject to appropriation, grants shall be awarded for a project period of 3 years, contingent on Department requirements for reporting and successful performance.

(d) The Department shall ensure that grants awarded under this Act do not duplicate or supplant grants awarded under the Reimagine Public Safety Act.

Section 2-25. Community-based pretrial supports and services.

(a) Subject to appropriation, the Department shall make

grants to organizations for community-based pretrial supports and services.

(b) The Department shall issue grants to at least one organization in each of the service areas and no more than 3 organizations in each of the service areas with the exception of service areas with a population exceeding 2,000,000. The Department shall issue grants to at least one organization and no more than 10 organizations in service areas with a population exceeding 2,000,000. In fiscal year 2025, each grant shall be for no less than \$100,000 and no more than \$300,000. In subsequent years, each grant shall be for no less than \$100,000 and no more than \$500,000 per organization. An organization may receive grants in more than one service area.

(c) Organizations receiving grants under this Act shall coordinate services with other organizations and court stakeholders in their service area. Organizations receiving grants under this Act shall coordinate services with the Office of Statewide Pretrial Services to the extent that it operates in their service area.

(d) Organizations receiving grants under this Act shall establish eligibility criteria for services. Organizations receiving grants under this Act shall be required to accept referrals of eligible participants from court stakeholders. Organizations receiving grants under this Act may accept referrals of eligible participants from other sources including self-referrals.

(e) An eligible participant shall not be ordered to receive services funded by a grant under this Act unless the person has undergone a validated clinical assessment and the clinical treatment plan includes such services. "Validated clinical assessment" and "clinical treatment plan" have the meanings ascribed to them in Section 10 of the Drug Court Treatment Act.

(f) Organizations receiving grants under this Act shall provide the following services directly or through subgrants to other organizations:

(1) case management for mental health and substance use disorders;

(2) detoxification or referral to detoxification when clinically indicated and available in the community;

(3) medication assisted treatment or referral to medication assisted treatment when clinically indicated and available in the community;

(4) child care to remove barriers to court appearances; and

(5) transportation to court appearances if not available through the Office of Statewide Pretrial Services or other court stakeholders.

(g) Organizations receiving grants under this Act may provide the following services directly or through subgrants to other organizations:

(1) Behavioral health services, including harm

reduction services, clinical interventions, crisis interventions, and group counseling supports, such as peer support groups, social-emotional learning supports, including skill building for anger management, de-escalation, sensory stabilization, coping strategies, and thoughtful decision-making, short-term clinical individual sessions, and motivational interviewing.

(2) Other services necessary to promote pretrial success, as determined by the organization and approved by the Department.

(h) Organizations receiving grants under this Act shall ensure that services are accessible to individuals with disabilities and to individuals with limited English proficiency. Organizations receiving grants under this Act shall not deny services to individuals on the basis of immigration status or gender identity.

(i) No statement or other disclosure, written or otherwise, made by an eligible participant to an employee of an organization receiving a grant under this Act may be used by the prosecution to prove any crime or offense alleged in the pending case.

(j) The Department shall encourage organizations receiving grants under this Act to employ individuals with personal experience with being charged with a felony offense. No later than when grants are first issued under this Act, the Department shall create and execute a Background Check Waiver

Process, limiting the disqualifying offenses, for employees who provide services under this Act.

(k) Organizations receiving funds under this Act may utilize up to 5% of awarded grant funds to raise awareness of community-based pretrial supports and services.

Section 2-30. Service areas.

(a) Each judicial circuit with a population of at least 500,000 constitutes a service area. Each judicial circuit with a population of less than 500,000 shall be combined with at least one other geographically contiguous judicial circuit to constitute a service area with a population of at least 500,000.

(b) Resources for each service area shall be distributed based on maximizing the total potential pretrial success. Subject to appropriation, the minimum total annual grant amount awarded in each service area shall be \$300,000. In determining the distribution of resources to service areas, the Department shall consider the following factors:

- (1) service area population and poverty level;
- (2) the geographic size of a service area;
- (3) the average number of people charged with felony offenses each year;
- (4) the number of people incarcerated in the past because of their inability to afford payment of money bond; and

(5) level of Office of Statewide Pretrial Services programming in the counties in the service area.

(c) In fiscal year 2025, the Department shall award grants in one service area in each Department region. In subsequent years, the Department shall award grants in all service areas, subject to appropriation.

Section 2-35. Local advisory councils.

(a) Subject to appropriation, and no later than July 1, 2025, the Department shall create local advisory councils for each of the service areas for the purpose of obtaining recommendations on how to distribute funds in these areas to maximize pretrial success. Local advisory councils shall consist of no fewer than 5 members. At least 40% of members shall have personal experience with being charged with a felony offense in Illinois. At least 20% of members shall have personal experience with a family member being charged with a felony offense in Illinois. Members of the local advisory councils shall serve without compensation except those designated as individuals with personal experience may receive stipends as compensation for their time.

(b) The Department shall provide data to each local advisory council on the characteristics of the service area and the availability of community-based pretrial supports and services. The Department shall also provide best available evidence on how to maximize pretrial success.

(c) Each local advisory council shall make recommendations on how to allocate distributed resources and desired goals for its service area based on information provided to them by the Department.

(d) Beginning in fiscal year 2026, the Department shall consider the recommendations and determine how to distribute funds through grants to community-based organizations and local governments. To the extent the Department does not follow a local advisory council's recommendation on allocation of funds, the Department shall explain in writing why a different allocation of resources is more likely to maximize pretrial success in the service area.

Section 2-40. Medicaid services.

(a) Funds awarded under this Act may be used for behavioral health services until July 1, 2027.

(b) Any organization being reimbursed from funds awarded under this Act for behavioral health services must also file a plan to become Medicaid certified for behavioral health services under the Illinois Medicaid program on or before July 1, 2027.

Section 2-45. Evaluation.

(a) The Department shall issue a report to the General Assembly no later than January 1 of each year beginning at least 12 months after grants are first issued under this Act.

The report shall cover the previous fiscal year and identify gaps in community-based pretrial supports and services in each service area, explain the investments that are being made to maximize pretrial success, and make further recommendations on how to build community-based capacity for community-based pretrial supports and services including mental health and substance use disorder treatment.

(b) Beginning with the first report issued at least 24 months after grants are first issued under this Act, the annual report shall include an evaluation of the effectiveness of grants under this Act in maximizing pretrial success. The Department shall use community-based participatory research methods and ensure that the evaluation incorporates input from individuals and organizations affected by the Act, including, but not limited to, individuals with personal experience with being charged with a felony offense in Illinois, individuals with personal experience with a family member being charged with a felony offense in Illinois, local government health and human services agencies, community-based organizations, and court stakeholders. The evaluation should be conducted with input from outside expert evaluators when possible.

(c) The Department shall consider findings from annual reports and evaluations in developing subsequent years' grantmaking processes, monitoring progress toward local advisory councils' goals, and ensuring equity in the grantmaking process.

Section 2-50. Rulemaking authority. The Department shall adopt rules as are necessary to implement all elements of this Act.

Article 3.

Section 3-2. The Illinois Administrative Procedure Act is amended by adding Section 5-45.57 as follows:

(5 ILCS 100/5-45.57 new)

Sec. 5-45.57. Emergency rulemaking; rate increase for direct support personnel and all frontline personnel. To provide for the expeditious and timely implementation of the changes made to Section 74 of the Mental Health and Developmental Disabilities Administrative Act by this amendatory Act of the 103rd General Assembly, emergency rules implementing the changes made to Section 74 of the Mental Health and Developmental Disabilities Administrative Act by this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Human Services. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this Section.

Section 3-3. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.5 as follows:

(5 ILCS 375/6.5)

Sec. 6.5. Health benefits for TRS benefit recipients and TRS dependent beneficiaries.

(a) Purpose. It is the purpose of this amendatory Act of 1995 to transfer the administration of the program of health benefits established for benefit recipients and their dependent beneficiaries under Article 16 of the Illinois Pension Code to the Department of Central Management Services.

(b) Transition provisions. The Board of Trustees of the Teachers' Retirement System shall continue to administer the health benefit program established under Article 16 of the Illinois Pension Code through December 31, 1995. Beginning January 1, 1996, the Department of Central Management Services shall be responsible for administering a program of health benefits for TRS benefit recipients and TRS dependent beneficiaries under this Section. The Department of Central Management Services and the Teachers' Retirement System shall cooperate in this endeavor and shall coordinate their activities so as to ensure a smooth transition and uninterrupted health benefit coverage.

(c) Eligibility. All persons who were enrolled in the Article 16 program at the time of the transfer shall be

eligible to participate in the program established under this Section without any interruption or delay in coverage or limitation as to pre-existing medical conditions. Eligibility to participate shall be determined by the Teachers' Retirement System. Eligibility information shall be communicated to the Department of Central Management Services in a format acceptable to the Department.

Eligible TRS benefit recipients may enroll or re-enroll in the program of health benefits established under this Section during any applicable annual open enrollment period and as otherwise permitted by the Department of Central Management Services. A TRS benefit recipient shall not be deemed ineligible to participate solely by reason of the TRS benefit recipient having made a previous election to disenroll or otherwise not participate in the program of health benefits.

A TRS dependent beneficiary who is a child age 19 or over and mentally or physically disabled does not become ineligible to participate by reason of (i) becoming ineligible to be claimed as a dependent for Illinois or federal income tax purposes or (ii) receiving earned income, so long as those earnings are insufficient for the child to be fully self-sufficient.

(d) Coverage. The level of health benefits provided under this Section shall be similar to the level of benefits provided by the program previously established under Article 16 of the Illinois Pension Code. For plan years that begin on

or after January 1, 2025, the health benefit program established under this Section shall include health, dental, and vision benefits.

Group life insurance benefits are not included in the benefits to be provided to TRS benefit recipients and TRS dependent beneficiaries under this Act.

The program of health benefits under this Section may include any or all of the benefit limitations, including but not limited to a reduction in benefits based on eligibility for federal Medicare benefits, that are provided under subsection (a) of Section 6 of this Act for other health benefit programs under this Act.

(e) Insurance rates and premiums. The Director shall determine the insurance rates and premiums for TRS benefit recipients and TRS dependent beneficiaries, and shall present to the Teachers' Retirement System of the State of Illinois, by April 15 of each calendar year, the rate-setting methodology (including but not limited to utilization levels and costs) used to determine the amount of the health care premiums.

For Fiscal Year 1996, the premium shall be equal to the premium actually charged in Fiscal Year 1995; in subsequent years, the premium shall never be lower than the premium charged in Fiscal Year 1995.

For Fiscal Year 2003, the premium shall not exceed 110% of the premium actually charged in Fiscal Year 2002.

For Fiscal Year 2004, the premium shall not exceed 112% of the premium actually charged in Fiscal Year 2003.

For Fiscal Year 2005, the premium shall not exceed a weighted average of 106.6% of the premium actually charged in Fiscal Year 2004.

For Fiscal Year 2006, the premium shall not exceed a weighted average of 109.1% of the premium actually charged in Fiscal Year 2005.

For Fiscal Year 2007, the premium shall not exceed a weighted average of 103.9% of the premium actually charged in Fiscal Year 2006.

For Fiscal Year 2008 and thereafter, the premium in each fiscal year shall not exceed 105% of the premium actually charged in the previous fiscal year.

In addition to the premium amount charged for the program of health benefits, in the initial plan year in which the dental and vision benefits are provided, an additional premium of not more than \$7.11 per month for each TRS benefit recipient and \$28.43 per month for each TRS dependent beneficiary shall be charged. The additional premium shall be used for the purpose of financing the dental and vision benefits for TRS benefit recipients and TRS dependent beneficiaries on and after the effective date of this amendatory Act of the 103rd General Assembly.

Rates and premiums may be based in part on age and eligibility for federal medicare coverage. However, the cost

of participation for a TRS dependent beneficiary who is an unmarried child age 19 or over and mentally or physically disabled shall not exceed the cost for a TRS dependent beneficiary who is an unmarried child under age 19 and participates in the same major medical or managed care program.

The cost of health benefits under the program shall be paid as follows:

(1) For a TRS benefit recipient selecting a managed care program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting a managed care program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund.

(2) For a TRS benefit recipient selecting the major medical coverage program, up to 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 50% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is accessible, as determined by the Department of Central Management Services.

(3) For a TRS benefit recipient selecting the major medical coverage program, up to 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Teachers' Retirement System. Effective with Fiscal Year 2007 and thereafter, for a TRS benefit recipient selecting the major medical coverage program, 75% of the total insurance rate shall be paid from the Teacher Health Insurance Security Fund if a managed care program is not accessible, as determined by the Department of Central Management Services.

(3.1) For a TRS dependent beneficiary who is Medicare primary and enrolled in a managed care plan, or the major medical coverage program if a managed care plan is not available, 25% of the total insurance rate shall be paid from the Teacher Health Security Fund as determined by the Department of Central Management Services. For the purpose of this item (3.1), the term "TRS dependent beneficiary who is Medicare primary" means a TRS dependent beneficiary who is participating in Medicare Parts A and B.

(4) Except as otherwise provided in item (3.1), the balance of the rate of insurance, including the entire premium of any coverage for TRS dependent beneficiaries that has been elected, shall be paid by deductions authorized by the TRS benefit recipient to be withheld from his or her monthly annuity or benefit payment from

the Teachers' Retirement System; except that (i) if the balance of the cost of coverage exceeds the amount of the monthly annuity or benefit payment, the difference shall be paid directly to the Teachers' Retirement System by the TRS benefit recipient, and (ii) all or part of the balance of the cost of coverage may, at the school board's option, be paid to the Teachers' Retirement System by the school board of the school district from which the TRS benefit recipient retired, in accordance with Section 10-22.3b of the School Code. The Teachers' Retirement System shall promptly deposit all moneys withheld by or paid to it under this subdivision (e)(4) into the Teacher Health Insurance Security Fund. These moneys shall not be considered assets of the Retirement System.

(5) If, for any month beginning on or after January 1, 2013, a TRS benefit recipient or TRS dependent beneficiary was enrolled in Medicare Parts A and B and such Medicare coverage was primary to coverage under this Section but payment for coverage under this Section was made at a rate greater than the Medicare primary rate published by the Department of Central Management Services, the TRS benefit recipient or TRS dependent beneficiary shall be eligible for a refund equal to the difference between the amount paid by the TRS benefit recipient or TRS dependent beneficiary and the published Medicare primary rate. To receive a refund pursuant to this subsection, the TRS

benefit recipient or TRS dependent beneficiary must provide documentation to the Department of Central Management Services evidencing the TRS benefit recipient's or TRS dependent beneficiary's Medicare coverage and the amount paid by the TRS benefit recipient or TRS dependent beneficiary during the applicable time period.

(f) Financing. Beginning July 1, 1995, all revenues arising from the administration of the health benefit programs established under Article 16 of the Illinois Pension Code or this Section shall be deposited into the Teacher Health Insurance Security Fund, which is hereby created as a nonappropriated trust fund to be held outside the State Treasury, with the State Treasurer as custodian. Any interest earned on moneys in the Teacher Health Insurance Security Fund shall be deposited into the Fund.

Moneys in the Teacher Health Insurance Security Fund shall be used only to pay the costs of the health benefit program established under this Section, including associated administrative costs, and the costs associated with the health benefit program established under Article 16 of the Illinois Pension Code, as authorized in this Section. Beginning July 1, 1995, the Department of Central Management Services may make expenditures from the Teacher Health Insurance Security Fund for those costs.

After other funds authorized for the payment of the costs of the health benefit program established under Article 16 of

the Illinois Pension Code are exhausted and until January 1, 1996 (or such later date as may be agreed upon by the Director of Central Management Services and the Secretary of the Teachers' Retirement System), the Secretary of the Teachers' Retirement System may make expenditures from the Teacher Health Insurance Security Fund as necessary to pay up to 75% of the cost of providing health coverage to eligible benefit recipients (as defined in Sections 16-153.1 and 16-153.3 of the Illinois Pension Code) who are enrolled in the Article 16 health benefit program and to facilitate the transfer of administration of the health benefit program to the Department of Central Management Services.

The Department of Central Management Services, or any successor agency designated to procure healthcare contracts pursuant to this Act, is authorized to establish funds, separate accounts provided by any bank or banks as defined by the Illinois Banking Act, or separate accounts provided by any savings and loan association or associations as defined by the Illinois Savings and Loan Act of 1985 to be held by the Director, outside the State treasury, for the purpose of receiving the transfer of moneys from the Teacher Health Insurance Security Fund. The Department may promulgate rules further defining the methodology for the transfers. Any interest earned by moneys in the funds or accounts shall inure to the Teacher Health Insurance Security Fund. The transferred moneys, and interest accrued thereon, shall be used

exclusively for transfers to administrative service organizations or their financial institutions for payments of claims to claimants and providers under the self-insurance health plan. The transferred moneys, and interest accrued thereon, shall not be used for any other purpose including, but not limited to, reimbursement of administration fees due the administrative service organization pursuant to its contract or contracts with the Department.

(g) Contract for benefits. The Director shall by contract, self-insurance, or otherwise make available the program of health benefits for TRS benefit recipients and their TRS dependent beneficiaries that is provided for in this Section. The contract or other arrangement for the provision of these health benefits shall be on terms deemed by the Director to be in the best interest of the State of Illinois and the TRS benefit recipients based on, but not limited to, such criteria as administrative cost, service capabilities of the carrier or other contractor, and the costs of the benefits.

(g-5) Committee. A Teacher Retirement Insurance Program Committee shall be established, to consist of 10 persons appointed by the Governor.

The Committee shall convene at least 4 times each year, and shall consider and make recommendations on issues affecting the program of health benefits provided under this Section. Recommendations of the Committee shall be based on a consensus of the members of the Committee.

If the Teacher Health Insurance Security Fund experiences a deficit balance based upon the contribution and subsidy rates established in this Section and Section 6.6 for Fiscal Year 2008 or thereafter, the Committee shall make recommendations for adjustments to the funding sources established under these Sections.

In addition, the Committee shall identify proposed solutions to the funding shortfalls that are affecting the Teacher Health Insurance Security Fund, and it shall report those solutions to the Governor and the General Assembly within 6 months after August 15, 2011 (the effective date of Public Act 97-386).

(h) Continuation of program. It is the intention of the General Assembly that the program of health benefits provided under this Section be maintained on an ongoing, affordable basis.

The program of health benefits provided under this Section may be amended by the State and is not intended to be a pension or retirement benefit subject to protection under Article XIII, Section 5 of the Illinois Constitution.

(i) Repeal. (Blank).

(Source: P.A. 101-483, eff. 1-1-20; 102-210, eff. 7-30-21.)

Section 3-4. The Attorney General Act is amended by changing Section 4a as follows:

(15 ILCS 205/4a) (from Ch. 14, par. 4a)

Sec. 4a. Attorneys and investigators appointed by the attorney general, and on his payroll, when authorized by the attorney general or his designee, may expend such sums as the attorney general or his designee deems necessary for any one or more of the following: the purchase of items for evidence; ~~the advancement of fees in cases before United States courts or other State courts;~~ ~~and in the payment of expert witness expenses and witness fees, including expert witness fees;~~ or subpoena fees.

Funds for making expenditures authorized in this Section shall be advanced from funds appropriated or made available by law for the support or use of the office of attorney general or vouchers therefor signed by the attorney general or his designee. Sums so advanced may be paid to the attorney or investigator authorized to receive the advancement, or may be made payable to the ultimate recipient. Any expenditures under this Section shall be audited by the auditor general as part of any mandated audit conducted in compliance with Section 3-2 of the Illinois State Auditing Act.

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

Section 3-6. The Substance Use Disorder Act is amended by adding Section 5-30 as follows:

(20 ILCS 301/5-30 new)

Sec. 5-30. Substance Use Disorder Treatment Locator.
Subject to appropriation, the Department of Human Services shall issue a request for proposal to establish a supplemental substance use disorder treatment locator that can compare and assess addiction treatment facilities to identify high-quality providers and provide a publicly available search function for patients, health care providers, and first responders to find substance use disorder providers. The supplemental treatment locator shall integrate with the Illinois Helpline and provide annual surveys on both providers and patient experiences that aid in identifying high-quality providers to better aid decision making for patients, health care providers, and first responders to find substance use disorder treatment.

Section 3-7. The Children and Family Services Act is amended by changing Sections 4a and 17a-4 as follows:

(20 ILCS 505/4a) (from Ch. 23, par. 5004a)

Sec. 4a. (a) To administer child abuse prevention shelters and service programs for abused and neglected children, or provide for their administration by not-for-profit corporations, community-based organizations or units of local government.

The Department is hereby designated the single State agency for planning and coordination of child abuse and neglect prevention programs and services. On or before the

first Friday in October of each year, the Department shall submit to the Governor and the General Assembly a State comprehensive child abuse and neglect prevention plan. The plan shall: identify priorities, goals and objectives; identify the resources necessary to implement the plan, including estimates of resources needed to investigate or otherwise process reports of suspected child abuse or neglect and to provide necessary follow-up services for child protection, family preservation and family reunification in "indicated" cases as determined under the Abused and Neglected Child Reporting Act; make proposals for the most effective use of existing resources to implement the plan, including recommendations for the optimum use of private, local public, State and federal resources; and propose strategies for the development of additional resources to meet the goal of reducing the incidence of child abuse and neglect and reducing the number of reports of suspected child abuse and neglect made to the Department.

(b) The administration of child abuse prevention, shelters and service programs under subsection (a) shall be funded in part by appropriations made from the Child Abuse Prevention Fund, which is hereby created in the State Treasury, and in part by appropriations from the General Revenue Fund. All interest earned on monies in the Child Abuse Prevention Fund shall remain in such fund. The Department and the State Treasurer may accept funds as provided by Sections 507 and 508

of the Illinois Income Tax Act and unsolicited private donations for deposit into the Child Abuse Prevention Fund. Annual requests for appropriations for the purpose of providing child abuse and neglect prevention programs and services under this Section shall be made in separate and distinct line-items. In setting priorities for the direction and scope of such programs, the Director shall be advised by the State-wide Citizen's Committee on Child Abuse and Neglect.

(c) (Blank). ~~Where the Department contracts with outside agencies to operate the shelters or programs, such outside agencies may receive funding from the Department, except that the shelters must certify a 20% financial match for operating expenses of their programs. In selecting the outside agencies to administer child shelters and service programs, and in allocating funds for such agencies, the Department shall give priority to new and existing shelters or programs offering the broadest range of services to the community served.~~

(d) The Department shall have the power to make grants of monies to fund comprehensive community-based services to reduce the incidence of family dysfunction typified by child abuse and neglect; to diminish those factors found to increase family dysfunction; and to measure the effectiveness and costs of such services.

(e) For implementing such intergovernmental cooperation and involvement, units of local government and public and private agencies may apply for and receive federal or State

funds from the Department under this Act or seek and receive gifts from local philanthropic or other private local sources in order to augment any State funds appropriated for the purposes of this Act.

(e-5) The Department may establish and maintain locally held funds to be individually known as the Youth in Care Support Fund. Moneys in these funds shall be used for purchases for the immediate needs of youth in care or for the immediate support needs of youth, families, and caregivers served by the Department. Moneys paid into funds shall be from appropriations made to the DCFS Children's Services Fund. Funds remaining in any Youth in Care Support Fund must be returned to the DCFS Children's Services Fund upon dissolution. Any warrant for payment to a vendor for the same product or service for a youth in care shall be payable to the Department to reimburse the immediate payment from the Youth in Care Support Fund.

(f) For the purposes of this Section:

(1) The terms "abused child" and "neglected child" have meanings ascribed to them in Section 3 of the Abused and Neglected Child Reporting Act.

(2) "Shelter" has the meaning ascribed to it in Section 1-3 of the Juvenile Court Act of 1987.

(Source: P.A. 103-259, eff. 1-1-24.)

(20 ILCS 505/17a-4) (from Ch. 23, par. 5017a-4)

Sec. 17a-4. Grants for community-based youth services; Department of Human Services.

(a) The Department of Human Services shall make grants for the purpose of planning, establishing, operating, coordinating and evaluating programs aimed at reducing or eliminating the involvement of youth in the child welfare or juvenile justice systems. The programs shall include those providing for more comprehensive and integrated community-based youth services including Unified Delinquency Intervention Services programs and for community services programs. The Department may authorize advance disbursement of funds for such youth services programs. When the appropriation for "comprehensive community-based service to youth" is equal to or exceeds \$5,000,000, the Department shall allocate the total amount of such appropriated funds in the following manner:

(1) no more than 20% of the grant funds appropriated shall be awarded by the Department for new program development and innovation;

(2) not less than 80% of grant funds appropriated shall be allocated to community-based youth services programs based upon population of youth under 18 years of age and other demographic variables defined by the Department of Human Services by rule, which may include weighting for service priorities relating to special needs identified in the annual plans of the regional youth planning committees established under this Act; and

(3) if any amount so allocated under paragraph (2) of this subsection (a) remains unobligated such funds shall be reallocated in a manner equitable and consistent with the purpose of paragraph (2) of this subsection (a). ~~and~~

~~(4) the local boards or local service systems shall certify prior to receipt of grant funds from the Department of Human Services that a 10% local public or private financial or in kind commitment is allocated to supplement the State grant.~~

(b) Notwithstanding any provision in this Act or rules promulgated under this Act to the contrary, unless expressly prohibited by federal law or regulation, all individuals, corporations, or other entities that provide medical or mental health services, whether organized as for-profit or not-for-profit entities, shall be eligible for consideration by the Department of Human Services to participate in any program funded or administered by the Department. This subsection shall not apply to the receipt of federal funds administered and transferred by the Department for services when the federal government has specifically provided that those funds may be received only by those entities organized as not-for-profit entities.

(Source: P.A. 89-392, eff. 8-20-95; 89-507, eff. 7-1-97; 90-655, eff. 7-30-98.)

Section 3-8. The Department of Commerce and Economic

Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-705 as follows:

(20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

Sec. 605-705. Grants to local tourism and convention bureaus.

(a) To establish a grant program for local tourism and convention bureaus. The Department will develop and implement a program for the use of funds, as authorized under this Act, by local tourism and convention bureaus. For the purposes of this Act, bureaus eligible to receive funds are those local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations; (ii) in legal existence for a minimum of 2 years before July 1, 2001; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv) affiliated with one or more municipalities or counties that support the bureau with local hotel-motel taxes. After July 1, 2001, bureaus requesting certification in order to receive funds for the first time must be local tourism and convention bureaus that are (i) either units of local government or incorporated as not-for-profit organizations; (ii) in legal existence for a minimum of 2 years before the request for certification; (iii) operating with a paid, full-time staff whose sole purpose is to promote tourism in the designated service area; and (iv)

affiliated with multiple municipalities or counties that support the bureau with local hotel-motel taxes. Each bureau receiving funds under this Act will be certified by the Department as the designated recipient to serve an area of the State. Notwithstanding the criteria set forth in this subsection (a), or any rule adopted under this subsection (a), the Director of the Department may provide for the award of grant funds to one or more entities if in the Department's judgment that action is necessary in order to prevent a loss of funding critical to promoting tourism in a designated geographic area of the State.

(b) To distribute grants to local tourism and convention bureaus from appropriations made from the Local Tourism Fund for that purpose. Of the amounts appropriated annually to the Department for expenditure under this Section prior to July 1, 2011, one-third of those monies shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. The remaining two-thirds of the annual appropriation prior to July 1, 2011 shall be used for grants to convention and tourism bureaus in the remainder of the State, in accordance with a formula based upon the population served. Of the amounts appropriated annually to the Department for expenditure under this Section beginning July 1, 2011, 18% of such moneys shall be used for grants to convention and tourism bureaus in cities with a population greater than 500,000. Of the amounts appropriated annually to the Department for

expenditure under this Section beginning July 1, 2011, 82% of such moneys shall be used for grants to convention bureaus in the remainder of the State, in accordance with a formula based upon the population served. The Department may reserve up to 3% of total local tourism funds available for costs of administering the program to conduct audits of grants, to provide incentive funds to those bureaus that will conduct promotional activities designed to further the Department's statewide advertising campaign, to fund special statewide promotional activities, and to fund promotional activities that support an increased use of the State's parks or historic sites. The Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 50% of the grant amount, except that: (1) in Fiscal Years 2021 through 2024 only, the Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 25% of the grant amount; (2) in Fiscal Year 2025, the Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching funds equal to no less than 30% of the grant amount; and (3) in Fiscal Year 2026, the Department shall require that any convention and tourism bureau receiving a grant under this Section that requires matching funds shall provide matching

funds equal to no less than 40% of the grant amount. During fiscal year 2013, the Department shall reserve \$2,000,000 of the available local tourism funds for appropriation to the Historic Preservation Agency for the operation of the Abraham Lincoln Presidential Library and Museum and State historic sites.

To provide for the expeditious and timely implementation of the changes made by Public Act 101-636, emergency rules to implement the changes made by Public Act 101-636 may be adopted by the Department subject to the provisions of Section 5-45 of the Illinois Administrative Procedure Act.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 3-9. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 74 as follows:

(20 ILCS 1705/74)

Sec. 74. Rates and reimbursements.

(a) Within 30 days after July 6, 2017 (the effective date of Public Act 100-23), the Department shall increase rates and reimbursements to fund a minimum of a \$0.75 per hour wage increase for front-line personnel, including, but not limited to, direct support professionals, aides, front-line supervisors, qualified intellectual disabilities

professionals, nurses, and non-administrative support staff working in community-based provider organizations serving individuals with developmental disabilities. The Department shall adopt rules, including emergency rules under subsection (y) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

(b) Rates and reimbursements. Within 30 days after June 4, 2018 (the effective date of Public Act 100-587), the Department shall increase rates and reimbursements to fund a minimum of a \$0.50 per hour wage increase for front-line personnel, including, but not limited to, direct support professionals, aides, front-line supervisors, qualified intellectual disabilities professionals, nurses, and non-administrative support staff working in community-based provider organizations serving individuals with developmental disabilities. The Department shall adopt rules, including emergency rules under subsection (bb) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

(c) Rates and reimbursements. Within 30 days after June 5, 2019 (the effective date of Public Act 101-10), subject to federal approval, the Department shall increase rates and reimbursements in effect on June 30, 2019 for community-based providers for persons with Developmental Disabilities by 3.5%. The Department shall adopt rules, including emergency rules under subsection (jj) of Section 5-45 of the Illinois

Administrative Procedure Act, to implement the provisions of this Section, including wage increases for direct care staff.

(d) For community-based providers serving persons with intellectual/developmental disabilities, subject to federal approval of any relevant Waiver Amendment, the rates taking effect for services delivered on or after January 1, 2022, shall include an increase in the rate methodology sufficient to provide a \$1.50 per hour wage increase for direct support professionals in residential settings and sufficient to provide wages for all residential non-executive direct care staff, excluding direct support professionals, at the federal Department of Labor, Bureau of Labor Statistics' average wage as defined in rule by the Department.

The establishment of and any changes to the rate methodologies for community-based services provided to persons with intellectual/developmental disabilities are subject to federal approval of any relevant Waiver Amendment and shall be defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this subsection (d).

(e) For community-based providers serving persons with intellectual/developmental disabilities, subject to federal approval of any relevant Waiver Amendment, the rates taking effect for services delivered on or after January 1, 2023, shall include an increase in the rate methodology sufficient

to provide a \$1.00 per hour wage increase for all direct support professionals and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases, who work in residential and community day services settings, with at least \$0.50 of those funds to be provided as a direct increase to base wages, with the remaining \$0.50 to be used flexibly for base wage increases. In addition, the rates taking effect for services delivered on or after January 1, 2023 shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding direct support professionals, at the federal Department of Labor, Bureau of Labor Statistics' average wage as defined in rule by the Department.

The establishment of and any changes to the rate methodologies for community-based services provided to persons with intellectual/developmental disabilities are subject to federal approval of any relevant Waiver Amendment and shall be defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this subsection.

(f) For community-based providers serving persons with intellectual/developmental disabilities, subject to federal approval of any relevant Waiver Amendment, the rates taking effect for services delivered on or after January 1, 2024 shall include an increase in the rate methodology sufficient

to provide a \$2.50 per hour wage increase for all direct support professionals and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases and who work in residential and community day services settings. At least \$1.25 of the per hour wage increase shall be provided as a direct increase to base wages, and the remaining \$1.25 of the per hour wage increase shall be used flexibly for base wage increases. In addition, the rates taking effect for services delivered on or after January 1, 2024 shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding direct support professionals, at the federal Department of Labor, Bureau of Labor Statistics' average wage as defined in rule by the Department.

The establishment of and any changes to the rate methodologies for community-based services provided to persons with intellectual/developmental disabilities are subject to federal approval of any relevant Waiver Amendment and shall be defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this subsection.

(g) For community-based providers serving persons with intellectual or developmental disabilities, subject to federal approval of any relevant Waiver Amendment, the rates taking effect for services delivered on or after January 1, 2025

shall include an increase in the rate methodology sufficient to provide a \$1 per hour wage rate increase for all direct support personnel and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases and who work in residential and community day services settings, with at least \$0.75 of those funds to be provided as a direct increase to base wages and the remaining \$0.25 to be used flexibly for base wage increases. These increases shall not be used by community-based providers for operational or administrative expenses. In addition, the rates taking effect for services delivered on or after January 1, 2025 shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding direct support personnel, at the federal Department of Labor, Bureau of Labor Statistics' average wage as defined by rule by the Department. For services delivered on or after January 1, 2025, the rates shall include adjustments to employment-related expenses as defined by rule by the Department.

The establishment of and any changes to the rate methodologies for community-based services provided to persons with intellectual or developmental disabilities are subject to federal approval of any relevant Waiver Amendment and shall be defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the

provisions of this subsection.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-830, eff. 1-1-23; 103-8, eff. 6-7-23; 103-154, eff. 6-30-23.)

Section 3-10. The Governor's Office of Management and Budget Act is amended by adding Section 7.4 as follows:

(20 ILCS 3005/7.4 new)

Sec. 7.4. Monthly revenues reporting. No later than the 15th day following the end of each month, the Office shall prepare and publish a written report including, at a minimum, the following information:

(1) year-to-date general funds revenues as compared to anticipated revenues;

(2) year-to-date general funds expenditures as compared to the then current fiscal year budget as enacted; and

(3) any transfers between budget lines pursuant to Section 13.2 of the State Finance Act exceeding 2%.

Section 3-11. The Illinois Emergency Management Agency Act is amended by changing Section 5 as follows:

(20 ILCS 3305/5) (from Ch. 127, par. 1055)

Sec. 5. Illinois Emergency Management Agency.

(a) There is created within the executive branch of the State Government an Illinois Emergency Management Agency and a Director of the Illinois Emergency Management Agency, herein called the "Director" who shall be the head thereof. The Director shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve for a term of 2 years beginning on the third Monday in January of the odd-numbered year, and until a successor is appointed and has qualified; except that the term of the first Director appointed under this Act shall expire on the third Monday in January, 1989. The Director shall not hold any other remunerative public office. For terms beginning after January 18, 2019 (the effective date of Public Act 100-1179) and before January 16, 2023, the annual salary of the Director shall be as provided in Section 5-300 of the Civil Administrative Code of Illinois. Notwithstanding any other provision of law, for terms beginning on or after January 16, 2023, the Director shall receive an annual salary of \$180,000 or as set by the Governor, whichever is higher. On July 1, 2023, and on each July 1 thereafter, the Director shall receive an increase in salary based on a cost of living adjustment as authorized by Senate Joint Resolution 192 of the 86th General Assembly.

For terms beginning on or after January 16, 2023, the Assistant Director of the Illinois Emergency Management Agency shall receive an annual salary of \$156,600 or as set by the

Governor, whichever is higher. On July 1, 2023, and on each July 1 thereafter, the Assistant Director shall receive an increase in salary based on a cost of living adjustment as authorized by Senate Joint Resolution 192 of the 86th General Assembly.

(b) The Illinois Emergency Management Agency shall obtain, under the provisions of the Personnel Code, technical, clerical, stenographic and other administrative personnel, and may make expenditures within the appropriation therefor as may be necessary to carry out the purpose of this Act. The agency created by this Act is intended to be a successor to the agency created under the Illinois Emergency Services and Disaster Agency Act of 1975 and the personnel, equipment, records, and appropriations of that agency are transferred to the successor agency as of June 30, 1988 (the effective date of this Act).

(c) The Director, subject to the direction and control of the Governor, shall be the executive head of the Illinois Emergency Management Agency and the State Emergency Response Commission and shall be responsible under the direction of the Governor, for carrying out the program for emergency management of this State. The Director shall also maintain liaison and cooperate with the emergency management organizations of this State and other states and of the federal government.

(d) The Illinois Emergency Management Agency shall take an integral part in the development and revision of political

subdivision emergency operations plans prepared under paragraph (f) of Section 10. To this end it shall employ or otherwise secure the services of professional and technical personnel capable of providing expert assistance to the emergency services and disaster agencies. These personnel shall consult with emergency services and disaster agencies on a regular basis and shall make field examinations of the areas, circumstances, and conditions that particular political subdivision emergency operations plans are intended to apply.

(e) The Illinois Emergency Management Agency and political subdivisions shall be encouraged to form an emergency management advisory committee composed of private and public personnel representing the emergency management phases of mitigation, preparedness, response, and recovery. The Local Emergency Planning Committee, as created under the Illinois Emergency Planning and Community Right to Know Act, shall serve as an advisory committee to the emergency services and disaster agency or agencies serving within the boundaries of that Local Emergency Planning Committee planning district for:

- (1) the development of emergency operations plan provisions for hazardous chemical emergencies; and
- (2) the assessment of emergency response capabilities related to hazardous chemical emergencies.

(f) The Illinois Emergency Management Agency shall:

- (1) Coordinate the overall emergency management program of the State.

(2) Cooperate with local governments, the federal government, and any public or private agency or entity in achieving any purpose of this Act and in implementing emergency management programs for mitigation, preparedness, response, and recovery.

(2.5) Develop a comprehensive emergency preparedness and response plan for any nuclear accident in accordance with Section 65 of the Nuclear Safety Law of 2004 and in development of the Illinois Nuclear Safety Preparedness program in accordance with Section 8 of the Illinois Nuclear Safety Preparedness Act.

(2.6) Coordinate with the Department of Public Health with respect to planning for and responding to public health emergencies.

(3) Prepare, for issuance by the Governor, executive orders, proclamations, and regulations as necessary or appropriate in coping with disasters.

(4) Promulgate rules and requirements for political subdivision emergency operations plans that are not inconsistent with and are at least as stringent as applicable federal laws and regulations.

(5) Review and approve, in accordance with Illinois Emergency Management Agency rules, emergency operations plans for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.

(5.5) Promulgate rules and requirements for the political subdivision emergency management exercises, including, but not limited to, exercises of the emergency operations plans.

(5.10) Review, evaluate, and approve, in accordance with Illinois Emergency Management Agency rules, political subdivision emergency management exercises for those political subdivisions required to have an emergency services and disaster agency pursuant to this Act.

(6) Determine requirements of the State and its political subdivisions for food, clothing, and other necessities in event of a disaster.

(7) Establish a register of persons with types of emergency management training and skills in mitigation, preparedness, response, and recovery.

(8) Establish a register of government and private response resources available for use in a disaster.

(9) Expand the Earthquake Awareness Program and its efforts to distribute earthquake preparedness materials to schools, political subdivisions, community groups, civic organizations, and the media. Emphasis will be placed on those areas of the State most at risk from an earthquake. Maintain the list of all school districts, hospitals, airports, power plants, including nuclear power plants, lakes, dams, emergency response facilities of all types, and all other major public or private structures which are

at the greatest risk of damage from earthquakes under circumstances where the damage would cause subsequent harm to the surrounding communities and residents.

(10) Disseminate all information, completely and without delay, on water levels for rivers and streams and any other data pertaining to potential flooding supplied by the Division of Water Resources within the Department of Natural Resources to all political subdivisions to the maximum extent possible.

(11) Develop agreements, if feasible, with medical supply and equipment firms to supply resources as are necessary to respond to an earthquake or any other disaster as defined in this Act. These resources will be made available upon notifying the vendor of the disaster. Payment for the resources will be in accordance with Section 7 of this Act. The Illinois Department of Public Health shall determine which resources will be required and requested.

(11.5) In coordination with the Illinois State Police, develop and implement a community outreach program to promote awareness among the State's parents and children of child abduction prevention and response.

(12) Out of funds appropriated for these purposes, award capital and non-capital grants to Illinois hospitals or health care facilities located outside of a city with a population in excess of 1,000,000 to be used for purposes

that include, but are not limited to, preparing to respond to mass casualties and disasters, maintaining and improving patient safety and quality of care, and protecting the confidentiality of patient information. No single grant for a capital expenditure shall exceed \$300,000. No single grant for a non-capital expenditure shall exceed \$100,000. In awarding such grants, preference shall be given to hospitals that serve a significant number of Medicaid recipients, but do not qualify for disproportionate share hospital adjustment payments under the Illinois Public Aid Code. To receive such a grant, a hospital or health care facility must provide funding of at least 50% of the cost of the project for which the grant is being requested. In awarding such grants the Illinois Emergency Management Agency shall consider the recommendations of the Illinois Hospital Association.

(13) Do all other things necessary, incidental or appropriate for the implementation of this Act.

(g) The Illinois Emergency Management Agency is authorized to make grants to various higher education institutions, public K-12 school districts, area vocational centers as designated by the State Board of Education, inter-district special education cooperatives, regional safe schools, and nonpublic K-12 schools for safety and security improvements. For the purpose of this subsection (g), "higher education institution" means a public university, a public community

college, or an independent, not-for-profit or for-profit higher education institution located in this State. Grants made under this subsection (g) shall be paid out of moneys appropriated for that purpose from the Build Illinois Bond Fund. The Illinois Emergency Management Agency shall adopt rules to implement this subsection (g). These rules may specify: (i) the manner of applying for grants; (ii) project eligibility requirements; (iii) restrictions on the use of grant moneys; (iv) the manner in which the various higher education institutions must account for the use of grant moneys; and (v) any other provision that the Illinois Emergency Management Agency determines to be necessary or useful for the administration of this subsection (g).

(g-5) The Illinois Emergency Management Agency is authorized to make grants to not-for-profit organizations which are exempt from federal income taxation under section 501(c)(3) of the Federal Internal Revenue Code for eligible security improvements that assist the organization in preventing, preparing for, or responding to threats, attacks, or acts of terrorism. To be eligible for a grant under the program, the Agency must determine that the organization is at a high risk of being subject to threats, attacks, or acts of terrorism based on the organization's profile, ideology, mission, or beliefs. Eligible security improvements shall include all eligible preparedness activities under the federal Nonprofit Security Grant Program, including, but not limited

to, physical security upgrades, security training exercises, preparedness training exercises, contracting with security personnel, and any other security upgrades deemed eligible by the Director. Eligible security improvements shall not duplicate, in part or in whole, a project included under any awarded federal grant or in a pending federal application. The Director shall establish procedures and forms by which applicants may apply for a grant and procedures for distributing grants to recipients. Any security improvements awarded shall remain at the physical property listed in the grant application, unless authorized by Agency rule or approved by the Agency in writing. The procedures shall require each applicant to do the following:

- (1) identify and substantiate prior or current threats, attacks, or acts of terrorism against the not-for-profit organization;

- (2) indicate the symbolic or strategic value of one or more sites that renders the site a possible target of a threat, attack, or act of terrorism;

- (3) discuss potential consequences to the organization if the site is damaged, destroyed, or disrupted by a threat, attack, or act of terrorism;

- (4) describe how the grant will be used to integrate organizational preparedness with broader State and local preparedness efforts, as described by the Agency in each Notice of Opportunity for Funding;

(5) submit (i) a vulnerability assessment conducted by experienced security, law enforcement, or military personnel, or conducted using an Agency-approved or federal Nonprofit Security Grant Program self-assessment tool, and (ii) a description of how the grant award will be used to address the vulnerabilities identified in the assessment; and

(6) submit any other relevant information as may be required by the Director.

The Agency is authorized to use funds appropriated for the grant program described in this subsection (g-5) to administer the program. Any Agency Notice of Opportunity for Funding, proposed or final rulemaking, guidance, training opportunity, or other resource related to the grant program must be published on the Agency's publicly available website, and any announcements related to funding shall be shared with all State legislative offices, the Governor's office, emergency services and disaster agencies mandated or required pursuant to subsections (b) through (d) of Section 10, and any other State agencies as determined by the Agency. Subject to appropriation, the grant application period shall be open for no less than 45 calendar days during the first application cycle each fiscal year, unless the Agency determines that a shorter period is necessary to avoid conflicts with the annual federal Nonprofit Security Grant Program funding cycle. Additional application cycles may be conducted during the same

fiscal year, subject to availability of funds. Upon request, Agency staff shall provide reasonable assistance to any applicant in completing a grant application or meeting a post-award requirement.

In addition to any advance payment rules or procedures adopted by the Agency, the Agency shall adopt rules or procedures by which grantees under this subsection (g-5) may receive a working capital advance of initial start-up costs and up to 2 months of program expenses, not to exceed 25% of the total award amount, if, during the application process, the grantee demonstrates a need for funds to commence a project. The remaining funds must be paid through reimbursement after the grantee presents sufficient supporting documentation of expenditures for eligible activities.

(h) Except as provided in Section 17.5 of this Act, any moneys received by the Agency from donations or sponsorships unrelated to a disaster shall be deposited in the Emergency Planning and Training Fund and used by the Agency, subject to appropriation, to effectuate planning and training activities. Any moneys received by the Agency from donations during a disaster and intended for disaster response or recovery shall be deposited into the Disaster Response and Recovery Fund and used for disaster response and recovery pursuant to the Disaster Relief Act.

(i) The Illinois Emergency Management Agency may by rule assess and collect reasonable fees for attendance at

Agency-sponsored conferences to enable the Agency to carry out the requirements of this Act. Any moneys received under this subsection shall be deposited in the Emergency Planning and Training Fund and used by the Agency, subject to appropriation, for planning and training activities.

(j) The Illinois Emergency Management Agency is authorized to make grants to other State agencies, public universities, units of local government, and statewide mutual aid organizations to enhance statewide emergency preparedness and response.

(Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1115, eff. 1-9-23; 103-418, eff. 1-1-24.)

Section 3-15. The State Finance Act is amended by changing Section 6z-129 as follows:

(30 ILCS 105/6z-129)

Sec. 6z-129. Horse Racing Purse Equity Fund. The Horse Racing Purse Equity Fund is a nonappropriated trust fund held outside of the State treasury. Within 30 calendar days after funds are deposited in the Horse Racing Purse Equity Fund and the applicable grant agreement is executed, whichever is later, the Department of Agriculture shall transfer the entire balance in the Fund to the organization licensees that hold purse moneys that support each of the legally recognized

horsemen's associations that have contracted with an organization licensee over the immediately preceding 3 calendar years under subsection (d) of Section 29 of the Illinois Horse Racing Act of 1975. The 2024 ~~2023~~ division of such fund balance among the qualifying purse accounts shall be pursuant to the 2021 agreement of the involved horsemen associations with 45% being allocated to the thoroughbred purse account at a racetrack located in Stickney Township in Cook County, 30% being allocated to the harness purse account at a racetrack located in Stickney Township in Cook County, and 25% being allocated to the thoroughbred purse account at a racetrack located in Madison County. Transfers may be made to an organization licensee that has one or more executed grant agreements while the other organization licensee awaits finalization and execution of its grant agreement or agreements. All funds transferred to purse accounts pursuant to this Section shall be for the sole purpose of augmenting future purses during State fiscal year 2025 ~~2024~~. For purposes of this Section, a legally recognized horsemen association is that horsemen association representing the largest number of owners, trainers, jockeys or Standardbred drivers who race horses at an Illinois organization licensee and that enter into agreements with Illinois organization licenses to govern the racing meet and that also provide required consents pursuant to the Illinois Horse Racing Act of 1975.

(Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 7-1-23.)

Section 3-22. The Illinois Pension Code is amended by changing Sections 16-150.1 and 17-149, as follows:

(40 ILCS 5/16-150.1)

Sec. 16-150.1. Return to teaching in subject shortage area.

(a) As used in this Section, "eligible employment" means employment beginning on or after July 1, 2003 and ending no later than June 30, 2027 ~~2024~~, in a subject shortage area at a qualified school, in a position requiring certification under the law governing the certification of teachers.

As used in this Section, "qualified school" means a public elementary or secondary school that meets all of the following requirements:

(1) At the time of hiring a retired teacher under this Section, the school is experiencing a shortage of teachers in the subject shortage area for which the teacher is hired.

(2) The school district to which the school belongs has complied with the requirements of subsection (e), and the regional superintendent has certified that compliance to the System.

(3) If the school district to which the school belongs provides group health benefits for its teachers generally, substantially similar health benefits are made available

for teachers participating in the program under this Section, without any limitations based on pre-existing conditions.

(b) An annuitant receiving a retirement annuity under this Article (other than a disability retirement annuity) may engage in eligible employment at a qualified school without impairing his or her retirement status or retirement annuity, subject to the following conditions:

(1) the eligible employment does not begin within the school year during which service was terminated;

(2) the annuitant has not received any early retirement incentive under Section 16-133.3, 16-133.4, or 16-133.5;

(3) if the annuitant retired before age 60 and with less than 34 years of service, the eligible employment does not begin within the year following the effective date of the retirement annuity;

(4) if the annuitant retired at age 60 or above or with 34 or more years of service, the eligible employment does not begin within the 90 days following the effective date of the retirement annuity; and

(5) before the eligible employment begins, the employer notifies the System in writing of the annuitant's desire to participate in the program established under this Section.

(c) An annuitant engaged in eligible employment in

accordance with subsection (b) shall be deemed a participant in the program established under this Section for so long as he or she remains employed in eligible employment.

(d) A participant in the program established under this Section continues to be a retirement annuitant, rather than an active teacher, for all of the purposes of this Code, but shall be deemed an active teacher for other purposes, such as inclusion in a collective bargaining unit, eligibility for group health benefits, and compliance with the laws governing the employment, regulation, certification, treatment, and conduct of teachers.

With respect to an annuitant's eligible employment under this Section, neither employee nor employer contributions shall be made to the System and no additional service credit shall be earned. Eligible employment does not affect the annuitant's final average salary or the amount of the retirement annuity.

(e) Before hiring a teacher under this Section, the school district to which the school belongs must do the following:

(1) If the school district to which the school belongs has honorably dismissed, within the calendar year preceding the beginning of the school term for which it seeks to employ a retired teacher under the program established in this Section, any teachers who are legally qualified to hold positions in the subject shortage area and have not yet begun to receive their retirement

annuities under this Article, the vacant positions must first be tendered to those teachers.

(2) For a period of at least 90 days during the 6 months preceding the beginning of either the fall or spring term for which it seeks to employ a retired teacher under the program established in this Section, the school district must, on an ongoing basis, (i) advertise its vacancies in the subject shortage area in employment bulletins published by college and university placement offices located near the school; (ii) search for teachers legally qualified to fill those vacancies through the Illinois Education Job Bank; and (iii) post all vacancies on the school district's website and list the vacancy in an online job portal or database.

A school district replacing a teacher who is unable to continue employment with the school district because of documented illness, injury, or disability that occurred after being hired by a school district under this Section shall be exempt from the provisions of paragraph (2) for 90 school days. However, the school district must on an ongoing basis comply with items (i), (ii), and (iii) of paragraph (2).

The school district must submit documentation of its compliance with this subsection to the regional superintendent. Upon receiving satisfactory documentation from the school district, the regional superintendent shall certify the district's compliance with this subsection to the System.

(f) This Section applies without regard to whether the annuitant was in service on or after the effective date of this amendatory Act of the 93rd General Assembly.

(Source: P.A. 101-49, eff. 7-12-19; 102-440, eff. 8-20-21.)

(40 ILCS 5/17-149) (from Ch. 108 1/2, par. 17-149)

Sec. 17-149. Cancellation of pensions.

(a) If any person receiving a disability retirement pension from the Fund is re-employed as a teacher by an Employer, the pension shall be cancelled on the date the re-employment begins, or on the first day of a payroll period for which service credit was validated, whichever is earlier.

(b) If any person receiving a service retirement pension from the Fund is re-employed as a teacher on a permanent or annual basis by an Employer, the pension shall be cancelled on the date the re-employment begins, or on the first day of a payroll period for which service credit was validated, whichever is earlier. However, subject to the limitations and requirements of subsection (c-5), (c-6), (c-7), or (c-10), the pension shall not be cancelled in the case of a service retirement pensioner who is re-employed on a temporary and non-annual basis or on an hourly basis.

(c) If the date of re-employment on a permanent or annual basis occurs within 5 school months after the date of previous retirement, exclusive of any vacation period, the member shall be deemed to have been out of service only temporarily and not

permanently retired. Such person shall be entitled to pension payments for the time he could have been employed as a teacher and received salary, but shall not be entitled to pension for or during the summer vacation prior to his return to service.

When the member again retires on pension, the time of service and the money contributed by him during re-employment shall be added to the time and money previously credited. Such person must acquire 3 consecutive years of additional contributing service before he may retire again on a pension at a rate and under conditions other than those in force or attained at the time of his previous retirement.

(c-5) For school years beginning on or after July 1, 2019 and before July 1, 2022, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher on a temporary and non-annual basis or on an hourly basis, so long as the person (1) does not work as a teacher for compensation on more than 120 days in a school year or (2) does not accept gross compensation for the re-employment in a school year in excess of (i) \$30,000 or (ii) in the case of a person who retires with at least 5 years of service as a principal, an amount that is equal to the daily rate normally paid to retired principals multiplied by 100. These limitations apply only to school years that begin on or after July 1, 2019 and before July 1, 2022. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

The service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher on a temporary and non-annual basis or on an hourly basis, so long as the person (1) does not work as a teacher for compensation on more than 100 days in a school year or (2) does not accept gross compensation for the re-employment in a school year in excess of (i) \$30,000 or (ii) in the case of a person who retires with at least 5 years of service as a principal, an amount that is equal to the daily rate normally paid to retired principals multiplied by 100. These limitations apply only to school years that begin on or after August 8, 2012 (the effective date of Public Act 97-912) and before July 1, 2019. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

Notwithstanding the 120-day limit set forth in item (1) of this subsection (c-5), the service retirement pension shall not be cancelled in the case of a service retirement pensioner who teaches only driver education courses after regular school hours and does not teach any other subject area, so long as the person does not work as a teacher for compensation for more than 900 hours in a school year. The \$30,000 limit set forth in subitem (i) of item (2) of this subsection (c-5) shall apply to a service retirement pensioner who teaches only driver education courses after regular school hours and does not teach any other subject area.

To be eligible for such re-employment without cancellation of pension, the pensioner must notify the Fund and the Board of Education of his or her intention to accept re-employment under this subsection (c-5) before beginning that re-employment (or if the re-employment began before August 8, 2012 (the effective date of Public Act 97-912), then within 30 days after that effective date).

An Employer must certify to the Fund the temporary and non-annual or hourly status and the compensation of each pensioner re-employed under this subsection at least quarterly, and when the pensioner is approaching the earnings limitation under this subsection.

If the pensioner works more than 100 days or accepts excess gross compensation for such re-employment in any school year that begins on or after August 8, 2012 (the effective date of Public Act 97-912), the service retirement pension shall thereupon be cancelled.

If the pensioner who only teaches drivers education courses after regular school hours works more than 900 hours or accepts excess gross compensation for such re-employment in any school year that begins on or after August 12, 2016 (the effective date of Public Act 99-786), the service retirement pension shall thereupon be cancelled.

If the pensioner works more than 120 days or accepts excess gross compensation for such re-employment in any school year that begins on or after July 1, 2019, the service

retirement pension shall thereupon be cancelled.

The Board of the Fund shall adopt rules for the implementation and administration of this subsection.

(c-6) For school years beginning on or after July 1, 2022 and before July 1, 2027 ~~2024~~, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher or an administrator on a temporary and non-annual basis or on an hourly basis, so long as the person does not work as a teacher or an administrator for compensation on more than 140 days in a school year. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

(c-7) For school years beginning on or after July 1, 2027 ~~2024~~, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher or an administrator on a temporary and non-annual basis or on an hourly basis, so long as the person does not work as a teacher or an administrator for compensation on more than 120 days in a school year. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

(c-10) Until June 30, 2027 ~~2024~~, the service retirement pension of a service retirement pensioner shall not be cancelled if the service retirement pensioner is employed in a subject shortage area and the Employer that is employing the

service retirement pensioner meets the following requirements:

(1) If the Employer has honorably dismissed, within the calendar year preceding the beginning of the school term for which it seeks to employ a service retirement pensioner under this subsection, any teachers who are legally qualified to hold positions in the subject shortage area and have not yet begun to receive their service retirement pensions under this Article, the vacant positions must first be tendered to those teachers.

(2) For a period of at least 90 days during the 6 months preceding the beginning of either the fall or spring term for which it seeks to employ a service retirement pensioner under this subsection, the Employer must, on an ongoing basis, (i) advertise its vacancies in the subject shortage area in employment bulletins published by college and university placement offices located near the school; (ii) search for teachers legally qualified to fill those vacancies through the Illinois Education Job Bank; and (iii) post all vacancies on the Employer's website and list the vacancy in an online job portal or database.

An Employer of a teacher who is unable to continue employment with the Employer because of documented illness, injury, or disability that occurred after being hired by the Employer under this subsection is exempt from the provisions of paragraph (2) for 90 school days. However, the Employer

must on an ongoing basis comply with items (i), (ii), and (iii) of paragraph (2).

The Employer must submit documentation of its compliance with this subsection to the regional superintendent. Upon receiving satisfactory documentation from the Employer, the regional superintendent shall certify the Employer's compliance with this subsection to the Fund.

(d) Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section made by Public Act 90-32 apply without regard to whether termination of service occurred before the effective date of that Act and apply retroactively to August 23, 1989.

Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section and Section 17-106 made by Public Act 92-599 apply without regard to whether termination of service occurred before June 28, 2002 (the effective date of Public Act 92-599).

Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section made by Public Act 97-912 apply without regard to whether termination of service occurred before August 8, 2012 (the effective date of Public Act 97-912).

(Source: P.A. 102-1013, eff. 5-27-22; 102-1090, eff. 6-10-22; 103-154, eff. 6-30-23.)

Section 3-25. The Law Enforcement Camera Grant Act is amended by changing Section 10 as follows:

(50 ILCS 707/10)

Sec. 10. Law Enforcement Camera Grant Fund; creation, rules.

(a) The Law Enforcement Camera Grant Fund is created as a special fund in the State treasury. From appropriations to the Board from the Fund, the Board must make grants to units of local government in Illinois and Illinois public universities for the purpose of (1) purchasing or leasing in-car video cameras for use in law enforcement vehicles, (2) purchasing or leasing officer-worn body cameras and associated technology for law enforcement officers, and (3) training for law enforcement officers in the operation of the cameras. Grants under this Section may be used to offset data storage and related licensing costs for officer-worn body cameras. For the purposes of this Section, "purchasing or leasing" includes providing funding to units of local government in advance that can be used to obtain this equipment rather than only for reimbursement of purchased equipment.

Moneys received for the purposes of this Section, including, without limitation, fee receipts and gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

(b) The Board may set requirements for the distribution of grant moneys and determine which law enforcement agencies are

eligible.

(b-5) The Board shall consider compliance with the Uniform Crime Reporting Act as a factor in awarding grant moneys.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(f) (Blank).

(g) (Blank).

(h) (Blank).

(Source: P.A. 102-16, eff. 6-17-21; 102-1104, eff. 12-6-22.)

Section 3-27. The Illinois Library System Act is amended by changing Section 8 as follows:

(75 ILCS 10/8) (from Ch. 81, par. 118)

Sec. 8. State grants.

(a) There shall be a program of State grants within the limitations of funds appropriated by the Illinois General Assembly together with other funds made available by the federal government or other sources for this purpose. This program of State grants shall be administered by the State Librarian in accordance with rules and regulations as provided in Section 3 of this Act and shall include the following: (i) annual equalization grants; (ii) Library System grants; (iii) per capita grants to public libraries; and (iv) planning and construction grants to public libraries and library systems.

Libraries, in order to be eligible for grants under this Section, must be members of a library system.

(b) An annual equalization grant shall be made to all public libraries for which the corporate authorities levy a tax for library purposes at a rate not less than .13% of the value of all the taxable property as equalized and assessed by the Department of Revenue if the amount of tax revenue obtained from a rate of .13% produces less than \$17.50 per capita in property tax revenue from property taxes for Fiscal Year 2025 ~~(i) \$4.25 per capita in property tax revenue from property taxes for the 2006 taxable year payable in 2007 and (ii) \$7.50 per capita in property tax revenue from property taxes for the 2007 taxable year~~ and thereafter. In that case, the State Librarian is authorized to make an equalization grant equivalent to the difference between the amount obtained from a rate of .13% and an annual income of \$17.50 per capita for grants made in Fiscal Year 2025 ~~\$4.25 per capita for grants made through Fiscal Year 2008, and an annual income of \$7.50 per capita for grants made in Fiscal Year 2009~~ and thereafter. If moneys appropriated for grants under this Section are not sufficient, then the State Librarian shall reduce the per capita amount of the grants so that the qualifying public libraries receive the same amount per capita, but in no event shall the grant be less than equivalent to the difference between the amount of the tax revenue obtained from the current levy and an annual income of \$4.25 per capita. If a

library receiving an equalization grant reduces its tax levy below the amount levied at the time the original application is approved, it shall be ineligible to receive further equalization grants.

If a library is subject to the Property Tax Extension Limitation Law in the Property Tax Code and its tax levy for library purposes has been lowered to a rate of less than .13%, the library will qualify for this grant if the library levied a tax for library purposes that met the requirements for this grant in the previous year and if the tax levied for library purposes in the current year produces tax revenue for the library that is an increase over the previous year's extension of 5% or the percentage increase in the Consumer Price Index, whichever is less, and the tax revenue produced by this levy is less than \$17.50 per capita in property tax revenue from property taxes for the Fiscal Year 2025 ~~(i) \$4.25 per capita in property tax revenue from property taxes for the 2006 taxable year payable in 2007 and (ii) \$7.50 per capita in property tax revenue from property taxes for the 2007 taxable year and thereafter. In this case, the State Librarian is authorized to make an equalization grant equivalent to the difference between the amount of tax revenue obtained from the current levy and an annual income of \$17.50 per capita for grants made in Fiscal Year 2025 ~~\$4.25 per capita for grants made through Fiscal Year 2008, and an annual income of \$7.50 per capita for grants made in Fiscal Year 2009~~ and thereafter. If moneys~~

appropriated for grants under this Section are not sufficient, then the State Librarian shall reduce the per capita amount of the grants so that the qualifying public libraries receive the same amount per capita, but in no event shall the grant be less than equivalent to the difference between the amount of the tax revenue obtained from the current levy and an annual income of \$4.25 per capita. If a library receiving an equalization grant reduces its tax levy below the amount levied at the time the original application is approved, it shall be ineligible to receive further equalization grants.

(c) Annual Library System grants shall be made, upon application, to each library system approved by the State Librarian on the following basis:

(1) For library systems, the sum of \$1.46 per capita of the population of the area served plus the sum of \$50.75 per square mile or fraction thereof of the area served except as provided in paragraph (4) of this subsection.

(2) If the amounts appropriated for grants are different from the amount provided for in paragraph (1) of this subsection, the area and per capita funding shall be proportionately reduced or increased accordingly.

(3) For library systems, additional funds may be appropriated. The appropriation shall be distributed on the same proportional per capita and per square mile basis as provided in paragraphs (1) and (4) of this subsection.

(4) Per capita and area funding for a multitype

library system as defined in subparagraph (3) of the definition of "library system" in Section 2 and a public library system in cities with a population of 500,000 or more as defined in subparagraph (2) of the definition of "library system" in Section 2 shall be apportioned with 25% of the funding granted to the multitype library system and 75% of the funding granted to the public library system.

(d) The "area served" for the purposes of making and expending annual Library System grants means the area that lies within the geographic boundaries of the library system as approved by the State Librarian, except that grant funding awarded to a library system may also be expended for the provision of services to members of other library systems if such an expenditure is included in a library system's plan of service and is approved by the State Librarian. In determining the population of the area served by the library system, the Illinois State Library shall use the latest federal census for the political subdivisions in the area served.

(e) In order to be eligible for a grant under this Section, the corporate authorities, instead of a tax levy at a particular rate, may provide an amount equivalent to the amount produced by that levy.

(Source: P.A. 99-186, eff. 7-29-15.)

Section 3-30. The School Code is amended by changing

Section 29-5 as follows:

(105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

Sec. 29-5. Reimbursement by State for transportation. Any school district or State-authorized charter school, maintaining a school, transporting resident pupils to another school district's vocational program, offered through a joint agreement approved by the State Board of Education, as provided in Section 10-22.22 or transporting its resident pupils to a school which meets the standards for recognition as established by the State Board of Education which provides transportation meeting the standards of safety, comfort, convenience, efficiency and operation prescribed by the State Board of Education for resident pupils in kindergarten or any of grades 1 through 12 who: (a) reside at least 1 1/2 miles as measured by the customary route of travel, from the school attended; or (b) reside in areas where conditions are such that walking constitutes a hazard to the safety of the child when determined under Section 29-3; and (c) are transported to the school attended from pick-up points at the beginning of the school day and back again at the close of the school day or transported to and from their assigned attendance centers during the school day, shall be reimbursed by the State as hereinafter provided in this Section.

The State will pay the prorated allowable cost of transporting eligible pupils less the real equalized assessed

valuation as computed under paragraph (3) of subsection (d) of Section 18-8.15 in a dual school district maintaining secondary grades 9 to 12 inclusive times a qualifying rate of .05%; in elementary school districts maintaining grades K to 8 times a qualifying rate of .06%; and in unit districts maintaining grades K to 12, including partial elementary unit districts formed pursuant to Article 11E, times a qualifying rate of .07%. For a State-authorized charter school, the State shall pay the prorated allowable cost of transporting eligible pupils less a real equalized assessed valuation calculated pursuant to this Section times a qualifying rate. For purposes of calculating the real equalized assessed valuation for a State-authorized charter school whose resident district is not a school district organized under Article 34 of this Code, the State Board of Education shall calculate the average of the number of students in grades kindergarten through 12 reported as enrolled in the charter school in the State Board's Student Information System on October 1 and March 1 of the immediately preceding school year. That value shall be divided by the average of the number of students in grades kindergarten through 12 reported as enrolled in the charter school's resident district on October 1 and March 1 of the immediately preceding school year. That proportion shall be multiplied by the real equalized assessed valuation as computed under paragraph (3) of subsection (d) of Section 18-8.15 for each State-authorized charter school's applicable resident

district. A State-authorized charter school whose resident district is organized under Article 34 of this Code shall have a real equalized assessed valuation equal to the real equalized assessed valuation of its resident district as computed under paragraph (3) of subsection (d) of Section 18-8.15. A State-authorized charter school's qualifying rate shall be the same as the rate that applies to the charter school's resident district.

To be eligible to receive reimbursement in excess of 4/5 of the cost to transport eligible pupils, a school district or partial elementary unit district formed pursuant to Article 11E shall have a Transportation Fund tax rate of at least .12%. The Transportation Fund tax rate for a partial elementary unit district formed pursuant Article 11E shall be the combined elementary and high school rates pursuant to paragraph (4) of subsection (a) of Section 18-8.15.

If a school district or partial elementary unit district formed pursuant to Article 11E does not have a .12% Transportation Fund tax rate, the amount of its claim in excess of 4/5 of the cost of transporting pupils shall be reduced by the sum arrived at by subtracting the Transportation Fund tax rate from .12% and multiplying that amount by the district's real equalized assessed valuation as computed under paragraph (3) of subsection (d) of Section 18-8.15, provided that in no case shall said reduction result in reimbursement of less than 4/5 of the cost to transport

eligible pupils. No such adjustment may be applied to a claim filed by a State-authorized charter school.

Subject to the calculation of equalized assessed valuation, an adjustment for an insufficient tax rate, and the use of a qualifying rate as provided in this Section, a State-authorized charter school may make a claim for reimbursement by the State that is calculated in the same manner as a school district.

The minimum amount to be received by a district is \$16 times the number of eligible pupils transported.

When calculating the reimbursement for transportation costs, the State Board of Education may not deduct the number of pupils enrolled in early education programs from the number of pupils eligible for reimbursement if the pupils enrolled in the early education programs are transported at the same time as other eligible pupils.

Any such district transporting resident pupils during the school day to an area vocational school or another school district's vocational program more than 1 1/2 miles from the school attended, as provided in Sections 10-22.20a and 10-22.22, shall be reimbursed by the State for 4/5 of the cost of transporting eligible pupils.

School day means that period of time during which the pupil is required to be in attendance for instructional purposes.

If a pupil is at a location within the school district

other than his residence for child care purposes at the time for transportation to school, that location may be considered for purposes of determining the 1 1/2 miles from the school attended.

Claims for reimbursement that include children who attend any school other than a public school shall show the number of such children transported.

Claims for reimbursement under this Section shall not be paid for the transportation of pupils for whom transportation costs are claimed for payment under other Sections of this Act.

The allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall be limited to the sum of the cost of physical examinations required for employment as a school bus driver; the salaries of full-time or part-time drivers and school bus maintenance personnel; employee benefits excluding Illinois municipal retirement payments, social security payments, unemployment insurance payments and workers' compensation insurance premiums; expenditures to independent carriers who operate school buses; payments to other school districts for pupil transportation services; pre-approved contractual expenditures for computerized bus scheduling; expenditures for housing assistance and homeless prevention under Sections 1-17 and 1-18 of the Education for Homeless Children Act that are not in excess of the school district's

actual costs for providing transportation services and are not otherwise claimed in another State or federal grant that permits those costs to a parent, a legal guardian, any other person who enrolled a pupil, or a homeless assistance agency that is part of the federal McKinney-Vento Homeless Assistance Act's continuum of care for the area in which the district is located; the cost of gasoline, oil, tires, and other supplies necessary for the operation of school buses; the cost of converting buses' gasoline engines to more fuel efficient engines or to engines which use alternative energy sources; the cost of travel to meetings and workshops conducted by the regional superintendent or the State Superintendent of Education pursuant to the standards established by the Secretary of State under Section 6-106 of the Illinois Vehicle Code to improve the driving skills of school bus drivers; the cost of maintenance of school buses including parts and materials used; expenditures for leasing transportation vehicles, except interest and service charges; the cost of insurance and licenses for transportation vehicles; expenditures for the rental of transportation equipment; plus a depreciation allowance of 20% for 5 years for school buses and vehicles approved for transporting pupils to and from school and a depreciation allowance of 10% for 10 years for other transportation equipment so used. Each school year, if a school district has made expenditures to the Regional Transportation Authority or any of its service boards, a mass

transit district, or an urban transportation district under an intergovernmental agreement with the district to provide for the transportation of pupils and if the public transit carrier received direct payment for services or passes from a school district within its service area during the 2000-2001 school year, then the allowable direct cost of transporting pupils for regular, vocational, and special education pupil transportation shall also include the expenditures that the district has made to the public transit carrier. In addition to the above allowable costs, school districts shall also claim all transportation supervisory salary costs, including Illinois municipal retirement payments, and all transportation related building and building maintenance costs without limitation.

Special education allowable costs shall also include expenditures for the salaries of attendants or aides for that portion of the time they assist special education pupils while in transit and expenditures for parents and public carriers for transporting special education pupils when pre-approved by the State Superintendent of Education.

Indirect costs shall be included in the reimbursement claim for districts which own and operate their own school buses. Such indirect costs shall include administrative costs, or any costs attributable to transporting pupils from their attendance centers to another school building for instructional purposes. No school district which owns and

operates its own school buses may claim reimbursement for indirect costs which exceed 5% of the total allowable direct costs for pupil transportation.

The State Board of Education shall prescribe uniform regulations for determining the above standards and shall prescribe forms of cost accounting and standards of determining reasonable depreciation. Such depreciation shall include the cost of equipping school buses with the safety features required by law or by the rules, regulations and standards promulgated by the State Board of Education, and the Department of Transportation for the safety and construction of school buses provided, however, any equipment cost reimbursed by the Department of Transportation for equipping school buses with such safety equipment shall be deducted from the allowable cost in the computation of reimbursement under this Section in the same percentage as the cost of the equipment is depreciated.

On or before August 15, annually, the chief school administrator for the district shall certify to the State Superintendent of Education the district's claim for reimbursement for the school year ending on June 30 next preceding. The State Superintendent of Education shall check and approve the claims and prepare the vouchers showing the amounts due for district reimbursement claims. Each fiscal year, the State Superintendent of Education shall prepare and transmit the first 3 vouchers to the Comptroller on the 30th

day of September, December and March, respectively, and the final voucher, no later than June 20.

If the amount appropriated for transportation reimbursement is insufficient to fund total claims for any fiscal year, the State Board of Education shall reduce each school district's allowable costs and flat grant amount proportionately to make total adjusted claims equal the total amount appropriated.

For purposes of calculating claims for reimbursement under this Section for any school year beginning July 1, 2016, the equalized assessed valuation for a school district or partial elementary unit district formed pursuant to Article 11E used to compute reimbursement shall be the real equalized assessed valuation as computed under paragraph (3) of subsection (d) of Section 18-8.15.

All reimbursements received from the State shall be deposited into the district's transportation fund or into the fund from which the allowable expenditures were made.

Notwithstanding any other provision of law, any school district receiving a payment under this Section or under Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may classify all or a portion of the funds that it receives in a particular fiscal year or from State aid pursuant to Section 18-8.15 of this Code as funds received in connection with any funding program for which it is entitled to receive funds from the State in that fiscal year (including, without limitation,

any funding program referenced in this Section), regardless of the source or timing of the receipt. The district may not classify more funds as funds received in connection with the funding program than the district is entitled to receive in that fiscal year for that program. Any classification by a district must be made by a resolution of its board of education. The resolution must identify the amount of any payments or general State aid to be classified under this paragraph and must specify the funding program to which the funds are to be treated as received in connection therewith. This resolution is controlling as to the classification of funds referenced therein. A certified copy of the resolution must be sent to the State Superintendent of Education. The resolution shall still take effect even though a copy of the resolution has not been sent to the State Superintendent of Education in a timely manner. No classification under this paragraph by a district shall affect the total amount or timing of money the district is entitled to receive under this Code. No classification under this paragraph by a district shall in any way relieve the district from or affect any requirements that otherwise would apply with respect to that funding program, including any accounting of funds by source, reporting expenditures by original source and purpose, reporting requirements, or requirements of providing services.

Any school district with a population of not more than 500,000 must deposit all funds received under this Article

into the transportation fund and use those funds for the provision of transportation services.

(Source: P.A. 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

Section 3-35. The Early Childhood Access Consortium for Equity Act is amended by changing Sections 15, 20, 25, and 30 as follows:

(110 ILCS 28/15)

Sec. 15. Creation of Consortium; purpose; administrative support.

(a) The Board of Higher Education and the Illinois Community College Board shall create and establish the Early Childhood Access Consortium for Equity.

(b) The purpose of the Consortium is to serve the needs of the incumbent early childhood workforce and the employers of early childhood educators and to advance racial equity while meeting the needs of employers by streamlining, coordinating, and improving the accessibility of degree completion pathways for upskilling and the sustained expansion of educational pipelines at Illinois institutions of higher education.

(c) The Board of Higher Education and the Illinois Community College Board shall convene the member institutions by July 1, 2021 or within 60 days after the effective date of this amendatory Act of the 102nd General Assembly. The Board of Higher Education and the Illinois Community College Board

shall provide administrative support for the start up and operation of the Consortium until a permanent governance structure is developed and implemented. ~~The Board of Higher Education and the Illinois Community College Board shall work with member institutions to establish geographic regional hubs, including public universities and the proximate community colleges responsible for serving each regional hub.~~

(Source: P.A. 102-174, eff. 7-28-21.)

(110 ILCS 28/20)

Sec. 20. Membership; functions.

(a) Membership in the Consortium shall include all public universities and community colleges in this State that offer early childhood programs. Membership by private, not-for-profit universities is optional and conditional on the acceptance of the terms adopted by the public members, the related administrative rules, and the provisions of this Act. For-profit institutions of higher education are not eligible for membership in the Consortium. Participating institutions must be accredited by the Higher Learning Commission and entitled to offer Gateways Credentials.

(b) The members of the Consortium shall operate jointly and in cooperation ~~through regional hubs~~ to provide streamlined paths for students to attain associate degrees, bachelor's degrees, master's degrees, certificates, and Gateways Credentials and other licensure endorsements in early

childhood education. The priority shall be to focus on the incumbent workforce, which includes working adults who require programs of study that offer flexibility in the times courses are offered, location, and format. The Consortium shall cooperate in all of the following:

(1) Providing course offerings ~~within each regional hub~~ in online, hybrid, and in-person formats that are available to any student enrolled in a member institution ~~in that hub~~ for occasions in which a particular course is not available at the student's home institution. In this paragraph (1), "not available" may mean the course is not offered during a term, at a time, or in a format that works best for the student. Courses taken at any member institution shall be accepted toward the student's degree at any other member institution. Course offerings across institutions ~~regional hubs~~ may also be provided by an agreement between Consortium members. All course registration shall take place in consultation with a student's academic advisor.

(2) Shared responsibilities through the Consortium ~~and within~~ and across the State ~~regional hubs~~ to expand access for students.

(3) Transfers in accordance with Section 130-10 of the Transitions in Education Act.

(4) The development of standardized methods for awarding credit for prior learning.

(5) The support necessary for student access, persistence, and completion shall be provided by the home institution, unless otherwise provided by agreement between Consortium members.

(6) Admissions, financial arrangements, registration, and advising services shall be functions of the home institution but shall be honored across the Consortium.

(7) Member institutions working with their regional pre-kindergarten through 12th grade and early childhood employer partners to determine demand throughout the region.

(8) Data-sharing agreements.

(9) An agreement that students enrolled in associate degree programs are encouraged to complete the associate degree program prior to transferring to a bachelor's degree program.

(10) Development of other shared agreements and terms necessary to implement the Consortium and its responsibilities.

By January 31, 2022, the Consortium shall decide how to assign college credit for the incumbent workers who have a Child Development Associate (CDA) credential and for future workers obtaining a CDA.

(c) The Consortium may facilitate or implement the following if deemed beneficial and feasible:

(1) the creation of an open education resource

library;

(2) support and training for program coaches and cross-institutional navigators; and

(3) support for the development, implementation, and participation in a statewide registry system through the Illinois Network of Child Care Resource and Referral Agencies (INCCRRA) to provide tracking and data capabilities for students across the system as they attain competency through coursework.

(Source: P.A. 102-174, eff. 7-28-21.)

(110 ILCS 28/25)

Sec. 25. Advisory committee; membership.

(a) The Board of Higher Education, the Illinois Community College Board, the State Board of Education, the Department of Human Services, and the Governor's Office of Early Childhood Development shall jointly convene a Consortium advisory committee to provide guidance on the operation of the Consortium.

(b) Membership on the advisory committee shall be comprised of employers and experts appointed by the Board of Higher Education, the Illinois Community College Board, the Governor's Office of Early Childhood Development, and the State Board of Education. Membership shall also include all of the following members:

(1) An employer from a community-based child care

provider, appointed by the Governor's Office of Early Childhood Development.

(2) An employer from a for-profit child care provider, appointed by the Governor's Office of Early Childhood Development.

(3) An employer from a nonprofit child care provider, appointed by the Governor's Office of Early Childhood Development.

(4) A provider of family child care, appointed by the Governor's Office of Early Childhood Development.

(5) An employer located in southern Illinois, appointed by the Governor's Office of Early Childhood Development.

(6) An employer located in central Illinois, appointed by the Governor's Office of Early Childhood Development.

(7) At least one member who represents an urban school district, appointed by the State Board of Education.

(8) At least one member who represents a suburban school district, appointed by the State Board of Education.

(9) At least one member who represents a rural school district, appointed by the State Board of Education.

(10) At least one member who represents a school district in a city with a population of 500,000 or more, appointed by the State Board of Education.

(11) Two early childhood advocates with statewide

expertise in early childhood workforce issues, appointed by the Governor's Office of Early Childhood Development.

(12) The Chairperson or Vice-Chairperson and the Minority Spokesperson or a designee of the Senate Committee on Higher Education.

(13) The Chairperson or Vice-Chairperson and the Minority Spokesperson or a designee of the House Committee on Higher Education.

(14) One member representing the Illinois Community College Board, who shall serve as co-chairperson, appointed by the Illinois Community College Board.

(15) One member representing the Board of Higher Education, who shall serve as co-chairperson, appointed by the Board of Higher Education.

(16) One member representing the Illinois Student Assistance Commission, appointed by the Illinois Student Assistance Commission ~~Board of Higher Education~~.

(17) One member representing the State Board of Education, who shall serve as co-chairperson, appointed by the State Board of Education.

(18) One member representing the Governor's Office of Early Childhood Development, who shall serve as co-chairperson, appointed by the Governor's Office of Early Childhood Development.

(19) One member representing the Department of Human Services, who shall serve as co-chairperson, appointed by

the Governor's Office of Early Childhood Development.

(20) One member representing INCCRRA, appointed by the Governor's Office of Early Childhood Development.

(21) One member representing the Department of Children and Family Services, appointed by the Governor's Office of Early Childhood Development.

(22) One member representing an organization that advocates on behalf of community college trustees, appointed by the Illinois Community College Board.

(23) One member of a union representing child care and early childhood providers, appointed by the Governor's Office of Early Childhood Development.

(24) Two members of unions representing higher education faculty, appointed by the Board of Higher Education.

(25) A representative from the College of Education of an urban public university, appointed by the Board of Higher Education.

(26) A representative from the College of Education of a suburban public university, appointed by the Board of Higher Education.

(27) A representative from the College of Education of a rural public university, appointed by the Board of Higher Education.

(28) A representative from the College of Education of a private university, appointed by the Board of Higher

Education.

(29) A representative of an urban community college, appointed by the Illinois Community College Board.

(30) A representative of a suburban community college, appointed by the Illinois Community College Board.

(31) A representative of rural community college, appointed by the Illinois Community College Board.

(c) The advisory committee shall meet at least twice a year ~~quarterly~~. The committee meetings shall be open to the public in accordance with the provisions of the Open Meetings Act.

(d) Except for the co-chairpersons of the advisory committee, the initial terms for advisory committee members after the effective date of this amendatory Act of the 103rd General Assembly shall be set by lottery at the first meeting after the effective date of this amendatory Act of the 103rd General Assembly as follows:

(1) One-third of members shall serve a 1-year term.

(2) One-third of members shall serve a 2-year term.

(3) One-third of members shall serve a 3-year term.

(e) The initial term of co-chairpersons of the advisory committee shall be for 3 years.

(f) After the initial term, each subsequent term for the members of the advisory committee shall be for 3 years or until a successor is appointed.

(g) The members of the advisory committee shall serve

without compensation, but shall be entitled to reimbursement for all necessary expenses incurred in the performance of their official duties as members of the advisory committee from funds appropriated for that purpose.

(Source: P.A. 102-174, eff. 7-28-21.)

(110 ILCS 28/30)

Sec. 30. Reporting. The Consortium shall report to the General Assembly, to the Senate and House Committees with oversight over higher education, to the Governor, and to the advisory committee on the progress made by the Consortium. A report must include, but is not limited to, all of the following information:

(1) Student enrollment numbers by academic year ~~for the fall and spring terms or semesters,~~ retention rates, persistence, and completion in relevant associate, baccalaureate, and credential programs, including demographic data that is disaggregated by race, ethnicity, geography, higher education sector, and federal Pell Grant status, reported annually ~~twice per year.~~ ~~Completion numbers and rates, employer type, and years worked shall be reported annually.~~

(2) For students enrolled in early childhood programs, average assessed tuition, average ~~Tuition rates charged~~ ~~and net price,~~ number of students receiving student loans, and average loan amount ~~prices paid, reported both as~~

~~including and excluding student loans, by enrolled members of the incumbent workforce, reported annually.~~

(3) Outreach plans to recruit and enroll incumbent workforce members, reported annually ~~twice per year~~.

(4) Participation of the incumbent workforce in outreach programs, which may include participation in an informational session, social media engagement, or other activities, reported annually ~~twice per year~~.

(5) Student academic and holistic support plans to help the enrolled incumbent workforce persist in their education, reported annually.

(6) Evidence of engagement and responsiveness to the needs of employer partners, reported annually.

(7) The Consortium budget including the use of federal funds, reported annually.

(8) Member contributions, including financial, physical, or in-kind contributions, provided to the Consortium, reported annually.

(9) Information on Early Childhood Access Consortium for Equity Scholarships awarded under the Higher Education Student Assistance Act, including demographic data that is disaggregated by race and ethnicity, federal Pell Grant eligibility status, geography, age, gender, and higher education sector, reported annually. Employer type and years worked, as provided by students via the scholarship application, reported annually. To the extent possible

given available data and resources, information on scholarship recipients' subsequent employment in the early childhood care and education field in this State.

(Source: P.A. 102-174, eff. 7-28-21.)

Section 3-37. The Higher Education Student Assistance Act is amended by adding Section 65.125 as follows:

(110 ILCS 947/65.125 new)

Sec. 65.125. Early Childhood Access Consortium for Equity Scholarship Program.

(a) As used in this Section, "incumbent workforce" has the meaning ascribed to that term in the Early Childhood Access Consortium for Equity Act.

(b) Subject to appropriation, the Commission shall implement and administer an early childhood educator scholarship program, to be known as the Early Childhood Access Consortium for Equity Scholarship Program. Under the Program, the Commission shall annually award scholarships to early childhood education students enrolled in institutions of higher education participating in the Early Childhood Access Consortium for Equity under the Early Childhood Access Consortium for Equity Act with preference given to members of the incumbent workforce.

(c) To ensure alignment with Consortium goals and changing workforce needs, the Commission shall work in partnership with

the Board of Higher Education and the Illinois Community College Board in program design, and the Board of Higher Education and the Illinois Community College Board shall solicit feedback from the Consortium advisory committee established under Section 25 of the Early Childhood Access Consortium for Equity Act.

(d) In awarding a scholarship under this Section, the Commission may give preference to applicants who received a scholarship under this Section during the prior academic year, to applicants with financial need, or both.

(e) Prior to receiving scholarship assistance for any academic year, each recipient of a scholarship awarded under this Section shall be required by the Commission to sign an agreement under which the recipient pledges to continue or return to teaching or direct services in the early childhood care and education field in this State after they complete their program of study.

(f) The Commission may adopt any rules necessary to implement and administer the Program.

Section 3-45. The Illinois Horse Racing Act of 1975 is amended by changing Section 28.1 as follows:

(230 ILCS 5/28.1)

Sec. 28.1. Payments.

(a) Beginning on January 1, 2000, moneys collected by the

Department of Revenue and the Racing Board pursuant to Section 26 or Section 27 of this Act shall be deposited into the Horse Racing Fund, which is hereby created as a special fund in the State Treasury.

(b) Appropriations, as approved by the General Assembly, may be made from the Horse Racing Fund to the Board to pay the salaries of the Board members, secretary, stewards, directors of mutuels, veterinarians, representatives, accountants, clerks, stenographers, inspectors and other employees of the Board, and all expenses of the Board incident to the administration of this Act, including, but not limited to, all expenses and salaries incident to the taking of saliva and urine samples in accordance with the rules and regulations of the Board.

(c) (Blank).

(d) Beginning January 1, 2000, payments to all programs in existence on the effective date of this amendatory Act of 1999 that are identified in Sections 26(c), 26(f), 26(h)(11)(C), and 28, subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 30, and subsections (a), (b), (c), (d), (e), (f), (g), and (h) of Section 31 shall be made from the General Revenue Fund at the funding levels determined by amounts paid under this Act in calendar year 1998. Beginning on the effective date of this amendatory Act of the 93rd General Assembly, payments to the Peoria Park District shall be made from the General Revenue Fund at the funding level determined

by amounts paid to that park district for museum purposes under this Act in calendar year 1994.

If an inter-track wagering location licensee's facility changes its location, then the payments associated with that facility under this subsection (d) for museum purposes shall be paid to the park district in the area where the facility relocates, and the payments shall be used for museum purposes. If the facility does not relocate to a park district, then the payments shall be paid to the taxing district that is responsible for park or museum expenditures.

(e) Beginning July 1, 2006, the payment authorized under subsection (d) to museums and aquariums located in park districts of over 500,000 population shall be paid to museums, aquariums, and zoos in amounts determined by Museums in the Park, an association of museums, aquariums, and zoos located on Chicago Park District property.

(f) Beginning July 1, 2007, the Children's Discovery Museum in Normal, Illinois shall receive payments from the General Revenue Fund at the funding level determined by the amounts paid to the Miller Park Zoo in Bloomington, Illinois under this Section in calendar year 2006.

(g) On July 3, 2024 ~~2023~~, the Comptroller shall order transferred and the Treasurer shall transfer \$3,200,000 ~~\$5,100,000~~ from the Horse Racing Fund to the Horse Racing Purse Equity Fund.

(Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 7-1-23.)

Section 3-50. The Illinois Public Aid Code is amended by changing Section 5-5.4 as follows:

(305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

Sec. 5-5.4. Standards of payment; Department Payment~~Department~~ of Healthcare and Family Services. The Department of Healthcare and Family Services shall develop standards of payment of nursing facility and ICF/DD services in facilities providing such services under this Article which:

(1) Provide for the determination of a facility's payment for nursing facility or ICF/DD services on a prospective basis. The amount of the payment rate for all nursing facilities certified by the Department of Public Health under the ID/DD Community Care Act or the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities, Long Term Care for Under Age 22 facilities, Skilled Nursing facilities, or Intermediate Care facilities under the medical assistance program shall be prospectively established annually on the basis of historical, financial, and statistical data reflecting actual costs from prior years, which shall be applied to the current rate year and updated for inflation, except that the capital cost element for newly constructed facilities shall be based upon projected budgets. The annually established payment rate shall take effect on July 1 in 1984 and subsequent years. No rate increase and no update for

inflation shall be provided on or after July 1, 1994, unless specifically provided for in this Section. The changes made by Public Act 93-841 extending the duration of the prohibition against a rate increase or update for inflation are effective retroactive to July 1, 2004.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1998 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1998 shall include an increase of 3% plus \$1.10 per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2006 shall include an increase of 3%. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care Facilities for the Developmentally Disabled or Long Term Care for Under Age 22 facilities, the rates taking effect on January 1, 2009 shall include an increase sufficient to provide a \$0.50 per hour wage increase for non-executive staff. For facilities licensed by the Department of Public Health under the ID/DD

Community Care Act as ID/DD Facilities the rates taking effect within 30 days after July 6, 2017 (the effective date of Public Act 100-23) shall include an increase sufficient to provide a \$0.75 per hour wage increase for non-executive staff. The Department shall adopt rules, including emergency rules under subsection (y) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this paragraph. For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, the rates taking effect within 30 days after June 5, 2019 (the effective date of Public Act 101-10) shall include an increase sufficient to provide a \$0.50 per hour wage increase for non-executive front-line personnel, including, but not limited to, direct support persons, aides, front-line supervisors, qualified intellectual disabilities professionals, nurses, and non-administrative support staff. The Department shall adopt rules, including emergency rules under subsection (bb) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this paragraph.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% plus \$3.00 per resident-day, as defined by the Department. For facilities

licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 1999 shall include an increase of 1.6% and, for services provided on or after October 1, 1999, shall be increased by \$4.00 per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department. For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Skilled Nursing facilities or Intermediate Care facilities, the rates taking effect on July 1, 2000 shall include an increase of 2.5% per resident-day, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, a new payment methodology must be implemented for the nursing component of the rate effective July 1, 2003. The Department of Public Aid (now Healthcare and Family Services) shall develop the new payment methodology using the Minimum Data Set (MDS) as the instrument to collect information concerning nursing home resident condition necessary to compute the rate. The Department shall

develop the new payment methodology to meet the unique needs of Illinois nursing home residents while remaining subject to the appropriations provided by the General Assembly. A transition period from the payment methodology in effect on June 30, 2003 to the payment methodology in effect on July 1, 2003 shall be provided for a period not exceeding 3 years and 184 days after implementation of the new payment methodology as follows:

(A) For a facility that would receive a lower nursing component rate per patient day under the new system than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be held at the level in effect on the date immediately preceding the date that the Department implements the new payment methodology until a higher nursing component rate of reimbursement is achieved by that facility.

(B) For a facility that would receive a higher nursing component rate per patient day under the payment methodology in effect on July 1, 2003 than the facility received effective on the date immediately preceding the date that the Department implements the new payment methodology, the nursing component rate per patient day for the facility shall be adjusted.

(C) Notwithstanding paragraphs (A) and (B), the

nursing component rate per patient day for the facility shall be adjusted subject to appropriations provided by the General Assembly.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on March 1, 2001 shall include a statewide increase of 7.85%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, except facilities participating in the Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, the numerator of the ratio used by the Department of Healthcare and Family Services to compute the rate payable under this Section using the Minimum Data Set (MDS) methodology shall incorporate the following annual amounts as the additional funds appropriated to the Department specifically to pay for rates based on the MDS nursing component methodology in excess of the funding in effect on December 31, 2006:

(i) For rates taking effect January 1, 2007, \$60,000,000.

(ii) For rates taking effect January 1, 2008,

\$110,000,000.

(iii) For rates taking effect January 1, 2009, \$194,000,000.

(iv) For rates taking effect April 1, 2011, or the first day of the month that begins at least 45 days after February 16, 2011 (the effective date of Public Act 96-1530), \$416,500,000 or an amount as may be necessary to complete the transition to the MDS methodology for the nursing component of the rate. Increased payments under this item (iv) are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the support component of the rates taking effect on January 1, 2008 shall be computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for

Under Age 22 facilities, the rates taking effect on April 1, 2002 shall include a statewide increase of 2.0%, as defined by the Department. This increase terminates on July 1, 2002; beginning July 1, 2002 these rates are reduced to the level of the rates in effect on March 31, 2002, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on July 1, 2001 shall be computed using the most recent cost reports on file with the Department of Public Aid no later than April 1, 2000, updated for inflation to January 1, 2001. For rates effective July 1, 2001 only, rates shall be the greater of the rate computed for July 1, 2001 or the rate effective on June 30, 2001.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the Illinois Department shall determine by rule the rates taking effect on July 1, 2002, which shall be 5.9% less than the rates in effect on June 30, 2002.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, if the payment methodologies

required under Section 5A-12 and the waiver granted under 42 CFR 433.68 are approved by the United States Centers for Medicare and Medicaid Services, the rates taking effect on July 1, 2004 shall be 3.0% greater than the rates in effect on June 30, 2004. These rates shall take effect only upon approval and implementation of the payment methodologies required under Section 5A-12.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, the rates taking effect on January 1, 2005 shall be 3% more than the rates in effect on December 31, 2004.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2009, the per diem support component of the rates effective on January 1, 2008, computed using the most recent cost reports on file with the Department of Healthcare and Family Services no later than April 1, 2005, updated for inflation to January 1, 2006, shall be increased to the amount that would have been derived using standard Department of Healthcare and Family Services methods, procedures, and inflators.

Notwithstanding any other provisions of this Section, for facilities licensed by the Department of Public Health under

the Nursing Home Care Act as intermediate care facilities that are federally defined as Institutions for Mental Disease, or facilities licensed by the Department of Public Health under the Specialized Mental Health Rehabilitation Act of 2013, a socio-development component rate equal to 6.6% of the facility's nursing component rate as of January 1, 2006 shall be established and paid effective July 1, 2006. The socio-development component of the rate shall be increased by a factor of 2.53 on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707). As of August 1, 2008, the socio-development component rate shall be equal to 6.6% of the facility's nursing component rate as of January 1, 2006, multiplied by a factor of 3.53. For services provided on or after April 1, 2011, or the first day of the month that begins at least 45 days after February 16, 2011 (the effective date of Public Act 96-1530), whichever is later, the Illinois Department may by rule adjust these socio-development component rates, and may use different adjustment methodologies for those facilities participating, and those not participating, in the Illinois Department's demonstration program pursuant to the provisions of Title 77, Part 300, Subpart T of the Illinois Administrative Code, but in no case may such rates be diminished below those in effect on August 1, 2008.

For facilities licensed by the Department of Public Health

under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or as long-term care facilities for residents under 22 years of age, the rates taking effect on July 1, 2003 shall include a statewide increase of 4%, as defined by the Department.

For facilities licensed by the Department of Public Health under the Nursing Home Care Act as Intermediate Care for the Developmentally Disabled facilities or Long Term Care for Under Age 22 facilities, the rates taking effect on the first day of the month that begins at least 45 days after January 11, 2008 (the effective date of Public Act 95-707) shall include a statewide increase of 2.5%, as defined by the Department.

Notwithstanding any other provision of this Section, for facilities licensed by the Department of Public Health under the Nursing Home Care Act as skilled nursing facilities or intermediate care facilities, effective January 1, 2005, facility rates shall be increased by the difference between (i) a facility's per diem property, liability, and malpractice insurance costs as reported in the cost report filed with the Department of Public Aid and used to establish rates effective July 1, 2001 and (ii) those same costs as reported in the facility's 2002 cost report. These costs shall be passed through to the facility without caps or limitations, except for adjustments required under normal auditing procedures.

Rates established effective each July 1 shall govern payment for services rendered throughout that fiscal year,

except that rates established on July 1, 1996 shall be increased by 6.8% for services provided on or after January 1, 1997. Such rates will be based upon the rates calculated for the year beginning July 1, 1990, and for subsequent years thereafter until June 30, 2001 shall be based on the facility cost reports for the facility fiscal year ending at any point in time during the previous calendar year, updated to the midpoint of the rate year. The cost report shall be on file with the Department no later than April 1 of the current rate year. Should the cost report not be on file by April 1, the Department shall base the rate on the latest cost report filed by each skilled care facility and intermediate care facility, updated to the midpoint of the current rate year. In determining rates for services rendered on and after July 1, 1985, fixed time shall not be computed at less than zero. The Department shall not make any alterations of regulations which would reduce any component of the Medicaid rate to a level below what that component would have been utilizing in the rate effective on July 1, 1984.

(2) Shall take into account the actual costs incurred by facilities in providing services for recipients of skilled nursing and intermediate care services under the medical assistance program.

(3) Shall take into account the medical and psycho-social characteristics and needs of the patients.

(4) Shall take into account the actual costs incurred by

facilities in meeting licensing and certification standards imposed and prescribed by the State of Illinois, any of its political subdivisions or municipalities and by the U.S. Department of Health and Human Services pursuant to Title XIX of the Social Security Act.

The Department of Healthcare and Family Services shall develop precise standards for payments to reimburse nursing facilities for any utilization of appropriate rehabilitative personnel for the provision of rehabilitative services which is authorized by federal regulations, including reimbursement for services provided by qualified therapists or qualified assistants, and which is in accordance with accepted professional practices. Reimbursement also may be made for utilization of other supportive personnel under appropriate supervision.

The Department shall develop enhanced payments to offset the additional costs incurred by a facility serving exceptional need residents and shall allocate at least \$4,000,000 of the funds collected from the assessment established by Section 5B-2 of this Code for such payments. For the purpose of this Section, "exceptional needs" means, but need not be limited to, ventilator care and traumatic brain injury care. The enhanced payments for exceptional need residents under this paragraph are not due and payable, however, until (i) the methodologies described in this paragraph are approved by the federal government in an

appropriate State Plan amendment and (ii) the assessment imposed by Section 5B-2 of this Code is determined to be a permissible tax under Title XIX of the Social Security Act.

Beginning January 1, 2014 the methodologies for reimbursement of nursing facility services as provided under this Section 5-5.4 shall no longer be applicable for services provided on or after January 1, 2014.

No payment increase under this Section for the MDS methodology, exceptional care residents, or the socio-development component rate established by Public Act 96-1530 of the 96th General Assembly and funded by the assessment imposed under Section 5B-2 of this Code shall be due and payable until after the Department notifies the long-term care providers, in writing, that the payment methodologies to long-term care providers required under this Section have been approved by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services and the waivers under 42 CFR 433.68 for the assessment imposed by this Section, if necessary, have been granted by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. Upon notification to the Department of approval of the payment methodologies required under this Section and the waivers granted under 42 CFR 433.68, all increased payments otherwise due under this Section prior to the date of notification shall be due and payable within 90 days of the date federal approval

is received.

On and after July 1, 2012, the Department shall reduce any rate of reimbursement for services or other payments or alter any methodologies authorized by this Code to reduce any rate of reimbursement for services or other payments in accordance with Section 5-5e.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, subject to federal approval, the rates taking effect for services delivered on or after August 1, 2019 shall be increased by 3.5% over the rates in effect on June 30, 2019. The Department shall adopt rules, including emergency rules under subsection (ii) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section, including wage increases for direct care staff.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, subject to federal approval, the rates taking effect on the latter of the approval date of the State Plan Amendment for these facilities or the Waiver Amendment for the home and community-based services settings shall include an increase sufficient to provide a \$0.26 per hour wage increase to the base wage for non-executive staff. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the

Illinois Administrative Procedure Act, to implement the provisions of this Section, including wage increases for direct care staff.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, subject to federal approval of the State Plan Amendment and the Waiver Amendment for the home and community-based services settings, the rates taking effect for the services delivered on or after July 1, 2020 shall include an increase sufficient to provide a \$1.00 per hour wage increase for non-executive staff. For services delivered on or after January 1, 2021, subject to federal approval of the State Plan Amendment and the Waiver Amendment for the home and community-based services settings, shall include an increase sufficient to provide a \$0.50 per hour increase for non-executive staff. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section, including wage increases for direct care staff.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, subject to federal approval of the State Plan Amendment, the rates taking effect for the residential services delivered on or after July 1, 2021, shall include an increase sufficient to provide a \$0.50

per hour increase for aides in the rate methodology. For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD Facilities and under the MC/DD Act as MC/DD Facilities, subject to federal approval of the State Plan Amendment, the rates taking effect for the residential services delivered on or after January 1, 2022 shall include an increase sufficient to provide a \$1.00 per hour increase for aides in the rate methodology. In addition, for residential services delivered on or after January 1, 2022 such rates shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding aides, at the federal Department of Labor, Bureau of Labor Statistics' average wage as defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD facilities and under the MC/DD Act as MC/DD facilities, subject to federal approval of the State Plan Amendment, the rates taking effect for services delivered on or after January 1, 2023, shall include a \$1.00 per hour wage increase for all direct support personnel and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases, who work in residential and community day services

settings, with at least \$0.50 of those funds to be provided as a direct increase to all aide base wages, with the remaining \$0.50 to be used flexibly for base wage increases to the rate methodology for aides. In addition, for residential services delivered on or after January 1, 2023 the rates shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding aides, at the federal Department of Labor, Bureau of Labor Statistics' average wage as determined by the Department. Also, for services delivered on or after January 1, 2023, the rates will include adjustments to employment-related expenses as defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD facilities and under the MC/DD Act as MC/DD facilities, subject to federal approval of the State Plan Amendment, the rates taking effect for services delivered on or after January 1, 2024 shall include a \$2.50 per hour wage increase for all direct support personnel and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases and who work in residential and community day services settings. At least \$1.25 of the per hour wage increase shall be provided as a direct increase to all aide

base wages, and the remaining \$1.25 of the per hour wage increase shall be used flexibly for base wage increases to the rate methodology for aides. In addition, for residential services delivered on or after January 1, 2024, the rates shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding aides, at the federal Department of Labor, Bureau of Labor Statistics' average wage as determined by the Department. Also, for services delivered on or after January 1, 2024, the rates will include adjustments to employment-related expenses as defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

For facilities licensed by the Department of Public Health under the ID/DD Community Care Act as ID/DD facilities and under the MC/DD Act as MC/DD facilities, subject to federal approval of a State Plan Amendment, the rates taking effect for services delivered on or after January 1, 2025 shall include a \$1.00 per hour wage increase for all direct support personnel and all other frontline personnel who are not subject to the Bureau of Labor Statistics' average wage increases and who work in residential and community day services settings, with at least \$0.75 of those funds to be provided as a direct increase to all aide base wages and the remaining \$0.25 to be used flexibly for base wage increases to

the rate methodology for aides. These increases shall not be used by facilities for operational and administrative expenses. In addition, for residential services delivered on or after January 1, 2025, the rates shall include an increase sufficient to provide wages for all residential non-executive direct care staff, excluding aides, at the federal Department of Labor, Bureau of Labor Statistics' average wage as determined by the Department. Also, for services delivered on or after January 1, 2025, the rates will include adjustments to employment-related expenses as defined in rule by the Department. The Department shall adopt rules, including emergency rules as authorized by Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

Notwithstanding any other provision of this Section to the contrary, any regional wage adjuster for facilities located outside of the counties of Cook, DuPage, Kane, Lake, McHenry, and Will shall be no lower than 1.00, and any regional wage adjuster for facilities located within the counties of Cook, DuPage, Kane, Lake, McHenry, and Will shall be no lower than 1.15.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 3-55. The Homelessness Prevention Act is amended by changing Section 12.5 as follows:

(310 ILCS 70/12.5)

Sec. 12.5. Administrative costs and case management expenses. On an annual basis, a grantee's administrative costs and case management expenses shall not exceed 20% ~~15%~~ of the grant amount it receives under the Act.

(Source: P.A. 101-280, eff. 1-1-20.)

Section 3-57. The Environmental Protection Act is amended by adding Section 9.20 as follows:

(415 ILCS 5/9.20 new)

Sec. 9.20. Fleet Electrification Incentive Program.

(a) In this Section:

"Eligible electric vehicle" means an electric truck or electric school bus categorized by the United States Environmental Protection Agency Emissions Classifications, using gross vehicle weight ratings, as a Class 2b, 3, 4, 5, 6, 7, or 8 vehicle, with or without a properly ventilated, conventionally powered heater.

"Eligible purchaser" means a person who the Agency determines:

(1) is the purchaser of an eligible electric vehicle that is registered in this State or recognized under the International Registration Plan;

(2) is domiciled in this State;

(3) in the case of a purchaser who is the lessee of an eligible electric vehicle, is the lessee of the vehicle for a term of at least 60 months; and

(4) has demonstrated, to the satisfaction of the Agency, that the eligible electric vehicle will operate within the State for at least 80% of its operational hours once purchased and delivered.

"Equity investment eligible community" has the meaning given in the Energy Transition Act.

"Program" means the Fleet Electrification Incentive Program established under this Section.

"Purchaser" means a fleet owner, operator, or provider that will operate or manage the vehicle for a minimum of 5 years after receipt of the vehicle, whether through lease or direct purchase.

(b) To promote the use of eligible electric vehicles and to increase access to federal funding programs, the Agency shall establish, by rule, a Fleet Electrification Incentive Program through which it provides eligible purchasers a grant of up to the following base amounts for the purchase of an eligible electric vehicle:

(1) \$7,500 for a Class 2b vehicle;

(2) \$45,000 for a Class 3 vehicle;

(3) \$60,000 for a Class 4 or Class 5 vehicle;

(4) \$85,000 for a Class 6 or Class 7 vehicle; and

(5) \$120,000 for a Class 8 vehicle.

In addition, the Agency shall offer increased grant incentives of an additional 65% of the base amount for the purchase of a school bus that will serve a public school district.

(c) The Agency shall award grants under the Program to eligible purchasers on a competitive basis according to the availability of funding. The Agency shall use a points-based quantitative evaluation to be determined by the Agency by rule.

The Agency shall award additional points to an application from an eligible purchaser whose eligible electric vehicles are to be domiciled in an equity investment eligible community.

The Agency shall also award additional points to an eligible purchaser who has negotiated and entered into a collective bargaining agreement at the time of application for the grant.

(d) A grant provided under the Program is limited to a maximum award of 80% of the purchase price per eligible electric vehicle. Multiple eligible electric vehicles may be included in each grant under the Program. An eligible purchaser may be awarded multiple grants under the Program; however, the Agency shall have the authority to implement, by rule, a limit on the number of grants awarded to each purchaser.

(e) An eligible purchaser shall enter into a grant

agreement with the Agency upon notification from the Agency that the eligible purchaser's application has been approved. Grants under this Section shall be provided by the Agency with the submittal of a paid invoice for reimbursement. An eligible purchaser participating in the Program shall retain ownership of the eligible electric vehicle and meet all applicable project requirements for a minimum 5-year period after the date the eligible purchaser receives the vehicle. Resale of an eligible electric vehicle may be allowed within the 5-year period if necessitated by unforeseen or unavoidable circumstances with approval from the Agency. The Agency shall ensure the resale of an eligible electric vehicle serving a public school or located within an equity investment eligible community shall result in the vehicle servicing a similarly situated community.

(f) The deployment of the eligible electric vehicle in the purchaser's fleet is required within 24 months after receipt of notice of approval of the purchaser's Program application. Total completion of the project for which the eligible electric vehicle is purchased or leased must occur within 36 months after receipt of grant funds under the Program.

(g) A grant under this Section may be combined with other public incentives to support fleet purchasing decisions. Receipt of any other public incentive for an eligible electric vehicle shall not preclude a purchaser from being awarded a grant under this Section. However, the combined total of

governmental incentives, including, but not limited to, tax credits, grants, or vouchers, shall not exceed 80% of the purchase price of the vehicle.

(h) The Agency shall set aside 20% of the appropriated funds under the Program for grants to the eligible purchaser of an electric school bus.

(i) All awards granted under this Section are subject to appropriation by the General Assembly.

Section 3-60. The Open Space Lands Acquisition and Development Act is amended by adding Section 11.1 as follows:

(525 ILCS 35/11.1 new)

Sec. 11.1. Distressed Local Government Report. No later than March 31, 2025, the Department shall prepare and submit a report to the General Assembly evaluating distressed local governments that received grants under this Act in Fiscal Years 2023, 2024, and 2025. The report shall include the following, at a minimum:

(1) a list of the local governments that applied for grants in each fiscal year;

(2) a list of the local governments awarded grants and the amount awarded;

(3) each grant recipient's total budget;

(4) each grant recipient's population;

(5) a description of whether the grant recipient

previously received a grant under this Act and, if so, the number of times and whether the local government provided a 50/50 or 90/10 match;

(6) a description of whether the project was in a location designated as a disadvantaged community on the Climate and Economic Justice Screening Tool created by the Chair of the Council on Environmental Quality under subsection (a) of Section 222 of Presidential Executive Order 14008 "Tackling the Climate Crisis at Home and Abroad"; and

(7) a description of the Department's criteria for waiving the matching criteria for distressed local government grant recipients in fiscal year 2025 that demonstrated their inability to provide any local match.

Article 5.

Section 5-5. The Illinois Act on the Aging is amended by adding Section 4.01b as follows:

(20 ILCS 105/4.01b new)

Sec. 4.01b. Indirect cost funds. The Department has the authority to apply for, accept, receive, expend, and administer on behalf of the State any indirect cost reimbursements, funds, or anything else of value made available to the Department from any source for assistance

with programmatic activities or administrative costs related to the Department's programs. Any federal indirect cost reimbursements received by the Department pursuant to this Section shall be deposited into the Department on Aging Federal Indirect Cost Fund, and such moneys shall be expended, subject to appropriation, only for authorized purposes.

Section 5-10. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Sections 605-55, 605-420, and 605-515 and by adding Section 605-60 as follows:

(20 ILCS 605/605-55) (was 20 ILCS 605/46.21)

Sec. 605-55. Contracts and other acts to accomplish Department's duties. To make and enter into contracts, including but not limited to making grants and loans to units of local government, private agencies as defined in the Illinois State Auditing Act, non-profit corporations, educational institutions, and for-profit businesses as authorized pursuant to appropriations by the General Assembly from the Build Illinois Bond Fund, the Rebuild Illinois Projects Fund, the Fund for Illinois' Future, the Capital Development Fund, and the General Revenue Fund, ~~and, for Fiscal Year 2023 only, the Chicago Travel Industry Promotion Fund~~, and generally to do all things that, in its judgment, may be necessary, proper, and expedient in accomplishing its

duties.

(Source: P.A. 102-699, eff. 4-19-22.)

(20 ILCS 605/605-60 new)

Sec. 605-60. DCEO Projects Fund. The DCEO Projects Fund is created as a trust fund in the State treasury. The Department is authorized to accept and deposit into the Fund moneys received from any gifts, grants, transfers, or other sources, public or private, unless deposit into a different fund is otherwise mandated. Subject to appropriation, the Department shall use moneys in the Fund to make grants or loans to and enter into contracts with units of local government, local and regional economic development corporations, and not-for-profit organizations for municipal development projects, for the specific purposes established by the terms and conditions of the gift, grant, or award, and for related administrative expenses. As used in this Section, the term "municipal development projects" includes, but is not limited to, grants for reducing food insecurity in urban and rural areas.

(20 ILCS 605/605-420) (was 20 ILCS 605/46.75)

Sec. 605-420. Workforce, Technology, and Economic Development Fund.

(a) The Department may accept gifts, grants, awards, matching contributions, interest income, appropriations, and cost sharings from individuals, businesses, governments, and

other third-party sources, on terms that the Director deems advisable, for any or all of the following purposes:

(1) (Blank);

(2) to assist economically disadvantaged and other youth to make a successful transition from school to work;

(3) to assist other individuals targeted for services through education, training, and workforce development programs to obtain employment-related skills and obtain employment;

(4) to identify, develop, commercialize, or promote technology within the State; and

(5) to promote economic development within the State.

(b) The Workforce, Technology, and Economic Development Fund is created as a special fund in the State Treasury. ~~All On September 1, 2000, or as soon thereafter as may be reasonably practicable, the State Comptroller shall transfer from the Fund into the Title III Social Security and Employment Fund all moneys that were received for the purposes of Section 403(a)(5) of the federal Social Security Act and remain unobligated on that date. Beginning on the effective date of this amendatory Act of the 92nd General Assembly, all moneys received under this Section for the purposes of Section 403(a)(5) of the federal Social Security Act, except moneys that may be necessary to pay liabilities outstanding as of June 30, 2000, shall be deposited into the Title III Social Security and Employment Fund, and all other moneys received~~

under this Section shall be deposited into the Workforce, Technology, and Economic Development Fund.

Moneys received under this Section are subject to appropriation by the General Assembly ~~may be expended~~ for purposes consistent with the conditions under which those moneys were ~~are~~ received, including, but not limited to, the making of grants and any other purpose authorized by law ~~subject to appropriations made by the General Assembly for those purposes.~~

(Source: P.A. 91-34, eff. 7-1-99; 91-704, eff. 7-1-00; 92-298, eff. 8-9-01.)

(20 ILCS 605/605-515) (was 20 ILCS 605/46.13a)

Sec. 605-515. Environmental Regulatory Assistance Program.

(a) In this Section, except where the context clearly requires otherwise, "small business stationary source" means a business that is owned or operated by a person that employs 100 or fewer individuals; is a small business; is not a major stationary source as defined in Titles I and III of the federal 1990 Clean Air Act Amendments; does not emit 50 tons or more per year of any regulated pollutant (as defined under the federal Clean Air Act); and emits less than 75 tons per year of all regulated pollutants.

(b) The Department may:

(1) Provide access to technical and compliance information for Illinois firms, including small and middle

market companies, to facilitate local business compliance with the federal, State, and local environmental regulations.

(2) Coordinate and enter into cooperative agreements with a State ombudsman office, which shall be established in accordance with the federal 1990 Clean Air Act Amendments to provide direct oversight to the program established under that Act.

(3) Enter into contracts, cooperative agreements, and financing agreements and establish and collect charges and fees necessary or incidental to the performance of duties and the execution of powers under this Section.

(4) Accept and expend, subject to appropriation, gifts, grants, awards, funds, contributions, charges, fees, and other financial or nonfinancial aid from federal, State, and local governmental agencies, businesses, educational agencies, not-for-profit organizations, and other entities, for the purposes of this Section.

(5) Establish, staff, and administer programs and services and adopt such rules and regulations necessary to carry out the intent of this Section and Section 507, "Small Business Stationary Source Technical and Environmental Compliance Assistance Program", of the federal 1990 Clean Air Act Amendments.

(c) The Department's environmental compliance programs and

services for businesses may include, but need not be limited to, the following:

(1) Communication and outreach services to or on behalf of individual companies, including collection and compilation of appropriate information on regulatory compliance issues and control technologies, and dissemination of that information through publications, direct mailings, electronic communications, conferences, workshops, one-on-one counseling, and other means of technical assistance.

(2) Provision of referrals and access to technical assistance, pollution prevention and facility audits, and otherwise serving as an information clearinghouse on pollution prevention through the coordination of the Illinois Sustainable Technology Center of the University of Illinois. In addition, environmental and regulatory compliance issues and techniques, which may include business rights and responsibilities, applicable permitting and compliance requirements, compliance methods and acceptable control technologies, release detection, and other applicable information may be provided.

(3) Coordination with and provision of administrative and logistical support to the State Compliance Advisory Panel.

(d) There is hereby created a special fund in the State Treasury to be known as the Small Business Environmental

Assistance Fund. Monies received under subdivision (b)(4) of this Section shall be deposited into the Fund.

Monies in the Small Business Environmental Assistance Fund may be used, subject to appropriation, only for the purposes authorized by this Section.

(e) Subject to appropriation, the Department may use moneys from the Clean Air Act Permit Fund for the purposes authorized by this Section.

(Source: P.A. 98-346, eff. 8-14-13.)

Section 5-15. The Renewable Energy, Energy Efficiency, and Coal Resources Development Law of 1997 is amended by changing Section 6-6 as follows:

(20 ILCS 687/6-6)

(Section scheduled to be repealed on December 31, 2025)

Sec. 6-6. Energy efficiency program.

(a) For the year beginning January 1, 1998, and thereafter as provided in this Section, each electric utility as defined in Section 3-105 of the Public Utilities Act and each alternative retail electric supplier as defined in Section 16-102 of the Public Utilities Act supplying electric power and energy to retail customers located in the State of Illinois shall contribute annually a pro rata share of a total amount of \$3,000,000 based upon the number of kilowatt-hours sold by each such entity in the 12 months preceding the year of

contribution. On or before May 1 of each year, the Illinois Commerce Commission shall determine and notify the Agency of the pro rata share owed by each electric utility and each alternative retail electric supplier based upon information supplied annually to the Illinois Commerce Commission. On or before June 1 of each year, the Agency shall send written notification to each electric utility and each alternative retail electric supplier of the amount of pro rata share they owe. These contributions shall be remitted to the Illinois Environmental Protection Agency on or before June 30 of each year the contribution is due on a return prescribed and furnished by the Illinois Environmental Protection Agency showing such information as the Illinois Environmental Protection Agency may reasonably require. The funds received pursuant to this Section shall be subject to the appropriation of funds by the General Assembly. The Illinois Environmental Protection Agency shall place the funds remitted under this Section in a trust fund, that is hereby created in the State Treasury, called the Energy Efficiency Trust Fund. If an electric utility or alternative retail electric supplier does not remit its pro rata share to the Illinois Environmental Protection Agency, the Illinois Environmental Protection Agency must inform the Illinois Commerce Commission of such failure. The Illinois Commerce Commission may then revoke the certification of that electric utility or alternative retail electric supplier. The Illinois Commerce Commission may not

renew the certification of any electric utility or alternative retail electric supplier that is delinquent in paying its pro rata share. These changes made to this subsection (a) by Public Act 103-363 ~~this amendatory Act of the 103rd General Assembly~~ apply beginning July 1, 2023.

(b) The Agency shall disburse the moneys in the Energy Efficiency Trust Fund to benefit residential electric customers through projects which the Agency has determined will promote energy efficiency in the State of Illinois and to pay the associated operational expenses of the Agency in administering the grant program. ~~The Agency Department of Commerce and Economic Opportunity~~ shall establish a list of projects eligible for grants from the Energy Efficiency Trust Fund including, but not limited to, supporting energy efficiency efforts for low-income households, replacing energy inefficient windows with more efficient windows, replacing energy inefficient appliances with more efficient appliances, replacing energy inefficient lighting with more efficient lighting, insulating dwellings and buildings, using market incentives to encourage energy efficiency, and such other projects which will increase energy efficiency in homes and rental properties.

(c) The Agency may, by administrative rule, establish criteria and an application process for this grant program.

(d) (Blank).

(e) (Blank).

(Source: P.A. 102-444, eff. 8-20-21; 103-363, eff. 7-28-23.)

Section 5-17. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by changing Section 805-305 as follows:

(20 ILCS 805/805-305) (was 20 ILCS 805/63a23)

Sec. 805-305. Campsites and housing facilities.

(a) The Department has the power to provide facilities for overnight tent and trailer campsites and to provide suitable housing facilities for student and juvenile overnight camping groups. The Department of Natural Resources may regulate, by administrative order, the fees to be charged for tent and trailer camping units at individual park areas based upon the facilities available.

(b) However, for campsites with access to showers or electricity, any Illinois resident who is age 62 or older or has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act shall be charged only one-half of the camping fee charged to the general public during the period Monday through Thursday of any week and shall be charged the same camping fee as the general public on all other days. For campsites without access to showers or electricity, no camping fee authorized by this Section shall be charged to any resident of Illinois who has a Class 2 disability as defined in Section 4A of the Illinois

Identification Card Act. For campsites without access to showers or electricity, no camping fee authorized by this Section shall be charged to any resident of Illinois who is age 62 or older for the use of a campsite unit during the period Monday through Thursday of any week. No camping fee authorized by this Section shall be charged to any resident of Illinois who is a veteran with a disability or a former prisoner of war, as defined in Section 5 of the Department of Veterans' Affairs Act. No camping fee authorized by this Section shall be charged to any resident of Illinois after returning from service abroad or mobilization by the President of the United States as an active duty member of the United States Armed Forces, the Illinois National Guard, or the Reserves of the United States Armed Forces for the amount of time that the active duty member spent in service abroad or mobilized if the person applies for a pass with the Department within 2 years after returning and provides acceptable verification of service or mobilization to the Department. Any portion of a year that the active duty member spent in service abroad or mobilized shall count as a full year. The procedure by which a person may provide to the Department verification of service abroad or mobilization by the President of the United States shall be set by administrative rule. Nonresidents shall be charged the same fees as are authorized for the general public regardless of age. The Department shall provide by regulation for suitable proof of age, or either a valid driver's license

or a "Golden Age Passport" issued by the federal government shall be acceptable as proof of age. The Department shall further provide by regulation that notice of these reduced admission fees be posted in a conspicuous place and manner.

Reduced fees authorized in this Section shall not apply to any charge for utility service.

For the purposes of this Section, "acceptable verification of service or mobilization" means official documentation from the Department of Defense or the appropriate Major Command showing mobilization dates or service abroad dates, including: (i) a DD-214, (ii) a letter from the Illinois Department of Military Affairs for members of the Illinois National Guard, (iii) a letter from the Regional Reserve Command for members of the Armed Forces Reserve, (iv) a letter from the Major Command covering Illinois for active duty members, (v) personnel records for mobilized State employees, and (vi) any other documentation that the Department, by administrative rule, deems acceptable to establish dates of mobilization or service abroad.

For the purposes of this Section, the term "service abroad" means active duty service outside of the 50 United States and the District of Columbia, and includes all active duty service in territories and possessions of the United States.

(c) To promote State campground use and Illinois State Fair attendance, the Department shall waive the camping fees

for up to 2 nights of camping at Jim Edgar Panther Creek State Fish and Wildlife Area, Sangchris Lake State Park, or Lincoln's New Salem State Historic Site during the period from August 11, 2024 to August 15, 2024 for a camper who:

(1) is 18 years of age or older;

(2) provides proof of having purchased, between June 26, 2024 and July 3, 2024, a season admission ticket booklet from the Department of Agriculture for entry into the 2024 Illinois State Fair in Springfield; and

(3) requests the camping fee waiver in person at the time of permit issuance at the State campground.

The waivers under this subsection (c) shall be granted on a first-come, first-served basis for a maximum of 40 sites at each of the 3 identified State campgrounds. Fees for utility service are not subject to waiver. Waivers under this subsection (c) are limited to one per camper.

(Source: P.A. 102-780, eff. 5-13-22.)

Section 5-18. The Department of Innovation and Technology Act is amended by changing Section 1-5 as follows:

(20 ILCS 1370/1-5)

Sec. 1-5. Definitions. In this Act:

"Client agency" means each transferring agency, or its successor, and any other public agency to which the Department provides service to the extent specified in an interagency

agreement with the public agency.

"Dedicated unit" means the dedicated bureau, division, office, or other unit within a transferring agency that is responsible for the information technology functions of the transferring agency.

"Department" means the Department of Innovation and Technology.

"Information technology" means technology, infrastructure, equipment, systems, software, networks, and processes used to create, send, receive, and store electronic or digital information, including, without limitation, computer systems and telecommunication services and systems. "Information technology" shall be construed broadly to incorporate future technologies that change or supplant those in effect as of the effective date of this Act.

"Information technology functions" means the development, procurement, installation, retention, maintenance, operation, possession, storage, and related functions of all information technology.

"Secretary" means the Secretary of Innovation and Technology.

"State agency" means each State agency, department, board, and commission under the jurisdiction of the Governor.

"Transferring agency" means the Department on Aging; the Departments of Agriculture, Central Management Services, Children and Family Services, Commerce and Economic

Opportunity, Corrections, Employment Security, Financial and Professional Regulation, Healthcare and Family Services, Human Rights, Human Services, Insurance, Juvenile Justice, Labor, Lottery, Military Affairs, Natural Resources, Public Health, Revenue, Transportation, and Veterans' Affairs; the Illinois State Police; the Capital Development Board; the Deaf and Hard of Hearing Commission; the Environmental Protection Agency; the Governor's Office of Management and Budget; the Guardianship and Advocacy Commission; the Abraham Lincoln Presidential Library and Museum; the Illinois Arts Council; the Illinois Council on Developmental Disabilities; the Illinois Emergency Management Agency; the Illinois Gaming Board; the Illinois Liquor Control Commission; the Office of the State Fire Marshal; ~~and~~ the Prisoner Review Board; and the Department of Early Childhood.

(Source: P.A. 102-376, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-870, eff. 1-1-23.)

Section 5-20. The Illinois Lottery Law is amended by changing Section 21.16 as follows:

(20 ILCS 1605/21.16)

Sec. 21.16. Illinois DREAM scratch-off.

(a) The Department shall offer a special Illinois DREAM instant scratch-off game for the benefit of the Illinois DREAM Fund Commission. The new revenue from the Illinois DREAM

scratch-off game shall be deposited into the Illinois DREAM Fund, a special fund that is created in the State treasury. Subject to appropriation to the Illinois Student Assistance Commission, money in the Illinois DREAM Fund shall be used to assist in funding scholarships and other statutory responsibilities of the Illinois DREAM Fund Commission. The game shall commence on January 1, 2024 or as soon thereafter as is reasonably practical. The Department shall consult with the Illinois DREAM Fund Commission established under Section 67 of the Higher Education Student Assistance Act regarding the design and promotion of the game.

(b) The operation of any games under this Section shall be governed by this Act, and any rules shall be adopted by the Department.

(c) For purposes of this Section, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in prizes and the actual administrative expenses of the Department solely related to the Illinois DREAM scratch-off game.

(d) During the time that tickets are sold for the Illinois DREAM scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(e) The Department may adopt any rules necessary to implement and administer this Section in consultation with the Illinois DREAM Fund Commission.

(Source: P.A. 103-381, eff. 7-28-23.)

Section 5-25. The Illinois Emergency Management Agency Act is amended by changing Section 17.8 as follows:

(20 ILCS 3305/17.8)

Sec. 17.8. IEMA State Projects Fund. The IEMA State Projects Fund is created as a trust fund in the State treasury. The Fund shall consist of any moneys appropriated to the Agency for purposes of the Illinois' Not-For-Profit Security Grant Program, a grant program authorized by subsection (g-5) of Section 5 of this Act, to provide funding support for target hardening activities and other physical security enhancements for qualifying not-for-profit organizations that are at high risk of terrorist attack. The Agency is authorized to use moneys appropriated from the Fund to make grants to not-for-profit organizations for target hardening activities, security personnel, and physical security enhancements and for the payment of administrative expenses associated with the Not-For-Profit Security Grant Program, except that, beginning July 1, 2024, the Agency shall not award grants under this Section to those entities whose primary purpose is to provide medical or mental health services. As used in this Section, "target hardening activities" include, but are not limited to, the purchase and installation of security equipment on real property owned or leased by the not-for-profit organization.

Grants, gifts, and moneys from any other source, public or private, may also be deposited into the Fund and used for the purposes authorized by this Act.

(Source: P.A. 103-8, eff. 6-7-23.)

Section 5-30. The State Finance Act is amended by changing Sections 5.1015, 6z-27, 6z-32, 6z-47, 6z-70, 6z-111, 8.3, 8.12, 8g-1, 12-2, and 13.2 and by adding Sections 5e-2 and 6z-140 as follows:

(30 ILCS 105/5.1015 new)

Sec. 5.1015. The Professions Licensure Fund.

(30 ILCS 105/5e-2 new)

Sec. 5e-2. Transfers from Road Fund. In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$20,000,000 from the Road Fund to the Federal/State/Local Airport Fund to be used for purposes consistent with Section 11 of Article IX of the Illinois Constitution. This Section is repealed on January 1, 2026.

(30 ILCS 105/6z-27)

Sec. 6z-27. All moneys in the Audit Expense Fund shall be transferred, appropriated and used only for the purposes

authorized by, and subject to the limitations and conditions prescribed by, the Illinois State Auditing Act.

Within 30 days after July 1, 2024 ~~2023~~, or as soon thereafter as practical, the State Comptroller shall order transferred and the State Treasurer shall transfer from the following funds moneys in the specified amounts for deposit into the Audit Expense Fund:

Attorney General Court Ordered and Voluntary

<u>Compliance Payment Projects Fund</u>	<u>\$22,470</u>
<u>Aggregate Operations Regulatory Fund</u>	<u>\$605</u>
<u>Agricultural Premium Fund</u>	<u>\$21,002</u>
<u>Attorney General's State Projects and</u>	
<u>Court Ordered Distribution Fund</u>	<u>\$36,873</u>
<u>Anna Veterans Home Fund</u>	<u>\$1,205</u>
<u>Appraisal Administration Fund</u>	<u>\$2,670</u>
<u>Attorney General Whistleblower Reward</u>	
<u>and Protection Fund</u>	<u>\$938</u>
<u>Bank and Trust Company Fund</u>	<u>\$82,945</u>
<u>Brownfields Redevelopment Fund</u>	<u>\$1,893</u>
<u>Cannabis Business Development Fund</u>	<u>\$15,750</u>
<u>Cannabis Expungement Fund</u>	<u>\$2,511</u>
<u>Capital Development Board Revolving Fund</u>	<u>\$4,668</u>
<u>Care Provider Fund for Persons with</u>	
<u>a Developmental Disability</u>	<u>\$6,794</u>
<u>CDLIS/AAMVAnet/NMVTIS Trust Fund</u>	<u>\$1,679</u>
<u>Cemetery Oversight Licensing and Disciplinary Fund</u>	<u>\$6,187</u>

<u>Chicago State University Education Improvement Fund ..</u>	<u>\$16,893</u>
<u>Chicago Travel Industry Promotion Fund</u>	<u>\$9,146</u>
<u>Child Support Administrative Fund</u>	<u>\$2,669</u>
<u>Clean Air Act Permit Fund</u>	<u>\$11,283</u>
<u>Coal Technology Development Assistance Fund</u>	<u>\$22,087</u>
<u>Community Association Manager</u>	
<u>Licensing and Disciplinary Fund</u>	<u>\$1,178</u>
<u>Commitment to Human Services Fund</u>	<u>\$259,050</u>
<u>Common School Fund</u>	<u>\$385,362</u>
<u>Community Mental Health Medicaid Trust Fund</u>	<u>\$6,972</u>
<u>Community Water Supply Laboratory Fund</u>	<u>\$835</u>
<u>Credit Union Fund</u>	<u>\$21,944</u>
<u>Cycle Rider Safety Training Fund</u>	<u>\$704</u>
<u>DCFS Children's Services Fund</u>	<u>\$164,036</u>
<u>Department of Business Services Special Operations Fund</u>	<u>\$4,564</u>
<u>Department of Corrections Reimbursement</u>	
<u>and Education Fund</u>	<u>\$23,892</u>
<u>Design Professionals Administration</u>	
<u>and Investigation Fund</u>	<u>\$3,892</u>
<u>Department of Human Services Community Services Fund ..</u>	<u>\$6,314</u>
<u>Downstate Public Transportation Fund</u>	<u>\$40,428</u>
<u>Drivers Education Fund</u>	<u>\$904</u>
<u>Drug Rebate Fund</u>	<u>\$40,707</u>
<u>Drug Treatment Fund</u>	<u>\$810</u>
<u>Drycleaner Environmental Response Trust Fund</u>	<u>\$1,555</u>
<u>Education Assistance Fund</u>	<u>\$2,347,928</u>

<u>Electric Vehicle Rebate Fund</u>	<u>\$24,101</u>
<u>Energy Efficiency Trust Fund</u>	<u>\$955</u>
<u>Energy Transition Assistance Fund</u>	<u>\$1,193</u>
<u>Environmental Protection Permit and Inspection Fund</u>	<u>\$17,475</u>
<u>Facilities Management Revolving Fund</u>	<u>\$21,298</u>
<u>Fair and Exposition Fund</u>	<u>\$782</u>
<u>Federal Asset Forfeiture Fund</u>	<u>\$1,195</u>
<u>Federal High Speed Rail Trust Fund</u>	<u>\$910</u>
<u>Federal Workforce Training Fund</u>	<u>\$113,609</u>
<u>Feed Control Fund</u>	<u>\$1,263</u>
<u>Fertilizer Control Fund</u>	<u>\$778</u>
<u>Fire Prevention Fund</u>	<u>\$4,470</u>
<u>Freedom Schools Fund</u>	<u>\$636</u>
<u>Fund for the Advancement of Education</u>	<u>\$61,767</u>
<u>General Professions Dedicated Fund</u>	<u>\$36,108</u>
<u>General Revenue Fund</u>	<u>\$17,653,153</u>
<u>Grade Crossing Protection Fund</u>	<u>\$7,759</u>
<u>Hazardous Waste Fund</u>	<u>\$9,036</u>
<u>Health and Human Services Medicaid Trust Fund</u>	<u>\$793</u>
<u>Healthcare Provider Relief Fund</u>	<u>\$209,863</u>
<u>Historic Property Administrative Fund</u>	<u>\$791</u>
<u>Horse Racing Fund</u>	<u>\$233,685</u>
<u>Hospital Provider Fund</u>	<u>\$66,984</u>
<u>Illinois Affordable Housing Trust Fund</u>	<u>\$30,424</u>
<u>Illinois Charity Bureau Fund</u>	<u>\$2,025</u>
<u>Illinois Clean Water Fund</u>	<u>\$18,928</u>

<u>Illinois Forestry Development Fund</u>	<u>\$13,054</u>
<u>Illinois Gaming Law Enforcement Fund</u>	<u>\$1,411</u>
<u>IMSA Income Fund</u>	<u>\$10,499</u>
<u>Illinois Military Family Relief Fund</u>	<u>\$2,963</u>
<u>Illinois National Guard Construction Fund</u>	<u>\$4,944</u>
<u>Illinois Power Agency Operations Fund</u>	<u>\$154,375</u>
<u>Illinois State Dental Disciplinary Fund</u>	<u>\$3,947</u>
<u>Illinois State Fair Fund</u>	<u>\$5,871</u>
<u>Illinois State Medical Disciplinary Fund</u>	<u>\$32,809</u>
<u>Illinois State Pharmacy Disciplinary Fund</u>	<u>\$10,993</u>
<u>Illinois Student Assistance Commission</u>	
<u>Contracts and Grants Fund</u>	<u>\$950</u>
<u>Illinois Veterans Assistance Fund</u>	<u>\$2,738</u>
<u>Illinois Veterans' Rehabilitation Fund</u>	<u>\$685</u>
<u>Illinois Wildlife Preservation Fund</u>	<u>\$2,646</u>
<u>Illinois Workers' Compensation Commission</u>	
<u>Operations Fund</u>	<u>\$94,942</u>
<u>Illinois Works Fund</u>	<u>\$5,577</u>
<u>Income Tax Refund Fund</u>	<u>\$232,364</u>
<u>Insurance Financial Regulation Fund</u>	<u>\$158,266</u>
<u>Insurance Premium Tax Refund Fund</u>	<u>\$10,972</u>
<u>Insurance Producer Administration Fund</u>	<u>\$208,185</u>
<u>International Tourism Fund</u>	<u>\$1,317</u>
<u>LaSalle Veterans Home Fund</u>	<u>\$2,656</u>
<u>Law Enforcement Recruitment and Retention Fund</u>	<u>\$10,249</u>
<u>Law Enforcement Training Fund</u>	<u>\$28,714</u>

<u>LEADS Maintenance Fund</u>	<u>\$573</u>
<u>Live and Learn Fund</u>	<u>\$8,419</u>
<u>Local Government Distributive Fund</u>	<u>\$120,745</u>
<u>Local Tourism Fund</u>	<u>\$16,582</u>
<u>Long Term Care Ombudsman Fund</u>	<u>\$635</u>
<u>Long-Term Care Provider Fund</u>	<u>\$10,352</u>
<u>Manteno Veterans Home Fund</u>	<u>\$3,941</u>
<u>Mental Health Fund</u>	<u>\$3,560</u>
<u>Mental Health Reporting Fund</u>	<u>\$878</u>
<u>Military Affairs Trust Fund</u>	<u>\$1,017</u>
<u>Monitoring Device Driving Permit</u>	
<u>Administration Fee Fund</u>	<u>\$657</u>
<u>Motor Carrier Safety Inspection Fund</u>	<u>\$1,892</u>
<u>Motor Fuel Tax Fund</u>	<u>\$124,570</u>
<u>Motor Vehicle License Plate Fund</u>	<u>\$6,363</u>
<u>Nursing Dedicated and Professional Fund</u>	<u>\$14,671</u>
<u>Off-Highway Vehicle Trails Fund</u>	<u>\$1,431</u>
<u>Open Space Lands Acquisition and Development Fund</u>	<u>\$67,764</u>
<u>Optometric Licensing and Disciplinary Board Fund</u>	<u>\$922</u>
<u>Parity Advancement Fund</u>	<u>\$9,349</u>
<u>Partners For Conservation Fund</u>	<u>\$25,309</u>
<u>Pawnbroker Regulation Fund</u>	<u>\$659</u>
<u>Pension Stabilization Fund</u>	<u>\$3,009</u>
<u>Personal Property Tax Replacement Fund</u>	<u>\$251,569</u>
<u>Pesticide Control Fund</u>	<u>\$4,715</u>
<u>Prisoner Review Board Vehicle and Equipment Fund</u>	<u>\$3,035</u>

<u>Professional Services Fund</u>	<u>\$3,093</u>
<u>Professions Indirect Cost Fund</u>	<u>\$194,398</u>
<u>Public Pension Regulation Fund</u>	<u>\$3,519</u>
<u>Public Transportation Fund</u>	<u>\$108,264</u>
<u>Quincy Veterans Home Fund</u>	<u>\$25,455</u>
<u>Real Estate License Administration Fund</u>	<u>\$27,976</u>
<u>Rebuild Illinois Projects Fund</u>	<u>\$3,682</u>
<u>Regional Transportation Authority Occupation and Use Tax</u>	
<u>Replacement Fund</u>	<u>\$3,226</u>
<u>Registered Certified Public Accountants' Administration</u>	
<u>and Disciplinary Fund</u>	<u>\$3,213</u>
<u>Renewable Energy Resources Trust Fund</u>	<u>\$2,463</u>
<u>Rental Housing Support Program Fund</u>	<u>\$560</u>
<u>Residential Finance Regulatory Fund</u>	<u>\$21,672</u>
<u>Road Fund</u>	<u>\$524,729</u>
<u>Salmon Fund</u>	<u>\$837</u>
<u>Savings Bank Regulatory Fund</u>	<u>\$528</u>
<u>School Infrastructure Fund</u>	<u>\$10,122</u>
<u>Secretary of State DUI Administration Fund</u>	<u>\$1,021</u>
<u>Secretary of State Identification Security and</u>	
<u>Theft Prevention Fund</u>	<u>\$4,877</u>
<u>Secretary of State Special License Plate Fund</u>	<u>\$1,410</u>
<u>Secretary of State Special Services Fund</u>	<u>\$11,665</u>
<u>Securities Audit and Enforcement Fund</u>	<u>\$2,279</u>
<u>Serve Illinois Commission Fund</u>	<u>\$950</u>
<u>Snowmobile Trail Establishment Fund</u>	<u>\$653</u>

<u>Solid Waste Management Fund</u>	<u>\$17,540</u>
<u>Special Education Medicaid Matching Fund</u>	<u>\$2,916</u>
<u>Sports Wagering Fund</u>	<u>\$14,696</u>
<u>State Police Law Enforcement Administration Fund</u>	<u>\$3,635</u>
<u>State and Local Sales Tax Reform Fund</u>	<u>\$6,676</u>
<u>State Asset Forfeiture Fund</u>	<u>\$1,445</u>
<u>State Aviation Program Fund</u>	<u>\$2,125</u>
<u>State Construction Account Fund</u>	<u>\$151,079</u>
<u>State Crime Laboratory Fund</u>	<u>\$6,342</u>
<u>State Gaming Fund</u>	<u>\$216,475</u>
<u>State Garage Revolving Fund</u>	<u>\$4,892</u>
<u>State Lottery Fund</u>	<u>\$106,169</u>
<u>State Pensions Fund</u>	<u>\$500,000</u>
<u>State Police Firearm Services Fund</u>	<u>\$16,049</u>
<u>State Police Services Fund</u>	<u>\$20,688</u>
<u>State Police Vehicle Fund</u>	<u>\$7,562</u>
<u>State Police Whistleblower Reward</u> <u>and Protection Fund</u>	<u>\$3,858</u>
<u>State Small Business Credit Initiative Fund</u>	<u>\$20,739</u>
<u>State's Attorneys Appellate</u> <u>Prosecutor's County Fund</u>	<u>\$20,621</u>
<u>Subtitle D Management Fund</u>	<u>\$2,669</u>
<u>Supplemental Low-Income Energy Assistance Fund</u>	<u>\$158,173</u>
<u>Tax Compliance and Administration Fund</u>	<u>\$3,789</u>
<u>Technology Management Revolving Fund</u>	<u>\$620,435</u>
<u>Tobacco Settlement Recovery Fund</u>	<u>\$4,747</u>

<u>Tourism Promotion Fund</u>	<u>\$46,998</u>
<u>Traffic and Criminal Conviction Surcharge Fund</u>	<u>\$41,173</u>
<u>Underground Storage Tank Fund</u>	<u>\$31,314</u>
<u>University of Illinois Hospital Services Fund</u>	<u>\$3,257</u>
<u>Vehicle Hijacking and Motor Vehicle Theft</u>	
<u>Prevention and Insurance Verification Trust Fund</u> ..	<u>\$8,183</u>
<u>Vehicle Inspection Fund</u>	<u>\$19,811</u>
<u>Weights and Measures Fund</u>	<u>\$3,636</u>
African American HIV/AIDS Response RESP Fund	\$1,421
Agricultural Premium Fund	\$122,719
Alzheimer's Awareness Fund	\$1,499
Alzheimer's Disease Research, Care, and Support Fund	\$662
Amusement Ride and Patron Safety Fund	\$6,315
Assisted Living and & Shared Housing Regulatory	
House Regulation Fund	\$2,564
Capital Development Board Revolving Fund	\$15,118
Care Provider Fund for Persons with a Developmental	
Disability	\$15,392
Carolyn Adams Ticket For The Cure Grant Fund	\$927
CDLIS/AAMVANET/NMVTIS Trust Fund (Commercial	
Driver's License Information	
System/American Association of	
Motor Vehicle Administrators	
network/National Motor Vehicle	
Title Information Service Trust Fund)	\$5,236
Chicago Police Memorial Foundation Fund	\$708

Chicago State University Education Improvement Fund	\$13,666
Child Labor and Day and Temporary Labor	
Services Enforcement Fund	\$11,991
Child Support Administrative Fund	\$5,287
Clean Air Act Permit Fund	\$1,556
Coal Technology Development Assistance Fund	\$6,936
Common School Fund	\$343,892
Community Mental Health Medicaid Trust Fund	\$14,084
Corporate Franchise Tax Refund Fund	\$1,096
DCFS Children's Services Fund	\$8,766
Death Certificate Surcharge Fund	\$2,060
Death Penalty Abolition Fund	\$2,448
Department of Business Services Service Special	
Operations Fund	\$13,889
Department of Human Services DHS Community	
Services Fund	\$7,970
Downstate Public Transportation Fund	\$11,631
Dram Shop Fund	\$142,500
Driver Services Administration Fund	\$1,873
Drug Rebate Fund	\$42,473
Drug Treatment Fund	\$1,767
Education Assistance Fund	\$2,031,292
Emergency Public Health Fund	\$5,162
Environmental Protection Permit and Inspection Fund	\$1,447
Estate Tax Refund Fund	\$852
Facilities Management Revolving Fund	\$50,148

Facility Licensing Fund	\$5,522
Fair and Exposition Fund	\$4,248
Feed Control Fund	\$7,709
Fertilizer Control Fund	\$6,849
Fire Prevention Fund	\$3,859
Fund for the Advancement of Education	\$24,772
General Assembly Operations Revolving Rev Fund	\$1,146
General Professions Dedicated Fund	\$4,039
General Revenue Fund	\$17,653,153
Governor's Administrative Fund	\$2,832
Governor's Grant Fund	\$17,709
Grade Crossing Protection Fund	\$930
Grant Accountability and / Transparency Fund	\$805
Guardianship and Advocacy Fund	\$14,843
Hazardous Waste Fund	\$835
Health Facility Plan Review Fund	\$1,776
Health and Human Services Service Medicaid Trust Fund	\$6,554
Healthcare Provider Relief Fund	\$407,107
Healthy Smiles Fund	\$738
Home Care Services Agency Licensure Fund	\$3,101
Hospital Licensure Fund	\$1,688
Hospital Provider Fund	\$138,829
ICCB Federal Trust Fund	\$9,968
ICJIA Violence Prevention Fund	\$932
Illinois IL Affordable Housing Trust Fund	\$17,236
Illinois IL Clean Water Fund	\$2,152

~~IL Community College Board~~

Contracts and Grants	9,968
Illinois IL Health Facilities Planning Fund	\$3,094
IMSA Income Fund	\$12,417
Illinois IL Power Agency Operations Fund	\$62,583
Illinois IL School Asbestos Abatement Fund	\$784
Illinois IL State Fair Fund	\$29,752
Illinois IL State Police Memorial Park Fund	\$681
Illinois Telecommunications IL Telecom Access Corporation Fund	\$1,668
Illinois IL Underground Utility Facilities Facility Damage Prevention Fund	\$4,276
Illinois IL Veterans' Rehabilitation Fund	\$5,943
Illinois IL Workers' Compensation Commission Operations Fund	\$243,187
Income Tax Refund Fund	\$54,420
Lead Poisoning Screening, Prevention, and Abatement Fund	\$16,379
Live and Learn Fund	\$25,492
Lobbyist Registration Administration Fund	\$1,471
Local Government Distributive Fund	\$44,025
Long Term Care Monitor/Receiver Receive Fund	\$42,016
Long Term Long Term Care Provider Fund	\$13,537
Low Level Radioactive Low Level Rad Facility Development and Operation Dev & Op Fund	\$618
Mandatory Arbitration Fund	\$2,104

Medical Special Purposes Purpose Trust Fund	\$786
Mental Health Fund	\$9,376
Mental Health Reporting Fund	\$1,443
Metabolic Screening and & Treatment Fund	\$32,049
Monitoring Device Driving Permit Administration		
Fee Fund	\$1,616
Motor Fuel Tax Fund	\$36,238
Motor Vehicle License Plate Fund	\$17,694
Motor Vehicle Theft Prevention and Insurance		
Verification Trust	10,970
Multiple Sclerosis Research Fund	\$758
Nuclear Safety Emergency Preparedness Fund	\$26,117
Nursing Dedicated and Professional Fund	\$2,420
Open Space Lands Acquisition and & Development Fund	\$658
Partners For Conservation Fund	\$89,847
Pension Stabilization Fund	\$1,031
Personal Property Tax Replacement Fund	\$290,755
Pesticide Control Fund	\$30,513
Plumbing Licensure and & Program Fund	\$6,276
Police Memorial Committee Fund	\$813
Professional Services Fund	\$72,029
Public Health Laboratory Lab Services Revolving		
Rev Fund	\$5,816
Public Transportation Fund	\$46,826
Public Utility Fund	\$198,423
Radiation Protection Fund	\$11,034

Renewable Energy Resources Trust Fund	\$7,834
Road Fund	\$226,150
Regional Transportation Authority RTA Occupation and & Use Tax Replacement Fund	\$1,167
School Infrastructure Fund	\$7,749
Secretary of State DUI Administration Fund	\$2,694
Secretary of State Identification & Security and Theft Prevention Fund	\$12,676
Secretary of State Police Services Fund	\$717
Secretary of State Special License Plate Fund	\$4,203
Secretary of State Special Services Fund	\$34,491
Securities Audit and Enforcement Fund	\$8,198
Solid Waste Management Fund	\$1,613
Special Olympics Illinois and Special Children's Charities Fund	\$852
Special Education Medicaid Matching Fund	\$5,131
Sports Wagering Fund	\$4,450
State and Local Sales Tax Reform Fund	\$2,361
State Construction Account Fund	\$37,865
State Gaming Fund	\$94,435
State Garage Revolving Fund	\$8,977
State Lottery Fund	\$340,323
State Pensions Fund	\$500,000
State Treasurer's Bank Services Trust Fund	\$1,295
Supreme Court Special Purposes Fund	\$1,722
Tattoo and & Body Piercing Establishment	

Registration Fund.....	\$950
Tax Compliance and Administration Fund	\$1,483
Technology Management Revolving Fund	\$186,193
Tobacco Settlement Recovery Fund	\$29,864
Tourism Promotion Fund	\$50,155
Transportation Regulatory Fund	\$78,256
Trauma Center Fund	\$1,960
Underground Storage Tank Fund	\$3,630
University of Illinois IL Hospital Services Fund	\$6,712
Vehicle Hijacking and Motor Vehicle	
Theft Prevention and Insurance	
Verification Trust Fund.....	\$10,970
Vehicle Inspection Fund.....	\$5,069
Weights and Measures Fund	\$22,129
Youth Alcoholism and Substance Abuse Prevention Fund ..	\$526

Notwithstanding any provision of the law to the contrary, the General Assembly hereby authorizes the use of such funds for the purposes set forth in this Section.

These provisions do not apply to funds classified by the Comptroller as federal trust funds or State trust funds. The Audit Expense Fund may receive transfers from those trust funds only as directed herein, except where prohibited by the terms of the trust fund agreement. The Auditor General shall notify the trustees of those funds of the estimated cost of the audit to be incurred under the Illinois State Auditing Act for the fund. The trustees of those funds shall direct the State

Comptroller and Treasurer to transfer the estimated amount to the Audit Expense Fund.

The Auditor General may bill entities that are not subject to the above transfer provisions, including private entities, related organizations and entities whose funds are locally-held, for the cost of audits, studies, and investigations incurred on their behalf. Any revenues received under this provision shall be deposited into the Audit Expense Fund.

In the event that moneys on deposit in any fund are unavailable, by reason of deficiency or any other reason preventing their lawful transfer, the State Comptroller shall order transferred and the State Treasurer shall transfer the amount deficient or otherwise unavailable from the General Revenue Fund for deposit into the Audit Expense Fund.

On or before December 1, 1992, and each December 1 thereafter, the Auditor General shall notify the Governor's Office of Management and Budget (formerly Bureau of the Budget) of the amount estimated to be necessary to pay for audits, studies, and investigations in accordance with the Illinois State Auditing Act during the next succeeding fiscal year for each State fund for which a transfer or reimbursement is anticipated.

Beginning with fiscal year 1994 and during each fiscal year thereafter, the Auditor General may direct the State Comptroller and Treasurer to transfer moneys from funds

authorized by the General Assembly for that fund. In the event funds, including federal and State trust funds but excluding the General Revenue Fund, are transferred, during fiscal year 1994 and during each fiscal year thereafter, in excess of the amount to pay actual costs attributable to audits, studies, and investigations as permitted or required by the Illinois State Auditing Act or specific action of the General Assembly, the Auditor General shall, on September 30, or as soon thereafter as is practicable, direct the State Comptroller and Treasurer to transfer the excess amount back to the fund from which it was originally transferred.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23; 103-129, eff. 6-30-23; revised 11-21-23.)

(30 ILCS 105/6z-32)

Sec. 6z-32. Partners for Planning and Conservation.

(a) The Partners for Conservation Fund (formerly known as the Conservation 2000 Fund) and the Partners for Conservation Projects Fund (formerly known as the Conservation 2000 Projects Fund) are created as special funds in the State Treasury. These funds shall be used to establish a comprehensive program to protect Illinois' natural resources through cooperative partnerships between State government and public and private landowners. Moneys in these Funds may be used, subject to appropriation, by the Department of Natural Resources, Environmental Protection Agency, and the Department

of Agriculture for purposes relating to natural resource protection, planning, recreation, tourism, climate resilience, and compatible agricultural and economic development activities. Without limiting these general purposes, moneys in these Funds may be used, subject to appropriation, for the following specific purposes:

(1) To foster sustainable agriculture practices and control soil erosion, sedimentation, and nutrient loss from farmland, including grants to Soil and Water Conservation Districts for conservation practice cost-share grants and for personnel, educational, and administrative expenses.

(2) To establish and protect a system of ecosystems in public and private ownership through conservation easements, incentives to public and private landowners, natural resource restoration and preservation, water quality protection and improvement, land use and watershed planning, technical assistance and grants, and land acquisition provided these mechanisms are all voluntary on the part of the landowner and do not involve the use of eminent domain.

(3) To develop a systematic and long-term program to effectively measure and monitor natural resources and ecological conditions through investments in technology and involvement of scientific experts.

(4) To initiate strategies to enhance, use, and

maintain Illinois' inland lakes through education, technical assistance, research, and financial incentives.

(5) To partner with private landowners and with units of State, federal, and local government and with not-for-profit organizations in order to integrate State and federal programs with Illinois' natural resource protection and restoration efforts and to meet requirements to obtain federal and other funds for conservation or protection of natural resources.

(6) To support the State's Nutrient Loss Reduction Strategy, including, but not limited to, funding the resources needed to support the Strategy's Policy Working Group, cover water quality monitoring in support of Strategy implementation, prepare a biennial report on the progress made on the Strategy every 2 years, and provide cost share funding for nutrient capture projects.

(7) To provide capacity grants to support soil and water conservation districts, including, but not limited to, developing soil health plans, conducting soil health assessments, peer-to-peer training, convening producer-led dialogues, professional memberships, lab analysis, ~~and~~ and travel stipends for meetings and educational events.

(8) To develop guidelines and local soil health assessments for advancing soil health.

(b) The State Comptroller and State Treasurer shall

automatically transfer on the last day of each month, beginning on September 30, 1995 and ending on June 30, 2025 ~~2024~~, from the General Revenue Fund to the Partners for Conservation Fund, an amount equal to 1/10 of the amount set forth below in fiscal year 1996 and an amount equal to 1/12 of the amount set forth below in each of the other specified fiscal years:

Fiscal Year	Amount
1996	\$ 3,500,000
1997	\$ 9,000,000
1998	\$10,000,000
1999	\$11,000,000
2000	\$12,500,000
2001 through 2004	\$14,000,000
2005	\$7,000,000
2006	\$11,000,000
2007	\$0
2008 through 2011	\$14,000,000
2012	\$12,200,000
2013 through 2017	\$14,000,000
2018	\$1,500,000
2019	\$14,000,000
2020	\$7,500,000
2021 through 2023	\$14,000,000
2024	\$18,000,000
<u>2025</u>	<u>\$14,000,000</u>

(c) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month beginning on July 31, 2021 and ending June 30, 2022, from the Environmental Protection Permit and Inspection Fund to the Partners for Conservation Fund, an amount equal to 1/12 of \$4,135,000.

(c-1) The State Comptroller and State Treasurer shall automatically transfer on the last day of each month beginning on July 31, 2022 and ending June 30, 2023, from the Environmental Protection Permit and Inspection Fund to the Partners for Conservation Fund, an amount equal to 1/12 of \$5,900,000.

(d) There shall be deposited into the Partners for Conservation Projects Fund such bond proceeds and other moneys as may, from time to time, be provided by law.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23; 103-494, eff. 8-4-23; revised 9-7-23.)

(30 ILCS 105/6z-47)

Sec. 6z-47. Fund for Illinois' Future.

(a) The Fund for Illinois' Future is hereby created as a special fund in the State Treasury.

(b) On June 15, 1999 (~~Upon~~ the effective date of Public Act 91-38) ~~this amendatory Act of the 91st General Assembly,~~ or as soon as possible thereafter, the Comptroller shall order transferred and the Treasurer shall transfer \$260,000,000 from

the General Revenue Fund to the Fund for Illinois' Future.

On July 15, 2000, or as soon as possible thereafter, the Comptroller shall order transferred and the Treasurer shall transfer \$260,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

Revenues in the Fund for Illinois' Future shall include any other funds appropriated or transferred into the Fund.

(c) Moneys in the Fund for Illinois' Future may be appropriated for the making of grants and expenditures for planning, engineering, acquisition, construction, reconstruction, development, improvement, and extension of public infrastructure in the State of Illinois, including grants to local governments for public infrastructure, grants to public elementary and secondary school districts for public infrastructure, grants to universities, colleges, community colleges, and non-profit corporations for public infrastructure, and expenditures for public infrastructure of the State and other related purposes, including but not limited to expenditures for equipment, vehicles, community programs, and recreational facilities.

(d) Moneys in the Fund for Illinois' Future may also be appropriated for the making of grants to local governments, public and private elementary and secondary schools, non-profit corporations, and community-based providers for costs associated with violence prevention, community development, educational programs, social services, community

programs, and operational expenses.

(Source: P.A. 91-38, eff. 6-15-99.)

(30 ILCS 105/6z-70)

Sec. 6z-70. The Secretary of State Identification Security and Theft Prevention Fund.

(a) The Secretary of State Identification Security and Theft Prevention Fund is created as a special fund in the State treasury. The Fund shall consist of any fund transfers, grants, fees, or moneys from other sources received for the purpose of funding identification security and theft prevention measures.

(b) All moneys in the Secretary of State Identification Security and Theft Prevention Fund shall be used, subject to appropriation, for any costs related to implementing identification security and theft prevention measures.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(f) (Blank).

(g) (Blank).

(h) (Blank).

(i) (Blank).

(j) (Blank).

(k) (Blank).

(l) (Blank).

(m) (Blank).

(n) (Blank).

(o) (Blank). ~~Notwithstanding any other provision of State law to the contrary, on or after July 1, 2022, and until June 30, 2023, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:~~

Division of Corporations Registered Limited	
Liability Partnership Fund	\$400,000
Department of Business Services Special	
Operations Fund.....	\$5,500,000
Securities Audit and Enforcement Fund	\$4,000,000
Corporate Franchise Tax Refund Fund	\$4,000,000

(p) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2023, and until June 30, 2024, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Division of Corporations Registered Limited

Liability Partnership Fund \$400,000
 Department of Business Services Special
 Operations Fund..... \$5,500,000
 Securities Audit and Enforcement Fund \$4,000,000

(q) Notwithstanding any other provision of State law to the contrary, on or after July 1, 2024, and until June 30, 2025, in addition to any other transfers that may be provided for by law, at the direction of and upon notification of the Secretary of State, the State Comptroller shall direct and the State Treasurer shall transfer amounts into the Secretary of State Identification Security and Theft Prevention Fund from the designated funds not exceeding the following totals:

Division of Corporations Registered Limited
Liability Partnership Fund \$400,000
Department of Business Services Special
Operations Fund..... \$5,500,000
Securities Audit and Enforcement Fund \$4,000,000
Corporate Franchise Tax Refund Fund \$3,000,000

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

(30 ILCS 105/6z-111)

Sec. 6z-111. Rebuild Illinois Projects Fund.

(a) The Rebuild Illinois Projects Fund is created as a special fund in the State treasury and shall receive moneys from the collection of license fees on initial licenses issued

for newly licensed gaming facilities or wagering platforms in Fiscal Year 2019 or thereafter, and any other moneys appropriated or transferred to it as provided by law.

(b) Money in the Rebuild Illinois Projects Fund shall be used, subject to appropriation, for grants that support ~~community development, including~~ capital projects and other purposes authorized by law.

(Source: P.A. 101-30, eff. 6-28-19.)

(30 ILCS 105/6z-140 new)

Sec. 6z-140. Professions Licensure Fund. The Professions Licensure Fund is created as a special fund in the State treasury. The Fund may receive revenue from any authorized source, including, but not limited to, gifts, grants, awards, transfers, and appropriations. Subject to appropriation, the Department of Financial and Professional Regulation may use moneys in the Fund for costs directly associated with the procurement of electronic data processing software, licenses, or any other information technology system products and for the ongoing costs of electronic data processing software, licenses, or other information technology system products related to the granting, renewal, or administration of all licenses under the Department's jurisdiction.

(30 ILCS 105/8.3)

Sec. 8.3. Money in the Road Fund shall, if and when the

State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging annually the principal and interest on that bonded indebtedness then due and payable, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code, except the cost of administration of Articles I and II of Chapter 3 of that Code, and to pay the costs of the Executive Ethics Commission for oversight and administration of the Chief Procurement Officer appointed under paragraph (2) of subsection (a) of Section 10-20 of the Illinois Procurement Code for transportation; and

secondly -- for expenses of the Department of Transportation for construction, reconstruction, improvement, repair, maintenance, operation, and administration of highways in accordance with the provisions of laws relating thereto, or for any purpose related or incident to and connected therewith, including the separation of grades of those highways with railroads and with highways and including the payment of awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases Act for injury or death of an

employee of the Division of Highways in the Department of Transportation; or for the acquisition of land and the erection of buildings for highway purposes, including the acquisition of highway right-of-way or for investigations to determine the reasonably anticipated future highway needs; or for making of surveys, plans, specifications and estimates for and in the construction and maintenance of flight strips and of highways necessary to provide access to military and naval reservations, to defense industries and defense-industry sites, and to the sources of raw materials and for replacing existing highways and highway connections shut off from general public use at military and naval reservations and defense-industry sites, or for the purchase of right-of-way, except that the State shall be reimbursed in full for any expense incurred in building the flight strips; or for the operating and maintaining of highway garages; or for patrolling and policing the public highways and conserving the peace; or for the operating expenses of the Department relating to the administration of public transportation programs; ~~or, during fiscal year 2023, for the purposes of a grant not to exceed \$8,394,800 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses;~~ or, during fiscal year 2024, for the purposes of a grant not to exceed \$9,108,400 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit

expenses; or, during fiscal year 2025, for the purposes of a grant not to exceed \$10,020,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses; or for any of those purposes or any other purpose that may be provided by law.

Appropriations for any of those purposes are payable from the Road Fund. Appropriations may also be made from the Road Fund for the administrative expenses of any State agency that are related to motor vehicles or arise from the use of motor vehicles.

Beginning with fiscal year 1980 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Department of Public Health;
2. Department of Transportation, only with respect to subsidies for one-half fare Student Transportation and Reduced Fare for Elderly, ~~except fiscal year 2023 when no more than \$17,570,000 may be expended and~~ except fiscal year 2024 when no more than \$19,063,500 may be expended and except fiscal year 2025 when no more than \$20,969,900 may be expended;
3. Department of Central Management Services, except for expenditures incurred for group insurance premiums of

appropriate personnel;

4. Judicial Systems and Agencies.

Beginning with fiscal year 1981 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Illinois State Police, except for expenditures with respect to the Division of Patrol and Division of Criminal Investigation;

2. Department of Transportation, only with respect to Intercity Rail Subsidies, ~~except fiscal year 2023 when no more than \$55,000,000 may be expended and~~ except fiscal year 2024 when no more than \$60,000,000 may be expended and except fiscal year 2025 when no more than \$67,000,000 may be expended, and Rail Freight Services.

Beginning with fiscal year 1982 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement: Department of Central Management Services, except for awards made by the Illinois Workers' Compensation Commission under the terms of the Workers' Compensation Act or Workers' Occupational Diseases

Act for injury or death of an employee of the Division of Highways in the Department of Transportation.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to the following Departments or agencies of State government for administration, grants, or operations; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement:

1. Illinois State Police, except not more than 40% of the funds appropriated for the Division of Patrol and Division of Criminal Investigation;

2. State Officers.

Beginning with fiscal year 1984 and thereafter, no Road Fund monies shall be appropriated to any Department or agency of State government for administration, grants, or operations except as provided hereafter; but this limitation is not a restriction upon appropriating for those purposes any Road Fund monies that are eligible for federal reimbursement. It shall not be lawful to circumvent the above appropriation limitations by governmental reorganization or other methods. Appropriations shall be made from the Road Fund only in accordance with the provisions of this Section.

Money in the Road Fund shall, if and when the State of Illinois incurs any bonded indebtedness for the construction of permanent highways, be set aside and used for the purpose of paying and discharging during each fiscal year the principal

and interest on that bonded indebtedness as it becomes due and payable as provided in the Transportation Bond Act, and for no other purpose. The surplus, if any, in the Road Fund after the payment of principal and interest on that bonded indebtedness then annually due shall be used as follows:

first -- to pay the cost of administration of Chapters 2 through 10 of the Illinois Vehicle Code; and

secondly -- no Road Fund monies derived from fees, excises, or license taxes relating to registration, operation and use of vehicles on public highways or to fuels used for the propulsion of those vehicles, shall be appropriated or expended other than for costs of administering the laws imposing those fees, excises, and license taxes, statutory refunds and adjustments allowed thereunder, administrative costs of the Department of Transportation, including, but not limited to, the operating expenses of the Department relating to the administration of public transportation programs, payment of debts and liabilities incurred in construction and reconstruction of public highways and bridges, acquisition of rights-of-way for and the cost of construction, reconstruction, maintenance, repair, and operation of public highways and bridges under the direction and supervision of the State, political subdivision, or municipality collecting those monies, ~~or during fiscal year 2023 for the purposes of a grant not to exceed~~

~~\$8,394,800 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses,~~ or during fiscal year 2024 for the purposes of a grant not to exceed \$9,108,400 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, or during fiscal year 2025 for the purposes of a grant not to exceed \$10,020,000 to the Regional Transportation Authority on behalf of PACE for the purpose of ADA/Para-transit expenses, and the costs for patrolling and policing the public highways (by the State, political subdivision, or municipality collecting that money) for enforcement of traffic laws. The separation of grades of such highways with railroads and costs associated with protection of at-grade highway and railroad crossing shall also be permissible.

Appropriations for any of such purposes are payable from the Road Fund or the Grade Crossing Protection Fund as provided in Section 8 of the Motor Fuel Tax Law.

Except as provided in this paragraph, beginning with fiscal year 1991 and thereafter, no Road Fund monies shall be appropriated to the Illinois State Police for the purposes of this Section in excess of its total fiscal year 1990 Road Fund appropriations for those purposes unless otherwise provided in Section 5g of this Act. For fiscal years 2003, 2004, 2005, 2006, and 2007 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this

Section in excess of \$97,310,000. For fiscal year 2008 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of \$106,100,000. For fiscal year 2009 only, no Road Fund monies shall be appropriated to the Department of State Police for the purposes of this Section in excess of \$114,700,000. Beginning in fiscal year 2010, no Road Fund ~~road fund~~ moneys shall be appropriated to the Illinois State Police. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods unless otherwise provided in Section 5g of this Act.

In fiscal year 1994, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1991 Road Fund appropriations to the Secretary of State for those purposes, plus \$9,800,000. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other method.

Beginning with fiscal year 1995 and thereafter, no Road Fund monies shall be appropriated to the Secretary of State for the purposes of this Section in excess of the total fiscal year 1994 Road Fund appropriations to the Secretary of State for those purposes. It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

Beginning with fiscal year 2000, total Road Fund

appropriations to the Secretary of State for the purposes of this Section shall not exceed the amounts specified for the following fiscal years:

Fiscal Year 2000	\$80,500,000;
Fiscal Year 2001	\$80,500,000;
Fiscal Year 2002	\$80,500,000;
Fiscal Year 2003	\$130,500,000;
Fiscal Year 2004	\$130,500,000;
Fiscal Year 2005	\$130,500,000;
Fiscal Year 2006	\$130,500,000;
Fiscal Year 2007	\$130,500,000;
Fiscal Year 2008	\$130,500,000;
Fiscal Year 2009	\$130,500,000.

For fiscal year 2010, no road fund moneys shall be appropriated to the Secretary of State.

Beginning in fiscal year 2011, moneys in the Road Fund shall be appropriated to the Secretary of State for the exclusive purpose of paying refunds due to overpayment of fees related to Chapter 3 of the Illinois Vehicle Code unless otherwise provided for by law.

Beginning in fiscal year 2025, moneys in the Road Fund may be appropriated to the Environmental Protection Agency for the exclusive purpose of making deposits into the Electric Vehicle Rebate Fund, subject to appropriation, to be used for purposes consistent with Section 11 of Article IX of the Illinois Constitution.

It shall not be lawful to circumvent this limitation on appropriations by governmental reorganization or other methods.

No new program may be initiated in fiscal year 1991 and thereafter that is not consistent with the limitations imposed by this Section for fiscal year 1984 and thereafter, insofar as appropriation of Road Fund monies is concerned.

Nothing in this Section prohibits transfers from the Road Fund to the State Construction Account Fund under Section 5e of this Act; nor to the General Revenue Fund, as authorized by Public Act 93-25.

The additional amounts authorized for expenditure in this Section by Public Acts 92-0600, 93-0025, 93-0839, and 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

The additional amounts authorized for expenditure by the Secretary of State and the Department of State Police in this Section by Public Act 94-91 shall be repaid to the Road Fund from the General Revenue Fund in the next succeeding fiscal year that the General Revenue Fund has a positive budgetary balance, as determined by generally accepted accounting principles applicable to government.

(Source: P.A. 102-16, eff. 6-17-21; 102-538, eff. 8-20-21;

102-699, eff. 4-19-22; 102-813, eff. 5-13-22; 103-8, eff. 6-7-23; 103-34, eff. 1-1-24; revised 12-12-23.)

(30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

Sec. 8.12. State Pensions Fund.

(a) The moneys in the State Pensions Fund shall be used exclusively for the administration of the Revised Uniform Unclaimed Property Act and for the expenses incurred by the Auditor General for administering the provisions of Section 2-8.1 of the Illinois State Auditing Act and for operational expenses of the Office of the State Treasurer and for the funding of the unfunded liabilities of the designated retirement systems. For the purposes of this Section, "operational expenses of the Office of the State Treasurer" includes the acquisition of land and buildings in State fiscal years 2019 and 2020 for use by the Office of the State Treasurer, as well as construction, reconstruction, improvement, repair, and maintenance, in accordance with the provisions of laws relating thereto, of such lands and buildings beginning in State fiscal year 2019 and thereafter. Beginning in State fiscal year 2026 ~~2025~~, payments to the designated retirement systems under this Section shall be in addition to, and not in lieu of, any State contributions required under the Illinois Pension Code.

"Designated retirement systems" means:

- (1) the State Employees' Retirement System of

Illinois;

(2) the Teachers' Retirement System of the State of Illinois;

(3) the State Universities Retirement System;

(4) the Judges Retirement System of Illinois; and

(5) the General Assembly Retirement System.

(b) Each year the General Assembly may make appropriations from the State Pensions Fund for the administration of the Revised Uniform Unclaimed Property Act.

(c) (Blank).

(c-5) For fiscal years 2006 through 2025 ~~2024~~, the General Assembly shall appropriate from the State Pensions Fund to the State Universities Retirement System the amount estimated to be available during the fiscal year in the State Pensions Fund; provided, however, that the amounts appropriated under this subsection (c-5) shall not reduce the amount in the State Pensions Fund below \$5,000,000.

(c-6) For fiscal year 2026 ~~2025~~ and each fiscal year thereafter, as soon as may be practical after any money is deposited into the State Pensions Fund from the Unclaimed Property Trust Fund, the State Treasurer shall apportion the deposited amount among the designated retirement systems as defined in subsection (a) to reduce their actuarial reserve deficiencies. The State Comptroller and State Treasurer shall pay the apportioned amounts to the designated retirement systems to fund the unfunded liabilities of the designated

retirement systems. The amount apportioned to each designated retirement system shall constitute a portion of the amount estimated to be available for appropriation from the State Pensions Fund that is the same as that retirement system's portion of the total actual reserve deficiency of the systems, as determined annually by the Governor's Office of Management and Budget at the request of the State Treasurer. The amounts apportioned under this subsection shall not reduce the amount in the State Pensions Fund below \$5,000,000.

(d) The Governor's Office of Management and Budget shall determine the individual and total reserve deficiencies of the designated retirement systems. For this purpose, the Governor's Office of Management and Budget shall utilize the latest available audit and actuarial reports of each of the retirement systems and the relevant reports and statistics of the Public Employee Pension Fund Division of the Department of Insurance.

(d-1) (Blank).

(e) The changes to this Section made by Public Act 88-593 shall first apply to distributions from the Fund for State fiscal year 1996.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

(30 ILCS 105/8g-1)

Sec. 8g-1. Fund transfers.

(a) (Blank) .

(b) (Blank) .

(c) (Blank) .

(d) (Blank) .

(e) (Blank) .

(f) (Blank) .

(g) (Blank) .

(h) (Blank) .

(i) (Blank) .

(j) (Blank) .

(k) (Blank) .

(l) (Blank) .

(m) (Blank) .

(n) (Blank) .

(o) (Blank) .

(p) (Blank) .

(q) (Blank) .

(r) (Blank) .

(s) (Blank) .

(t) (Blank) .

(u) (Blank). ~~In addition to any other transfers that may be provided for by law, on July 1, 2021, or as soon thereafter as practical, only as directed by the Director of the Governor's Office of Management and Budget, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$5,000,000 from the General Revenue Fund~~

~~to the DoIT Special Projects Fund, and on June 1, 2022, or as soon thereafter as practical, but no later than June 30, 2022, the State Comptroller shall direct and the State Treasurer shall transfer the sum so transferred from the DoIT Special Projects Fund to the General Revenue Fund.~~

~~(v) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2021, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Governor's Administrative Fund.~~

~~(w) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2021, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Grant Accountability and Transparency Fund.~~

~~(x) (Blank). In addition to any other transfers that may be provided for by law, at a time or times during Fiscal Year 2022 as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$20,000,000 from the General Revenue Fund to the Illinois Sports Facilities Fund to be credited to the Advance Account within the Fund.~~

~~(y) (Blank). In addition to any other transfers that may be provided for by law, on June 15, 2021, or as soon thereafter as practical, but no later than June 30, 2021, the State~~

~~Comptroller shall direct and the State Treasurer shall transfer the sum of \$100,000,000 from the General Revenue Fund to the Technology Management Revolving Fund.~~

~~(z) (Blank). In addition to any other transfers that may be provided for by law, on April 19, 2022 (the effective date of Public Act 102-699), or as soon thereafter as practical, but no later than June 30, 2022, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$148,000,000 from the General Revenue Fund to the Build Illinois Bond Fund.~~

~~(aa) (Blank). In addition to any other transfers that may be provided for by law, on April 19, 2022 (the effective date of Public Act 102-699), or as soon thereafter as practical, but no later than June 30, 2022, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$180,000,000 from the General Revenue Fund to the Rebuild Illinois Projects Fund.~~

~~(bb) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2022, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Governor's Administrative Fund.~~

~~(cc) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2022, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General~~

~~Revenue Fund to the Grant Accountability and Transparency Fund.~~

(dd) (Blank). ~~In addition to any other transfers that may be provided by law, on April 19, 2022 (the effective date of Public Act 102-700), or as soon thereafter as practical, but no later than June 30, 2022, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$685,000,000 from the General Revenue Fund to the Income Tax Refund Fund. Moneys from this transfer shall be used for the purpose of making the one time rebate payments provided under Section 212.1 of the Illinois Income Tax Act.~~

(ee) (Blank). ~~In addition to any other transfers that may be provided by law, beginning on April 19, 2022 (the effective date of Public Act 102-700) and until December 31, 2023, at the direction of the Department of Revenue, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund to the Income Tax Refund Fund any amounts needed beyond the amounts transferred in subsection (dd) to make payments of the one time rebate payments provided under Section 212.1 of the Illinois Income Tax Act.~~

(ff) (Blank). ~~In addition to any other transfers that may be provided for by law, on April 19, 2022 (the effective date of Public Act 102-700), or as soon thereafter as practical, but no later than June 30, 2022, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$720,000,000 from the General Revenue Fund to the Budget~~

~~Stabilization Fund.~~

~~(gg) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2022, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$280,000,000 from the General Revenue Fund to the Budget Stabilization Fund.~~

~~(hh) (Blank). In addition to any other transfers that may be provided for by law, on July 1, 2022, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$200,000,000 from the General Revenue Fund to the Pension Stabilization Fund.~~

~~(ii) (Blank). In addition to any other transfers that may be provided for by law, on January 1, 2023, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$850,000,000 from the General Revenue Fund to the Budget Stabilization Fund.~~

~~(jj) (Blank). In addition to any other transfers that may be provided for by law, at a time or times during Fiscal Year 2023 as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$400,000,000 from the General Revenue Fund to the Large Business Attraction Fund.~~

~~(kk) (Blank). In addition to any other transfers that may be provided for by law, on January 1, 2023, or as soon thereafter as practical, the State Comptroller shall direct~~

~~and the State Treasurer shall transfer the sum of \$72,000,000 from the General Revenue Fund to the Disaster Response and Recovery Fund.~~

(ll) (Blank). ~~In addition to any other transfers that may be provided for by law, on the effective date of the changes made to this Section by this amendatory Act of the 103rd General Assembly, or as soon thereafter as practical, but no later than June 30, 2023, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$200,000,000 from the General Revenue Fund to the Pension Stabilization Fund.~~

(mm) In addition to any other transfers that may be provided for by law, beginning on the effective date of the changes made to this Section by this amendatory Act of the 103rd General Assembly and until June 30, 2024, as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$1,500,000,000 from the General Revenue Fund to the State Coronavirus Urgent Remediation Emergency Fund.

(nn) In addition to any other transfers that may be provided for by law, beginning on the effective date of the changes made to this Section by this amendatory Act of the 103rd General Assembly and until June 30, 2024, as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$424,000,000 from the General Revenue Fund to the Build Illinois Bond Fund.

(oo) In addition to any other transfers that may be provided for by law, on July 1, 2023, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Governor's Administrative Fund.

(pp) In addition to any other transfers that may be provided for by law, on July 1, 2023, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Grant Accountability and Transparency Fund.

(qq) In addition to any other transfers that may be provided for by law, beginning on the effective date of the changes made to this Section by this amendatory Act of the 103rd General Assembly and until June 30, 2024, as directed by the Governor, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$350,000,000 from the General Revenue Fund to the Fund for Illinois' Future.

(rr) In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Governor's Administrative Fund.

(ss) In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State

Treasurer shall transfer the sum of \$500,000 from the General Revenue Fund to the Grant Accountability and Transparency Fund.

(tt) In addition to any other transfers that may be provided for by law, on July 1, 2024, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$25,000,000 from the Violent Crime Witness Protection Program Fund to the General Revenue Fund.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-700, Article 40, Section 40-5, eff. 4-19-22; 102-700, Article 80, Section 80-5, eff. 4-19-22; 102-1115, eff. 1-9-23; 103-8, eff. 6-7-23.)

(30 ILCS 105/12-2) (from Ch. 127, par. 148-2)

Sec. 12-2. Travel Regulation Council; State travel reimbursement.

(a) The chairmen of the travel control boards established by Section 12-1, or their designees, shall together comprise the Travel Regulation Council. The Travel Regulation Council shall be chaired by the Director of Central Management Services, who shall be a nonvoting member of the Council, unless he is otherwise qualified to vote by virtue of being the designee of a voting member. No later than March 1, 1986, and at least biennially thereafter, the Council shall adopt State Travel Regulations and Reimbursement Rates which shall be

applicable to all personnel subject to the jurisdiction of the travel control boards established by Section 12-1. An affirmative vote of a majority of the members of the Council shall be required to adopt regulations and reimbursement rates. If the Council fails to adopt regulations by March 1 of any odd-numbered year, the Director of Central Management Services shall adopt emergency regulations and reimbursement rates pursuant to the Illinois Administrative Procedure Act. As soon as practicable after January 23, 2023 (the effective date of Public Act 102-1119) ~~this amendatory Act of the 102nd General Assembly~~, the Travel Regulation Council and the Higher Education Travel Control Board shall adopt amendments to their existing rules to ensure that reimbursement rates for public institutions of higher education, as defined in Section 1-13 of the Illinois Procurement Code, are set in accordance with the requirements of subsection (f) of this Section.

(b) (Blank).

(c) (Blank).

(d) Reimbursements to travelers shall be made pursuant to the rates and regulations applicable to the respective State agency as of January 1, 1986 (the effective date of Public Act 84-345) ~~this amendatory Act~~, until the State Travel Regulations and Reimbursement Rates established by this Section are adopted and effective.

(e) (Blank).

(f) ~~(f)~~ Notwithstanding any rule or law to the contrary,

State travel reimbursement rates for lodging and mileage for automobile travel, as well as allowances for meals, shall be set at the maximum rates established by the federal government for travel expenses, subsistence expenses, and mileage allowances under 5 U.S.C. 5701 through 5711 and any regulations promulgated thereunder. If the rates set under federal regulations increase or decrease during the course of the State's fiscal year, the effective date of the new rate shall be the effective date of the change in the federal rate.

(g) Notwithstanding any other provision of this Section, the Council may provide, by rule, for alternative methods of determining the appropriate reimbursement rate for a traveler's subsistence expenses based upon the length of travel, as well as the embarkation point and destination.

(Source: P.A. 102-1119, eff. 1-23-23; 103-8, eff. 1-1-24; revised 1-2-24.)

(30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

Sec. 13.2. Transfers among line item appropriations.

(a) Transfers among line item appropriations from the same treasury fund for the objects specified in this Section may be made in the manner provided in this Section when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made.

(a-1) No transfers may be made from one agency to another

agency, nor may transfers be made from one institution of higher education to another institution of higher education except as provided by subsection (a-4).

(a-2) Except as otherwise provided in this Section, transfers may be made only among the objects of expenditure enumerated in this Section, except that no funds may be transferred from any appropriation for personal services, from any appropriation for State contributions to the State Employees' Retirement System, from any separate appropriation for employee retirement contributions paid by the employer, nor from any appropriation for State contribution for employee group insurance.

(a-2.5) (Blank).

(a-3) Further, if an agency receives a separate appropriation for employee retirement contributions paid by the employer, any transfer by that agency into an appropriation for personal services must be accompanied by a corresponding transfer into the appropriation for employee retirement contributions paid by the employer, in an amount sufficient to meet the employer share of the employee contributions required to be remitted to the retirement system.

(a-4) Long-Term Care Rebalancing. The Governor may designate amounts set aside for institutional services appropriated from the General Revenue Fund or any other State fund that receives monies for long-term care services to be

transferred to all State agencies responsible for the administration of community-based long-term care programs, including, but not limited to, community-based long-term care programs administered by the Department of Healthcare and Family Services, the Department of Human Services, and the Department on Aging, provided that the Director of Healthcare and Family Services first certifies that the amounts being transferred are necessary for the purpose of assisting persons in or at risk of being in institutional care to transition to community-based settings, including the financial data needed to prove the need for the transfer of funds. The total amounts transferred shall not exceed 4% in total of the amounts appropriated from the General Revenue Fund or any other State fund that receives monies for long-term care services for each fiscal year. A notice of the fund transfer must be made to the General Assembly and posted at a minimum on the Department of Healthcare and Family Services website, the Governor's Office of Management and Budget website, and any other website the Governor sees fit. These postings shall serve as notice to the General Assembly of the amounts to be transferred. Notice shall be given at least 30 days prior to transfer.

(b) In addition to the general transfer authority provided under subsection (c), the following agencies have the specific transfer authority granted in this subsection:

The Department of Healthcare and Family Services is authorized to make transfers representing savings attributable

to not increasing grants due to the births of additional children from line items for payments of cash grants to line items for payments for employment and social services for the purposes outlined in subsection (f) of Section 4-2 of the Illinois Public Aid Code.

The Department of Children and Family Services is authorized to make transfers not exceeding 2% of the aggregate amount appropriated to it within the same treasury fund for the following line items among these same line items: Foster Home and Specialized Foster Care and Prevention, Institutions and Group Homes and Prevention, and Purchase of Adoption and Guardianship Services.

The Department on Aging is authorized to make transfers not exceeding 10% of the aggregate amount appropriated to it within the same treasury fund for the following Community Care Program line items among these same line items: purchase of services covered by the Community Care Program and Comprehensive Case Coordination.

The State Board of Education is authorized to make transfers from line item appropriations within the same treasury fund for General State Aid, General State Aid - Hold Harmless, and Evidence-Based Funding, provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made, to the line item appropriation for Transitional Assistance when the balance remaining in such line item

appropriation is insufficient for the purpose for which the appropriation was made.

The State Board of Education is authorized to make transfers between the following line item appropriations within the same treasury fund: Disabled Student Services/Materials (Section 14-13.01 of the School Code), Disabled Student Transportation Reimbursement (Section 14-13.01 of the School Code), Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code), Extraordinary Special Education (Section 14-7.02b of the School Code), Reimbursement for Free Lunch/Breakfast Program, Summer School Payments (Section 18-4.3 of the School Code), and Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code). Such transfers shall be made only when the balance remaining in one or more such line item appropriations is insufficient for the purpose for which the appropriation was made and provided that no such transfer may be made unless the amount transferred is no longer required for the purpose for which that appropriation was made.

The Department of Healthcare and Family Services is authorized to make transfers not exceeding 4% of the aggregate amount appropriated to it, within the same treasury fund, among the various line items appropriated for Medical Assistance.

The Department of Central Management Services is authorized to make transfers not exceeding 2% of the aggregate

amount appropriated to it, within the same treasury fund, from the various line items appropriated to the Department, into the following line item appropriations: auto liability claims and related expenses and payment of claims under the State Employee Indemnification Act.

(c) The sum of such transfers for an agency in a fiscal year shall not exceed 2% of the aggregate amount appropriated to it within the same treasury fund for the following objects: Personal Services; Extra Help; Student and Inmate Compensation; State Contributions to Retirement Systems; State Contributions to Social Security; State Contribution for Employee Group Insurance; Contractual Services; Travel; Commodities; Printing; Equipment; Electronic Data Processing; Operation of Automotive Equipment; Telecommunications Services; Travel and Allowance for Committed, Paroled and Discharged Prisoners; Library Books; Federal Matching Grants for Student Loans; Refunds; Workers' Compensation, Occupational Disease, and Tort Claims; Late Interest Penalties under the State Prompt Payment Act and Sections 368a and 370a of the Illinois Insurance Code; and, in appropriations to institutions of higher education, Awards and Grants. Notwithstanding the above, any amounts appropriated for payment of workers' compensation claims to an agency to which the authority to evaluate, administer and pay such claims has been delegated by the Department of Central Management Services may be transferred to any other expenditure object

where such amounts exceed the amount necessary for the payment of such claims.

(c-1) (Blank).

(c-2) (Blank).

(c-3) (Blank).

(c-4) (Blank).

(c-5) (Blank).

(c-6) (Blank).

(c-7) (Blank).

(c-8) (Blank).

(c-9) (Blank). ~~Special provisions for State fiscal year 2023. Notwithstanding any other provision of this Section, for State fiscal year 2023, transfers among line item appropriations to a State agency from the same State treasury fund may be made for operational or lump sum expenses only, provided that the sum of such transfers for a State agency in State fiscal year 2023 shall not exceed 4% of the aggregate amount appropriated to that State agency for operational or lump sum expenses for State fiscal year 2023. For the purpose of this subsection, "operational or lump sum expenses" includes the following objects: personal services; extra help; student and inmate compensation; State contributions to retirement systems; State contributions to social security; State contributions for employee group insurance; contractual services; travel; commodities; printing; equipment; electronic data processing; operation of automotive equipment;~~

~~telecommunications services; travel and allowance for committed, paroled, and discharged prisoners; library books; federal matching grants for student loans; refunds; workers' compensation, occupational disease, and tort claims; late interest penalties under the State Prompt Payment Act and Sections 368a and 370a of the Illinois Insurance Code; lump sum and other purposes; and lump sum operations. For the purpose of this subsection, "State agency" does not include the Attorney General, the Secretary of State, the Comptroller, the Treasurer, or the judicial or legislative branches.~~

(c-10) Special provisions for State fiscal year 2024. Notwithstanding any other provision of this Section, for State fiscal year 2024, transfers among line item appropriations to a State agency from the same State treasury fund may be made for operational or lump sum expenses only, provided that the sum of such transfers for a State agency in State fiscal year 2024 shall not exceed 8% of the aggregate amount appropriated to that State agency for operational or lump sum expenses for State fiscal year 2024. For the purpose of this subsection, "operational or lump sum expenses" includes the following objects: personal services; extra help; student and inmate compensation; State contributions to retirement systems; State contributions to social security; State contributions for employee group insurance; contractual services; travel; commodities; printing; equipment; electronic data processing; operation of automotive equipment; telecommunications

services; travel and allowance for committed, paroled, and discharged prisoners; library books; federal matching grants for student loans; refunds; workers' compensation, occupational disease, and tort claims; late interest penalties under the State Prompt Payment Act and Sections 368a and 370a of the Illinois Insurance Code; lump sum and other purposes; and lump sum operations. For the purpose of this subsection, "State agency" does not include the Attorney General, ~~the Secretary of State,~~ the Comptroller, the Treasurer, or the judicial or legislative branches.

(c-11) Special provisions for State fiscal year 2025. Notwithstanding any other provision of this Section, for State fiscal year 2025, transfers among line item appropriations to a State agency from the same State treasury fund may be made for operational or lump sum expenses only, provided that the sum of such transfers for a State agency in State fiscal year 2025 shall not exceed 4% of the aggregate amount appropriated to that State agency for operational or lump sum expenses for State fiscal year 2025. For the purpose of this subsection, "operational or lump sum expenses" includes the following objects: personal services; extra help; student and inmate compensation; State contributions to retirement systems; State contributions to social security; State contributions for employee group insurance; contractual services; travel; commodities; printing; equipment; electronic data processing; operation of automotive equipment; telecommunications

services; travel and allowance for committed, paroled, and discharged prisoners; library books; federal matching grants for student loans; refunds; workers' compensation, occupational disease, and tort claims; late interest penalties under the State Prompt Payment Act and Sections 368a and 370a of the Illinois Insurance Code; lump sum and other purposes; and lump sum operations. For the purpose of this subsection, "State agency" does not include the Attorney General, the Comptroller, the Treasurer, or the judicial or legislative branches.

(d) Transfers among appropriations made to agencies of the Legislative and Judicial departments and to the constitutionally elected officers in the Executive branch require the approval of the officer authorized in Section 10 of this Act to approve and certify vouchers. Transfers among appropriations made to the University of Illinois, Southern Illinois University, Chicago State University, Eastern Illinois University, Governors State University, Illinois State University, Northeastern Illinois University, Northern Illinois University, Western Illinois University, the Illinois Mathematics and Science Academy and the Board of Higher Education require the approval of the Board of Higher Education and the Governor. Transfers among appropriations to all other agencies require the approval of the Governor.

The officer responsible for approval shall certify that the transfer is necessary to carry out the programs and

purposes for which the appropriations were made by the General Assembly and shall transmit to the State Comptroller a certified copy of the approval which shall set forth the specific amounts transferred so that the Comptroller may change his records accordingly. The Comptroller shall furnish the Governor with information copies of all transfers approved for agencies of the Legislative and Judicial departments and transfers approved by the constitutionally elected officials of the Executive branch other than the Governor, showing the amounts transferred and indicating the dates such changes were entered on the Comptroller's records.

(e) The State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations for General State Aid or Evidence-Based Funding among the Common School Fund and the Education Assistance Fund, and, for State fiscal year 2020 and each fiscal year thereafter, the Fund for the Advancement of Education. With the advice and consent of the Governor's Office of Management and Budget, the State Board of Education, in consultation with the State Comptroller, may transfer line item appropriations between the General Revenue Fund and the Education Assistance Fund for the following programs:

- (1) Disabled Student Personnel Reimbursement (Section 14-13.01 of the School Code);
- (2) Disabled Student Transportation Reimbursement (subsection (b) of Section 14-13.01 of the School Code);

(3) Disabled Student Tuition - Private Tuition (Section 14-7.02 of the School Code);

(4) Extraordinary Special Education (Section 14-7.02b of the School Code);

(5) Reimbursement for Free Lunch/Breakfast Programs;

(6) Summer School Payments (Section 18-4.3 of the School Code);

(7) Transportation - Regular/Vocational Reimbursement (Section 29-5 of the School Code);

(8) Regular Education Reimbursement (Section 18-3 of the School Code); and

(9) Special Education Reimbursement (Section 14-7.03 of the School Code).

(f) For State fiscal year 2020 and each fiscal year thereafter, the Department on Aging, in consultation with the State Comptroller, with the advice and consent of the Governor's Office of Management and Budget, may transfer line item appropriations for purchase of services covered by the Community Care Program between the General Revenue Fund and the Commitment to Human Services Fund.

(g) For State fiscal year 2024 and each fiscal year thereafter, if requested by an agency chief executive officer and authorized and approved by the Comptroller, the Comptroller may direct and the Treasurer shall transfer funds from the General Revenue Fund to fund payroll expenses that meet the payroll transaction exception criteria as defined by

the Comptroller in the Statewide Accounting Management System (SAMS) Manual. The agency shall then transfer these funds back to the General Revenue Fund within 7 days.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 5-35. The State Revenue Sharing Act is amended by changing Section 12 as follows:

(30 ILCS 115/12) (from Ch. 85, par. 616)

Sec. 12. Personal Property Tax Replacement Fund. There is hereby created the Personal Property Tax Replacement Fund, a special fund in the State Treasury into which shall be paid all revenue realized:

(a) all amounts realized from the additional personal property tax replacement income tax imposed by subsections (c) and (d) of Section 201 of the Illinois Income Tax Act, except for those amounts deposited into the Income Tax Refund Fund pursuant to subsection (c) of Section 901 of the Illinois Income Tax Act; and

(b) all amounts realized from the additional personal property replacement invested capital taxes imposed by Section 2a.1 of the Messages Tax Act, Section 2a.1 of the Gas Revenue Tax Act, Section 2a.1 of the Public Utilities Revenue Act, and Section 3 of the Water Company Invested Capital Tax Act, and amounts payable to the Department of

Revenue under the Telecommunications Infrastructure Maintenance Fee Act.

As soon as may be after the end of each month, the Department of Revenue shall certify to the Treasurer and the Comptroller the amount of all refunds paid out of the General Revenue Fund through the preceding month on account of overpayment of liability on taxes paid into the Personal Property Tax Replacement Fund. Upon receipt of such certification, the Treasurer and the Comptroller shall transfer the amount so certified from the Personal Property Tax Replacement Fund into the General Revenue Fund.

The payments of revenue into the Personal Property Tax Replacement Fund shall be used exclusively for distribution to taxing districts, regional offices and officials, and local officials as provided in this Section and in the School Code, payment of the ordinary and contingent expenses of the Property Tax Appeal Board, payment of the expenses of the Department of Revenue incurred in administering the collection and distribution of monies paid into the Personal Property Tax Replacement Fund and transfers due to refunds to taxpayers for overpayment of liability for taxes paid into the Personal Property Tax Replacement Fund.

In addition, moneys in the Personal Property Tax Replacement Fund may be used to pay any of the following: (i) salary, stipends, and additional compensation as provided by law for chief election clerks, county clerks, and county

recorders; (ii) costs associated with regional offices of education and educational service centers; (iii) reimbursements payable by the State Board of Elections under Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the Election Code; (iv) expenses of the Illinois Educational Labor Relations Board; and (v) salary, personal services, and additional compensation as provided by law for court reporters under the Court Reporters Act.

As soon as may be after June 26, 1980 (the effective date of Public Act 81-1255), the Department of Revenue shall certify to the Treasurer the amount of net replacement revenue paid into the General Revenue Fund prior to that effective date from the additional tax imposed by Section 2a.1 of the Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act; Section 2a.1 of the Public Utilities Revenue Act; Section 3 of the Water Company Invested Capital Tax Act; amounts collected by the Department of Revenue under the Telecommunications Infrastructure Maintenance Fee Act; and the additional personal property tax replacement income tax imposed by the Illinois Income Tax Act, as amended by Public Act 81-1st Special Session-1. Net replacement revenue shall be defined as the total amount paid into and remaining in the General Revenue Fund as a result of those Acts minus the amount outstanding and obligated from the General Revenue Fund in state vouchers or warrants prior to June 26, 1980 (the effective date of Public Act 81-1255) as refunds to taxpayers

for overpayment of liability under those Acts.

All interest earned by monies accumulated in the Personal Property Tax Replacement Fund shall be deposited in such Fund. All amounts allocated pursuant to this Section are appropriated on a continuing basis.

Prior to December 31, 1980, as soon as may be after the end of each quarter beginning with the quarter ending December 31, 1979, and on and after December 31, 1980, as soon as may be after January 1, March 1, April 1, May 1, July 1, August 1, October 1 and December 1 of each year, the Department of Revenue shall allocate to each taxing district as defined in Section 1-150 of the Property Tax Code, in accordance with the provisions of paragraph (2) of this Section the portion of the funds held in the Personal Property Tax Replacement Fund which is required to be distributed, as provided in paragraph (1), for each quarter. Provided, however, under no circumstances shall any taxing district during each of the first two years of distribution of the taxes imposed by Public Act 81-1st Special Session-1 be entitled to an annual allocation which is less than the funds such taxing district collected from the 1978 personal property tax. Provided further that under no circumstances shall any taxing district during the third year of distribution of the taxes imposed by Public Act 81-1st Special Session-1 receive less than 60% of the funds such taxing district collected from the 1978 personal property tax. In the event that the total of the allocations made as above

provided for all taxing districts, during either of such 3 years, exceeds the amount available for distribution the allocation of each taxing district shall be proportionately reduced. Except as provided in Section 13 of this Act, the Department shall then certify, pursuant to appropriation, such allocations to the State Comptroller who shall pay over to the several taxing districts the respective amounts allocated to them.

Any township which receives an allocation based in whole or in part upon personal property taxes which it levied pursuant to Section 6-507 or 6-512 of the Illinois Highway Code and which was previously required to be paid over to a municipality shall immediately pay over to that municipality a proportionate share of the personal property replacement funds which such township receives.

Any municipality or township, other than a municipality with a population in excess of 500,000, which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of the Illinois Local Library Act and which was previously required to be paid over to a public library shall immediately pay over to that library a proportionate share of the personal property tax replacement funds which such municipality or township receives; provided that if such a public library has converted to a library organized under the Illinois Public Library District Act, regardless of whether such conversion

has occurred on, after or before January 1, 1988, such proportionate share shall be immediately paid over to the library district which maintains and operates the library. However, any library that has converted prior to January 1, 1988, and which hitherto has not received the personal property tax replacement funds, shall receive such funds commencing on January 1, 1988.

Any township which receives an allocation based in whole or in part on personal property taxes which it levied pursuant to Section 1c of the Public Graveyards Act and which taxes were previously required to be paid over to or used for such public cemetery or cemeteries shall immediately pay over to or use for such public cemetery or cemeteries a proportionate share of the personal property tax replacement funds which the township receives.

Any taxing district which receives an allocation based in whole or in part upon personal property taxes which it levied for another governmental body or school district in Cook County in 1976 or for another governmental body or school district in the remainder of the State in 1977 shall immediately pay over to that governmental body or school district the amount of personal property replacement funds which such governmental body or school district would receive directly under the provisions of paragraph (2) of this Section, had it levied its own taxes.

(1) The portion of the Personal Property Tax

Replacement Fund required to be distributed as of the time allocation is required to be made shall be the amount available in such Fund as of the time allocation is required to be made.

The amount available for distribution shall be the total amount in the fund at such time minus the necessary administrative and other authorized expenses as limited by the appropriation and the amount determined by: (a) \$2.8 million for fiscal year 1981; (b) for fiscal year 1982, .54% of the funds distributed from the fund during the preceding fiscal year; (c) for fiscal year 1983 through fiscal year 1988, .54% of the funds distributed from the fund during the preceding fiscal year less .02% of such fund for fiscal year 1983 and less .02% of such funds for each fiscal year thereafter; (d) for fiscal year 1989 through fiscal year 2011 no more than 105% of the actual administrative expenses of the prior fiscal year; (e) for fiscal year 2012 and beyond, a sufficient amount to pay (i) stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for local officials as authorized or required by statute and (ii) the ordinary and contingent expenses of the Property Tax Appeal Board and the expenses of the Department of Revenue incurred in administering the collection and distribution of moneys paid into the Fund; (f) for fiscal years 2012 and 2013 only, a sufficient

amount to pay stipends, additional compensation, salary reimbursements, and other amounts directed to be paid out of this Fund for regional offices and officials as authorized or required by statute; or (g) for fiscal years 2018 through 2025 ~~2024~~ only, a sufficient amount to pay amounts directed to be paid out of this Fund for public community college base operating grants and local health protection grants to certified local health departments as authorized or required by appropriation or statute. Such portion of the fund shall be determined after the transfer into the General Revenue Fund due to refunds, if any, paid from the General Revenue Fund during the preceding quarter. If at any time, for any reason, there is insufficient amount in the Personal Property Tax Replacement Fund for payments for regional offices and officials or local officials or payment of costs of administration or for transfers due to refunds at the end of any particular month, the amount of such insufficiency shall be carried over for the purposes of payments for regional offices and officials, local officials, transfers into the General Revenue Fund, and costs of administration to the following month or months. Net replacement revenue held, and defined above, shall be transferred by the Treasurer and Comptroller to the Personal Property Tax Replacement Fund within 10 days of such certification.

(2) Each quarterly allocation shall first be

apportioned in the following manner: 51.65% for taxing districts in Cook County and 48.35% for taxing districts in the remainder of the State.

The Personal Property Replacement Ratio of each taxing district outside Cook County shall be the ratio which the Tax Base of that taxing district bears to the Downstate Tax Base. The Tax Base of each taxing district outside of Cook County is the personal property tax collections for that taxing district for the 1977 tax year. The Downstate Tax Base is the personal property tax collections for all taxing districts in the State outside of Cook County for the 1977 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district outside Cook County for the 1977 tax year.

The Personal Property Replacement Ratio of each Cook County taxing district shall be the ratio which the Tax Base of that taxing district bears to the Cook County Tax Base. The Tax Base of each Cook County taxing district is the personal property tax collections for that taxing district for the 1976 tax year. The Cook County Tax Base is the personal property tax collections for all taxing districts in Cook County for the 1976 tax year. The Department of Revenue shall have authority to review for accuracy and completeness the personal property tax collections for each taxing district within Cook County for the 1976 tax year.

For all purposes of this Section 12, amounts paid to a

taxing district for such tax years as may be applicable by a foreign corporation under the provisions of Section 7-202 of the Public Utilities Act, as amended, shall be deemed to be personal property taxes collected by such taxing district for such tax years as may be applicable. The Director shall determine from the Illinois Commerce Commission, for any tax year as may be applicable, the amounts so paid by any such foreign corporation to any and all taxing districts. The Illinois Commerce Commission shall furnish such information to the Director. For all purposes of this Section 12, the Director shall deem such amounts to be collected personal property taxes of each such taxing district for the applicable tax year or years.

Taxing districts located both in Cook County and in one or more other counties shall receive both a Cook County allocation and a Downstate allocation determined in the same way as all other taxing districts.

If any taxing district in existence on July 1, 1979 ceases to exist, or discontinues its operations, its Tax Base shall thereafter be deemed to be zero. If the powers, duties and obligations of the discontinued taxing district are assumed by another taxing district, the Tax Base of the discontinued taxing district shall be added to the Tax Base of the taxing district assuming such powers, duties and obligations.

If two or more taxing districts in existence on July 1, 1979, or a successor or successors thereto shall consolidate

into one taxing district, the Tax Base of such consolidated taxing district shall be the sum of the Tax Bases of each of the taxing districts which have consolidated.

If a single taxing district in existence on July 1, 1979, or a successor or successors thereto shall be divided into two or more separate taxing districts, the tax base of the taxing district so divided shall be allocated to each of the resulting taxing districts in proportion to the then current equalized assessed value of each resulting taxing district.

If a portion of the territory of a taxing district is disconnected and annexed to another taxing district of the same type, the Tax Base of the taxing district from which disconnection was made shall be reduced in proportion to the then current equalized assessed value of the disconnected territory as compared with the then current equalized assessed value within the entire territory of the taxing district prior to disconnection, and the amount of such reduction shall be added to the Tax Base of the taxing district to which annexation is made.

If a community college district is created after July 1, 1979, beginning on January 1, 1996 (the effective date of Public Act 89-327), its Tax Base shall be 3.5% of the sum of the personal property tax collected for the 1977 tax year within the territorial jurisdiction of the district.

The amounts allocated and paid to taxing districts pursuant to the provisions of Public Act 81-1st Special

Session-1 shall be deemed to be substitute revenues for the revenues derived from taxes imposed on personal property pursuant to the provisions of the "Revenue Act of 1939" or "An Act for the assessment and taxation of private car line companies", approved July 22, 1943, as amended, or Section 414 of the Illinois Insurance Code, prior to the abolition of such taxes and shall be used for the same purposes as the revenues derived from ad valorem taxes on real estate.

Monies received by any taxing districts from the Personal Property Tax Replacement Fund shall be first applied toward payment of the proportionate amount of debt service which was previously levied and collected from extensions against personal property on bonds outstanding as of December 31, 1978 and next applied toward payment of the proportionate share of the pension or retirement obligations of the taxing district which were previously levied and collected from extensions against personal property. For each such outstanding bond issue, the County Clerk shall determine the percentage of the debt service which was collected from extensions against real estate in the taxing district for 1978 taxes payable in 1979, as related to the total amount of such levies and collections from extensions against both real and personal property. For 1979 and subsequent years' taxes, the County Clerk shall levy and extend taxes against the real estate of each taxing district which will yield the said percentage or percentages of the debt service on such outstanding bonds. The balance of

the amount necessary to fully pay such debt service shall constitute a first and prior lien upon the monies received by each such taxing district through the Personal Property Tax Replacement Fund and shall be first applied or set aside for such purpose. In counties having fewer than 3,000,000 inhabitants, the amendments to this paragraph as made by Public Act 81-1255 shall be first applicable to 1980 taxes to be collected in 1981.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 5-40. The Illinois Procurement Code is amended by changing Section 10-20 as follows:

(30 ILCS 500/10-20)

Sec. 10-20. Independent chief procurement officers.

(a) Appointment. Within 60 calendar days after July 1, 2010 (the effective date of Public Act 96-795) ~~this amendatory Act of the 96th General Assembly~~, the Executive Ethics Commission, with the advice and consent of the Senate shall appoint or approve 4 chief procurement officers, one for each of the following categories:

(1) for procurements for construction and construction-related services committed by law to the jurisdiction or responsibility of the Capital Development Board;

(2) for procurements for all construction, construction-related services, operation of any facility, and the provision of any service or activity committed by law to the jurisdiction or responsibility of the Illinois Department of Transportation, including the direct or reimbursable expenditure of all federal funds for which the Department of Transportation is responsible or accountable for the use thereof in accordance with federal law, regulation, or procedure, the chief procurement officer recommended for approval under this item appointed by the Secretary of Transportation after consent by the Executive Ethics Commission;

(3) for all procurements made by a public institution of higher education; and

(4) for all other procurement needs of State agencies.

For fiscal ~~years year~~ 2024 and 2025, the Executive Ethics Commission shall set aside from its appropriation those amounts necessary for the use of the 4 chief procurement officers for the ordinary and contingent expenses of their respective procurement offices. From the amounts set aside by the Commission, each chief procurement officer shall control the internal operations of his or her procurement office and shall procure the necessary equipment, materials, and services to perform the duties of that office, including hiring necessary procurement personnel, legal advisors, and other employees, and may establish, in the exercise of the chief

procurement officer's discretion, the compensation of the office's employees, which includes the State purchasing officers and any legal advisors. The Executive Ethics Commission shall have no control over the employees of the chief procurement officers. The Executive Ethics Commission shall provide administrative support services, including payroll, for each procurement office.

(b) Terms and independence. Each chief procurement officer appointed under this Section shall serve for a term of 5 years beginning on the date of the officer's appointment. The chief procurement officer may be removed for cause after a hearing by the Executive Ethics Commission. The Governor or the director of a State agency directly responsible to the Governor may institute a complaint against the officer by filing such complaint with the Commission. The Commission shall have a hearing based on the complaint. The officer and the complainant shall receive reasonable notice of the hearing and shall be permitted to present their respective arguments on the complaint. After the hearing, the Commission shall make a finding on the complaint and may take disciplinary action, including but not limited to removal of the officer.

The salary of a chief procurement officer shall be established by the Executive Ethics Commission and may not be diminished during the officer's term. The salary may not exceed the salary of the director of a State agency for which the officer serves as chief procurement officer.

(c) Qualifications. In addition to any other requirement or qualification required by State law, each chief procurement officer must within 12 months of employment be a Certified Professional Public Buyer or a Certified Public Purchasing Officer, pursuant to certification by the Universal Public Purchasing Certification Council, and must reside in Illinois.

(d) Fiduciary duty. Each chief procurement officer owes a fiduciary duty to the State.

(e) Vacancy. In case of a vacancy in one or more of the offices of a chief procurement officer under this Section during the recess of the Senate, the Executive Ethics Commission shall make a temporary appointment until the next meeting of the Senate, when the Executive Ethics Commission shall nominate some person to fill the office, and any person so nominated who is confirmed by the Senate shall hold office during the remainder of the term and until his or her successor is appointed and qualified. If the Senate is not in session at the time Public Act 96-920 ~~this amendatory Act of the 96th General Assembly~~ takes effect, the Executive Ethics Commission shall make a temporary appointment as in the case of a vacancy.

(f) (Blank).

(g) (Blank).

(Source: P.A. 103-8, eff. 6-7-23; revised 9-26-23.)

Section 5-43. The State Prompt Payment Act is amended by changing Section 3-6 and by adding Section 3-7 as follows:

(30 ILCS 540/3-6)

Sec. 3-6. Federal funds; lack of authority. If an agency incurs an interest liability under this Act that cannot be charged to the same expenditure authority account to which the related goods or services were charged due to federal prohibitions, the agency is authorized to pay the interest from its available appropriations from the General Revenue Fund, except that the Department of Transportation is authorized to pay the interest from its available appropriations from the Road Fund, as long as the original goods or services were for purposes consistent with Section 11 of Article IX of the Illinois Constitution.

(Source: P.A. 100-587, eff. 6-4-18.)

(30 ILCS 540/3-7 new)

Sec. 3-7. Transportation bond funds. If the Department of Transportation incurs an interest liability under this Act that would be payable from a transportation bond fund, the Department of Transportation is authorized to pay the interest from its available appropriations from the Road Fund, as long as the original purpose to which the bond funds were applied was consistent with Section 11 of Article IX of the Illinois Constitution. As used in this Section, "transportation bond fund" means any of the following funds in the State treasury: the Transportation Bond, Series A Fund; the Transportation

Bond, Series B Fund; the Transportation Bond Series D Fund; and the Multi-modal Transportation Bond Fund.

Section 5-45. The Illinois Works Jobs Program Act is amended by changing Section 20-15 as follows:

(30 ILCS 559/20-15)

Sec. 20-15. Illinois Works Preapprenticeship Program; Illinois Works Bid Credit Program.

(a) The Illinois Works Preapprenticeship Program is established and shall be administered by the Department. The goal of the Illinois Works Preapprenticeship Program is to create a network of community-based organizations throughout the State that will recruit, prescreen, and provide preapprenticeship skills training, for which participants may attend free of charge and receive a stipend, to create a qualified, diverse pipeline of workers who are prepared for careers in the construction and building trades. Upon completion of the Illinois Works Preapprenticeship Program, the candidates will be skilled and work-ready.

(b) There is created the Illinois Works Fund, a special fund in the State treasury. The Illinois Works Fund shall be administered by the Department. The Illinois Works Fund shall be used to provide funding for community-based organizations throughout the State. In addition to any other transfers that may be provided for by law, on and after July 1, 2019 at the

direction of the Director of the Governor's Office of Management and Budget, the State Comptroller shall direct and the State Treasurer shall transfer amounts not exceeding a total of \$50,000,000 from the Rebuild Illinois Projects Fund to the Illinois Works Fund.

(b-5) In addition to any other transfers that may be provided for by law, beginning July 1, 2024 and each July 1 thereafter, or as soon thereafter as practical, the State Comptroller shall direct and the State Treasurer shall transfer \$20,000,000 from the Capital Projects Fund to the Illinois Works Fund.

(c) Each community-based organization that receives funding from the Illinois Works Fund shall provide an annual report to the Illinois Works Review Panel by April 1 of each calendar year. The annual report shall include the following information:

(1) a description of the community-based organization's recruitment, screening, and training efforts;

(2) the number of individuals who apply to, participate in, and complete the community-based organization's program, broken down by race, gender, age, and veteran status; and

(3) the number of the individuals referenced in item (2) of this subsection who are initially accepted and placed into apprenticeship programs in the construction and

building trades.

(d) The Department shall create and administer the Illinois Works Bid Credit Program that shall provide economic incentives, through bid credits, to encourage contractors and subcontractors to provide contracting and employment opportunities to historically underrepresented populations in the construction industry.

The Illinois Works Bid Credit Program shall allow contractors and subcontractors to earn bid credits for use toward future bids for public works projects contracted by the State or an agency of the State in order to increase the chances that the contractor and the subcontractors will be selected.

Contractors or subcontractors may be eligible to earn bid credits for employing apprentices who have completed the Illinois Works Preapprenticeship Program. Contractors or subcontractors shall earn bid credits at a rate established by the Department and based on labor hours worked by apprentices who have completed the Illinois Works Preapprenticeship Program. In order to earn bid credits, contractors and subcontractors shall provide the Department with certified payroll documenting the hours performed by apprentices who have completed the Illinois Works Preapprenticeship Program. Contractors and subcontractors can use bid credits toward future bids for public works projects contracted or funded by the State or an agency of the State in order to increase the

likelihood of being selected as the contractor for the public works project toward which they have applied the bid credit. The Department shall establish the rate by rule and shall publish it on the Department's website. The rule may include maximum bid credits allowed per contractor, per subcontractor, per apprentice, per bid, or per year.

The Illinois Works Credit Bank is hereby created and shall be administered by the Department. The Illinois Works Credit Bank shall track the bid credits.

A contractor or subcontractor who has been awarded bid credits under any other State program for employing apprentices who have completed the Illinois Works Preapprenticeship Program is not eligible to receive bid credits under the Illinois Works Bid Credit Program relating to the same contract.

The Department shall report to the Illinois Works Review Panel the following: (i) the number of bid credits awarded by the Department; (ii) the number of bid credits submitted by the contractor or subcontractor to the agency administering the public works contract; and (iii) the number of bid credits accepted by the agency for such contract. Any agency that awards bid credits pursuant to the Illinois Works Credit Bank Program shall report to the Department the number of bid credits it accepted for the public works contract.

Upon a finding that a contractor or subcontractor has reported falsified records to the Department in order to

fraudulently obtain bid credits, the Department may bar the contractor or subcontractor from participating in the Illinois Works Bid Credit Program and may suspend the contractor or subcontractor from bidding on or participating in any public works project. False or fraudulent claims for payment relating to false bid credits may be subject to damages and penalties under applicable law.

(e) The Department shall adopt any rules deemed necessary to implement this Section. In order to provide for the expeditious and timely implementation of this Act, the Department may adopt emergency rules. The adoption of emergency rules authorized by this subsection is deemed to be necessary for the public interest, safety, and welfare.

(Source: P.A. 103-8, eff. 6-7-23; 103-305, eff. 7-28-23; revised 9-6-23.)

Section 5-47. The Downstate Public Transportation Act is amended by changing Section 2-3 as follows:

(30 ILCS 740/2-3) (from Ch. 111 2/3, par. 663)

Sec. 2-3. (a) As soon as possible after the first day of each month, beginning July 1, 1984, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the General Revenue Fund to a special fund in the State Treasury which is hereby created, to be known as the Downstate Public

Transportation Fund, an amount equal to 2/32 (beginning July 1, 2005, 3/32) of the net revenue realized from the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Use Tax Act, and the Service Use Tax Act from persons incurring municipal or county retailers' or service occupation tax liability for the benefit of any municipality or county located wholly within the boundaries of each participant, other than any Metro-East Transit District participant certified pursuant to subsection (c) of this Section during the preceding month, except that the Department shall pay into the Downstate Public Transportation Fund 2/32 (beginning July 1, 2005, 3/32) of 80% of the net revenue realized under the State tax Acts named above within any municipality or county located wholly within the boundaries of each participant, other than any Metro-East participant, for tax periods beginning on or after January 1, 1990. Net revenue realized for a month shall be the revenue collected by the State pursuant to such Acts during the previous month from persons incurring municipal or county retailers' or service occupation tax liability for the benefit of any municipality or county located wholly within the boundaries of a participant, less the amount paid out during that same month as refunds or credit memoranda to taxpayers for overpayment of liability under such Acts for the benefit of any municipality or county located wholly within the boundaries of a participant.

Notwithstanding any provision of law to the contrary,

beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this subsection (a) to be transferred by the Treasurer into the Downstate Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Downstate Public Transportation Fund as the revenues are realized from the taxes indicated.

(b) As soon as possible after the first day of each month, beginning July 1, 1989, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the General Revenue Fund to a special fund in the State Treasury which is hereby created, to be known as the Metro-East Public Transportation Fund, an amount equal to $\frac{2}{32}$ of the net revenue realized, as above, from within the boundaries of Madison, Monroe, and St. Clair Counties, except that the Department shall pay into the Metro-East Public Transportation Fund $\frac{2}{32}$ of 80% of the net revenue realized under the State tax Acts specified in subsection (a) of this Section within the boundaries of Madison, Monroe and St. Clair Counties for tax periods beginning on or after January 1, 1990. A local match equivalent to an amount which could be raised by a tax levy at the rate of .05% on the assessed value of property within the boundaries of Madison County is required annually to cause a total of $\frac{2}{32}$ of the net revenue to be deposited in the Metro-East Public Transportation Fund. Failure to raise the required local match annually shall result in only $\frac{1}{32}$ being

deposited into the Metro-East Public Transportation Fund after July 1, 1989, or 1/32 of 80% of the net revenue realized for tax periods beginning on or after January 1, 1990.

(b-5) As soon as possible after the first day of each month, beginning July 1, 2005, upon certification of the Department of Revenue, the Comptroller shall order transferred, and the Treasurer shall transfer, from the General Revenue Fund to the Downstate Public Transportation Fund, an amount equal to 3/32 of 80% of the net revenue realized from within the boundaries of Monroe and St. Clair Counties under the State Tax Acts specified in subsection (a) of this Section and provided further that, beginning July 1, 2005, the provisions of subsection (b) shall no longer apply with respect to such tax receipts from Monroe and St. Clair Counties.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this subsection (b-5) to be transferred by the Treasurer into the Downstate Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Downstate Public Transportation Fund as the revenues are realized from the taxes indicated.

(b-6) As soon as possible after the first day of each month, beginning July 1, 2008, upon certification by the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer, from the General Revenue

Fund to the Downstate Public Transportation Fund, an amount equal to $\frac{3}{32}$ of 80% of the net revenue realized from within the boundaries of Madison County under the State Tax Acts specified in subsection (a) of this Section and provided further that, beginning July 1, 2008, the provisions of subsection (b) shall no longer apply with respect to such tax receipts from Madison County.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this subsection (b-6) to be transferred by the Treasurer into the Downstate Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Downstate Public Transportation Fund as the revenues are realized from the taxes indicated.

(b-7) Beginning July 1, 2018, notwithstanding any ~~the~~ other provisions of law to the contrary ~~this Section~~, instead of the Comptroller making monthly transfers from the General Revenue Fund to the Downstate Public Transportation Fund, the Department of Revenue shall deposit the designated fraction of the net revenue realized from collections under the Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Use Tax Act, and the Service Use Tax Act directly into the Downstate Public Transportation Fund, except that, for the State fiscal year beginning July 1, 2024, the first \$75,000,000 that would have otherwise been deposited as provided in this subsection shall instead be transferred from

the Road Fund to the Downstate Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The funds authorized and transferred pursuant to this amendatory Act of the 103rd General Assembly are not intended or planned for road construction projects.

(c) The Department shall certify to the Department of Revenue the eligible participants under this Article and the territorial boundaries of such participants for the purposes of the Department of Revenue in subsections (a) and (b) of this Section.

(d) For the purposes of this Article, beginning in fiscal year 2009 the General Assembly shall appropriate an amount from the Downstate Public Transportation Fund equal to the sum total of funds projected to be paid to the participants pursuant to Section 2-7. If the General Assembly fails to make appropriations sufficient to cover the amounts projected to be paid pursuant to Section 2-7, this Act shall constitute an irrevocable and continuing appropriation from the Downstate Public Transportation Fund of all amounts necessary for those purposes.

(e) (Blank).

(f) (Blank).

(g) (Blank).

(h) For State fiscal year 2020 only, notwithstanding any provision of law to the contrary, the total amount of revenue

and deposits under this Section attributable to revenues realized during State fiscal year 2020 shall be reduced by 5%.

(i) For State fiscal year 2021 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2021 shall be reduced by 5%.

(j) Commencing with State fiscal year 2022 programs, and for each fiscal year thereafter, all appropriations made under the provisions of this Act shall not constitute a grant program subject to the requirements of the Grant Accountability and Transparency Act. The Department shall approve programs of proposed expenditures and services submitted by participants under the requirements of Sections 2-5 and 2-11.

(Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20; 102-626, eff. 8-27-21.)

Section 5-50. The Illinois Income Tax Act is amended by changing Section 901 as follows:

(35 ILCS 5/901)

Sec. 901. Collection authority.

(a) In general. The Department shall collect the taxes imposed by this Act. The Department shall collect certified past due child support amounts under Section 2505-650 of the Department of Revenue Law of the Civil Administrative Code of

Illinois. Except as provided in subsections (b), (c), (e), (f), (g), and (h) of this Section, money collected pursuant to subsections (a) and (b) of Section 201 of this Act shall be paid into the General Revenue Fund in the State treasury; money collected pursuant to subsections (c) and (d) of Section 201 of this Act shall be paid into the Personal Property Tax Replacement Fund, a special fund in the State Treasury; and money collected under Section 2505-650 of the Department of Revenue Law of the Civil Administrative Code of Illinois shall be paid into the Child Support Enforcement Trust Fund, a special fund outside the State Treasury, or to the State Disbursement Unit established under Section 10-26 of the Illinois Public Aid Code, as directed by the Department of Healthcare and Family Services.

(b) Local Government Distributive Fund. Beginning August 1, 2017 and continuing through July 31, 2022, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of: (i) 6.06% (10% of the ratio of the 3% individual income tax rate prior to 2011 to the 4.95% individual income tax rate after July 1, 2017) of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month; (ii) 6.85% (10% of the ratio of the 4.8% corporate income tax rate prior to 2011 to the 7% corporate income tax rate after July 1, 2017) of the net revenue realized from the

tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month; and (iii) beginning February 1, 2022, 6.06% of the net revenue realized from the tax imposed by subsection (p) of Section 201 of this Act upon electing pass-through entities. Beginning August 1, 2022 and continuing through July 31, 2023, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of:

- (i) 6.16% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month;
- (ii) 6.85% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month; and (iii) 6.16% of the net revenue realized from the tax imposed by subsection (p) of Section 201 of this Act upon electing pass-through entities. Beginning August 1, 2023, the Treasurer shall transfer each month from the General Revenue Fund to the Local Government Distributive Fund an amount equal to the sum of:

- (i) 6.47% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon individuals, trusts, and estates during the preceding month;
- (ii) 6.85% of the net revenue realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act upon corporations during the preceding month; and (iii) 6.47% of the net revenue realized from the tax imposed by subsection

(p) of Section 201 of this Act upon electing pass-through entities. Net revenue realized for a month shall be defined as the revenue from the tax imposed by subsections (a) and (b) of Section 201 of this Act which is deposited into the General Revenue Fund, the Education Assistance Fund, the Income Tax Surcharge Local Government Distributive Fund, the Fund for the Advancement of Education, and the Commitment to Human Services Fund during the month minus the amount paid out of the General Revenue Fund in State warrants during that same month as refunds to taxpayers for overpayment of liability under the tax imposed by subsections (a) and (b) of Section 201 of this Act.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this subsection (b) to be transferred by the Treasurer into the Local Government Distributive Fund from the General Revenue Fund shall be directly deposited into the Local Government Distributive Fund as the revenue is realized from the tax imposed by subsections (a) and (b) of Section 201 of this Act.

(c) Deposits Into Income Tax Refund Fund.

(1) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b) (1), (2), and (3) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. Beginning

with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal year 2011, the Annual Percentage shall be 8.75%. For fiscal year 2012, the Annual Percentage shall be 8.75%. For fiscal year 2013, the Annual Percentage shall be 9.75%. For fiscal year 2014, the Annual Percentage shall be 9.5%. For fiscal year 2015, the Annual Percentage shall be 10%. For fiscal year 2018, the Annual Percentage shall be 9.8%. For fiscal year 2019, the Annual Percentage shall be 9.7%. For fiscal year 2020, the Annual Percentage shall be 9.5%. For fiscal year 2021, the Annual Percentage shall be 9%. For fiscal year 2022, the Annual Percentage shall be 9.25%. For fiscal year 2023, the Annual Percentage shall be 9.25%. For fiscal year 2024, the Annual Percentage shall be 9.15%. For fiscal year 2025, the Annual Percentage shall be 9.15%.

For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b) (1), (2), and (3) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, minus the amounts transferred into the Income Tax Refund Fund from the

Tobacco Settlement Recovery Fund, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b)(1), (2), and (3) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 7.6%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(2) Beginning on January 1, 1989 and thereafter, the Department shall deposit a percentage of the amounts collected pursuant to subsections (a) and (b)(6), (7), and (8), (c) and (d) of Section 201 of this Act into a fund in the State treasury known as the Income Tax Refund Fund. Beginning with State fiscal year 1990 and for each fiscal year thereafter, the percentage deposited into the Income Tax Refund Fund during a fiscal year shall be the Annual Percentage. For fiscal year 2011, the Annual Percentage shall be 17.5%. For fiscal year 2012, the Annual Percentage shall be 17.5%. For fiscal year 2013, the Annual Percentage shall be 14%. For fiscal year 2014, the Annual Percentage shall be 13.4%. For fiscal year 2015, the Annual Percentage shall be 14%. For fiscal year 2018, the Annual Percentage shall be 17.5%. For fiscal year 2019, the Annual Percentage shall be 15.5%. For fiscal

year 2020, the Annual Percentage shall be 14.25%. For fiscal year 2021, the Annual Percentage shall be 14%. For fiscal year 2022, the Annual Percentage shall be 15%. For fiscal year 2023, the Annual Percentage shall be 14.5%. For fiscal year 2024, the Annual Percentage shall be 14%. For fiscal year 2025, the Annual Percentage shall be 14%. For all other fiscal years, the Annual Percentage shall be calculated as a fraction, the numerator of which shall be the amount of refunds approved for payment by the Department during the preceding fiscal year as a result of overpayment of tax liability under subsections (a) and (b) (6), (7), and (8), (c) and (d) of Section 201 of this Act plus the amount of such refunds remaining approved but unpaid at the end of the preceding fiscal year, and the denominator of which shall be the amounts which will be collected pursuant to subsections (a) and (b) (6), (7), and (8), (c) and (d) of Section 201 of this Act during the preceding fiscal year; except that in State fiscal year 2002, the Annual Percentage shall in no event exceed 23%. The Director of Revenue shall certify the Annual Percentage to the Comptroller on the last business day of the fiscal year immediately preceding the fiscal year for which it is to be effective.

(3) The Comptroller shall order transferred and the Treasurer shall transfer from the Tobacco Settlement Recovery Fund to the Income Tax Refund Fund (i)

\$35,000,000 in January, 2001, (ii) \$35,000,000 in January, 2002, and (iii) \$35,000,000 in January, 2003.

(d) Expenditures from Income Tax Refund Fund.

(1) Beginning January 1, 1989, money in the Income Tax Refund Fund shall be expended exclusively for the purpose of paying refunds resulting from overpayment of tax liability under Section 201 of this Act and for making transfers pursuant to this subsection (d), except that in State fiscal years 2022 and 2023, moneys in the Income Tax Refund Fund shall also be used to pay one-time rebate payments as provided under Sections 208.5 and 212.1.

(2) The Director shall order payment of refunds resulting from overpayment of tax liability under Section 201 of this Act from the Income Tax Refund Fund only to the extent that amounts collected pursuant to Section 201 of this Act and transfers pursuant to this subsection (d) and item (3) of subsection (c) have been deposited and retained in the Fund.

(3) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the Personal Property Tax Replacement Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund

during the fiscal year over the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year.

(4) As soon as possible after the end of each fiscal year, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Personal Property Tax Replacement Fund to the Income Tax Refund Fund an amount, certified by the Director to the Comptroller, equal to the excess of the amount of refunds resulting from overpayment of tax liability under subsections (c) and (d) of Section 201 of this Act paid from the Income Tax Refund Fund during the fiscal year over the amount collected pursuant to subsections (c) and (d) of Section 201 of this Act deposited into the Income Tax Refund Fund during the fiscal year.

(4.5) As soon as possible after the end of fiscal year 1999 and of each fiscal year thereafter, the Director shall order transferred and the State Treasurer and State Comptroller shall transfer from the Income Tax Refund Fund to the General Revenue Fund any surplus remaining in the Income Tax Refund Fund as of the end of such fiscal year; excluding for fiscal years 2000, 2001, and 2002 amounts attributable to transfers under item (3) of subsection (c) less refunds resulting from the earned income tax credit, and excluding for fiscal year 2022 amounts attributable to

transfers from the General Revenue Fund authorized by Public Act 102-700.

(5) This Act shall constitute an irrevocable and continuing appropriation from the Income Tax Refund Fund for the purposes of (i) paying refunds upon the order of the Director in accordance with the provisions of this Section and (ii) paying one-time rebate payments under Sections 208.5 and 212.1.

(e) Deposits into the Education Assistance Fund and the Income Tax Surcharge Local Government Distributive Fund. On July 1, 1991, and thereafter, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 7.3% into the Education Assistance Fund in the State Treasury. Beginning July 1, 1991, and continuing through January 31, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 3.0% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning February 1, 1993 and continuing through June 30, 1993, of the amounts collected pursuant to subsections (a) and (b) of Section 201 of the Illinois Income Tax Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 4.4% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury. Beginning July 1,

1993, and continuing through June 30, 1994, of the amounts collected under subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, the Department shall deposit 1.475% into the Income Tax Surcharge Local Government Distributive Fund in the State Treasury.

(f) Deposits into the Fund for the Advancement of Education. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, into the Fund for the Advancement of Education:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and

(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (f) on or after the effective date of the reduction.

(g) Deposits into the Commitment to Human Services Fund. Beginning February 1, 2015, the Department shall deposit the following portions of the revenue realized from the tax imposed upon individuals, trusts, and estates by subsections (a) and (b) of Section 201 of this Act, minus deposits into the Income Tax Refund Fund, into the Commitment to Human Services

Fund:

(1) beginning February 1, 2015, and prior to February 1, 2025, 1/30; and

(2) beginning February 1, 2025, 1/26.

If the rate of tax imposed by subsection (a) and (b) of Section 201 is reduced pursuant to Section 201.5 of this Act, the Department shall not make the deposits required by this subsection (g) on or after the effective date of the reduction.

(h) Deposits into the Tax Compliance and Administration Fund. Beginning on the first day of the first calendar month to occur on or after August 26, 2014 (the effective date of Public Act 98-1098), each month the Department shall pay into the Tax Compliance and Administration Fund, to be used, subject to appropriation, to fund additional auditors and compliance personnel at the Department, an amount equal to 1/12 of 5% of the cash receipts collected during the preceding fiscal year by the Audit Bureau of the Department from the tax imposed by subsections (a), (b), (c), and (d) of Section 201 of this Act, net of deposits into the Income Tax Refund Fund made from those cash receipts.

(Source: P.A. 102-16, eff. 6-17-21; 102-558, eff. 8-20-21; 102-658, eff. 8-27-21; 102-699, eff. 4-19-22; 102-700, eff. 4-19-22; 102-813, eff. 5-13-22; 103-8, eff. 6-7-23; 103-154, eff. 6-30-23.)

Section 5-60. The Regional Transportation Authority Act is amended by changing Section 4.09 as follows:

(70 ILCS 3615/4.09) (from Ch. 111 2/3, par. 704.09)

Sec. 4.09. Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund.

(a) (1) Except as otherwise provided in paragraph (4), as soon as possible after the first day of each month, beginning July 1, 1984, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to a special fund in the State Treasury to be known as the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act, from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. On the first day of the month

following the date that the Department receives revenues from increased taxes under Section 4.03(m) as authorized by Public Act 95-708, in lieu of the transfers authorized in the preceding sentence, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 80% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 75% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and 25% of the net revenue realized from any tax imposed by the Authority pursuant to Section 4.03.1, and 25% of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 25% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act. As used in this Section, net revenue

realized for a month shall be the revenue collected by the State pursuant to Sections 4.03 and 4.03.1 during the previous month from within the metropolitan region, less the amount paid out during that same month as refunds to taxpayers for overpayment of liability in the metropolitan region under Sections 4.03 and 4.03.1.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (1) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(2) Except as otherwise provided in paragraph (4), on February 1, 2009 (the first day of the month following the effective date of Public Act 95-708) and each month thereafter, upon certification by the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 5% of the net revenue, before the deduction of the serviceman and retailer discounts pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from any tax imposed by the Authority pursuant to Sections 4.03 and 4.03.1 and certified by the Department of Revenue under Section 4.03(n) of this Act to be paid to the Authority and 5%

of the amounts deposited into the Regional Transportation Authority tax fund created by Section 4.03 of this Act from the County and Mass Transit District Fund as provided in Section 6z-20 of the State Finance Act, and 5% of the amounts deposited into the Regional Transportation Authority Occupation and Use Tax Replacement Fund from the State and Local Sales Tax Reform Fund as provided in Section 6z-17 of the State Finance Act, and 5% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (2) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(3) Except as otherwise provided in paragraph (4), as soon as possible after the first day of January, 2009 and each month thereafter, upon certification of the Department of Revenue with respect to the taxes collected under Section 4.03, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund an amount equal to 25% of the net revenue, before the deduction of the serviceman and retailer discounts

pursuant to Section 9 of the Service Occupation Tax Act and Section 3 of the Retailers' Occupation Tax Act, realized from (i) 20% of the proceeds of any tax imposed by the Authority at a rate of 1.25% in Cook County, (ii) 25% of the proceeds of any tax imposed by the Authority at the rate of 1% in Cook County, and (iii) one-third of the proceeds of any tax imposed by the Authority at the rate of 0.75% in the Counties of DuPage, Kane, Lake, McHenry, and Will, all pursuant to Section 4.03, and the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Public Transportation Fund (iv) an amount equal to 25% of the revenue realized by the Chicago Transit Authority as financial assistance from the City of Chicago from the proceeds of any tax imposed by the City of Chicago under Section 8-3-19 of the Illinois Municipal Code.

Notwithstanding any provision of law to the contrary, beginning on July 6, 2017 (the effective date of Public Act 100-23), those amounts required under this paragraph (3) of subsection (a) to be transferred by the Treasurer into the Public Transportation Fund from the General Revenue Fund shall be directly deposited into the Public Transportation Fund as the revenues are realized from the taxes indicated.

(4) Notwithstanding any provision of law to the contrary, for the State fiscal year beginning July 1, 2024 and each State fiscal year thereafter ~~of the transfers to be made under paragraphs (1), (2), and (3) of this subsection (a) from the~~

~~General Revenue Fund to the Public Transportation Fund, the first \$150,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Road Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. For the State fiscal year beginning July 1, 2024, only, the next \$75,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Road Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The funds authorized and transferred pursuant to this amendatory Act of the 103rd General Assembly are not intended or planned for road construction projects. For the State fiscal year beginning July 1, 2024, only, the next \$50,000,000 that would have otherwise been transferred from the General Revenue Fund and deposited into the Public Transportation Fund as provided in paragraphs (1), (2), and (3) of this subsection (a) shall instead be transferred from the Underground Storage Tank Fund and deposited into the Public Transportation Fund by the Treasurer upon certification by the Department of Revenue and order of the Comptroller. The remaining balance of such~~

~~transfers~~ shall be deposited each State fiscal year as otherwise provided in paragraphs (1), (2), and (3) of this subsection (a) made from the General Revenue Fund.

(5) (Blank).

(6) (Blank).

(7) For State fiscal year 2020 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2020 shall be reduced by 5%.

(8) For State fiscal year 2021 only, notwithstanding any provision of law to the contrary, the total amount of revenue and deposits under this Section attributable to revenues realized during State fiscal year 2021 shall be reduced by 5%.

(b)(1) All moneys deposited in the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund, whether deposited pursuant to this Section or otherwise, are allocated to the Authority, except for amounts appropriated to the Office of the Executive Inspector General as authorized by subsection (h) of Section 4.03.3 and amounts transferred to the Audit Expense Fund pursuant to Section 6z-27 of the State Finance Act. The Comptroller, as soon as possible after each monthly transfer provided in this Section and after each deposit into the Public Transportation Fund, shall order the Treasurer to pay to the Authority out of the Public Transportation Fund the amount so transferred or deposited. Any Additional State

Assistance and Additional Financial Assistance paid to the Authority under this Section shall be expended by the Authority for its purposes as provided in this Act. The balance of the amounts paid to the Authority from the Public Transportation Fund shall be expended by the Authority as provided in Section 4.03.3. The Comptroller, as soon as possible after each deposit into the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided in this Section and Section 6z-17 of the State Finance Act, shall order the Treasurer to pay to the Authority out of the Regional Transportation Authority Occupation and Use Tax Replacement Fund the amount so deposited. Such amounts paid to the Authority may be expended by it for its purposes as provided in this Act. The provisions directing the distributions from the Public Transportation Fund and the Regional Transportation Authority Occupation and Use Tax Replacement Fund provided for in this Section shall constitute an irrevocable and continuing appropriation of all amounts as provided herein. The State Treasurer and State Comptroller are hereby authorized and directed to make distributions as provided in this Section.

(2) Provided, however, no moneys deposited under subsection (a) of this Section shall be paid from the Public Transportation Fund to the Authority or its assignee for any fiscal year until the Authority has certified to the Governor, the Comptroller, and the Mayor of the City of Chicago that it has adopted for that fiscal year an Annual Budget and Two-Year

Financial Plan meeting the requirements in Section 4.01(b).

(c) In recognition of the efforts of the Authority to enhance the mass transportation facilities under its control, the State shall provide financial assistance ("Additional State Assistance") in excess of the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional State Assistance shall be calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

1990	\$5,000,000;
1991	\$5,000,000;
1992	\$10,000,000;
1993	\$10,000,000;
1994	\$20,000,000;
1995	\$30,000,000;
1996	\$40,000,000;
1997	\$50,000,000;
1998	\$55,000,000; and
each year thereafter	\$55,000,000.

(c-5) The State shall provide financial assistance ("Additional Financial Assistance") in addition to the Additional State Assistance provided by subsection (c) and the amounts transferred to the Authority from the General Revenue Fund under subsection (a) of this Section. Additional Financial Assistance provided by this subsection shall be

calculated as provided in subsection (d), but shall in no event exceed the following specified amounts with respect to the following State fiscal years:

2000	\$0;
2001	\$16,000,000;
2002	\$35,000,000;
2003	\$54,000,000;
2004	\$73,000,000;
2005	\$93,000,000; and
each year thereafter	\$100,000,000.

(d) Beginning with State fiscal year 1990 and continuing for each State fiscal year thereafter, the Authority shall annually certify to the State Comptroller and State Treasurer, separately with respect to each of subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act, the following amounts:

(1) The amount necessary and required, during the State fiscal year with respect to which the certification is made, to pay its obligations for debt service on all outstanding bonds or notes issued by the Authority under subdivisions (g)(2) and (g)(3) of Section 4.04 of this Act.

(2) An estimate of the amount necessary and required to pay its obligations for debt service for any bonds or notes which the Authority anticipates it will issue under subdivisions (g)(2) and (g)(3) of Section 4.04 during that State fiscal year.

(3) Its debt service savings during the preceding State fiscal year from refunding or advance refunding of bonds or notes issued under subdivisions (g) (2) and (g) (3) of Section 4.04.

(4) The amount of interest, if any, earned by the Authority during the previous State fiscal year on the proceeds of bonds or notes issued pursuant to subdivisions (g) (2) and (g) (3) of Section 4.04, other than refunding or advance refunding bonds or notes.

The certification shall include a specific schedule of debt service payments, including the date and amount of each payment for all outstanding bonds or notes and an estimated schedule of anticipated debt service for all bonds and notes it intends to issue, if any, during that State fiscal year, including the estimated date and estimated amount of each payment.

Immediately upon the issuance of bonds for which an estimated schedule of debt service payments was prepared, the Authority shall file an amended certification with respect to item (2) above, to specify the actual schedule of debt service payments, including the date and amount of each payment, for the remainder of the State fiscal year.

On the first day of each month of the State fiscal year in which there are bonds outstanding with respect to which the certification is made, the State Comptroller shall order transferred and the State Treasurer shall transfer from the

Road Fund to the Public Transportation Fund the Additional State Assistance and Additional Financial Assistance in an amount equal to the aggregate of (i) one-twelfth of the sum of the amounts certified under items (1) and (3) above less the amount certified under item (4) above, plus (ii) the amount required to pay debt service on bonds and notes issued during the fiscal year, if any, divided by the number of months remaining in the fiscal year after the date of issuance, or some smaller portion as may be necessary under subsection (c) or (c-5) of this Section for the relevant State fiscal year, plus (iii) any cumulative deficiencies in transfers for prior months, until an amount equal to the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, has been transferred; except that these transfers are subject to the following limits:

(A) In no event shall the total transfers in any State fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g)(2) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

(B) In no event shall the total transfers in any State

fiscal year relating to outstanding bonds and notes issued by the Authority under subdivision (g) (3) of Section 4.04 exceed the lesser of the annual maximum amount specified in subsection (c-5) or the sum of the amounts certified under items (1) and (3) above, plus the actual debt service certified under item (2) above, less the amount certified under item (4) above, with respect to those bonds and notes.

The term "outstanding" does not include bonds or notes for which refunding or advance refunding bonds or notes have been issued.

(e) Neither Additional State Assistance nor Additional Financial Assistance may be pledged, either directly or indirectly as general revenues of the Authority, as security for any bonds issued by the Authority. The Authority may not assign its right to receive Additional State Assistance or Additional Financial Assistance, or direct payment of Additional State Assistance or Additional Financial Assistance, to a trustee or any other entity for the payment of debt service on its bonds.

(f) The certification required under subsection (d) with respect to outstanding bonds and notes of the Authority shall be filed as early as practicable before the beginning of the State fiscal year to which it relates. The certification shall be revised as may be necessary to accurately state the debt service requirements of the Authority.

(g) Within 6 months of the end of each fiscal year, the Authority shall determine:

(i) whether the aggregate of all system generated revenues for public transportation in the metropolitan region which is provided by, or under grant or purchase of service contracts with, the Service Boards equals 50% of the aggregate of all costs of providing such public transportation. "System generated revenues" include all the proceeds of fares and charges for services provided, contributions received in connection with public transportation from units of local government other than the Authority, except for contributions received by the Chicago Transit Authority from a real estate transfer tax imposed under subsection (i) of Section 8-3-19 of the Illinois Municipal Code, and from the State pursuant to subsection (i) of Section 2705-305 of the Department of Transportation Law, and all other revenues properly included consistent with generally accepted accounting principles but may not include: the proceeds from any borrowing, and, beginning with the 2007 fiscal year, all revenues and receipts, including but not limited to fares and grants received from the federal, State or any unit of local government or other entity, derived from providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act. "Costs" include all items properly included as operating costs consistent with

generally accepted accounting principles, including administrative costs, but do not include: depreciation; payment of principal and interest on bonds, notes or other evidences of obligations for borrowed money of the Authority; payments with respect to public transportation facilities made pursuant to subsection (b) of Section 2.20; any payments with respect to rate protection contracts, credit enhancements or liquidity agreements made under Section 4.14; any other cost as to which it is reasonably expected that a cash expenditure will not be made; costs for passenger security including grants, contracts, personnel, equipment and administrative expenses, except in the case of the Chicago Transit Authority, in which case the term does not include costs spent annually by that entity for protection against crime as required by Section 27a of the Metropolitan Transit Authority Act; the costs of Debt Service paid by the Chicago Transit Authority, as defined in Section 12c of the Metropolitan Transit Authority Act, or bonds or notes issued pursuant to that Section; the payment by the Commuter Rail Division of debt service on bonds issued pursuant to Section 3B.09; expenses incurred by the Suburban Bus Division for the cost of new public transportation services funded from grants pursuant to Section 2.01e of this Act for a period of 2 years from the date of initiation of each such service; costs as exempted

by the Board for projects pursuant to Section 2.09 of this Act; or, beginning with the 2007 fiscal year, expenses related to providing ADA paratransit service pursuant to Section 2.30 of the Regional Transportation Authority Act; or in fiscal years 2008 through 2012 inclusive, costs in the amount of \$200,000,000 in fiscal year 2008, reducing by \$40,000,000 in each fiscal year thereafter until this exemption is eliminated. If said system generated revenues are less than 50% of said costs, the Board shall remit an amount equal to the amount of the deficit to the State; however, due to the fiscal impacts from the COVID-19 pandemic, for fiscal years 2021, 2022, 2023, 2024, and 2025, no such payment shall be required. The Treasurer shall deposit any such payment in the Road Fund; and

(ii) whether, beginning with the 2007 fiscal year, the aggregate of all fares charged and received for ADA paratransit services equals the system generated ADA paratransit services revenue recovery ratio percentage of the aggregate of all costs of providing such ADA paratransit services.

(h) If the Authority makes any payment to the State under paragraph (g), the Authority shall reduce the amount provided to a Service Board from funds transferred under paragraph (a) in proportion to the amount by which that Service Board failed to meet its required system generated revenues recovery ratio. A Service Board which is affected by a reduction in funds under

this paragraph shall submit to the Authority concurrently with its next due quarterly report a revised budget incorporating the reduction in funds. The revised budget must meet the criteria specified in clauses (i) through (vi) of Section 4.11(b)(2). The Board shall review and act on the revised budget as provided in Section 4.11(b)(3).

(Source: P.A. 102-678, eff. 12-10-21; 103-281, eff. 1-1-24.)

Section 5-65. The Mental Health Early Action on Campus Act is amended by changing Section 55 as follows:

(110 ILCS 58/55)

Sec. 55. Funding. This Act is subject to appropriation. The Commission on Government Forecasting and Accountability, in conjunction with the Illinois Community College Board and the Board of Higher Education, must make recommendations to the General Assembly on the amounts necessary to implement this Act. ~~The initial recommendation must be provided by the Commission no later than December 31, 2019. Any appropriation provided in advance of this initial recommendation may be used for planning purposes.~~ No Section of this Act may be funded by student fees created on or after July 1, 2020. Public colleges or universities may seek federal funding or private grants, if available, to support the provisions of this Act. In order to raise mental health awareness on college campuses through training, peer support, and local partnerships, the Board of

Higher Education may, subject to appropriation, establish and administer a grant program to assist public universities in implementing this Act.

(Source: P.A. 101-251, eff. 8-9-19.)

Section 5-70. The Illinois Health Benefits Exchange Law is amended by changing Section 5-30 as follows:

(215 ILCS 122/5-30)

(Section scheduled to be repealed on January 1, 2025)

Sec. 5-30. Transfers from Insurance Producer Administration Fund.

(a) During fiscal year 2024 only, at the direction of and upon notification from the Director of Insurance, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$10,000,000 from the Insurance Producer Administration Fund to the Illinois Health Benefits Exchange Fund.

(b) During fiscal year 2025 only, at the direction of and upon notification from the Director of Insurance, the State Comptroller shall direct and the State Treasurer shall transfer up to a total of \$15,500,000 from the Insurance Producer Administration Fund to the Illinois Health Benefits Exchange Fund.

(c) This Section is repealed on January 1, ~~2026~~ 2025.

(Source: P.A. 103-8, eff. 6-7-23.)

Section 5-72. The African-American HIV/AIDS Response Act is amended by changing Section 27 as follows:

(410 ILCS 303/27)

Sec. 27. African-American HIV/AIDS Response Fund.

(a) The African-American HIV/AIDS Response Fund is created as a special fund in the State treasury. Moneys deposited into the Fund shall, subject to appropriation, be used for grants for programs to prevent the transmission of HIV and other programs and activities consistent with the purposes of this Act, including, but not limited to, preventing and treating HIV/AIDS, the creation of an HIV/AIDS service delivery system, and the administration of the Act. The grants under this Section may be administered by a lead agent selected by the Department of Public Health, considering the entity's ability to administer grants and familiarity with the grantees' programs, and that selection shall be exempt from the public notice of funding opportunity under the Grant Accountability and Transparency Act or any rule regarding the public notice of funding opportunity adopted under that Act. The lead agent must demonstrate the ability to administer the grant to subgrantees in compliance with the requirements of the Grant Accountability and Transparency Act. Moneys for the Fund shall come from appropriations by the General Assembly, federal funds, and other public resources.

(b) The Fund shall provide resources for communities in Illinois to create an HIV/AIDS service delivery system that reduces the disparity of HIV infection and AIDS cases between African-Americans and other population groups in Illinois that may be impacted by the disease by, including but, not limited to:

(1) developing, implementing, and maintaining a comprehensive, culturally sensitive HIV Prevention Plan targeting communities that are identified as high-risk in terms of the impact of the disease on African-Americans;

(2) developing, implementing, and maintaining a stable HIV/AIDS service delivery infrastructure in Illinois communities that will meet the needs of African-Americans;

(3) developing, implementing, and maintaining a statewide HIV/AIDS testing program;

(4) providing funding for HIV/AIDS social and scientific research to improve prevention and treatment;

(5) providing comprehensive technical and other assistance to African-American community service organizations that are involved in HIV/AIDS prevention and treatment;

(6) developing, implementing, and maintaining an infrastructure for African-American community service organizations to make them less dependent on government resources;

(7) (blank); and

(8) creating, maintaining, or creating and maintaining at least one Black-led Center of Excellence HIV Biomedical Resource Hub for every \$3,000,000 of available funding to improve Black health and eliminate Black HIV-related health disparities; a Center of Excellence may be developed on a stand-alone or a collaborative basis and may provide regional comprehensive HIV preventative care and essential support services, which may include, but are not limited to, PrEP assessment, same day prescription delivery, primary HIV medical care or referral, case management, outpatient mental health, outpatient substance abuse, treatment, medication adherence, nutritional supplemental support, housing, financial assistance, workforce development, criminal justice involvement, and advocacy services.

(c) When providing grants pursuant to this Fund, the Department of Public Health shall give priority to the development of comprehensive medical and social services to African-Americans at risk of infection from or infected with HIV/AIDS in areas of the State determined to have the greatest geographic prevalence of HIV/AIDS in the African-American population.

(d) (Blank).

(Source: P.A. 102-1052, eff. 1-1-23.)

Section 5-75. The Environmental Protection Act is amended

by changing Sections 22.15, 55.6, and 57.11 as follows:

(415 ILCS 5/22.15)

Sec. 22.15. Solid Waste Management Fund; fees.

(a) There is hereby created within the State Treasury a special fund to be known as the Solid Waste Management Fund, to be constituted from the fees collected by the State pursuant to this Section, from repayments of loans made from the Fund for solid waste projects, from registration fees collected pursuant to the Consumer Electronics Recycling Act, from fees collected under the Paint Stewardship Act, and from amounts transferred into the Fund pursuant to Public Act 100-433. Moneys received by either the Agency or the Department of Commerce and Economic Opportunity in repayment of loans made pursuant to the Illinois Solid Waste Management Act shall be deposited into the General Revenue Fund.

(b) The Agency shall assess and collect a fee in the amount set forth herein from the owner or operator of each sanitary landfill permitted or required to be permitted by the Agency to dispose of solid waste if the sanitary landfill is located off the site where such waste was produced and if such sanitary landfill is owned, controlled, and operated by a person other than the generator of such waste. The Agency shall deposit all fees collected into the Solid Waste Management Fund. If a site is contiguous to one or more landfills owned or operated by the same person, the volumes permanently disposed of by each

landfill shall be combined for purposes of determining the fee under this subsection. Beginning on July 1, 2018, and on the first day of each month thereafter during fiscal years 2019 through 2025 ~~2024~~, the State Comptroller shall direct and State Treasurer shall transfer an amount equal to 1/12 of \$5,000,000 per fiscal year from the Solid Waste Management Fund to the General Revenue Fund.

(1) If more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall either pay a fee of 95 cents per cubic yard or, alternatively, the owner or operator may weigh the quantity of the solid waste permanently disposed of with a device for which certification has been obtained under the Weights and Measures Act and pay a fee of \$2.00 per ton of solid waste permanently disposed of. In no case shall the fee collected or paid by the owner or operator under this paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

(2) If more than 100,000 cubic yards but not more than 150,000 cubic yards of non-hazardous waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$52,630.

(3) If more than 50,000 cubic yards but not more than 100,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$23,790.

(4) If more than 10,000 cubic yards but not more than 50,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$7,260.

(5) If not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at a site in a calendar year, the owner or operator shall pay a fee of \$1050.

(c) (Blank).

(d) The Agency shall establish rules relating to the collection of the fees authorized by this Section. Such rules shall include, but not be limited to:

(1) necessary records identifying the quantities of solid waste received or disposed;

(2) the form and submission of reports to accompany the payment of fees to the Agency;

(3) the time and manner of payment of fees to the Agency, which payments shall not be more often than quarterly; and

(4) procedures setting forth criteria establishing when an owner or operator may measure by weight or volume during any given quarter or other fee payment period.

(e) Pursuant to appropriation, all monies in the Solid Waste Management Fund shall be used by the Agency for the purposes set forth in this Section and in the Illinois Solid Waste Management Act, including for the costs of fee

collection and administration, for administration of the Paint Stewardship Act, and for the administration of the Consumer Electronics Recycling Act, the Drug Take-Back Act, and the Statewide Recycling Needs Assessment Act.

(f) The Agency is authorized to enter into such agreements and to promulgate such rules as are necessary to carry out its duties under this Section and the Illinois Solid Waste Management Act.

(g) On the first day of January, April, July, and October of each year, beginning on July 1, 1996, the State Comptroller and Treasurer shall transfer \$500,000 from the Solid Waste Management Fund to the Hazardous Waste Fund. Moneys transferred under this subsection (g) shall be used only for the purposes set forth in item (1) of subsection (d) of Section 22.2.

(h) The Agency is authorized to provide financial assistance to units of local government for the performance of inspecting, investigating, and enforcement activities pursuant to subsection (r) of Section 4 at nonhazardous solid waste disposal sites.

(i) The Agency is authorized to conduct household waste collection and disposal programs.

(j) A unit of local government, as defined in the Local Solid Waste Disposal Act, in which a solid waste disposal facility is located may establish a fee, tax, or surcharge with regard to the permanent disposal of solid waste. All

fees, taxes, and surcharges collected under this subsection shall be utilized for solid waste management purposes, including long-term monitoring and maintenance of landfills, planning, implementation, inspection, enforcement and other activities consistent with the Illinois Solid Waste Management Act and the Local Solid Waste Disposal Act, or for any other environment-related purpose, including, but not limited to, an environment-related public works project, but not for the construction of a new pollution control facility other than a household hazardous waste facility. However, the total fee, tax or surcharge imposed by all units of local government under this subsection (j) upon the solid waste disposal facility shall not exceed:

(1) 60¢ per cubic yard if more than 150,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year, unless the owner or operator weighs the quantity of the solid waste received with a device for which certification has been obtained under the Weights and Measures Act, in which case the fee shall not exceed \$1.27 per ton of solid waste permanently disposed of.

(2) \$33,350 if more than 100,000 cubic yards, but not more than 150,000 cubic yards, of non-hazardous waste is permanently disposed of at the site in a calendar year.

(3) \$15,500 if more than 50,000 cubic yards, but not more than 100,000 cubic yards, of non-hazardous solid

waste is permanently disposed of at the site in a calendar year.

(4) \$4,650 if more than 10,000 cubic yards, but not more than 50,000 cubic yards, of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

(5) \$650 if not more than 10,000 cubic yards of non-hazardous solid waste is permanently disposed of at the site in a calendar year.

The corporate authorities of the unit of local government may use proceeds from the fee, tax, or surcharge to reimburse a highway commissioner whose road district lies wholly or partially within the corporate limits of the unit of local government for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

For the disposal of solid waste from general construction or demolition debris recovery facilities as defined in subsection (a-1) of Section 3.160, the total fee, tax, or surcharge imposed by all units of local government under this subsection (j) upon the solid waste disposal facility shall not exceed 50% of the applicable amount set forth above. A unit of local government, as defined in the Local Solid Waste Disposal Act, in which a general construction or demolition debris recovery facility is located may establish a fee, tax, or surcharge on the general construction or demolition debris

recovery facility with regard to the permanent disposal of solid waste by the general construction or demolition debris recovery facility at a solid waste disposal facility, provided that such fee, tax, or surcharge shall not exceed 50% of the applicable amount set forth above, based on the total amount of solid waste transported from the general construction or demolition debris recovery facility for disposal at solid waste disposal facilities, and the unit of local government and fee shall be subject to all other requirements of this subsection (j).

A county or Municipal Joint Action Agency that imposes a fee, tax, or surcharge under this subsection may use the proceeds thereof to reimburse a municipality that lies wholly or partially within its boundaries for expenses incurred in the removal of nonhazardous, nonfluid municipal waste that has been dumped on public property in violation of a State law or local ordinance.

If the fees are to be used to conduct a local sanitary landfill inspection or enforcement program, the unit of local government must enter into a written delegation agreement with the Agency pursuant to subsection (r) of Section 4. The unit of local government and the Agency shall enter into such a written delegation agreement within 60 days after the establishment of such fees. At least annually, the Agency shall conduct an audit of the expenditures made by units of local government from the funds granted by the Agency to the

units of local government for purposes of local sanitary landfill inspection and enforcement programs, to ensure that the funds have been expended for the prescribed purposes under the grant.

The fees, taxes or surcharges collected under this subsection (j) shall be placed by the unit of local government in a separate fund, and the interest received on the moneys in the fund shall be credited to the fund. The monies in the fund may be accumulated over a period of years to be expended in accordance with this subsection.

A unit of local government, as defined in the Local Solid Waste Disposal Act, shall prepare and post on its website, in April of each year, a report that details spending plans for monies collected in accordance with this subsection. The report will at a minimum include the following:

(1) The total monies collected pursuant to this subsection.

(2) The most current balance of monies collected pursuant to this subsection.

(3) An itemized accounting of all monies expended for the previous year pursuant to this subsection.

(4) An estimation of monies to be collected for the following 3 years pursuant to this subsection.

(5) A narrative detailing the general direction and scope of future expenditures for one, 2 and 3 years.

The exemptions granted under Sections 22.16 and 22.16a,

and under subsection (k) of this Section, shall be applicable to any fee, tax or surcharge imposed under this subsection (j); except that the fee, tax or surcharge authorized to be imposed under this subsection (j) may be made applicable by a unit of local government to the permanent disposal of solid waste after December 31, 1986, under any contract lawfully executed before June 1, 1986 under which more than 150,000 cubic yards (or 50,000 tons) of solid waste is to be permanently disposed of, even though the waste is exempt from the fee imposed by the State under subsection (b) of this Section pursuant to an exemption granted under Section 22.16.

(k) In accordance with the findings and purposes of the Illinois Solid Waste Management Act, beginning January 1, 1989 the fee under subsection (b) and the fee, tax or surcharge under subsection (j) shall not apply to:

- (1) waste which is hazardous waste;
- (2) waste which is pollution control waste;
- (3) waste from recycling, reclamation or reuse processes which have been approved by the Agency as being designed to remove any contaminant from wastes so as to render such wastes reusable, provided that the process renders at least 50% of the waste reusable; the exemption set forth in this paragraph (3) of this subsection (k) shall not apply to general construction or demolition debris recovery facilities as defined in subsection (a-1) of Section 3.160;

(4) non-hazardous solid waste that is received at a sanitary landfill and composted or recycled through a process permitted by the Agency; or

(5) any landfill which is permitted by the Agency to receive only demolition or construction debris or landscape waste.

(Source: P.A. 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff. 8-20-21; 102-699, eff. 4-19-22; 102-813, eff. 5-13-22; 102-1055, eff. 6-10-22; 103-8, eff. 6-7-23; 103-154, eff. 6-30-23; 103-372, eff. 1-1-24; 103-383, eff. 7-28-23; revised 12-15-23.)

(415 ILCS 5/55.6) (from Ch. 111 1/2, par. 1055.6)

Sec. 55.6. Used Tire Management Fund.

(a) There is hereby created in the State Treasury a special fund to be known as the Used Tire Management Fund. There shall be deposited into the Fund all monies received as (1) recovered costs or proceeds from the sale of used tires under Section 55.3 of this Act, (2) repayment of loans from the Used Tire Management Fund, or (3) penalties or punitive damages for violations of this Title, except as provided by subdivision (b) (4) or (b) (4-5) of Section 42.

(b) Beginning January 1, 1992, in addition to any other fees required by law, the owner or operator of each site required to be registered or permitted under subsection (d) or (d-5) of Section 55 shall pay to the Agency an annual fee of

\$100. Fees collected under this subsection shall be deposited into the Environmental Protection Permit and Inspection Fund.

(c) Pursuant to appropriation, moneys up to an amount of \$4 million per fiscal year from the Used Tire Management Fund shall be allocated as follows:

(1) 38% shall be available to the Agency for the following purposes, provided that priority shall be given to item (i):

(i) To undertake preventive, corrective or removal action as authorized by and in accordance with Section 55.3, and to recover costs in accordance with Section 55.3.

(ii) For the performance of inspection and enforcement activities for used and waste tire sites.

(iii) (Blank).

(iv) To provide financial assistance to units of local government for the performance of inspecting, investigating and enforcement activities pursuant to subsection (r) of Section 4 at used and waste tire sites.

(v) To provide financial assistance for used and waste tire collection projects sponsored by local government or not-for-profit corporations.

(vi) For the costs of fee collection and administration relating to used and waste tires, and to accomplish such other purposes as are authorized by

this Act and regulations thereunder.

(vii) To provide financial assistance to units of local government and private industry for the purposes of:

(A) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(B) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(C) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(2) (Blank).

(2.1) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 23% shall be deposited into the General Revenue Fund. Prior to the fiscal year beginning July 1, 2023, such transfers are at the direction of the Department of Revenue, and shall be made within 30 days after the end of each quarter. Beginning with the fiscal year beginning July 1, 2023, such transfers are at the direction of the Agency and shall be made within 30 days after the end of each quarter.

(3) 25% shall be available to the Illinois Department of Public Health for the following purposes:

(A) To investigate threats or potential threats to the public health related to mosquitoes and other vectors of disease associated with the improper storage, handling and disposal of tires, improper waste disposal, or natural conditions.

(B) To conduct surveillance and monitoring activities for mosquitoes and other arthropod vectors of disease, and surveillance of animals which provide a reservoir for disease-producing organisms.

(C) To conduct training activities to promote vector control programs and integrated pest management as defined in the Vector Control Act.

(D) To respond to inquiries, investigate complaints, conduct evaluations and provide technical consultation to help reduce or eliminate public health hazards and nuisance conditions associated with mosquitoes and other vectors.

(E) To provide financial assistance to units of local government for training, investigation and response to public nuisances associated with mosquitoes and other vectors of disease.

(4) 2% shall be available to the Department of Agriculture for its activities under the Illinois Pesticide Act relating to used and waste tires.

(5) 2% shall be available to the Pollution Control Board for administration of its activities relating to used and waste tires.

(6) 10% shall be available to the University of Illinois for the Prairie Research Institute to perform research to study the biology, distribution, population ecology, and biosystematics of tire-breeding arthropods, especially mosquitoes, and the diseases they spread.

(d) By January 1, 1998, and biennially thereafter, each State agency receiving an appropriation from the Used Tire Management Fund shall report to the Governor and the General Assembly on its activities relating to the Fund.

(e) Any monies appropriated from the Used Tire Management Fund, but not obligated, shall revert to the Fund.

(f) In administering the provisions of subdivisions (1), (2) and (3) of subsection (c) of this Section, the Agency, the Department of Commerce and Economic Opportunity, and the Illinois Department of Public Health shall ensure that appropriate funding assistance is provided to any municipality with a population over 1,000,000 or to any sanitary district which serves a population over 1,000,000.

(g) Pursuant to appropriation, monies in excess of \$4 million per fiscal year from the Used Tire Management Fund shall be used as follows:

(1) 55% shall be available to the Agency and, in State fiscal year 2025 only, the Department of Commerce and

Economic Opportunity for the following purposes, provided that priority shall be given to subparagraph (A):

(A) To undertake preventive, corrective or renewed action as authorized by and in accordance with Section 55.3 and to recover costs in accordance with Section 55.3.

(B) To provide financial assistance to units of local government and private industry for the purposes of:

(i) assisting in the establishment of facilities and programs to collect, process, and utilize used and waste tires and tire-derived materials;

(ii) demonstrating the feasibility of innovative technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials; and

(iii) applying demonstrated technologies as a means of collecting, storing, processing, and utilizing used and waste tires and tire-derived materials.

(C) To provide grants to public universities and private industry for research and development related to reducing the toxicity of tires and tire materials, vector-related research, disease-related research, and ~~for~~ related laboratory-based equipment and field-based

equipment.

(2) (Blank).

(3) For the fiscal year beginning July 1, 2004 and for all fiscal years thereafter, 45% shall be deposited into the General Revenue Fund. Prior to the fiscal year beginning July 1, 2023, such transfers are at the direction of the Department of Revenue, and shall be made within 30 days after the end of each quarter. Beginning with the fiscal year beginning July 1, 2023, such transfers are at the direction of the Agency and shall be made within 30 days after the end of each quarter.

(Source: P.A. 103-363, eff. 7-28-23.)

(415 ILCS 5/57.11)

Sec. 57.11. Underground Storage Tank Fund; creation.

(a) There is hereby created in the State Treasury a special fund to be known as the Underground Storage Tank Fund. There shall be deposited into the Underground Storage Tank Fund all moneys received by the Office of the State Fire Marshal as fees for underground storage tanks under Sections 4 and 5 of the Gasoline Storage Act, fees pursuant to the Motor Fuel Tax Law, and beginning July 1, 2013, payments pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. All amounts held in the Underground Storage Tank Fund shall be invested at interest by the State Treasurer. All income earned

from the investments shall be deposited into the Underground Storage Tank Fund no less frequently than quarterly. In addition to any other transfers that may be provided for by law, beginning on July 1, 2018 and on the first day of each month thereafter during fiscal years 2019 through 2025 ~~2024~~ only, the State Comptroller shall direct and the State Treasurer shall transfer an amount equal to 1/12 of \$10,000,000 from the Underground Storage Tank Fund to the General Revenue Fund. Moneys in the Underground Storage Tank Fund, pursuant to appropriation, may be used by the Agency and the Office of the State Fire Marshal for the following purposes:

(1) To take action authorized under Section 57.12 to recover costs under Section 57.12.

(2) To assist in the reduction and mitigation of damage caused by leaks from underground storage tanks, including but not limited to, providing alternative water supplies to persons whose drinking water has become contaminated as a result of those leaks.

(3) To be used as a matching amount towards federal assistance relative to the release of petroleum from underground storage tanks.

(4) For the costs of administering activities of the Agency and the Office of the State Fire Marshal relative to the Underground Storage Tank Fund.

(5) For payment of costs of corrective action incurred

by and indemnification to operators of underground storage tanks as provided in this Title.

(6) For a total of 2 demonstration projects in amounts in excess of a \$10,000 deductible charge designed to assess the viability of corrective action projects at sites which have experienced contamination from petroleum releases. Such demonstration projects shall be conducted in accordance with the provision of this Title.

(7) Subject to appropriation, moneys in the Underground Storage Tank Fund may also be used by the Department of Revenue for the costs of administering its activities relative to the Fund and for refunds provided for in Section 13a.8 of the Motor Fuel Tax Law.

(b) Moneys in the Underground Storage Tank Fund may, pursuant to appropriation, be used by the Office of the State Fire Marshal or the Agency to take whatever emergency action is necessary or appropriate to assure that the public health or safety is not threatened whenever there is a release or substantial threat of a release of petroleum from an underground storage tank and for the costs of administering its activities relative to the Underground Storage Tank Fund.

(c) Beginning July 1, 1993, the Governor shall certify to the State Comptroller and State Treasurer the monthly amount necessary to pay debt service on State obligations issued pursuant to Section 6 of the General Obligation Bond Act. On the last day of each month, the Comptroller shall order

transferred and the Treasurer shall transfer from the Underground Storage Tank Fund to the General Obligation Bond Retirement and Interest Fund the amount certified by the Governor, plus any cumulative deficiency in those transfers for prior months.

(d) Except as provided in subsection (c) of this Section, the Underground Storage Tank Fund is not subject to administrative charges authorized under Section 8h of the State Finance Act that would in any way transfer any funds from the Underground Storage Tank Fund into any other fund of the State.

(e) Each fiscal year, subject to appropriation, the Agency may commit up to \$10,000,000 of the moneys in the Underground Storage Tank Fund to the payment of corrective action costs for legacy sites that meet one or more of the following criteria as a result of the underground storage tank release: (i) the presence of free product, (ii) contamination within a regulated recharge area, a wellhead protection area, or the setback zone of a potable water supply well, (iii) contamination extending beyond the boundaries of the site where the release occurred, or (iv) such other criteria as may be adopted in Agency rules.

(1) Fund moneys committed under this subsection (e) shall be held in the Fund for payment of the corrective action costs for which the moneys were committed.

(2) The Agency may adopt rules governing the

commitment of Fund moneys under this subsection (e).

(3) This subsection (e) does not limit the use of Fund moneys at legacy sites as otherwise provided under this Title.

(4) For the purposes of this subsection (e), the term "legacy site" means a site for which (i) an underground storage tank release was reported prior to January 1, 2005, (ii) the owner or operator has been determined eligible to receive payment from the Fund for corrective action costs, and (iii) the Agency did not receive any applications for payment prior to January 1, 2010.

(f) Beginning July 1, 2013, if the amounts deposited into the Fund from moneys received by the Office of the State Fire Marshal as fees for underground storage tanks under Sections 4 and 5 of the Gasoline Storage Act and as fees pursuant to the Motor Fuel Tax Law during a State fiscal year are sufficient to pay all claims for payment by the fund received during that State fiscal year, then the amount of any payments into the fund pursuant to the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act during that State fiscal year shall be deposited as follows: 75% thereof shall be paid into the State treasury and 25% shall be reserved in a special account and used only for the transfer to the Common School Fund as part of the monthly transfer from the General Revenue Fund in accordance with Section 8a of the State Finance Act.

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(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 5-78. The Open Space Lands Acquisition and Development Act is amended by changing Section 3 as follows:

(525 ILCS 35/3) (from Ch. 85, par. 2103)

Sec. 3. From appropriations made from the Capital Development Fund, Build Illinois Bond Fund or other available or designated funds for such purposes, the Department shall make grants to local governments as financial assistance for the capital development and improvement of park, recreation or conservation areas, marinas and shorelines, including planning and engineering costs, and for the acquisition of open space lands, including acquisition of easements and other property interests less than fee simple ownership if the Department determines that such property interests are sufficient to carry out the purposes of this Act, subject to the conditions and limitations set forth in this Act.

No more than 10% of the amount so appropriated for any fiscal year may be committed or expended on any one project described in an application under this Act.

Except for grants awarded from new appropriations in fiscal years ~~year~~ 2023 through ~~and~~ fiscal year 2025 ~~2024~~, any grant under this Act to a local government shall be conditioned upon the state providing assistance on a 50/50

matching basis for the acquisition of open space lands and for capital development and improvement proposals. However, a local government defined as "distressed" under criteria adopted by the Department through administrative rule shall be eligible for assistance up to 90% for the acquisition of open space lands and for capital development and improvement proposals, provided that no more than 10% of the amount appropriated under this Act in any fiscal year is made available as grants to distressed local governments. For grants awarded from new appropriations in fiscal years ~~year~~ 2023 through ~~and~~ fiscal year 2025 ~~2024~~ only, a local government defined as "distressed" is eligible for assistance up to 100% for the acquisition of open space lands and for capital development and improvement proposals. The Department may make more than 10% of the amount appropriated in fiscal years ~~year~~ 2023 through ~~and~~ fiscal year 2025 ~~2024~~ available as grants to distressed local governments.

An advance payment of a minimum of 50% of any grant made to a unit of local government under this Act must be paid to the unit of local government at the time the Department awards the grant. A unit of local government may opt out of the advanced payment option at the time of the award of the grant. The remainder of the grant shall be distributed to the local government quarterly on a reimbursement basis. The Department shall consider an applicant's request for an extension to a grant under this Act if (i) the advanced payment is expended or

legally obligated within the 2 years required by Section 5 of the Illinois Grant Funds Recovery Act or (ii) no advanced payment was made.

(Source: P.A. 102-200, eff. 7-30-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 5-80. The Illinois Aeronautics Act is amended by changing Section 40 as follows:

(620 ILCS 5/40) (from Ch. 15 1/2, par. 22.40)

Sec. 40. Disposition of federal funds. All monies accepted for disbursement by the Department pursuant to Section 38 shall be deposited into the Federal/State/Local Airport Fund, which is established as a federal trust fund in the State treasury to be held by ~~with~~ the State Treasurer as ex officio ~~ex officio~~ custodian. Moneys in the Federal/State/Local Airport Fund ~~and~~ shall be disbursed upon a voucher or order of Secretary of Transportation and paid by a warrant drawn by the State Comptroller and countersigned by the State Treasurer. All such monies are to be expended in accordance with Federal laws and rules and regulations thereunder and with this Act. The Department is authorized, whether acting for this State or as the agent of any of its municipalities or other political subdivision, or when requested by the United States Government or any agency or department thereof, subject to section 41, disburse such monies for the designated purposes, but this

shall not preclude any other authorized method of disbursement.

(Source: P.A. 81-840.)

Section 5-85. The Violent Crime Witness Protection Act is amended by changing Sections 5, 10, 15, and 20 as follows:

(725 ILCS 173/5)

Sec. 5. Definitions ~~Definition~~. As used in this Act: 7

"Local law enforcement agency" has the meaning given in Section 2 of the Illinois Police Training Act.

"Violent ~~violent~~ crime" has the meaning given ~~means a violent crime as that term is defined~~ in Section 3 of the Rights of Crime Victims and Witnesses Act.

(Source: P.A. 102-756, eff. 5-10-22.)

(725 ILCS 173/10)

Sec. 10. Financial Assistance Program. The ~~No later than January 1, 2023, the~~ Illinois Criminal Justice Information Authority, ~~in consultation with the Office of the Attorney General,~~ shall establish a program to provide financial assistance to State's Attorney's offices and local law enforcement agencies for the establishment and maintenance of violent crime witness protection programs. Grantees shall use funds to assist victims and witnesses who are actively aiding in the prosecution of perpetrators of violent crime, and

appropriate related persons or victims and witnesses determined by the Authority to be at risk of a discernible threat of violent crime. ~~The program shall be administered by the Illinois Criminal Justice Information Authority. The program shall offer, among other things, financial assistance, including financial assistance on an emergency basis, that may be provided upon application by a State's Attorney or the Attorney General, or a chief executive of a police agency from funds deposited in the Violent Crime Witness Protection Program Fund and appropriated from that Fund for the purposes of this Act.~~

(Source: P.A. 102-756, eff. 5-10-22.)

(725 ILCS 173/15)

Sec. 15. Funding. The Illinois Criminal Justice Information Authority, in consultation with the Office of the Attorney General, shall adopt rules for the implementation of the Violent Crime Witness Protection Program. The Program Assistance shall be subject to the following limitations:

(a) Grant funds may be used to reimburse grantees for expenses associated with preexisting violent crime witness protection programs, including, but not limited to, Funds ~~shall be limited to payment of~~ the following:

- (1) emergency or temporary living costs;
- (2) moving expenses;
- (3) rent;

- (3.5) utilities;
- (4) security deposits for rent and utilities;
- (5) other appropriate expenses of relocation or transition;
- (6) mental health treatment; ~~and~~
- (7) lost wage assistance; and
- (8) administrative costs.

(b) Approval of applications made by State's Attorneys shall be conditioned upon county funding for costs at a level of at least 25%, unless this requirement is waived by the administrator, in accordance with adopted rules, for good cause shown.

(c) (Blank). ~~Counties providing assistance consistent with the limitations in this Act may apply for reimbursement of up to 75% of their costs.~~

(d) No more than 50% of funding available in any given fiscal year may be used for costs associated with any single county.

(d-5) Grant funds ~~Funds~~ may also be ~~requested by local law enforcement agencies and, notwithstanding subsection (a),~~ used to establish ~~local~~ violent crime witness protection programs.

(e) Before the Illinois Criminal Justice Information Authority distributes moneys from the Violent Crime Witness Protection Program Fund as provided in this Section, it shall retain 5% of those moneys for

administrative purposes.

(f) (Blank). ~~Direct reimbursement is allowed in whole or in part.~~

(g) Implementation of the Violent Crime Witness Protection Program is subject to appropriation ~~contingent upon and subject to there being made sufficient appropriations for implementation of that program.~~

(Source: P.A. 102-756, eff. 5-10-22.)

(725 ILCS 173/20)

Sec. 20. Violent Crime Witness Protection Program Fund. There is created in the State treasury the Violent Crime Witness Protection Program Fund into which shall be deposited appropriated funds, grants, or other funds made available to the Illinois Criminal Justice Information Authority to assist State's Attorneys and local law enforcement agencies ~~the Attorney General~~ in protecting victims and witnesses who are aiding in the prosecution of perpetrators of violent crime, and appropriate related persons or victims and witnesses determined by the Authority to be at risk of a discernible threat of violent crime.

(Source: P.A. 102-756, eff. 5-10-22.)

Section 5-90. The Revised Uniform Unclaimed Property Act is amended by changing Section 15-801 as follows:

(765 ILCS 1026/15-801)

Sec. 15-801. Deposit of funds by administrator.

(a) Except as otherwise provided in this Section, the administrator shall deposit in the Unclaimed Property Trust Fund all funds received under this Act, including proceeds from the sale of property under Article 7. The administrator may deposit any amount in the Unclaimed Property Trust Fund into the State Pensions Fund during the fiscal year at his or her discretion; however, he or she shall, on April 15 and October 15 of each year, deposit any amount in the Unclaimed Property Trust Fund exceeding \$2,500,000 into the State Pensions Fund. If on either April 15 or October 15, the administrator determines that a balance of \$2,500,000 is insufficient for the prompt payment of unclaimed property claims authorized under this Act, the administrator may retain more than \$2,500,000 in the Unclaimed Property Trust Fund in order to ensure the prompt payment of claims. Beginning in State fiscal year 2026 ~~2025~~, all amounts that are deposited into the State Pensions Fund from the Unclaimed Property Trust Fund shall be apportioned to the designated retirement systems as provided in subsection (c-6) of Section 8.12 of the State Finance Act to reduce their actuarial reserve deficiencies.

(b) The administrator shall make prompt payment of claims he or she duly allows as provided for in this Act from the Unclaimed Property Trust Fund. This shall constitute an irrevocable and continuing appropriation of all amounts in the

Unclaimed Property Trust Fund necessary to make prompt payment of claims duly allowed by the administrator pursuant to this Act.

(Source: P.A. 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 103-8, eff. 6-7-23.)

Section 5-95. The Unemployment Insurance Act is amended by changing Section 2103 as follows:

(820 ILCS 405/2103) (from Ch. 48, par. 663)

Sec. 2103. Unemployment compensation administration and other workforce development costs. All moneys received by the State or by the Department from any source for the financing of the cost of administration of this Act, including all federal moneys allotted or apportioned to the State or to the Department for that purpose, including moneys received directly or indirectly from the federal government under the Job Training Partnership Act, and including moneys received from the Railroad Retirement Board as compensation for services or facilities supplied to said Board, or any moneys made available by this State or its political subdivisions and matched by moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, shall be received and held by the State Treasurer as ex officio ~~ex officio~~ custodian thereof, separate and apart from all other State moneys, in the Title III Social Security and Employment Fund, and such

funds shall be distributed or expended upon the direction of the Director and, except money received pursuant to the last paragraph of Section 2100B, shall be distributed or expended solely for the purposes and in the amounts found necessary by the Secretary of Labor of the United States of America, or other appropriate federal agency, for the proper and efficient administration of this Act. Notwithstanding any provision of this Section, all money requisitioned and deposited with the State Treasurer pursuant to the last paragraph of Section 2100B shall remain part of the unemployment trust fund and shall be used only in accordance with the conditions specified in the last paragraph of Section 2100B.

If any moneys received from the Secretary of Labor, or other appropriate federal agency, under Title III of the Social Security Act, or any moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, or any moneys made available by this State or its political subdivisions and matched by moneys granted to this State pursuant to the provisions of the Wagner-Peyser Act, are found by the Secretary of Labor, or other appropriate Federal agency, because of any action or contingency, to have been lost or expended for purposes other than, or in amounts in excess of, those found necessary, by the Secretary of Labor, or other appropriate Federal agency, for the proper administration of this Act, it is the policy of this State that such moneys shall be replaced by moneys appropriated for such

purpose from the general funds of this State for expenditure as provided in the first paragraph of this Section. The Director shall report to the Governor's Office of Management and Budget, in the same manner as is provided generally for the submission by State Departments of financial requirements for the ensuing fiscal year, and the Governor shall include in his budget report to the next regular session of the General Assembly, the amount required for such replacement.

Moneys in the Title III Social Security and Employment Fund shall not be commingled with other State funds, but they shall be deposited as required by law and maintained in a separate account on the books of a savings and loan association or bank.

The State Treasurer shall be liable on his general official bond for the faithful performance of his duties as custodian of all moneys in the Title III Social Security and Employment Fund. Such liability on his official bond shall exist in addition to the liability upon any separate bond given by him. All sums recovered for losses sustained by the fund herein described shall be deposited therein.

Upon the effective date of Public Act 85-956 ~~this amendatory Act of 1987~~ (January 1, 1988), the Comptroller shall transfer all unobligated funds from the Job Training Fund into the Title III Social Security and Employment Fund.

On September 1, 2000, or as soon thereafter as may be reasonably practicable, the State Comptroller shall transfer

all unobligated moneys from the Job Training Partnership Fund into the Title III Social Security and Employment Fund. The moneys transferred pursuant to Public Act 91-704 ~~this amendatory Act~~ may be used or expended for purposes consistent with the conditions under which those moneys were received by the State.

Beginning on July 1, 2000 (the effective date of Public Act 91-704) ~~this amendatory Act of the 91st General Assembly~~, all moneys that would otherwise be deposited into the Job Training Partnership Fund shall instead be deposited into the Title III Social Security and Employment Fund, to be used for purposes consistent with the conditions under which those moneys are received by the State, except that any moneys that may be necessary to pay liabilities outstanding as of June 30, 2000 shall be deposited into the Job Training Partnership Fund.

On July 1, 2024, or as soon thereafter as practical, after making all necessary payments to the Federal Emergency Management Agency related to the federal Lost Wages Assistance program, the Director shall report to the Governor's Office of Management and Budget all amounts remaining in the Title III Social Security and Employment Fund from an appropriation to the Department for the purpose of making payments to the Federal Emergency Management Agency. At the direction of the Director of the Governor's Office of Management and Budget, the Comptroller shall direct and the Treasurer shall transfer

the reported amount from the Title III Social Security and Employment Fund to the General Revenue Fund.

(Source: P.A. 97-791, eff. 1-1-13.)

Article 10.

Section 10-5. The Illinois Administrative Procedure Act is amended by adding Sections 5-45.55 and 5-45.56 as follows:

(5 ILCS 100/5-45.55 new)

Sec. 5-45.55. Emergency rulemaking; Substance Use Disorder Act. To provide for the expeditious and timely implementation of the changes made to Section 55-30 of the Substance Use Disorder Act by this amendatory Act of the 103rd General Assembly, emergency rules implementing the changes made to that Section by this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Human Services or other department essential to the implementation of the changes. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this Section.

(5 ILCS 100/5-45.56 new)

Sec. 5-45.56. Emergency rulemaking; Illinois Public Aid

Code. To provide for the expeditious and timely implementation of the changes made to the Illinois Public Aid Code by this amendatory Act of the 103rd General Assembly, emergency rules implementing the changes made to that Code by this amendatory Act of the 103rd General Assembly may be adopted in accordance with Section 5-45 by the Department of Healthcare and Family Services, the Department of Human Services, or other departments essential to the implementation of the changes. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this Section.

Section 10-10. The Substance Use Disorder Act is amended by changing Section 55-30 as follows:

(20 ILCS 301/55-30)

Sec. 55-30. Rate increase.

(a) The Department shall by rule develop the increased rate methodology and annualize the increased rate beginning with State fiscal year 2018 contracts to licensed providers of community-based substance use disorder intervention or treatment, based on the additional amounts appropriated for the purpose of providing a rate increase to licensed providers. The Department shall adopt rules, including

emergency rules under subsection (y) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this Section.

(b) (Blank).

(c) Beginning on July 1, 2022, the Division of Substance Use Prevention and Recovery shall increase reimbursement rates for all community-based substance use disorder treatment and intervention services by 47%, including, but not limited to, all of the following:

- (1) Admission and Discharge Assessment.
- (2) Level 1 (Individual).
- (3) Level 1 (Group).
- (4) Level 2 (Individual).
- (5) Level 2 (Group).
- (6) Case Management.
- (7) Psychiatric Evaluation.
- (8) Medication Assisted Recovery.
- (9) Community Intervention.
- (10) Early Intervention (Individual).
- (11) Early Intervention (Group).

Beginning in State Fiscal Year 2023, and every State fiscal year thereafter, reimbursement rates for those community-based substance use disorder treatment and intervention services shall be adjusted upward by an amount equal to the Consumer Price Index-U from the previous year, not to exceed 2% in any State fiscal year. If there is a

decrease in the Consumer Price Index-U, rates shall remain unchanged for that State fiscal year. The Department shall adopt rules, including emergency rules in accordance with the Illinois Administrative Procedure Act, to implement the provisions of this Section.

As used in this Section, "Consumer Price Index-U" ~~subsection, "consumer price index-u"~~ means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(d) Beginning on January 1, 2024, subject to federal approval, the Division of Substance Use Prevention and Recovery shall increase reimbursement rates for all ASAM level 3 residential/inpatient substance use disorder treatment and intervention services by 30%, including, but not limited to, the following services:

(1) ASAM level 3.5 Clinically Managed High-Intensity Residential Services for adults;

(2) ASAM level 3.5 Clinically Managed Medium-Intensity Residential Services for adolescents;

(3) ASAM level 3.2 Clinically Managed Residential Withdrawal Management;

(4) ASAM level 3.7 Medically Monitored Intensive Inpatient Services for adults and Medically Monitored High-Intensity Inpatient Services for adolescents; and

(5) ASAM level 3.1 Clinically Managed Low-Intensity Residential Services for adults and adolescents.

(e) Beginning in State fiscal year 2025, and every State fiscal year thereafter, reimbursement rates for licensed or certified substance use disorder treatment providers of ASAM Level 3 residential/inpatient services for persons with substance use disorders shall be adjusted upward by an amount equal to the Consumer Price Index-U from the previous year, not to exceed 2% in any State fiscal year. If there is a decrease in the Consumer Price Index-U, rates shall remain unchanged for that State fiscal year. The Department shall adopt rules, including emergency rules, in accordance with the Illinois Administrative Procedure Act, to implement the provisions of this Section.

(Source: P.A. 102-699, eff. 4-19-22; 103-102, eff. 6-16-23.)

(20 ILCS 302/Act rep.)

Section 10-15. The Substance Use Disorder Rate Equity Act is repealed.

(20 ILCS 303/Act rep.)

Section 10-20. The Substance Use Disorder Residential and Detox Rate Equity Act is repealed.

(20 ILCS 2205/2205-31 rep.)

Section 10-25. The Department of Healthcare and Family

Services Law of the Civil Administrative Code of Illinois is amended by repealing Section 2205-31.

Section 10-30. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by adding Section 2310-730 as follows:

(20 ILCS 2310/2310-730 new)

Sec. 2310-730. Health care telementoring.

(a) Subject to appropriation, the Department shall designate one or more health care telementoring entities based on an application to be developed by the Department. Applicants shall demonstrate a record of expertise and demonstrated success in providing health care telementoring services. The Department may adopt rules necessary for the implementation of this Section. Funding may be provided based on the number of health care providers or professionals who are assisted by each approved health care telementoring entity and the hours of assistance provided to each health care provider or professional in addition to other factors as determined by the Director.

(b) In this Section:

"Health care providers or professionals" means individuals trained to provide health care or related services. "Health care providers or professionals" includes, but is not limited to, physicians, nurses, physician assistants, speech language

pathologists, social workers, and school personnel involved in screening for targeted conditions and providing support to students impacted by those conditions.

"Health care telementoring" means a program:

(1) that is based on interactive video or phone technology that connects groups of local health care providers or professionals in urban and rural underserved areas with specialists in regular real-time collaborative sessions;

(2) that is designed around case-based learning and mentorship; and

(3) that helps local health care providers or professionals gain the expertise required to more effectively provide needed services.

"Health care telementoring" includes, but is not limited to, a program provided to improve services in one or more of a variety of areas, including, but not limited to, chronic disease, communicable disease, atypical vision or hearing, adolescent health, Hepatitis C, complex diabetes, geriatrics, mental illness, opioid use disorders, substance use disorders, maternity care, childhood adversity and trauma, pediatric ADHD, congregate settings, including justice involved systems, and other priorities identified by the Department.

Section 10-32. The State Finance Act is amended by adding Sections 5.1017 and 6z-141 as follows:

(30 ILCS 105/5.1017 new)

Sec. 5.1017. The Health Equity and Access Fund.

(30 ILCS 105/6z-141 new)

Sec. 6z-141. Health Equity and Access Fund.

(a) The Health Equity and Access Fund is hereby created as a special fund in the State treasury and may receive moneys from any source, public or private, including moneys appropriated to the Department of Healthcare and Family Services. Interest earned on moneys in the Fund shall be deposited into the Fund.

(b) Subject to appropriation, moneys in the Fund may be used by the Department of Healthcare and Family Services to pay for medical expenses or grants that advance health equity initiatives in Illinois.

(c) The Department of Healthcare and Family Services may adopt rules to implement and administer the health equity initiative described in this Section.

Section 10-35. The Illinois Public Aid Code is amended by changing Sections 5-47 and 16-2 and by adding Section 12-4.13e as follows:

(305 ILCS 5/5-47)

Sec. 5-47. Medicaid reimbursement rates; substance use

disorder treatment providers and facilities.

(a) Beginning on January 1, 2024, subject to federal approval, the Department of Healthcare and Family Services, in conjunction with the Department of Human Services' Division of Substance Use Prevention and Recovery, shall provide a 30% increase in reimbursement rates for all Medicaid-covered ASAM Level 3 residential/inpatient substance use disorder treatment services.

No existing or future reimbursement rates or add-ons shall be reduced or changed to address this proposed rate increase. No later than 3 months after June 16, 2023 (the effective date of Public Act 103-102) ~~this amendatory Act of the 103rd General Assembly~~, the Department of Healthcare and Family Services shall submit any necessary application to the federal Centers for Medicare and Medicaid Services to implement the requirements of this Section.

(a-5) Beginning in State fiscal year 2025, and every State fiscal year thereafter, reimbursement rates for licensed or certified substance use disorder treatment providers of ASAM Level 3 residential/inpatient services for persons with substance use disorders shall be adjusted upward by an amount equal to the Consumer Price Index-U from the previous year, not to exceed 2% in any State fiscal year. If there is a decrease in the Consumer Price Index-U, rates shall remain unchanged for that State fiscal year. The Department shall adopt rules, including emergency rules, in accordance with the

Illinois Administrative Procedure Act, to implement the provisions of this Section.

As used in this Section, "Consumer Price Index-U" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

(b) Parity in community-based behavioral health rates; implementation plan for cost reporting. For the purpose of understanding behavioral health services cost structures and their impact on the Medical Assistance Program, the Department of Healthcare and Family Services shall engage stakeholders to develop a plan for the regular collection of cost reporting for all entity-based substance use disorder providers. Data shall be used to inform on the effectiveness and efficiency of Illinois Medicaid rates. The Department and stakeholders shall develop a plan by April 1, 2024. The Department shall engage stakeholders on implementation of the plan. The plan, at minimum, shall consider all of the following:

(1) Alignment with certified community behavioral health clinic requirements, standards, policies, and procedures.

(2) Inclusion of prospective costs to measure what is needed to increase services and capacity.

(3) Consideration of differences in collection and

policies based on the size of providers.

(4) Consideration of additional administrative time and costs.

(5) Goals, purposes, and usage of data collected from cost reports.

(6) Inclusion of qualitative data in addition to quantitative data.

(7) Technical assistance for providers for completing cost reports including initial training by the Department for providers.

(8) Implementation of a timeline which allows an initial grace period for providers to adjust internal procedures and data collection.

Details from collected cost reports shall be made publicly available on the Department's website and costs shall be used to ensure the effectiveness and efficiency of Illinois Medicaid rates.

(c) Reporting; access to substance use disorder treatment services and recovery supports. By no later than April 1, 2024, the Department of Healthcare and Family Services, with input from the Department of Human Services' Division of Substance Use Prevention and Recovery, shall submit a report to the General Assembly regarding access to treatment services and recovery supports for persons diagnosed with a substance use disorder. The report shall include, but is not limited to, the following information:

(1) The number of providers enrolled in the Illinois Medical Assistance Program certified to provide substance use disorder treatment services, aggregated by ASAM level of care, and recovery supports.

(2) The number of Medicaid customers in Illinois with a diagnosed substance use disorder receiving substance use disorder treatment, aggregated by provider type and ASAM level of care.

(3) A comparison of Illinois' substance use disorder licensure and certification requirements with those of comparable state Medicaid programs.

(4) Recommendations for and an analysis of the impact of aligning reimbursement rates for outpatient substance use disorder treatment services with reimbursement rates for community-based mental health treatment services.

(5) Recommendations for expanding substance use disorder treatment to other qualified provider entities and licensed professionals of the healing arts. The recommendations shall include an analysis of the opportunities to maximize the flexibilities permitted by the federal Centers for Medicare and Medicaid Services for expanding access to the number and types of qualified substance use disorder providers.

(Source: P.A. 103-102, eff. 6-16-23; revised 9-26-23.)

(305 ILCS 5/12-4.13e new)

Sec. 12-4.13e. Summer EBT Program.

(a) Subject to federal approval, the Department of Human Services may establish and participate in the federal Summer Electronic Benefit Transfer Program for Children, which may be referred to as the Summer EBT Program.

(b) The Summer EBT Program Fund is established as a federal trust fund in the State treasury. The fund is established to receive moneys from the federal government for the Summer EBT Program. Subject to appropriation, moneys in the Summer EBT Program Fund shall be expended by the Department of Human Services only for those purposes permitted under the federal Summer Electronic Benefit Transfer Program for Children.

(c) The Department of Human Services is authorized to adopt any rules, including emergency rules, necessary to implement the provisions of this Section.

(305 ILCS 5/16-2)

Sec. 16-2. Eligibility. Subject to available funding, a ~~A~~ foreign-born victim of trafficking, torture, or other serious crimes and the individual's ~~his or her~~ derivative family members, but not a single adult without derivative family members, are eligible for cash assistance or SNAP benefits under this Article if the individual:

(a) has filed ~~he or she:~~

(1) ~~has filed or is preparing to file an~~

application for T Nonimmigrant status with the appropriate federal agency pursuant to Section 1101(a)(15)(T) of Title 8 of the United States Code, or is otherwise taking steps to meet the conditions for federal benefits eligibility under Section 7105 of Title 22 of the United States Code;

(2) ~~has filed or is preparing to file~~ a formal application with the appropriate federal agency for status pursuant to Section 1101(a)(15)(U) of Title 8 of the United States Code; or

(3) ~~has filed or is preparing to file~~ a formal application with the appropriate federal agency for status under Section 1158 of Title 8 of the United States Code; and

(b) ~~he or she~~ is otherwise eligible for cash assistance or SNAP benefits, as applicable.

An individual residing in an institution or other setting that provides the majority of the individual's daily meals is not eligible for SNAP benefits.

(Source: P.A. 99-870, eff. 8-22-16; 100-201, eff. 8-18-17.)

Section 10-40. The Intergenerational Poverty Act is amended by changing Section 95-504 as follows:

(305 ILCS 70/95-504)

Sec. 95-504. Duties of the Director of the Governor's

Office of Management and Budget. The Director of the Governor's Office of Management and Budget shall include in the materials submitted to the General Assembly outlining the Governor's proposed annual budget a description of any budget proposals or other activities, ongoing projects, and plans of the executive branch designed to meet the goals and objectives of the strategic plan and any other information related to the proposed annual budget that the Director of the Governor's Office of Management and Budget believes furthers the goals and objectives of the strategic plan. ~~The information shall include the following:~~

~~(1) An accounting of the savings to the State from any increased efficiencies in the delivery of services.~~

~~(2) Any savings realized from reducing the number of individuals living in poverty and reducing the demand for need based services and benefits.~~

~~(3) A projection of any increase in revenue collections due to any increase in the number of individuals who become employed and pay taxes into the State treasury.~~

~~(4) Any other information related to the proposed annual budget that the Director of the Governor's Office of Management and Budget believes furthers the goals and objectives of the strategic plan.~~

(Source: P.A. 101-636, eff. 6-10-20.)

Article 15.

Section 15-5. The Illinois Pension Code is amended by changing Sections 2-134, 14-131, 15-165, 16-158, and 18-140 as follows:

(40 ILCS 5/2-134) (from Ch. 108 1/2, par. 2-134)

Sec. 2-134. To certify required State contributions and submit vouchers.

(a) The Board shall certify to the Governor on or before December 15 of each year until December 15, 2011 the amount of the required State contribution to the System for the next fiscal year and shall specifically identify the System's projected State normal cost for that fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year beginning January 1, 2013, the State Actuary shall issue a

preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and every January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State

contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

By November 1, 2017, the Board shall recalculate and recertify to the State Actuary, the Governor, and the General Assembly the amount of the State contribution to the System for State fiscal year 2018, taking into account the changes in required State contributions made by this amendatory Act of the 100th General Assembly. The State Actuary shall review the assumptions and valuations underlying the Board's revised certification and issue a preliminary report concerning the proposed recertification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. The Board's final certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(b) Unless otherwise directed by the Comptroller under subsection (b-1), ~~Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month~~ the Board shall submit vouchers for payment of State contributions to the System for the applicable month on the 15th day of each

month, or as soon thereafter as may be practicable. The amount vouchered for a monthly payment shall total, ~~in a total monthly amount of~~ one-twelfth of the required annual State contribution certified under subsection (a).

(b-1) Beginning in State fiscal year 2025, if the Comptroller requests that the Board submit, during a State fiscal year, vouchers for multiple monthly payments for advance payment of State contributions due to the System for that State fiscal year, then the Board shall submit those additional monthly vouchers as directed by the Comptroller, notwithstanding subsection (b). Unless an act of appropriations provides otherwise, nothing in this Section authorizes the Board to submit, in a State fiscal year, vouchers for the payment of State contributions to the System in an amount that exceeds the rate of payroll that is certified by the System under this Section for that State fiscal year. ~~From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (d) of Section 6z-61 of the State Finance Act.~~

(b-2) The ~~These~~ vouchers described in subsections (b) and (b-1) shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for

that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this Section, the difference shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(c) The full amount of any annual appropriation for the System for State fiscal year 1995 shall be transferred and made available to the System at the beginning of that fiscal year at the request of the Board. Any excess funds remaining at the end of any fiscal year from appropriations shall be retained by the System as a general reserve to meet the System's accrued liabilities.

(Source: P.A. 100-23, eff. 7-6-17.)

(40 ILCS 5/14-131)

Sec. 14-131. Contributions by State.

(a) The State shall make contributions to the System by appropriations of amounts which, together with other employer contributions from trust, federal, and other funds, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering

the System on a 90% funded basis in accordance with actuarial recommendations.

For the purposes of this Section and Section 14-135.08, references to State contributions refer only to employer contributions and do not include employee contributions that are picked up or otherwise paid by the State or a department on behalf of the employee.

(b) The Board shall determine the total amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board, using the formula in subsection (e).

The Board shall also determine a State contribution rate for each fiscal year, expressed as a percentage of payroll, based on the total required State contribution for that fiscal year (less the amount received by the System from appropriations under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act, if any, for the fiscal year ending on the June 30 immediately preceding the applicable November 15 certification deadline), the estimated payroll (including all forms of compensation) for personal services rendered by eligible employees, and the recommendations of the actuary.

For the purposes of this Section and Section 14.1 of the State Finance Act, the term "eligible employees" includes employees who participate in the System, persons who may elect to participate in the System but have not so elected, persons

who are serving a qualifying period that is required for participation, and annuitants employed by a department as described in subdivision (a) (1) or (a) (2) of Section 14-111.

(c) Contributions shall be made by the several departments for each pay period by warrants drawn by the State Comptroller against their respective funds or appropriations based upon vouchers stating the amount to be so contributed. These amounts shall be based on the full rate certified by the Board under Section 14-135.08 for that fiscal year. From March 5, 2004 (the effective date of Public Act 93-665) through the payment of the final payroll from fiscal year 2004 appropriations, the several departments shall not make contributions for the remainder of fiscal year 2004 but shall instead make payments as required under subsection (a-1) of Section 14.1 of the State Finance Act. The several departments shall resume those contributions at the commencement of fiscal year 2005.

(c-1) Notwithstanding subsection (c) of this Section, for fiscal years 2010, 2012, and each fiscal year thereafter, contributions by the several departments are not required to be made for General Revenue Funds payrolls processed by the Comptroller. Payrolls paid by the several departments from all other State funds must continue to be processed pursuant to subsection (c) of this Section.

(c-2) Unless otherwise directed by the Comptroller under subsection (c-3), ~~For State fiscal years 2010, 2012, and each~~

~~fiscal year thereafter, on or as soon as possible after the 15th day of each month,~~ the Board shall submit vouchers for payment of State contributions to the System for the applicable month on the 15th day of each month, or as soon thereafter as may be practicable. The amount vouchered for a monthly payment shall total, ~~in a total monthly amount of~~ one-twelfth of the fiscal year General Revenue Fund contribution as certified by the System pursuant to Section 14-135.08 of this ~~the Illinois Pension Code.~~

(c-3) Beginning in State fiscal year 2025, if the Comptroller requests that the Board submit, during a State fiscal year, vouchers for multiple monthly payments for advance payment of State contributions due to the System for that State fiscal year, then the Board shall submit those additional vouchers as directed by the Comptroller, notwithstanding subsection (c-2). Unless an act of appropriations provides otherwise, nothing in this Section authorizes the Board to submit, in a State fiscal year, vouchers for the payment of State contributions to the System in an amount that exceeds the rate of payroll that is certified by the System under Section 14-135.08 for that State fiscal year.

(d) If an employee is paid from trust funds or federal funds, the department or other employer shall pay employer contributions from those funds to the System at the certified rate, unless the terms of the trust or the federal-State

agreement preclude the use of the funds for that purpose, in which case the required employer contributions shall be paid by the State.

(e) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

A change in an actuarial or investment assumption that increases or decreases the required State contribution and first applies in State fiscal year 2018 or thereafter shall be implemented in equal annual amounts over a 5-year period beginning in the State fiscal year in which the actuarial change first applies to the required State contribution.

A change in an actuarial or investment assumption that increases or decreases the required State contribution and first applied to the State contribution in fiscal year 2014, 2015, 2016, or 2017 shall be implemented:

(i) as already applied in State fiscal years before 2018; and

(ii) in the portion of the 5-year period beginning in

the State fiscal year in which the actuarial change first applied that occurs in State fiscal year 2018 or thereafter, by calculating the change in equal annual amounts over that 5-year period and then implementing it at the resulting annual rate in each of the remaining fiscal years in that 5-year period.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that (i) for State fiscal year 1998, for all purposes of this Code and any other law of this State, the certified percentage of the applicable employee payroll shall be 5.052% for employees earning eligible creditable service under Section 14-110 and 6.500% for all other employees, notwithstanding any contrary certification made under Section 14-135.08 before July 7, 1997 (the effective date of Public Act 90-65), and (ii) in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a): 9.8% in FY 1999; 10.0% in FY 2000; 10.2% in FY 2001; 10.4% in FY 2002; 10.6% in FY 2003; and 10.8% in FY 2004.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under Section 14-135.08, shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that

fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act.

(f) (Blank).

(g) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(h) For purposes of determining the required State contribution to the System for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the System's actuarially assumed rate of return.

(i) (Blank).

(j) (Blank).

(k) For fiscal year 2012 and each fiscal year thereafter, after the submission of all payments for eligible employees

from personal services line items paid from the General Revenue Fund in the fiscal year have been made, the Comptroller shall provide to the System a certification of the sum of all expenditures in the fiscal year for personal services. Upon receipt of the certification, the System shall determine the amount due to the System based on the full rate certified by the Board under Section 14-135.08 for the fiscal year in order to meet the State's obligation under this Section. The System shall compare this amount due to the amount received by the System for the fiscal year. If the amount due is more than the amount received, the difference shall be termed the "Prior Fiscal Year Shortfall" for purposes of this Section, and the Prior Fiscal Year Shortfall shall be satisfied under Section 1.2 of the State Pension Funds Continuing Appropriation Act. If the amount due is less than the amount received, the difference shall be termed the "Prior Fiscal Year Overpayment" for purposes of this Section, and the Prior Fiscal Year Overpayment shall be repaid by the System to the General Revenue Fund as soon as practicable after the certification.

(Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18; 101-10, eff. 6-5-19.)

(40 ILCS 5/15-165) (from Ch. 108 1/2, par. 15-165)

Sec. 15-165. To certify amounts and submit vouchers.

(a) The Board shall certify to the Governor on or before

November 15 of each year until November 15, 2011 the appropriation required from State funds for the purposes of this System for the following fiscal year. The certification under this subsection (a) shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year and the projected State cost for the self-managed plan for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning

November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note, in a written response to the State Actuary, any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) By November 1, 2017, the Board shall recalculate and recertify to the State Actuary, the Governor, and the General Assembly the amount of the State contribution to the System for State fiscal year 2018, taking into account the changes in required State contributions made by this

amendatory Act of the 100th General Assembly. The State Actuary shall review the assumptions and valuations underlying the Board's revised certification and issue a preliminary report concerning the proposed recertification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. The Board's final certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-15) On or after June 15, 2019, but no later than June 30, 2019, the Board shall recalculate and recertify to the Governor and the General Assembly the amount of the State contribution to the System for State fiscal year 2019, taking into account the changes in required State contributions made by this amendatory Act of the 100th General Assembly. The recalculation shall be made using assumptions adopted by the Board for the original fiscal year 2019 certification. The monthly voucher for the 12th month of fiscal year 2019 shall be paid by the Comptroller after the recertification required pursuant to this subsection is submitted to the Governor, Comptroller, and General Assembly. The recertification submitted to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the

Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(b) The Board shall certify to the State Comptroller or employer, as the case may be, from time to time, by its chairperson and secretary, with its seal attached, the amounts payable to the System from the various funds.

(c) Unless otherwise directed by the Comptroller under subsection (c-1), ~~Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month~~ the Board shall submit vouchers for payment of State contributions to the System for the applicable month on the 15th day of each month, or as soon thereafter as may be practicable. The amount vouchered for a monthly payment shall total, ~~in a total monthly amount of~~ one-twelfth of the required annual State contribution certified under subsection (a).

(c-1) Beginning in State fiscal year 2025, if the Comptroller requests that the Board submit, during a State fiscal year, vouchers for multiple monthly payments for advance payment of State contributions due to the System for that State fiscal year, then the Board shall submit those additional vouchers as directed by the Comptroller, notwithstanding subsection (c). Unless an act of appropriations provides otherwise, nothing in this Section authorizes the Board to submit, in a State fiscal year, vouchers for the payment of State contributions to the System in an amount that exceeds the annual certified contribution

for the System under this Section for that State fiscal year.
~~From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (b) of Section 6z-61 of the State Finance Act.~~

(c-2) The These vouchers described in subsections (c) and (c-1) shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this Section, the difference shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(d) So long as the payments received are the full amount lawfully vouchered under this Section, payments received by the System under this Section shall be applied first toward the employer contribution to the self-managed plan established under Section 15-158.2. Payments shall be applied second

toward the employer's portion of the normal costs of the System, as defined in subsection (f) of Section 15-155. The balance shall be applied toward the unfunded actuarial liabilities of the System.

(e) In the event that the System does not receive, as a result of legislative enactment or otherwise, payments sufficient to fully fund the employer contribution to the self-managed plan established under Section 15-158.2 and to fully fund that portion of the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1), then any payments received shall be applied proportionately to the optional retirement program established under Section 15-158.2 and to the employer's portion of the normal costs of the System, as calculated in accordance with Section 15-155(a-1).

(Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18.)

(40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

Sec. 16-158. Contributions by State and other employing units.

(a) The State shall make contributions to the System by means of appropriations from the Common School Fund and other State funds of amounts which, together with other employer contributions, employee contributions, investment income, and other income, will be sufficient to meet the cost of maintaining and administering the System on a 90% funded basis

in accordance with actuarial recommendations.

The Board shall determine the amount of State contributions required for each fiscal year on the basis of the actuarial tables and other assumptions adopted by the Board and the recommendations of the actuary, using the formula in subsection (b-3).

(a-1) Annually, on or before November 15 until November 15, 2011, the Board shall certify to the Governor the amount of the required State contribution for the coming fiscal year. The certification under this subsection (a-1) shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by Public Act 94-4.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State

contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

(a-5) On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year, beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and each January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-10) By November 1, 2017, the Board shall recalculate

and recertify to the State Actuary, the Governor, and the General Assembly the amount of the State contribution to the System for State fiscal year 2018, taking into account the changes in required State contributions made by Public Act 100-23. The State Actuary shall review the assumptions and valuations underlying the Board's revised certification and issue a preliminary report concerning the proposed recertification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. The Board's final certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(a-15) On or after June 15, 2019, but no later than June 30, 2019, the Board shall recalculate and recertify to the Governor and the General Assembly the amount of the State contribution to the System for State fiscal year 2019, taking into account the changes in required State contributions made by Public Act 100-587. The recalculation shall be made using assumptions adopted by the Board for the original fiscal year 2019 certification. The monthly voucher for the 12th month of fiscal year 2019 shall be paid by the Comptroller after the recertification required pursuant to this subsection is

submitted to the Governor, Comptroller, and General Assembly. The recertification submitted to the General Assembly shall be filed with the Clerk of the House of Representatives and the Secretary of the Senate in electronic form only, in the manner that the Clerk and the Secretary shall direct.

(b) Through State fiscal year 1995, the State contributions shall be paid to the System in accordance with Section 18-7 of the School Code.

(b-1) Unless otherwise directed by the Comptroller under subsection (b-1.1), ~~Beginning in State fiscal year 1996, on the 15th day of each month, or as soon thereafter as may be practicable,~~ the Board shall submit vouchers for payment of State contributions to the System for the applicable month on the 15th day of each month, or as soon thereafter as may be practicable. The amount vouchered for a monthly payment shall total, ~~in a total monthly amount of one-twelfth of the~~ required annual State contribution certified under subsection (a-1).

(b-1.1) Beginning in State fiscal year 2025, if the Comptroller requests that the Board submit, during a State fiscal year, vouchers for multiple monthly payments for the advance payment of State contributions due to the System for that State fiscal year, then the Board shall submit those additional vouchers as directed by the Comptroller, notwithstanding subsection (b-1). Unless an act of appropriations provides otherwise, nothing in this Section

authorizes the Board to submit, in a State fiscal year, vouchers for the payment of State contributions to the System in an amount that exceeds the rate of payroll that is certified by the System under this Section for that State fiscal year.

~~From March 5, 2004 (the effective date of Public Act 93-665) through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (a) of Section 6z-61 of the State Finance Act.~~

(b-1.2) The ~~These~~ vouchers described in subsections (b-1) and (b-1.1) shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this subsection, the difference shall be paid from the Common School Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(b-2) Allocations from the Common School Fund apportioned to school districts not coming under this System shall not be

diminished or affected by the provisions of this Article.

(b-3) For State fiscal years 2012 through 2045, the minimum contribution to the System to be made by the State for each fiscal year shall be an amount determined by the System to be sufficient to bring the total assets of the System up to 90% of the total actuarial liabilities of the System by the end of State fiscal year 2045. In making these determinations, the required State contribution shall be calculated each year as a level percentage of payroll over the years remaining to and including fiscal year 2045 and shall be determined under the projected unit credit actuarial cost method.

For each of State fiscal years 2018, 2019, and 2020, the State shall make an additional contribution to the System equal to 2% of the total payroll of each employee who is deemed to have elected the benefits under Section 1-161 or who has made the election under subsection (c) of Section 1-161.

A change in an actuarial or investment assumption that increases or decreases the required State contribution and first applies in State fiscal year 2018 or thereafter shall be implemented in equal annual amounts over a 5-year period beginning in the State fiscal year in which the actuarial change first applies to the required State contribution.

A change in an actuarial or investment assumption that increases or decreases the required State contribution and first applied to the State contribution in fiscal year 2014, 2015, 2016, or 2017 shall be implemented:

(i) as already applied in State fiscal years before 2018; and

(ii) in the portion of the 5-year period beginning in the State fiscal year in which the actuarial change first applied that occurs in State fiscal year 2018 or thereafter, by calculating the change in equal annual amounts over that 5-year period and then implementing it at the resulting annual rate in each of the remaining fiscal years in that 5-year period.

For State fiscal years 1996 through 2005, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments so that by State fiscal year 2011, the State is contributing at the rate required under this Section; except that in the following specified State fiscal years, the State contribution to the System shall not be less than the following indicated percentages of the applicable employee payroll, even if the indicated percentage will produce a State contribution in excess of the amount otherwise required under this subsection and subsection (a), and notwithstanding any contrary certification made under subsection (a-1) before May 27, 1998 (the effective date of Public Act 90-582): 10.02% in FY 1999; 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY 2003; and 13.56% in FY 2004.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2006

is \$534,627,700.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2007 is \$738,014,500.

For each of State fiscal years 2008 through 2009, the State contribution to the System, as a percentage of the applicable employee payroll, shall be increased in equal annual increments from the required State contribution for State fiscal year 2007, so that by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2010 is \$2,089,268,000 and shall be made from the proceeds of bonds sold in fiscal year 2010 pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2010, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable.

Notwithstanding any other provision of this Article, the total required State contribution for State fiscal year 2011 is the amount recertified by the System on or before April 1, 2011 pursuant to subsection (a-1) of this Section and shall be made from the proceeds of bonds sold in fiscal year 2011

pursuant to Section 7.2 of the General Obligation Bond Act, less (i) the pro rata share of bond sale expenses determined by the System's share of total bond proceeds, (ii) any amounts received from the Common School Fund in fiscal year 2011, and (iii) any reduction in bond proceeds due to the issuance of discounted bonds, if applicable. This amount shall include, in addition to the amount certified by the System, an amount necessary to meet employer contributions required by the State as an employer under paragraph (e) of this Section, which may also be used by the System for contributions required by paragraph (a) of Section 16-127.

Beginning in State fiscal year 2046, the minimum State contribution for each fiscal year shall be the amount needed to maintain the total assets of the System at 90% of the total actuarial liabilities of the System.

Amounts received by the System pursuant to Section 25 of the Budget Stabilization Act or Section 8.12 of the State Finance Act in any fiscal year do not reduce and do not constitute payment of any portion of the minimum State contribution required under this Article in that fiscal year. Such amounts shall not reduce, and shall not be included in the calculation of, the required State contributions under this Article in any future year until the System has reached a funding ratio of at least 90%. A reference in this Article to the "required State contribution" or any substantially similar term does not include or apply to any amounts payable to the

System under Section 25 of the Budget Stabilization Act.

Notwithstanding any other provision of this Section, the required State contribution for State fiscal year 2005 and for fiscal year 2008 and each fiscal year thereafter, as calculated under this Section and certified under subsection (a-1), shall not exceed an amount equal to (i) the amount of the required State contribution that would have been calculated under this Section for that fiscal year if the System had not received any payments under subsection (d) of Section 7.2 of the General Obligation Bond Act, minus (ii) the portion of the State's total debt service payments for that fiscal year on the bonds issued in fiscal year 2003 for the purposes of that Section 7.2, as determined and certified by the Comptroller, that is the same as the System's portion of the total moneys distributed under subsection (d) of Section 7.2 of the General Obligation Bond Act. In determining this maximum for State fiscal years 2008 through 2010, however, the amount referred to in item (i) shall be increased, as a percentage of the applicable employee payroll, in equal increments calculated from the sum of the required State contribution for State fiscal year 2007 plus the applicable portion of the State's total debt service payments for fiscal year 2007 on the bonds issued in fiscal year 2003 for the purposes of Section 7.2 of the General Obligation Bond Act, so that, by State fiscal year 2011, the State is contributing at the rate otherwise required under this Section.

(b-4) Beginning in fiscal year 2018, each employer under this Article shall pay to the System a required contribution determined as a percentage of projected payroll and sufficient to produce an annual amount equal to:

(i) for each of fiscal years 2018, 2019, and 2020, the defined benefit normal cost of the defined benefit plan, less the employee contribution, for each employee of that employer who has elected or who is deemed to have elected the benefits under Section 1-161 or who has made the election under subsection (b) of Section 1-161; for fiscal year 2021 and each fiscal year thereafter, the defined benefit normal cost of the defined benefit plan, less the employee contribution, plus 2%, for each employee of that employer who has elected or who is deemed to have elected the benefits under Section 1-161 or who has made the election under subsection (b) of Section 1-161; plus

(ii) the amount required for that fiscal year to amortize any unfunded actuarial accrued liability associated with the present value of liabilities attributable to the employer's account under Section 16-158.3, determined as a level percentage of payroll over a 30-year rolling amortization period.

In determining contributions required under item (i) of this subsection, the System shall determine an aggregate rate for all employers, expressed as a percentage of projected payroll.

In determining the contributions required under item (ii) of this subsection, the amount shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation.

The contributions required under this subsection (b-4) shall be paid by an employer concurrently with that employer's payroll payment period. The State, as the actual employer of an employee, shall make the required contributions under this subsection.

(c) Payment of the required State contributions and of all pensions, retirement annuities, death benefits, refunds, and other benefits granted under or assumed by this System, and all expenses in connection with the administration and operation thereof, are obligations of the State.

If members are paid from special trust or federal funds which are administered by the employing unit, whether school district or other unit, the employing unit shall pay to the System from such funds the full accruing retirement costs based upon that service, which, beginning July 1, 2017, shall be at a rate, expressed as a percentage of salary, equal to the total employer's normal cost, expressed as a percentage of payroll, as determined by the System. Employer contributions, based on salary paid to members from federal funds, may be forwarded by the distributing agency of the State of Illinois to the System prior to allocation, in an amount determined in

accordance with guidelines established by such agency and the System. Any contribution for fiscal year 2015 collected as a result of the change made by Public Act 98-674 shall be considered a State contribution under subsection (b-3) of this Section.

(d) Effective July 1, 1986, any employer of a teacher as defined in paragraph (8) of Section 16-106 shall pay the employer's normal cost of benefits based upon the teacher's service, in addition to employee contributions, as determined by the System. Such employer contributions shall be forwarded monthly in accordance with guidelines established by the System.

However, with respect to benefits granted under Section 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8) of Section 16-106, the employer's contribution shall be 12% (rather than 20%) of the member's highest annual salary rate for each year of creditable service granted, and the employer shall also pay the required employee contribution on behalf of the teacher. For the purposes of Sections 16-133.4 and 16-133.5, a teacher as defined in paragraph (8) of Section 16-106 who is serving in that capacity while on leave of absence from another employer under this Article shall not be considered an employee of the employer from which the teacher is on leave.

(e) Beginning July 1, 1998, every employer of a teacher shall pay to the System an employer contribution computed as

follows:

(1) Beginning July 1, 1998 through June 30, 1999, the employer contribution shall be equal to 0.3% of each teacher's salary.

(2) Beginning July 1, 1999 and thereafter, the employer contribution shall be equal to 0.58% of each teacher's salary.

The school district or other employing unit may pay these employer contributions out of any source of funding available for that purpose and shall forward the contributions to the System on the schedule established for the payment of member contributions.

These employer contributions are intended to offset a portion of the cost to the System of the increases in retirement benefits resulting from Public Act 90-582.

Each employer of teachers is entitled to a credit against the contributions required under this subsection (e) with respect to salaries paid to teachers for the period January 1, 2002 through June 30, 2003, equal to the amount paid by that employer under subsection (a-5) of Section 6.6 of the State Employees Group Insurance Act of 1971 with respect to salaries paid to teachers for that period.

The additional 1% employee contribution required under Section 16-152 by Public Act 90-582 is the responsibility of the teacher and not the teacher's employer, unless the employer agrees, through collective bargaining or otherwise,

to make the contribution on behalf of the teacher.

If an employer is required by a contract in effect on May 1, 1998 between the employer and an employee organization to pay, on behalf of all its full-time employees covered by this Article, all mandatory employee contributions required under this Article, then the employer shall be excused from paying the employer contribution required under this subsection (e) for the balance of the term of that contract. The employer and the employee organization shall jointly certify to the System the existence of the contractual requirement, in such form as the System may prescribe. This exclusion shall cease upon the termination, extension, or renewal of the contract at any time after May 1, 1998.

(f) If the amount of a teacher's salary for any school year used to determine final average salary exceeds the member's annual full-time salary rate with the same employer for the previous school year by more than 6%, the teacher's employer shall pay to the System, in addition to all other payments required under this Section and in accordance with guidelines established by the System, the present value of the increase in benefits resulting from the portion of the increase in salary that is in excess of 6%. This present value shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. If a teacher's salary for the 2005-2006 school

year is used to determine final average salary under this subsection (f), then the changes made to this subsection (f) by Public Act 94-1057 shall apply in calculating whether the increase in his or her salary is in excess of 6%. For the purposes of this Section, change in employment under Section 10-21.12 of the School Code on or after June 1, 2005 shall constitute a change in employer. The System may require the employer to provide any pertinent information or documentation. The changes made to this subsection (f) by Public Act 94-1111 apply without regard to whether the teacher was in service on or after its effective date.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute and, if the employer asserts that the calculation is subject to subsection (g), (g-5), (g-10), (g-15), (g-20), or (h) of this Section, must include an affidavit setting forth and attesting to all facts within the employer's knowledge that are pertinent to the applicability of that subsection. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection (f) may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(f-1) (Blank).

(g) This subsection (g) applies only to payments made or salary increases given on or after June 1, 2005 but before July 1, 2011. The changes made by Public Act 94-1057 shall not require the System to refund any payments received before July 31, 2006 (the effective date of Public Act 94-1057).

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to teachers under contracts or collective bargaining agreements entered into, amended, or renewed before June 1, 2005.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases paid to a teacher at a time when the teacher is 10 or more years from retirement eligibility under Section 16-132 or 16-133.2.

When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload work, including summer school, when the school

district has certified to the System, and the System has approved the certification, that (i) the overload work is for the sole purpose of classroom instruction in excess of the standard number of classes for a full-time teacher in a school district during a school year and (ii) the salary increases are equal to or less than the rate of pay for classroom instruction computed on the teacher's current salary and work schedule.

When assessing payment for any amount due under subsection (f), the System shall exclude a salary increase resulting from a promotion (i) for which the employee is required to hold a certificate or supervisory endorsement issued by the State Teacher Certification Board that is a different certification or supervisory endorsement than is required for the teacher's previous position and (ii) to a position that has existed and been filled by a member for no less than one complete academic year and the salary increase from the promotion is an increase that results in an amount no greater than the lesser of the average salary paid for other similar positions in the district requiring the same certification or the amount stipulated in the collective bargaining agreement for a similar position requiring the same certification.

When assessing payment for any amount due under subsection (f), the System shall exclude any payment to the teacher from the State of Illinois or the State Board of Education over which the employer does not have discretion, notwithstanding

that the payment is included in the computation of final average salary.

(g-5) When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from overload or stipend work performed in a school year subsequent to a school year in which the employer was unable to offer or allow to be conducted overload or stipend work due to an emergency declaration limiting such activities.

(g-10) When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from increased instructional time that exceeded the instructional time required during the 2019-2020 school year.

(g-15) When assessing payment for any amount due under subsection (f), the System shall exclude salary increases resulting from teaching summer school on or after May 1, 2021 and before September 15, 2022.

(g-20) When assessing payment for any amount due under subsection (f), the System shall exclude salary increases necessary to bring a school board in compliance with Public Act 101-443 or this amendatory Act of the 103rd General Assembly.

(h) When assessing payment for any amount due under subsection (f), the System shall exclude any salary increase described in subsection (g) of this Section given on or after July 1, 2011 but before July 1, 2014 under a contract or collective bargaining agreement entered into, amended, or

renewed on or after June 1, 2005 but before July 1, 2011. Notwithstanding any other provision of this Section, any payments made or salary increases given after June 30, 2014 shall be used in assessing payment for any amount due under subsection (f) of this Section.

(i) The System shall prepare a report and file copies of the report with the Governor and the General Assembly by January 1, 2007 that contains all of the following information:

(1) The number of recalculations required by the changes made to this Section by Public Act 94-1057 for each employer.

(2) The dollar amount by which each employer's contribution to the System was changed due to recalculations required by Public Act 94-1057.

(3) The total amount the System received from each employer as a result of the changes made to this Section by Public Act 94-4.

(4) The increase in the required State contribution resulting from the changes made to this Section by Public Act 94-1057.

(i-5) For school years beginning on or after July 1, 2017, if the amount of a participant's salary for any school year exceeds the amount of the salary set for the Governor, the participant's employer shall pay to the System, in addition to all other payments required under this Section and in

accordance with guidelines established by the System, an amount determined by the System to be equal to the employer normal cost, as established by the System and expressed as a total percentage of payroll, multiplied by the amount of salary in excess of the amount of the salary set for the Governor. This amount shall be computed by the System on the basis of the actuarial assumptions and tables used in the most recent actuarial valuation of the System that is available at the time of the computation. The System may require the employer to provide any pertinent information or documentation.

Whenever it determines that a payment is or may be required under this subsection, the System shall calculate the amount of the payment and bill the employer for that amount. The bill shall specify the calculations used to determine the amount due. If the employer disputes the amount of the bill, it may, within 30 days after receipt of the bill, apply to the System in writing for a recalculation. The application must specify in detail the grounds of the dispute. Upon receiving a timely application for recalculation, the System shall review the application and, if appropriate, recalculate the amount due.

The employer contributions required under this subsection may be paid in the form of a lump sum within 90 days after receipt of the bill. If the employer contributions are not paid within 90 days after receipt of the bill, then interest

will be charged at a rate equal to the System's annual actuarially assumed rate of return on investment compounded annually from the 91st day after receipt of the bill. Payments must be concluded within 3 years after the employer's receipt of the bill.

(j) For purposes of determining the required State contribution to the System, the value of the System's assets shall be equal to the actuarial value of the System's assets, which shall be calculated as follows:

As of June 30, 2008, the actuarial value of the System's assets shall be equal to the market value of the assets as of that date. In determining the actuarial value of the System's assets for fiscal years after June 30, 2008, any actuarial gains or losses from investment return incurred in a fiscal year shall be recognized in equal annual amounts over the 5-year period following that fiscal year.

(k) For purposes of determining the required State contribution to the system for a particular year, the actuarial value of assets shall be assumed to earn a rate of return equal to the system's actuarially assumed rate of return.

(Source: P.A. 102-16, eff. 6-17-21; 102-525, eff. 8-20-21; 102-558, eff. 8-20-21; 102-813, eff. 5-13-22; 103-515, eff. 8-11-23.)

Sec. 18-140. To certify required State contributions and submit vouchers.

(a) The Board shall certify to the Governor, on or before November 15 of each year until November 15, 2011, the amount of the required State contribution to the System for the following fiscal year and shall specifically identify the System's projected State normal cost for that fiscal year. The certification shall include a copy of the actuarial recommendations upon which it is based and shall specifically identify the System's projected State normal cost for that fiscal year.

On or before November 1 of each year, beginning November 1, 2012, the Board shall submit to the State Actuary, the Governor, and the General Assembly a proposed certification of the amount of the required State contribution to the System for the next fiscal year, along with all of the actuarial assumptions, calculations, and data upon which that proposed certification is based. On or before January 1 of each year beginning January 1, 2013, the State Actuary shall issue a preliminary report concerning the proposed certification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. On or before January 15, 2013 and every January 15 thereafter, the Board shall certify to the Governor and the General Assembly the amount of the required State contribution for the next

fiscal year. The Board's certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

On or before May 1, 2004, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2005, taking into account the amounts appropriated to and received by the System under subsection (d) of Section 7.2 of the General Obligation Bond Act.

On or before July 1, 2005, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2006, taking into account the changes in required State contributions made by this amendatory Act of the 94th General Assembly.

On or before April 1, 2011, the Board shall recalculate and recertify to the Governor the amount of the required State contribution to the System for State fiscal year 2011, applying the changes made by Public Act 96-889 to the System's assets and liabilities as of June 30, 2009 as though Public Act 96-889 was approved on that date.

By November 1, 2017, the Board shall recalculate and recertify to the State Actuary, the Governor, and the General Assembly the amount of the State contribution to the System

for State fiscal year 2018, taking into account the changes in required State contributions made by this amendatory Act of the 100th General Assembly. The State Actuary shall review the assumptions and valuations underlying the Board's revised certification and issue a preliminary report concerning the proposed recertification and identifying, if necessary, recommended changes in actuarial assumptions that the Board must consider before finalizing its certification of the required State contributions. The Board's final certification must note any deviations from the State Actuary's recommended changes, the reason or reasons for not following the State Actuary's recommended changes, and the fiscal impact of not following the State Actuary's recommended changes on the required State contribution.

(b) Unless otherwise directed by the Comptroller under subsection (b-1), ~~Beginning in State fiscal year 1996, on or as soon as possible after the 15th day of each month~~ the Board shall submit vouchers for payment of State contributions to the System for the applicable month on the 15th day of each month, or as soon thereafter as may be practicable. The amount vouchered for a monthly payment shall total, ~~in a total monthly amount of~~ one-twelfth of the required annual State contribution certified under subsection (a).

(b-1) Beginning in State fiscal year 2025, if the Comptroller requests that the Board submit, during a State fiscal year, vouchers for multiple monthly payments for the

advance payment of State contributions due to the System for that State fiscal year, then the Board shall submit those additional vouchers as directed by the Comptroller, notwithstanding subsection (b). Unless an act of appropriations provides otherwise, nothing in this Section authorizes the Board to submit, in a State fiscal year, vouchers for the payment of State contributions to the System in an amount that exceeds the rate of payroll that is certified by the System under this Section for that State fiscal year.
~~From the effective date of this amendatory Act of the 93rd General Assembly through June 30, 2004, the Board shall not submit vouchers for the remainder of fiscal year 2004 in excess of the fiscal year 2004 certified contribution amount determined under this Section after taking into consideration the transfer to the System under subsection (c) of Section 6z-61 of the State Finance Act.~~

(b-2) The ~~These~~ vouchers described in subsections (b) and (b-1) shall be paid by the State Comptroller and Treasurer by warrants drawn on the funds appropriated to the System for that fiscal year.

If in any month the amount remaining unexpended from all other appropriations to the System for the applicable fiscal year (including the appropriations to the System under Section 8.12 of the State Finance Act and Section 1 of the State Pension Funds Continuing Appropriation Act) is less than the amount lawfully vouchered under this Section, the difference

shall be paid from the General Revenue Fund under the continuing appropriation authority provided in Section 1.1 of the State Pension Funds Continuing Appropriation Act.

(Source: P.A. 100-23, eff. 7-6-17.)

Article 20.

Section 20-5. The Illinois Act on the Aging is amended by changing Section 4.02 as follows:

(20 ILCS 105/4.02)

Sec. 4.02. Community Care Program. The Department shall establish a program of services to prevent unnecessary institutionalization of persons age 60 and older in need of long term care or who are established as persons who suffer from Alzheimer's disease or a related disorder under the Alzheimer's Disease Assistance Act, thereby enabling them to remain in their own homes or in other living arrangements. Such preventive services, which may be coordinated with other programs for the aged and monitored by area agencies on aging in cooperation with the Department, may include, but are not limited to, any or all of the following:

- (a) (blank);
- (b) (blank);
- (c) home care aide services;
- (d) personal assistant services;

- (e) adult day services;
- (f) home-delivered meals;
- (g) education in self-care;
- (h) personal care services;
- (i) adult day health services;
- (j) habilitation services;
- (k) respite care;
- (k-5) community reintegration services;
- (k-6) flexible senior services;
- (k-7) medication management;
- (k-8) emergency home response;

(l) other nonmedical social services that may enable the person to become self-supporting; or

(m) clearinghouse for information provided by senior citizen home owners who want to rent rooms to or share living space with other senior citizens.

The Department shall establish eligibility standards for such services. In determining the amount and nature of services for which a person may qualify, consideration shall not be given to the value of cash, property, or other assets held in the name of the person's spouse pursuant to a written agreement dividing marital property into equal but separate shares or pursuant to a transfer of the person's interest in a home to his spouse, provided that the spouse's share of the marital property is not made available to the person seeking such services.

Beginning January 1, 2008, the Department shall require as a condition of eligibility that all new financially eligible applicants apply for and enroll in medical assistance under Article V of the Illinois Public Aid Code in accordance with rules promulgated by the Department.

The Department shall, in conjunction with the Department of Public Aid (now Department of Healthcare and Family Services), seek appropriate amendments under Sections 1915 and 1924 of the Social Security Act. The purpose of the amendments shall be to extend eligibility for home and community based services under Sections 1915 and 1924 of the Social Security Act to persons who transfer to or for the benefit of a spouse those amounts of income and resources allowed under Section 1924 of the Social Security Act. Subject to the approval of such amendments, the Department shall extend the provisions of Section 5-4 of the Illinois Public Aid Code to persons who, but for the provision of home or community-based services, would require the level of care provided in an institution, as is provided for in federal law. Those persons no longer found to be eligible for receiving noninstitutional services due to changes in the eligibility criteria shall be given 45 days notice prior to actual termination. Those persons receiving notice of termination may contact the Department and request the determination be appealed at any time during the 45 day notice period. The target population identified for the purposes of this Section are persons age 60 and older with an

identified service need. Priority shall be given to those who are at imminent risk of institutionalization. The services shall be provided to eligible persons age 60 and older to the extent that the cost of the services together with the other personal maintenance expenses of the persons are reasonably related to the standards established for care in a group facility appropriate to the person's condition. These non-institutional services, pilot projects, or experimental facilities may be provided as part of or in addition to those authorized by federal law or those funded and administered by the Department of Human Services. The Departments of Human Services, Healthcare and Family Services, Public Health, Veterans' Affairs, and Commerce and Economic Opportunity and other appropriate agencies of State, federal, and local governments shall cooperate with the Department on Aging in the establishment and development of the non-institutional services. The Department shall require an annual audit from all personal assistant and home care aide vendors contracting with the Department under this Section. The annual audit shall assure that each audited vendor's procedures are in compliance with Department's financial reporting guidelines requiring an administrative and employee wage and benefits cost split as defined in administrative rules. The audit is a public record under the Freedom of Information Act. The Department shall execute, relative to the nursing home prescreening project, written inter-agency agreements with the Department of Human

Services and the Department of Healthcare and Family Services, to effect the following: (1) intake procedures and common eligibility criteria for those persons who are receiving non-institutional services; and (2) the establishment and development of non-institutional services in areas of the State where they are not currently available or are undeveloped. On and after July 1, 1996, all nursing home prescreenings for individuals 60 years of age or older shall be conducted by the Department.

As part of the Department on Aging's routine training of case managers and case manager supervisors, the Department may include information on family futures planning for persons who are age 60 or older and who are caregivers of their adult children with developmental disabilities. The content of the training shall be at the Department's discretion.

The Department is authorized to establish a system of recipient copayment for services provided under this Section, such copayment to be based upon the recipient's ability to pay but in no case to exceed the actual cost of the services provided. Additionally, any portion of a person's income which is equal to or less than the federal poverty standard shall not be considered by the Department in determining the copayment. The level of such copayment shall be adjusted whenever necessary to reflect any change in the officially designated federal poverty standard.

The Department, or the Department's authorized

representative, may recover the amount of moneys expended for services provided to or in behalf of a person under this Section by a claim against the person's estate or against the estate of the person's surviving spouse, but no recovery may be had until after the death of the surviving spouse, if any, and then only at such time when there is no surviving child who is under age 21 or blind or who has a permanent and total disability. This paragraph, however, shall not bar recovery, at the death of the person, of moneys for services provided to the person or in behalf of the person under this Section to which the person was not entitled; provided that such recovery shall not be enforced against any real estate while it is occupied as a homestead by the surviving spouse or other dependent, if no claims by other creditors have been filed against the estate, or, if such claims have been filed, they remain dormant for failure of prosecution or failure of the claimant to compel administration of the estate for the purpose of payment. This paragraph shall not bar recovery from the estate of a spouse, under Sections 1915 and 1924 of the Social Security Act and Section 5-4 of the Illinois Public Aid Code, who precedes a person receiving services under this Section in death. All moneys for services paid to or in behalf of the person under this Section shall be claimed for recovery from the deceased spouse's estate. "Homestead", as used in this paragraph, means the dwelling house and contiguous real estate occupied by a surviving spouse or relative, as defined

by the rules and regulations of the Department of Healthcare and Family Services, regardless of the value of the property.

The Department shall increase the effectiveness of the existing Community Care Program by:

(1) ensuring that in-home services included in the care plan are available on evenings and weekends;

(2) ensuring that care plans contain the services that eligible participants need based on the number of days in a month, not limited to specific blocks of time, as identified by the comprehensive assessment tool selected by the Department for use statewide, not to exceed the total monthly service cost maximum allowed for each service; the Department shall develop administrative rules to implement this item (2);

(3) ensuring that the participants have the right to choose the services contained in their care plan and to direct how those services are provided, based on administrative rules established by the Department;

(4) ensuring that the determination of need tool is accurate in determining the participants' level of need; to achieve this, the Department, in conjunction with the Older Adult Services Advisory Committee, shall institute a study of the relationship between the Determination of Need scores, level of need, service cost maximums, and the development and utilization of service plans no later than May 1, 2008; findings and recommendations shall be

presented to the Governor and the General Assembly no later than January 1, 2009; recommendations shall include all needed changes to the service cost maximums schedule and additional covered services;

(5) ensuring that homemakers can provide personal care services that may or may not involve contact with clients, including, but not limited to:

- (A) bathing;
- (B) grooming;
- (C) toileting;
- (D) nail care;
- (E) transferring;
- (F) respiratory services;
- (G) exercise; or
- (H) positioning;

(6) ensuring that homemaker program vendors are not restricted from hiring homemakers who are family members of clients or recommended by clients; the Department may not, by rule or policy, require homemakers who are family members of clients or recommended by clients to accept assignments in homes other than the client;

(7) ensuring that the State may access maximum federal matching funds by seeking approval for the Centers for Medicare and Medicaid Services for modifications to the State's home and community based services waiver and additional waiver opportunities, including applying for

enrollment in the Balance Incentive Payment Program by May 1, 2013, in order to maximize federal matching funds; this shall include, but not be limited to, modification that reflects all changes in the Community Care Program services and all increases in the services cost maximum;

(8) ensuring that the determination of need tool accurately reflects the service needs of individuals with Alzheimer's disease and related dementia disorders;

(9) ensuring that services are authorized accurately and consistently for the Community Care Program (CCP); the Department shall implement a Service Authorization policy directive; the purpose shall be to ensure that eligibility and services are authorized accurately and consistently in the CCP program; the policy directive shall clarify service authorization guidelines to Care Coordination Units and Community Care Program providers no later than May 1, 2013;

(10) working in conjunction with Care Coordination Units, the Department of Healthcare and Family Services, the Department of Human Services, Community Care Program providers, and other stakeholders to make improvements to the Medicaid claiming processes and the Medicaid enrollment procedures or requirements as needed, including, but not limited to, specific policy changes or rules to improve the up-front enrollment of participants in the Medicaid program and specific policy changes or

rules to insure more prompt submission of bills to the federal government to secure maximum federal matching dollars as promptly as possible; the Department on Aging shall have at least 3 meetings with stakeholders by January 1, 2014 in order to address these improvements;

(11) requiring home care service providers to comply with the rounding of hours worked provisions under the federal Fair Labor Standards Act (FLSA) and as set forth in 29 CFR 785.48(b) by May 1, 2013;

(12) implementing any necessary policy changes or promulgating any rules, no later than January 1, 2014, to assist the Department of Healthcare and Family Services in moving as many participants as possible, consistent with federal regulations, into coordinated care plans if a care coordination plan that covers long term care is available in the recipient's area; and

(13) maintaining fiscal year 2014 rates at the same level established on January 1, 2013.

By January 1, 2009 or as soon after the end of the Cash and Counseling Demonstration Project as is practicable, the Department may, based on its evaluation of the demonstration project, promulgate rules concerning personal assistant services, to include, but need not be limited to, qualifications, employment screening, rights under fair labor standards, training, fiduciary agent, and supervision requirements. All applicants shall be subject to the

provisions of the Health Care Worker Background Check Act.

The Department shall develop procedures to enhance availability of services on evenings, weekends, and on an emergency basis to meet the respite needs of caregivers. Procedures shall be developed to permit the utilization of services in successive blocks of 24 hours up to the monthly maximum established by the Department. Workers providing these services shall be appropriately trained.

Beginning on September 23, 1991 (the effective date of Public Act 87-729) ~~this amendatory Act of 1991~~, no person may perform chore/housekeeping and home care aide services under a program authorized by this Section unless that person has been issued a certificate of pre-service to do so by his or her employing agency. Information gathered to effect such certification shall include (i) the person's name, (ii) the date the person was hired by his or her current employer, and (iii) the training, including dates and levels. Persons engaged in the program authorized by this Section before the effective date of this amendatory Act of 1991 shall be issued a certificate of all pre-service ~~pre-~~ and in-service training from his or her employer upon submitting the necessary information. The employing agency shall be required to retain records of all staff pre-service ~~pre-~~ and in-service training, and shall provide such records to the Department upon request and upon termination of the employer's contract with the Department. In addition, the employing agency is responsible

for the issuance of certifications of in-service training completed to their employees.

The Department is required to develop a system to ensure that persons working as home care aides and personal assistants receive increases in their wages when the federal minimum wage is increased by requiring vendors to certify that they are meeting the federal minimum wage statute for home care aides and personal assistants. An employer that cannot ensure that the minimum wage increase is being given to home care aides and personal assistants shall be denied any increase in reimbursement costs.

The Community Care Program Advisory Committee is created in the Department on Aging. The Director shall appoint individuals to serve in the Committee, who shall serve at their own expense. Members of the Committee must abide by all applicable ethics laws. The Committee shall advise the Department on issues related to the Department's program of services to prevent unnecessary institutionalization. The Committee shall meet on a bi-monthly basis and shall serve to identify and advise the Department on present and potential issues affecting the service delivery network, the program's clients, and the Department and to recommend solution strategies. Persons appointed to the Committee shall be appointed on, but not limited to, their own and their agency's experience with the program, geographic representation, and willingness to serve. The Director shall appoint members to

the Committee to represent provider, advocacy, policy research, and other constituencies committed to the delivery of high quality home and community-based services to older adults. Representatives shall be appointed to ensure representation from community care providers, including, but not limited to, adult day service providers, homemaker providers, case coordination and case management units, emergency home response providers, statewide trade or labor unions that represent home care aides and direct care staff, area agencies on aging, adults over age 60, membership organizations representing older adults, and other organizational entities, providers of care, or individuals with demonstrated interest and expertise in the field of home and community care as determined by the Director.

Nominations may be presented from any agency or State association with interest in the program. The Director, or his or her designee, shall serve as the permanent co-chair of the advisory committee. One other co-chair shall be nominated and approved by the members of the committee on an annual basis. Committee members' terms of appointment shall be for 4 years with one-quarter of the appointees' terms expiring each year. A member shall continue to serve until his or her replacement is named. The Department shall fill vacancies that have a remaining term of over one year, and this replacement shall occur through the annual replacement of expiring terms. The Director shall designate Department staff to provide technical

assistance and staff support to the committee. Department representation shall not constitute membership of the committee. All Committee papers, issues, recommendations, reports, and meeting memoranda are advisory only. The Director, or his or her designee, shall make a written report, as requested by the Committee, regarding issues before the Committee.

The Department on Aging and the Department of Human Services shall cooperate in the development and submission of an annual report on programs and services provided under this Section. Such joint report shall be filed with the Governor and the General Assembly on or before March 31 of the following fiscal year.

The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report as required by Section 3.1 of the General Assembly Organization Act and filing such additional copies with the State Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of the State Library Act.

Those persons previously found eligible for receiving non-institutional services whose services were discontinued under the Emergency Budget Act of Fiscal Year 1992, and who do not meet the eligibility standards in effect on or after July 1, 1992, shall remain ineligible on and after July 1, 1992. Those persons previously not required to cost-share and who were required to cost-share effective March 1, 1992, shall

continue to meet cost-share requirements on and after July 1, 1992. Beginning July 1, 1992, all clients will be required to meet eligibility, cost-share, and other requirements and will have services discontinued or altered when they fail to meet these requirements.

For the purposes of this Section, "flexible senior services" refers to services that require one-time or periodic expenditures, including, but not limited to, respite care, home modification, assistive technology, housing assistance, and transportation.

The Department shall implement an electronic service verification based on global positioning systems or other cost-effective technology for the Community Care Program no later than January 1, 2014.

The Department shall require, as a condition of eligibility, enrollment in the medical assistance program under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall delay Community Care Program services until an applicant is determined eligible for medical

assistance under Article V of the Illinois Public Aid Code (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall implement co-payments for the Community Care Program at the federally allowable maximum level (i) beginning August 1, 2013, if the Auditor General has reported that the Department has failed to comply with the reporting requirements of Section 2-27 of the Illinois State Auditing Act; or (ii) beginning June 1, 2014, if the Auditor General has reported that the Department has not undertaken the required actions listed in the report required by subsection (a) of Section 2-27 of the Illinois State Auditing Act.

The Department shall continue to provide other Community Care Program reports as required by statute.

The Department shall conduct a quarterly review of Care Coordination Unit performance and adherence to service guidelines. The quarterly review shall be reported to the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. The Department shall

collect and report longitudinal data on the performance of each care coordination unit. Nothing in this paragraph shall be construed to require the Department to identify specific care coordination units.

In regard to community care providers, failure to comply with Department on Aging policies shall be cause for disciplinary action, including, but not limited to, disqualification from serving Community Care Program clients. Each provider, upon submission of any bill or invoice to the Department for payment for services rendered, shall include a notarized statement, under penalty of perjury pursuant to Section 1-109 of the Code of Civil Procedure, that the provider has complied with all Department policies.

The Director of the Department on Aging shall make information available to the State Board of Elections as may be required by an agreement the State Board of Elections has entered into with a multi-state voter registration list maintenance system.

Within 30 days after July 6, 2017 (the effective date of Public Act 100-23), rates shall be increased to \$18.29 per hour, for the purpose of increasing, by at least \$.72 per hour, the wages paid by those vendors to their employees who provide homemaker services. The Department shall pay an enhanced rate under the Community Care Program to those in-home service provider agencies that offer health insurance coverage as a benefit to their direct service worker employees consistent

with the mandates of Public Act 95-713. For State fiscal years 2018 and 2019, the enhanced rate shall be \$1.77 per hour. The rate shall be adjusted using actuarial analysis based on the cost of care, but shall not be set below \$1.77 per hour. The Department shall adopt rules, including emergency rules under subsections (y) and (bb) of Section 5-45 of the Illinois Administrative Procedure Act, to implement the provisions of this paragraph.

Subject to federal approval, beginning on January 1, 2024, rates for adult day services shall be increased to \$16.84 per hour and rates for each way transportation services for adult day services shall be increased to \$12.44 per unit transportation.

Subject to federal approval, on and after January 1, 2024, rates for homemaker services shall be increased to \$28.07 to sustain a minimum wage of \$17 per hour for direct service workers. Rates in subsequent State fiscal years shall be no lower than the rates put into effect upon federal approval. Providers of in-home services shall be required to certify to the Department that they remain in compliance with the mandated wage increase for direct service workers. Fringe benefits, including, but not limited to, paid time off and payment for training, health insurance, travel, or transportation, shall not be reduced in relation to the rate increases described in this paragraph.

Subject to and upon federal approval, on and after January

1, 2025, rates for homemaker services shall be increased to \$29.63 to sustain a minimum wage of \$18 per hour for direct service workers. Rates in subsequent State fiscal years shall be no lower than the rates put into effect upon federal approval. Providers of in-home services shall be required to certify to the Department that they remain in compliance with the mandated wage increase for direct service workers. Fringe benefits, including, but not limited to, paid time off and payment for training, health insurance, travel, or transportation, shall not be reduced in relation to the rate increases described in this paragraph.

The General Assembly finds it necessary to authorize an aggressive Medicaid enrollment initiative designed to maximize federal Medicaid funding for the Community Care Program which produces significant savings for the State of Illinois. The Department on Aging shall establish and implement a Community Care Program Medicaid Initiative. Under the Initiative, the Department on Aging shall, at a minimum: (i) provide an enhanced rate to adequately compensate care coordination units to enroll eligible Community Care Program clients into Medicaid; (ii) use recommendations from a stakeholder committee on how best to implement the Initiative; and (iii) establish requirements for State agencies to make enrollment in the State's Medical Assistance program easier for seniors.

The Community Care Program Medicaid Enrollment Oversight Subcommittee is created as a subcommittee of the Older Adult

Services Advisory Committee established in Section 35 of the Older Adult Services Act to make recommendations on how best to increase the number of medical assistance recipients who are enrolled in the Community Care Program. The Subcommittee shall consist of all of the following persons who must be appointed within 30 days after June 4, 2018 (the effective date of Public Act 100-587) ~~this amendatory Act of the 100th General Assembly:~~

(1) The Director of Aging, or his or her designee, who shall serve as the chairperson of the Subcommittee.

(2) One representative of the Department of Healthcare and Family Services, appointed by the Director of Healthcare and Family Services.

(3) One representative of the Department of Human Services, appointed by the Secretary of Human Services.

(4) One individual representing a care coordination unit, appointed by the Director of Aging.

(5) One individual from a non-governmental statewide organization that advocates for seniors, appointed by the Director of Aging.

(6) One individual representing Area Agencies on Aging, appointed by the Director of Aging.

(7) One individual from a statewide association dedicated to Alzheimer's care, support, and research, appointed by the Director of Aging.

(8) One individual from an organization that employs

persons who provide services under the Community Care Program, appointed by the Director of Aging.

(9) One member of a trade or labor union representing persons who provide services under the Community Care Program, appointed by the Director of Aging.

(10) One member of the Senate, who shall serve as co-chairperson, appointed by the President of the Senate.

(11) One member of the Senate, who shall serve as co-chairperson, appointed by the Minority Leader of the Senate.

(12) One member of the House of Representatives, who shall serve as co-chairperson, appointed by the Speaker of the House of Representatives.

(13) One member of the House of Representatives, who shall serve as co-chairperson, appointed by the Minority Leader of the House of Representatives.

(14) One individual appointed by a labor organization representing frontline employees at the Department of Human Services.

The Subcommittee shall provide oversight to the Community Care Program Medicaid Initiative and shall meet quarterly. At each Subcommittee meeting the Department on Aging shall provide the following data sets to the Subcommittee: (A) the number of Illinois residents, categorized by planning and service area, who are receiving services under the Community Care Program and are enrolled in the State's Medical

Assistance Program; (B) the number of Illinois residents, categorized by planning and service area, who are receiving services under the Community Care Program, but are not enrolled in the State's Medical Assistance Program; and (C) the number of Illinois residents, categorized by planning and service area, who are receiving services under the Community Care Program and are eligible for benefits under the State's Medical Assistance Program, but are not enrolled in the State's Medical Assistance Program. In addition to this data, the Department on Aging shall provide the Subcommittee with plans on how the Department on Aging will reduce the number of Illinois residents who are not enrolled in the State's Medical Assistance Program but who are eligible for medical assistance benefits. The Department on Aging shall enroll in the State's Medical Assistance Program those Illinois residents who receive services under the Community Care Program and are eligible for medical assistance benefits but are not enrolled in the State's Medicaid Assistance Program. The data provided to the Subcommittee shall be made available to the public via the Department on Aging's website.

The Department on Aging, with the involvement of the Subcommittee, shall collaborate with the Department of Human Services and the Department of Healthcare and Family Services on how best to achieve the responsibilities of the Community Care Program Medicaid Initiative.

The Department on Aging, the Department of Human Services,

and the Department of Healthcare and Family Services shall coordinate and implement a streamlined process for seniors to access benefits under the State's Medical Assistance Program.

The Subcommittee shall collaborate with the Department of Human Services on the adoption of a uniform application submission process. The Department of Human Services and any other State agency involved with processing the medical assistance application of any person enrolled in the Community Care Program shall include the appropriate care coordination unit in all communications related to the determination or status of the application.

The Community Care Program Medicaid Initiative shall provide targeted funding to care coordination units to help seniors complete their applications for medical assistance benefits. On and after July 1, 2019, care coordination units shall receive no less than \$200 per completed application, which rate may be included in a bundled rate for initial intake services when Medicaid application assistance is provided in conjunction with the initial intake process for new program participants.

The Community Care Program Medicaid Initiative shall cease operation 5 years after June 4, 2018 (the effective date of Public Act 100-587) ~~this amendatory Act of the 100th General Assembly~~, after which the Subcommittee shall dissolve.

Effective July 1, 2023, subject to federal approval, the Department on Aging shall reimburse Care Coordination Units at

the following rates for case management services: \$252.40 for each initial assessment; \$366.40 for each initial assessment with translation; \$229.68 for each redetermination assessment; \$313.68 for each redetermination assessment with translation; \$200.00 for each completed application for medical assistance benefits; \$132.26 for each face-to-face, choices-for-care screening; \$168.26 for each face-to-face, choices-for-care screening with translation; \$124.56 for each 6-month, face-to-face visit; \$132.00 for each MCO participant eligibility determination; and \$157.00 for each MCO participant eligibility determination with translation.

(Source: P.A. 102-1071, eff. 6-10-22; 103-8, eff. 6-7-23; 103-102, Article 45, Section 45-5, eff. 1-1-24; 103-102, Article 85, Section 85-5, eff. 1-1-24; 103-102, Article 90, Section 90-5, eff. 1-1-24; revised 12-12-23.)

Article 25.

Section 25-1. Short title. This Act may be cited as the Illinois Caregiver Assistance and Resource Portal Act. As used in this Article, "this Act" refers to this Article.

Section 25-5. Purpose and intent. The purpose of this Act is to establish a State-created virtual portal that features a virtual comprehensive directory of State, federal, non-profit, and paid resources dedicated to caregiving and Illinois'

1,300,000 unpaid caregivers. The mission of this portal is to provide caregivers with simplified and trusted access to an information, support, and resource website to help caregivers develop and implement caregiving plans for their loved ones or friends.

Section 25-10. Establishment of the Illinois Caregiver Assistance and Resources Portal.

(a) The Department on Aging, in consultation with the Department of Healthcare and Family Services, the Department of Public Health, and the Department of Veterans' Affairs, shall be responsible for the creation and maintenance of the Illinois Caregiver Assistance and Resource Portal (hereinafter referred to as the "Portal").

(b) The Portal shall serve as a centralized and trusted online platform offering a wide range of resources related to caregiving, including, but not limited to:

(1) Information on State and federal programs, benefits, and resources on caregiving, long-term care, and at-home care for Illinois residents who are 50 years of age or older.

(2) Information from non-profit organizations providing free-of-charge caregiving support and resources.

(3) Tools and guides for developing and implementing caregiving plans.

(4) Direct contact information for relevant Illinois

agencies, organizations, and other State-licensed long-term care, aging, senior support services, and at-home care providers.

(5) Educational materials, articles, and videos on caregiving best practices.

(6) Accommodations for users with different language preferences, ensuring the information is accessible to diverse audiences.

(c) By incorporating these resources, the Portal aims to serve as a comprehensive and user-friendly hub for caregivers, providing them with the tools, information, and support they need to navigate the complex landscape of caregiving, nursing home care, and at-home care and other essential resources that are readily accessible. Additional information and resources to be featured may include the following:

(1) Caregiving resources: A comprehensive section dedicated to caregiving, including guides, articles, and videos on caregiving techniques, managing caregiver stress, and enhancing the quality of care provided.

(2) Home and community-based services: Resources, descriptions, and opportunities on how the State supports family caregivers, to include, but not be limited to, the Senior HelpLine, Illinois Care Connections, the Community Care Program, Adult Protective Services, the Illinois Long-Term Care Ombudsman, Adult Day Services, the Home Delivered Meals program, and all other programming and

services offered by the Department on Aging.

(3) Nursing home care: State and federal information and online resources on nursing homes, including facility ratings, reviews, and resources for choosing the right nursing home based on specific needs and preferences.

(4) Area Agency on Aging: A dedicated section highlighting the services and programs offered by Area Agencies on Aging, including, but not limited to, assistance with long-term care planning, nutrition, transportation, caregiver support and need assessment, and the address and contact information of statewide Area Agencies on Aging and Aging and Disability Resource Centers.

(5) At-home care: Resources and guides for at-home care, including information on hiring caregivers, managing in-home medical and non-medical care, and ensuring a safe and comfortable home environment.

(6) Hospital-to-home transition: A specialized section focusing on the transition from hospital care to home-based care, offering tips, checklists, and resources to ensure a smooth transition and continued recovery at home.

(7) Contact Information: Direct contact details for relevant agencies, organizations, and State-licensed professionals involved in caregiving, nursing home care, and at-home care, making it easy for users to connect with

the right resources.

(8) Medicaid coverage and resources: Information on Medicaid coverage for long-term care services, eligibility criteria, application procedures, and available Medicaid-funded programs and services to support caregivers and care recipients.

(9) Financial assistance: Details on financial assistance programs and benefits available at the State and federal levels, including grants, subsidies, and tax incentives that can ease the financial burden of caregiving.

(10) Veterans' assistance: Details on veterans' assistance programs and benefits available at the State and federal levels.

(11) Legal and planning Tools: Resources for legal matters related to caregiving, such as power of attorney, advance directives, and estate planning, and tools to help users create and manage caregiving plans. Services offered under this paragraph do not include the practice of law.

(12) Support groups: A directory of local caregiver support groups and online communities where caregivers can connect, share experiences, and receive emotional support.

Section 25-15. Accessibility and user-friendliness.

(a) The Portal shall be designed to be user-friendly and accessible to individuals of all ages and abilities.

(b) The Portal shall include features such as search functionality, language accessibility, and compatibility with assistive technologies to ensure that a diverse range of caregivers can use it.

Section 25-20. Outreach and promotion.

(a) The Department on Aging, in consultation with the Department of Healthcare and Family Services, the Department of Public Health, the Department of Human Services, and the Department of Veterans' Affairs, shall undertake an outreach and promotional campaign to raise awareness about the Portal and its resources upon completion.

(b) The campaign shall include a digital-first strategy to inform health care providers, social service agencies, and community organizations about the Portal's availability.

(c) The campaign shall coordinate with the State-wide 2-1-1 Service system administered under the 2-1-1 Service Act in order to insure persons calling 2-1-1 telephone lines are directed, when appropriate, to the Portal and reciprocally to 2-1-1.

Section 25-25. Reporting and evaluation. The Department on Aging, in consultation with the Department of Healthcare and Family Services, the Department of Public Health, and the Department of Veterans' Affairs, shall provide an annual report to the General Assembly and the Governor outlining the

usage statistics, user feedback, and any necessary improvements to the Portal.

Section 25-30. Funding. Funding for the creation, maintenance, and promotion of the Portal shall be appropriated from State funding and can be matched with possible federal resources.

Section 25-35. Implementation date. The essential elements of the Portal shall be listed online in 2025 and shall be fully available by July 1, 2027.

Article 30.

Section 30-5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by changing Section 2505-810 as follows:

(20 ILCS 2505/2505-810)

Sec. 2505-810. Veterans Property Tax Relief Reimbursement Pilot Program.

(a) Subject to appropriation, for State fiscal years that begin on or after July 1, 2023 and before July 1, 2028, the Department shall establish and administer a Veterans Property Tax Relief Reimbursement Pilot Program. For purposes of the Program, the Department shall reimburse eligible taxing

districts, in an amount calculated under subsection (c), for revenue loss associated with providing homestead exemptions to veterans with disabilities. A taxing district is eligible for reimbursement under this Section if (i) application of the homestead exemptions for veterans with disabilities under Sections 15-165 and 15-169 of the Property Tax Code results in a cumulative reduction of more than 2.5% in the total equalized assessed value of all taxable property in the taxing district, when compared with the total equalized assessed value of all taxable property in the taxing district prior to the application of those exemptions, for the taxable year that is 2 years before the start of the State fiscal year in which the application for reimbursement is made and (ii) the taxing district is located in whole or in part in a county that contains a United States military base. Reimbursement payments shall be made to the county that applies to the Department of Revenue on behalf of the taxing district under subsection (b) and shall be distributed by the county to the taxing district as directed by the Department of Revenue.

(b) If the county clerk determines that one or more taxing districts located in whole or in part in the county qualify for reimbursement under this Section, then the county clerk shall apply to the Department of Revenue on behalf of the taxing district for reimbursement under this Section in the form and manner required by the Department. The county clerk shall consolidate applications submitted on behalf of more than one

taxing district into a single application. The Department of Revenue may audit the information submitted by the county clerk as part of the application under this Section for the purpose of verifying the accuracy of that information.

(c) Subject to the maximum aggregate reimbursement amount set forth in this subsection, the amount of the reimbursement shall be as follows:

(1) for reimbursements awarded for the fiscal year that begins on July 1, 2023, 50% of the product generated by multiplying 90% of the total dollar amount of exemptions granted for taxable year 2021 under Section 15-165 or Section 15-169 of the Property Tax Code to property located in the taxing district by the taxing district's property tax rate for taxable year 2021; and

(2) for reimbursements awarded for fiscal years that begin on or after July 1, 2024 and begin before July 1, 2028, 100% of the product generated by multiplying 90% of the total dollar amount of exemptions granted for the base year under Section 15-165 or Section 15-169 of the Property Tax Code to property located in the taxing district by the taxing district's property tax rate for the base year.

The aggregate amount of reimbursements that may be awarded under this Section for all taxing districts in any calendar year may not exceed the lesser of \$30,000,000 ~~\$15,000,000~~ or the amount appropriated for the program for that calendar

year. If the total amount of eligible reimbursements under this Section exceeds the lesser of \$30,000,000 ~~\$15,000,000~~ or the amount appropriated for the program for that calendar year, then the reimbursement amount awarded to each particular taxing district shall be reduced on a pro rata basis until the aggregate amount of reimbursements awarded under this Section for the calendar year does not exceed the lesser of \$30,000,000 ~~\$15,000,000~~ or the amount appropriated for the program for the calendar year.

(d) The Department of Revenue may adopt rules necessary for the implementation of this Section.

(e) As used in this Section:

"Base year" means the taxable year that is 2 years before the start of the State fiscal year in which the application for reimbursement is made.

"Taxable year" means the calendar year during which property taxes payable in the next succeeding year are levied.

"Taxing district" has the meaning given to that term in Section 1-150 of the Property Tax Code.

(Source: P.A. 103-8, eff. 6-7-23.)

Article 35.

Section 35-5. The Illinois Horse Racing Act of 1975 is amended by changing Section 31 as follows:

(230 ILCS 5/31) (from Ch. 8, par. 37-31)

Sec. 31. (a) The General Assembly declares that it is the policy of this State to encourage the breeding of standardbred horses in this State and the ownership of such horses by residents of this State in order to provide for: sufficient numbers of high quality standardbred horses to participate in harness racing meetings in this State, and to establish and preserve the agricultural and commercial benefits of such breeding and racing industries to the State of Illinois. It is the intent of the General Assembly to further this policy by the provisions of this Section of this Act.

(b) Each organization licensee conducting a harness racing meeting pursuant to this Act shall provide for at least two races each race program limited to Illinois conceived and foaled horses. A minimum of 6 races shall be conducted each week limited to Illinois conceived and foaled horses. No horses shall be permitted to start in such races unless duly registered under the rules of the Department of Agriculture.

(b-5) Organization licensees, not including the Illinois State Fair or the DuQuoin State Fair, shall provide stake races and early closer races for Illinois conceived and foaled horses so that purses distributed for such races shall be no less than 17% of total purses distributed for harness racing in that calendar year in addition to any stakes payments and starting fees contributed by horse owners.

(b-10) Each organization licensee conducting a harness

racing meeting pursuant to this Act shall provide an owner award to be paid from the purse account equal to 12% of the amount earned by Illinois conceived and foaled horses finishing in the first 3 positions in races that are not restricted to Illinois conceived and foaled horses. The owner awards shall not be paid on races below the \$10,000 claiming class.

(c) Conditions of races under subsection (b) shall be commensurate with past performance, quality, and class of Illinois conceived and foaled horses available. If, however, sufficient competition cannot be had among horses of that class on any day, the races may, with consent of the Board, be eliminated for that day and substitute races provided.

(d) There is hereby created a special fund of the State treasury ~~Treasury~~ to be known as the Illinois Standardbred Breeders Fund. Beginning on June 28, 2019 (the effective date of Public Act 101-31), the Illinois Standardbred Breeders Fund shall become a non-appropriated trust fund held separate and apart from State moneys. Expenditures from this Fund shall no longer be subject to appropriation.

During the calendar year 1981, and each year thereafter, except as provided in subsection (g) of Section 27 of this Act, eight and one-half per cent of all the monies received by the State as privilege taxes on harness racing meetings shall be paid into the Illinois Standardbred Breeders Fund.

(e) Notwithstanding any provision of law to the contrary,

amounts deposited into the Illinois Standardbred Breeders Fund from revenues generated by gaming pursuant to an organization gaming license issued under the Illinois Gambling Act after June 28, 2019 (the effective date of Public Act 101-31) shall be in addition to tax and fee amounts paid under this Section for calendar year 2019 and thereafter. The Illinois Standardbred Breeders Fund shall be administered by the Department of Agriculture with the assistance and advice of the Advisory Board created in subsection (f) of this Section.

(f) The Illinois Standardbred Breeders Fund Advisory Board is hereby created. The Advisory Board shall consist of the Director of the Department of Agriculture, who shall serve as Chairman; the Superintendent of the Illinois State Fair; a member of the Illinois Racing Board, designated by it; a representative of the largest association of Illinois standardbred owners and breeders, recommended by it; a representative of a statewide association representing agricultural fairs in Illinois, recommended by it, such representative to be from a fair at which Illinois conceived and foaled racing is conducted; a representative of the organization licensees conducting harness racing meetings, recommended by them; a representative of the Breeder's Committee of the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, recommended by it; and a representative of the association representing the largest number of standardbred

owners, breeders, trainers, caretakers, and drivers, recommended by it. Advisory Board members shall serve for 2 years commencing January 1 of each odd numbered year. If representatives of the largest association of Illinois standardbred owners and breeders, a statewide association of agricultural fairs in Illinois, the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, a member of the Breeder's Committee of the association representing the largest number of standardbred owners, breeders, trainers, caretakers, and drivers, and the organization licensees conducting harness racing meetings have not been recommended by January 1 of each odd numbered year, the Director of the Department of Agriculture shall make an appointment for the organization failing to so recommend a member of the Advisory Board. Advisory Board members shall receive no compensation for their services as members but shall be reimbursed for all actual and necessary expenses and disbursements incurred in the execution of their official duties.

(g) Monies expended from the Illinois Standardbred Breeders Fund shall be expended by the Department of Agriculture, with the assistance and advice of the Illinois Standardbred Breeders Fund Advisory Board for the following purposes only:

1. To provide purses for races limited to Illinois conceived and foaled horses at the State Fair and the

DuQuoin State Fair.

2. To provide purses for races limited to Illinois conceived and foaled horses at county fairs.

3. To provide purse supplements for races limited to Illinois conceived and foaled horses conducted by associations conducting harness racing meetings.

4. No less than 75% of all monies in the Illinois Standardbred Breeders Fund shall be expended for purses in 1, 2, and 3 as shown above.

5. In the discretion of the Department of Agriculture to provide awards to harness breeders of Illinois conceived and foaled horses which win races conducted by organization licensees conducting harness racing meetings. A breeder is the owner of a mare at the time of conception. No more than 10% of all moneys transferred into the Illinois Standardbred Breeders Fund shall be expended for such harness breeders awards. No more than 25% of the amount expended for harness breeders awards shall be expended for expenses incurred in the administration of such harness breeders awards.

6. To pay for the improvement of racing facilities located at the State Fair and County fairs.

7. To pay the expenses incurred in the administration of the Illinois Standardbred Breeders Fund.

8. To promote the sport of harness racing, including grants up to a maximum of \$7,500 per fair per year for

conducting pari-mutuel wagering during the advertised dates of a county fair.

9. To pay up to \$50,000 annually for the Department of Agriculture to conduct drug testing at county fairs racing standardbred horses.

(h) The Illinois Standardbred Breeders Fund is not subject to administrative charges or chargebacks, including, but not limited to, those authorized under Section 8h of the State Finance Act.

(i) A sum equal to 13% of the first prize money of the gross purse won by an Illinois conceived and foaled horse shall be paid 50% by the organization licensee conducting the horse race meeting to the breeder of such winning horse from the organization licensee's account and 50% from the purse account of the licensee. Such payment shall not reduce any award to the owner of the horse or reduce the taxes payable under this Act. Such payment shall be delivered by the organization licensee at the end of each quarter.

(j) The Department of Agriculture shall, by rule, with the assistance and advice of the Illinois Standardbred Breeders Fund Advisory Board:

1. Qualify stallions for Illinois Standardbred Breeders Fund breeding. Such stallion shall stand for service at and within the State of Illinois at the time of a foal's conception, and such stallion must not stand for service at any place outside the State of Illinois during

that calendar year in which the foal is conceived. However, on and after January 1, 2018, semen from an Illinois stallion may be transported outside the State of Illinois.

2. Provide for the registration of Illinois conceived and foaled horses and no such horse shall compete in the races limited to Illinois conceived and foaled horses unless registered with the Department of Agriculture. The Department of Agriculture may prescribe such forms as may be necessary to determine the eligibility of such horses. No person shall knowingly prepare or cause preparation of an application for registration of such foals containing false information. A mare (dam) must be in the State at least 30 days prior to foaling or remain in the State at least 30 days at the time of foaling. However, the requirement that a mare (dam) must be in the State at least 30 days before foaling or remain in the State at least 30 days at the time of foaling shall not be in effect from January 1, 2018 until January 1, 2022. Beginning with the 1996 breeding season and for foals of 1997 and thereafter, a foal conceived by transported semen may be eligible for Illinois conceived and foaled registration provided all breeding and foaling requirements are met. The stallion must be qualified for Illinois Standardbred Breeders Fund breeding at the time of conception. The foal must be dropped in Illinois and properly registered with the

Department of Agriculture in accordance with this Act. However, from January 1, 2018 until January 1, 2022, the requirement for a mare to be inseminated within the State of Illinois and the requirement for a foal to be dropped in Illinois are inapplicable.

3. Provide that at least a 5-day racing program shall be conducted at the State Fair each year, unless an alternate racing program is requested by the Illinois Standardbred Breeders Fund Advisory Board, which program shall include at least the following races limited to Illinois conceived and foaled horses: (a) a 2-year-old Trot and Pace, and Filly Division of each; (b) a 3-year-old Trot and Pace, and Filly Division of each; (c) an aged Trot and Pace, and Mare Division of each.

4. Provide for the payment of nominating, sustaining, and starting fees for races promoting the sport of harness racing and for the races to be conducted at the State Fair as provided in paragraph ~~subsection (j)~~ 3 of this subsection ~~Section~~ provided that the nominating, sustaining, and starting payment required from an entrant shall not exceed 2% of the purse of such race. All nominating, sustaining, and starting payments shall be held for the benefit of entrants and shall be paid out as part of the respective purses for such races. Nominating, sustaining, and starting fees shall be held in trust accounts for the purposes as set forth in this Act and in

accordance with Section 205-15 of the Department of Agriculture Law.

5. Provide for the registration with the Department of Agriculture of Colt Associations or county fairs desiring to sponsor races at county fairs.

6. Provide for the promotion of producing standardbred racehorses by providing a bonus award program for owners of 2-year-old horses that win multiple major stakes races that are limited to Illinois conceived and foaled horses.

(k) The Department of Agriculture, with the advice and assistance of the Illinois Standardbred Breeders Fund Advisory Board, may allocate monies for purse supplements for such races. In determining whether to allocate money and the amount, the Department of Agriculture shall consider factors, including, but not limited to, the amount of money transferred into the Illinois Standardbred Breeders Fund, the number of races that may occur, and an organization licensee's purse structure. The organization licensee shall notify the Department of Agriculture of the conditions and minimum purses for races limited to Illinois conceived and foaled horses to be conducted by each organization licensee conducting a harness racing meeting for which purse supplements have been negotiated.

(l) All races held at county fairs and the State Fair which receive funds from the Illinois Standardbred Breeders Fund shall be conducted in accordance with the rules of the United

States Trotting Association unless otherwise modified by the Department of Agriculture.

(m) At all standardbred race meetings held or conducted under authority of a license granted by the Board, and at all standardbred races held at county fairs which are approved by the Department of Agriculture or at the Illinois or DuQuoin State Fairs, no one shall jog, train, warm up, or drive a standardbred horse unless he or she is wearing a protective safety helmet, with the chin strap fastened and in place, which meets the standards and requirements as set forth in the 1984 Standard for Protective Headgear for Use in Harness Racing and Other Equestrian Sports published by the Snell Memorial Foundation, or any standards and requirements for headgear the Illinois Racing Board may approve. Any other standards and requirements so approved by the Board shall equal or exceed those published by the Snell Memorial Foundation. Any equestrian helmet bearing the Snell label shall be deemed to have met those standards and requirements.

(n) In addition to any other transfer that may be provided for by law, as soon as practical after the effective date of the changes made to this Section by this amendatory Act of the 103rd General Assembly, but no later than July 3, 2024 the State Comptroller shall direct and the State Treasurer shall transfer the sum of \$2,000,000 from the Fair and Exposition Fund to the Illinois Standardbred Breeders Fund.

(Source: P.A. 102-558, eff. 8-20-21; 102-689, eff. 12-17-21;

103-8, eff. 6-7-23; revised 9-26-23.)

Article 40.

Section 40-5. The University of Illinois Act is amended by adding Section 180 as follows:

(110 ILCS 305/180 new)

Sec. 180. Innovation center. The Board of Trustees, directly or in cooperation with the University of Illinois at Springfield Innovation Center partners, which shall consist of other institutions of higher education, not-for-profit organizations, businesses, and local governments, may finance, design, construct, enlarge, improve, equip, complete, operate, control, and manage a University of Illinois at Springfield Innovation Center (UIS Innovation Center), which is a facility or facilities dedicated to fostering and supporting innovation in academics, entrepreneurship, workforce development, policy development, and non-profit or philanthropic activities. Notwithstanding any other provision of law, the UIS Innovation Center (1) may be located on land owned by the Board of Trustees or a University of Illinois at Springfield Innovation Center partner; and (2) shall have costs incurred in connection with the design, construction, enlargement, improvement, equipping, and completion of the business incubation and innovation facilities paid with funds

appropriated to the Capital Development Board from the Build Illinois Bond Fund for a grant to the Board of Trustees for the UIS Innovation Center. If the UIS Innovation Center is located on land owned by a University of Illinois at Springfield Innovation Center partner, the Board of Trustees must have an ownership interest in the facility or facilities or a portion thereof. An ownership interest shall bear a reasonable relationship to the proportional share of the costs paid by such grant funds for a term equal to at least the useful life of the innovation facilities.

Article 45.

Section 45-5. The Childhood Hunger Relief Act is amended by changing Section 15 and by adding Section 18 as follows:

(105 ILCS 126/15)

Sec. 15. School breakfast program.

(a) The board of education of each school district in this State shall implement and operate a school breakfast program in the next school year, if a breakfast program does not currently exist, in accordance with federal guidelines in each school building within its district in which at least 40% or more of the students are eligible for free or reduced-price lunches based upon the current year's October claim (for those schools that participate in the National School Lunch Program)

or in which at least 40% or more of the students are classified as low-income according to the Fall Housing Data from the previous year (for those schools that do not participate in the National School Lunch Program).

(b) School districts may charge students who do not meet federal criteria for free school meals for the breakfasts served to these students within the allowable limits set by federal regulations.

(c) School breakfast programs established under this Section shall be supported entirely by federal funds and commodities, charges to students and other participants, and other available State and local resources, including under the School Breakfast and Lunch Program Act. Allowable costs for reimbursement to school districts, in accordance with the United States Department of Agriculture, include compensation of employees for the time devoted and identified specifically to implement the school breakfast program; the cost of materials acquired, consumed, or expended specifically to implement the school breakfast program; equipment and other approved capital expenditures necessary to implement the school breakfast program; and transportation expenses incurred specifically to implement and operate the school breakfast program.

(d) A school district shall be allowed to opt out a school or schools from the school breakfast program requirement of this Section if it is determined that, due to circumstances

specific to that school district, the expense reimbursement would not fully cover the costs of implementing and operating a school breakfast program. The school district shall petition its regional superintendent of schools by February 15 of each year to request to be exempt from operating the school breakfast program in the school or schools in the next school year. The petition shall include all legitimate costs associated with implementing and operating a school breakfast program, the estimated reimbursement from State and federal sources, and any unique circumstances the school district can verify that exist that would cause the implementation and operation of such a program to be cost prohibitive.

The regional superintendent of schools shall review the petition. In accordance with the Open Meetings Act, he or she shall convene a public hearing to hear testimony from the school district and interested community members. The regional superintendent shall, by March 15 of each year, inform the school district of his or her decision, along with the reasons why the exemption was granted or denied, in writing. The regional superintendent must also send notification to the State Board of Education detailing which schools requested an exemption and the results. If the regional superintendent grants an exemption to the school district, then the school district is relieved from the requirement to establish and implement a school breakfast program in the school or schools granted an exemption for the next school year.

If the regional superintendent of schools does not grant an exemption, then the school district shall implement and operate a school breakfast program in accordance with this Section by the first student attendance day of the next school year. However, the school district or a resident of the school district may by April 15 appeal the decision of the regional superintendent to the State Superintendent of Education. The State Superintendent shall hear appeals on the decisions of regional superintendents of schools no later than May 15 of each year. The State Superintendent shall make a final decision at the conclusion of the hearing on the school district's request for an exemption from the school breakfast program requirement. If the State Superintendent grants an exemption, then the school district is relieved from the requirement to implement and operate a school breakfast program in the school or schools granted an exemption for the next school year. If the State Superintendent does not grant an exemption, then the school district shall implement and operate a school breakfast program in accordance with this Section by the first student attendance day of the next school year.

A school district may not attempt to opt out a school or schools from the school breakfast program requirement of this Section by requesting a waiver under Section 2-3.25g of the School Code.

(e) For all schools operating a school breakfast program,

the State Board of Education shall collect information about whether the school is operating a breakfast after the bell program under Section 16 and, if so, what breakfast after the bell model the school operates, including breakfast in the classroom, second chance breakfast, and grab and go breakfast. The State Board of Education shall make this data publicly available annually.

(Source: P.A. 96-158, eff. 8-7-09.)

(105 ILCS 126/18 new)

Sec. 18. Breakfast after the bell grant program.

(a) Subject to appropriation, the State Board of Education shall award grants of up to \$7,000 per school site on a competitive basis to eligible schools, school districts, or entities approved by the State Board of Education for nonrecurring expenses incurred in initiating a school breakfast program under Section 16.

Grants awarded under this Section shall be used for nonrecurring costs of initiating a breakfast after the bell program, including, but not limited to, the acquisition of equipment, training of staff in new capacities, outreach efforts to publicize new or expanded school breakfast programs, minor alterations to accommodate new equipment, computer point-of-service systems for food service, and the purchase of vehicles for transporting food to schools.

(b) In making grant awards under this Section, the State

Board of Education shall give a preference to grant applicants that do all of the following:

(1) Submit to the State Board of Education a plan to start or expand school breakfast programs in the school district or the educational service region, including a description of the following:

(A) a description of each eligible school site's breakfast program under Section 16, including which school and school district stakeholders have been engaged in the development of the program, including but not limited to superintendent, principal, business manager, school food service personnel, school nurse, teachers, and janitorial staff;

(B) a budget outlining the nonrecurring expenses needed to initiate a program at each school site; and

(C) any public or private resources that have been assembled to carry out expansion of school breakfast programs during the school year.

(2) Agree to operate a school breakfast program under Section 16 for a period of not less than 3 school years.

(3) Have higher rates of free or reduced-price eligible students.

Article 55.

Section 5-55. The State Finance Act is amended by adding

Sections 5.1016 and 6z-142 as follows:

(30 ILCS 105/5.1016 new)

Sec. 5.1016. The Restore Fund.

(30 ILCS 105/6z-142 new)

Sec. 6z-142. The Restore Fund. The Restore Fund is created as a special fund in the State treasury. Subject to appropriation, all moneys in the Fund shall be used by the Illinois State Police and the Administrative Office of the Illinois Courts for expenses directly related to the development and implementation of an automated criminal record sealing program.

Article 99.

Section 99-97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99-99. Effective date. This Act takes effect upon becoming law, except that Sections 3-15, 3-25, 3-27, 3-45, 3-50, and 3-60 and Article 45 take effect July 1, 2024 and Sections 3-7, 3-11, 3-30, 3-55, and 3-57 take effect January 1, 2025.