



Sen. Elgie R. Sims, Jr.

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10300HB3817sam002

LRB103 30519 JDS 62533 a

1 AMENDMENT TO HOUSE BILL 3817

2 AMENDMENT NO. _____. Amend House Bill 3817, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "ARTICLE 1.

6 Section 1-1. Short Title. This Act may be cited as the FY
7 2024 Budget Implementation Act.

8 Section 1-5. Purpose. It is the purpose of this Act to make
9 changes in State programs that are necessary to implement the
10 State budget for Fiscal Year 2024.

11 ARTICLE 3.

12 Section 3-5. Short title. This Article may be cited as the
13 Council of State Governments Act. As used in this Article,

1 "this Act" refers to this Article.

2 Section 3-10. Participation in Council of State
3 Governments. The majority and minority leadership of the
4 Senate and the House of Representatives, as well as members of
5 appropriate legislative committees and commissions, as
6 determined by such leadership, may annually attend appropriate
7 meetings of the Council of State Governments as
8 representatives of the General Assembly of the State of
9 Illinois and may pay such annual membership fee as may be
10 required to maintain membership in that organization.

11 ARTICLE 5.

12 Section 5-5. The State Employees Group Insurance Act of
13 1971 is amended by changing Sections 6.9 and 6.10 as follows:

14 (5 ILCS 375/6.9)

15 Sec. 6.9. Health benefits for community college benefit
16 recipients and community college dependent beneficiaries.

17 (a) Purpose. It is the purpose of this amendatory Act of
18 1997 to establish a uniform program of health benefits for
19 community college benefit recipients and their dependent
20 beneficiaries under the administration of the Department of
21 Central Management Services.

22 (b) Creation of program. Beginning July 1, 1999, the

1 Department of Central Management Services shall be responsible
2 for administering a program of health benefits for community
3 college benefit recipients and community college dependent
4 beneficiaries under this Section. The State Universities
5 Retirement System and the boards of trustees of the various
6 community college districts shall cooperate with the
7 Department in this endeavor.

8 (c) Eligibility. All community college benefit recipients
9 and community college dependent beneficiaries shall be
10 eligible to participate in the program established under this
11 Section, without any interruption or delay in coverage or
12 limitation as to pre-existing medical conditions. Eligibility
13 to participate shall be determined by the State Universities
14 Retirement System. Eligibility information shall be
15 communicated to the Department of Central Management Services
16 in a format acceptable to the Department.

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

26 (d) Coverage. The health benefit coverage provided under

1 this Section shall be a program of health, dental, and vision
2 benefits.

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

9 (e) Insurance rates and premiums. The Director shall
10 determine the insurance rates and premiums for community
11 college benefit recipients and community college dependent
12 beneficiaries and shall present to the State Universities
13 Retirement System, by April 15 of each calendar year, the
14 rate-setting methodology (including, but not limited to,
15 utilization levels and costs) used to determine the insurance
16 rates and premiums. Rates and premiums may be based in part on
17 age and eligibility for federal Medicare coverage. The
18 Director shall also determine premiums that will allow for the
19 establishment of an actuarially sound reserve for this
20 program.

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

23 (1) For a community college benefit recipient, up to
24 75% of the total insurance rate shall be paid from the
25 Community College Health Insurance Security Fund.

26 (2) The balance of the rate of insurance, including

1 the entire premium for any coverage for community college
2 dependent beneficiaries that has been elected, shall be
3 paid by deductions authorized by the community college
4 benefit recipient to be withheld from his or her monthly
5 annuity or benefit payment from the State Universities
6 Retirement System; except that (i) if the balance of the
7 cost of coverage exceeds the amount of the monthly annuity
8 or benefit payment, the difference shall be paid directly
9 to the State Universities Retirement System by the
10 community college benefit recipient, and (ii) all or part
11 of the balance of the cost of coverage may, at the option
12 of the board of trustees of the community college
13 district, be paid to the State Universities Retirement
14 System by the board of the community college district from
15 which the community college benefit recipient retired. The
16 State Universities Retirement System shall promptly
17 deposit all moneys withheld by or paid to it under this
18 subdivision (e)(2) into the Community College Health
19 Insurance Security Fund. These moneys shall not be
20 considered assets of the State Universities Retirement
21 System.

22 (f) Financing. All revenues arising from the
23 administration of the health benefit program established under
24 this Section shall be deposited into the Community College
25 Health Insurance Security Fund, which is hereby created as a
26 nonappropriated trust fund to be held outside the State

1 Treasury, with the State Treasurer as custodian. Any interest
2 earned on moneys in the Community College Health Insurance
3 Security Fund shall be deposited into the Fund.

4 Moneys in the Community College Health Insurance Security
5 Fund shall be used only to pay the costs of the health benefit
6 program established under this Section, including associated
7 administrative costs and the establishment of a program
8 reserve. Beginning January 1, 1999, the Department of Central
9 Management Services may make expenditures from the Community
10 College Health Insurance Security Fund for those costs.

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

22 (h) Continuation of program. It is the intention of the
23 General Assembly that the program of health benefits provided
24 under this Section be maintained on an ongoing, affordable
25 basis. The program of health benefits provided under this
26 Section may be amended by the State and is not intended to be a

1 pension or retirement benefit subject to protection under
2 Article XIII, Section 5 of the Illinois Constitution.

3 (i) Other health benefit plans. A health benefit plan
4 provided by a community college district (other than a
5 community college district subject to Article VII of the
6 Public Community College Act) under the terms of a collective
7 bargaining agreement in effect on or prior to the effective
8 date of this amendatory Act of 1997 shall continue in force
9 according to the terms of that agreement, unless otherwise
10 mutually agreed by the parties to that agreement and the
11 affected retiree. A community college benefit recipient or
12 community college dependent beneficiary whose coverage under
13 such a plan expires shall be eligible to begin participating
14 in the program established under this Section without any
15 interruption or delay in coverage or limitation as to
16 pre-existing medical conditions.

17 This Act does not prohibit any community college district
18 from offering additional health benefits for its retirees or
19 their dependents or survivors.

20 (j) Committee. A Community College Insurance Program
21 Committee shall be established and shall consist of the
22 following 7 members who are appointed by the Governor: 2
23 members who represent organized labor and are each members of
24 different unions; one member who represents community college
25 retirees; one member who represents community college
26 trustees; one member who represents community college

1 presidents; one member who represents the Illinois Community
2 College Board; and one ex officio member who represents the
3 State Universities Retirement System. The Department of
4 Central Management Services shall provide administrative
5 support to the Committee. The Committee shall convene at least
6 4 times each year and shall review and make recommendations on
7 program contribution rates once the program is forecasted to
8 have satisfied the outstanding program debt existing on June
9 30, 2023 and is operating on a no-hold payment cycle.

10 (Source: P.A. 100-1017, eff. 8-21-18.)

11 (5 ILCS 375/6.10)

12 Sec. 6.10. Contributions to the Community College Health
13 Insurance Security Fund.

14 (a) Beginning January 1, 1999 and through June 30, 2023,
15 every active contributor of the State Universities Retirement
16 System (established under Article 15 of the Illinois Pension
17 Code) who (1) is a full-time employee of a community college
18 district (other than a community college district subject to
19 Article VII of the Public Community College Act) or an
20 association of community college boards and (2) is not an
21 employee as defined in Section 3 of this Act shall make
22 contributions toward the cost of community college annuitant
23 and survivor health benefits at the rate of 0.50% of salary.
24 Beginning July 1, 2023 and through June 30, 2024, the
25 contribution rate shall be 0.75% of salary. Beginning July 1,

1 2024 and through June 30, 2026, the contribution rate shall be
2 a percentage of salary to be determined by the Department of
3 Central Management Services, which in each fiscal year shall
4 not exceed a 0.1 percentage point increase in the amount of
5 salary actually required to be contributed for the previous
6 fiscal year. Beginning July 1, 2026, the contribution rate
7 shall be a percentage of salary to be determined by the
8 Department of Central Management Services, which in each
9 fiscal year shall not exceed 105% of the percentage of salary
10 actually required to be contributed for the previous fiscal
11 year.

12 These contributions shall be deducted by the employer and
13 paid to the State Universities Retirement System as service
14 agent for the Department of Central Management Services. The
15 System may use the same processes for collecting the
16 contributions required by this subsection that it uses to
17 collect the contributions received from those employees under
18 Section 15-157 of the Illinois Pension Code. An employer may
19 agree to pick up or pay the contributions required under this
20 subsection on behalf of the employee; such contributions shall
21 be deemed to have been paid by the employee.

22 The State Universities Retirement System shall promptly
23 deposit all moneys collected under this subsection (a) into
24 the Community College Health Insurance Security Fund created
25 in Section 6.9 of this Act. The moneys collected under this
26 Section shall be used only for the purposes authorized in

1 Section 6.9 of this Act and shall not be considered to be
2 assets of the State Universities Retirement System.
3 Contributions made under this Section are not transferable to
4 other pension funds or retirement systems and are not
5 refundable upon termination of service.

6 (b) Beginning January 1, 1999 and through June 30, 2023,
7 every community college district (other than a community
8 college district subject to Article VII of the Public
9 Community College Act) or association of community college
10 boards that is an employer under the State Universities
11 Retirement System shall contribute toward the cost of the
12 community college health benefits provided under Section 6.9
13 of this Act an amount equal to 0.50% of the salary paid to its
14 full-time employees who participate in the State Universities
15 Retirement System and are not members as defined in Section 3
16 of this Act. Beginning July 1, 2023 and through June 30, 2024,
17 the contribution rate shall be 0.75% of the salary. Beginning
18 July 1, 2024 and through June 30, 2026, the contribution rate
19 shall be a percentage of salary to be determined by the
20 Department of Central Management Services, which in each
21 fiscal year shall not exceed a 0.1 percentage point increase
22 in the amount of salary actually required to be contributed
23 for the previous fiscal year. Beginning July 1, 2026, the
24 contribution rate shall be a percentage of salary to be
25 determined by the Department of Central Management Services,
26 which in each fiscal year shall not exceed 105% of the

1 percentage of salary actually required to be contributed for
2 the previous fiscal year.

3 These contributions shall be paid by the employer to the
4 State Universities Retirement System as service agent for the
5 Department of Central Management Services. The System may use
6 the same processes for collecting the contributions required
7 by this subsection that it uses to collect the contributions
8 received from those employers under Section 15-155 of the
9 Illinois Pension Code.

10 The State Universities Retirement System shall promptly
11 deposit all moneys collected under this subsection (b) into
12 the Community College Health Insurance Security Fund created
13 in Section 6.9 of this Act. The moneys collected under this
14 Section shall be used only for the purposes authorized in
15 Section 6.9 of this Act and shall not be considered to be
16 assets of the State Universities Retirement System.
17 Contributions made under this Section are not transferable to
18 other pension funds or retirement systems and are not
19 refundable upon termination of service.

20 The Department of Central Management Services, or any
21 successor agency designated to procure healthcare contracts
22 pursuant to this Act, is authorized to establish funds,
23 separate accounts provided by any bank or banks as defined by
24 the Illinois Banking Act, or separate accounts provided by any
25 savings and loan association or associations as defined by the
26 Illinois Savings and Loan Act of 1985 to be held by the

1 Director, outside the State treasury, for the purpose of
2 receiving the transfer of moneys from the Community College
3 Health Insurance Security Fund. The Department may promulgate
4 rules further defining the methodology for the transfers. Any
5 interest earned by moneys in the funds or accounts shall inure
6 to the Community College Health Insurance Security Fund. The
7 transferred moneys, and interest accrued thereon, shall be
8 used exclusively for transfers to administrative service
9 organizations or their financial institutions for payments of
10 claims to claimants and providers under the self-insurance
11 health plan. The transferred moneys, and interest accrued
12 thereon, shall not be used for any other purpose including,
13 but not limited to, reimbursement of administration fees due
14 the administrative service organization pursuant to its
15 contract or contracts with the Department.

16 (c) On or before November 15 of each year, the Board of
17 Trustees of the State Universities Retirement System shall
18 certify to the Governor, the Director of Central Management
19 Services, and the State Comptroller its estimate of the total
20 amount of contributions to be paid under subsection (a) of
21 this Section for the next fiscal year. Beginning in fiscal
22 year 2008, the amount certified shall be decreased or
23 increased each year by the amount that the actual active
24 employee contributions either fell short of or exceeded the
25 estimate used by the Board in making the certification for the
26 previous fiscal year. The State Universities Retirement System

1 shall calculate the amount of actual active employee
2 contributions in fiscal years 1999 through 2005. Based upon
3 this calculation, the fiscal year 2008 certification shall
4 include an amount equal to the cumulative amount that the
5 actual active employee contributions either fell short of or
6 exceeded the estimate used by the Board in making the
7 certification for those fiscal years. The certification shall
8 include a detailed explanation of the methods and information
9 that the Board relied upon in preparing its estimate. As soon
10 as possible after the effective date of this Section, the
11 Board shall submit its estimate for fiscal year 1999.

12 On or after the effective date of this amendatory Act of
13 the 103rd General Assembly, but no later than June 30, 2023,
14 the Board shall recalculate and recertify to the Governor, the
15 Director of Central Management Services, and the State
16 Comptroller its estimate of the total amount of contributions
17 to be paid under subsection (a) for State fiscal year 2024,
18 taking into account the changes in required employee
19 contributions made by this amendatory Act of the 103rd General
20 Assembly.

21 (d) Beginning in fiscal year 1999, on the first day of each
22 month, or as soon thereafter as may be practical, the State
23 Treasurer and the State Comptroller shall transfer from the
24 General Revenue Fund to the Community College Health Insurance
25 Security Fund 1/12 of the annual amount appropriated for that
26 fiscal year to the State Comptroller for deposit into the

1 Community College Health Insurance Security Fund under Section
2 1.4 of the State Pension Funds Continuing Appropriation Act.

3 (e) Except where otherwise specified in this Section, the
4 definitions that apply to Article 15 of the Illinois Pension
5 Code apply to this Section.

6 (Source: P.A. 98-488, eff. 8-16-13.)

7 Section 5-15. The State Treasurer Act is amended by
8 changing Section 16.8 as follows:

9 (15 ILCS 505/16.8)

10 Sec. 16.8. Illinois Higher Education Savings Program.

11 (a) Definitions. As used in this Section:

12 "Beneficiary" means an eligible child named as a recipient
13 of seed funds.

14 "Eligible child" means a child born or adopted after
15 December 31, 2022, to a parent who is a resident of Illinois at
16 the time of the birth or adoption, as evidenced by
17 documentation received by the Treasurer from the Department of
18 Revenue, the Department of Public Health, or another State or
19 local government agency.

20 "Eligible educational institution" means institutions that
21 are described in Section 1001 of the federal Higher Education
22 Act of 1965 that are eligible to participate in Department of
23 Education student aid programs.

24 "Fund" means the Illinois Higher Education Savings Program

1 Fund.

2 "Omnibus account" means the pooled collection of seed
3 funds owned and managed by the State Treasurer in the College
4 Savings Pool under this Act.

5 "Program" means the Illinois Higher Education Savings
6 Program.

7 "Qualified higher education expense" means the following:

8 (i) tuition, fees, and the costs of books, supplies, and
9 equipment required for enrollment or attendance at an eligible
10 educational institution; (ii) expenses for special needs
11 services, in the case of a special needs beneficiary, which
12 are incurred in connection with such enrollment or attendance;
13 (iii) certain expenses for the purchase of computer or
14 peripheral equipment, computer software, or Internet access
15 and related services as defined under Section 529 of the
16 Internal Revenue Code; (iv) room and board expenses incurred
17 while attending an eligible educational institution at least
18 half-time; (v) expenses for fees, books, supplies, and
19 equipment required for the participation of a designated
20 beneficiary in an apprenticeship program registered and
21 certified with the Secretary of Labor under the National
22 Apprenticeship Act (29 U.S.C. 50); and (vi) amounts paid as
23 principal or interest on any qualified education loan of the
24 designated beneficiary or a sibling of the designated
25 beneficiary, as allowed under Section 529 of the Internal
26 Revenue Code.

1 "Seed funds" means the deposit made by the State Treasurer
2 into the Omnibus Accounts for Program beneficiaries.

3 (b) Program established. The State Treasurer shall
4 establish the Illinois Higher Education Savings Program as a
5 part of the College Savings Pool under Section 16.5 of this
6 Act, subject to appropriation by the General Assembly. The
7 State Treasurer shall administer the Program for the purposes
8 of expanding access to higher education through savings.

9 (c) Program enrollment. The State Treasurer shall enroll
10 all eligible children in the Program beginning in 2023, after
11 receiving records of recent births, adoptions, or dependents
12 from the Department of Revenue, the Department of Public
13 Health, or another State or local government agency designated
14 by the Treasurer. Notwithstanding any court order which would
15 otherwise prevent the release of information, the Department
16 of Public Health is authorized to release the information
17 specified under this subsection (c) to the State Treasurer for
18 the purposes of the Program established under this Section.

19 (1) Beginning in 2021, the Department of Public Health
20 shall provide the State Treasurer with information on
21 recent Illinois births and adoptions including, but not
22 limited to: the full name, residential address, birth
23 date, and birth record number of the child and the full
24 name and residential address of the child's parent or
25 legal guardian for the purpose of enrolling eligible
26 children in the Program. This data shall be provided to

1 the State Treasurer by the Department of Public Health on
2 a quarterly basis, no later than 30 days after the end of
3 each quarter, or some other date and frequency as mutually
4 agreed to by the State Treasurer and the Department of
5 Public Health.

6 (1.5) Beginning in 2021, the Department of Revenue
7 shall provide the State Treasurer with information on tax
8 filers claiming dependents or the adoption tax credit
9 including, but not limited to: the full name, residential
10 address, email address, phone number, birth date, and
11 social security number or taxpayer identification number
12 of the dependent child and of the child's parent or legal
13 guardian for the purpose of enrolling eligible children in
14 the Program. This data shall be provided to the State
15 Treasurer by the Department of Revenue on at least an
16 annual basis, by July 1 of each year or another date
17 jointly determined by the State Treasurer and the
18 Department of Revenue. Notwithstanding anything to the
19 contrary contained within this paragraph (2), the
20 Department of Revenue shall not be required to share any
21 information that would be contrary to federal law,
22 regulation, or Internal Revenue Service Publication 1075.

23 (2) The State Treasurer shall ensure the security and
24 confidentiality of the information provided by the
25 Department of Revenue, the Department of Public Health, or
26 another State or local government agency, and it shall not

1 be subject to release under the Freedom of Information
2 Act.

3 (3) Information provided under this Section shall only
4 be used by the State Treasurer for the Program and shall
5 not be used for any other purpose.

6 (4) The State Treasurer and any vendors working on the
7 Program shall maintain strict confidentiality of any
8 information provided under this Section, and shall
9 promptly provide written or electronic notice to the
10 providing agency of any security breach. The providing
11 State or local government agency shall remain the sole and
12 exclusive owner of information provided under this
13 Section.

14 (d) Seed funds. After receiving information on recent
15 births, adoptions, or dependents from the Department of
16 Revenue, the Department of Public Health, or another State or
17 local government agency, the State Treasurer shall make
18 deposits into an omnibus account on behalf of eligible
19 children. The State Treasurer shall be the owner of the
20 omnibus accounts.

21 (1) Deposit amount. The seed fund deposit for each
22 eligible child shall be in the amount of \$50. This amount
23 may be increased by the State Treasurer by rule. The State
24 Treasurer may use or deposit funds appropriated by the
25 General Assembly together with moneys received as gifts,
26 grants, or contributions into the Fund. If insufficient

1 funds are available in the Fund, the State Treasurer may
2 reduce the deposit amount or forego deposits.

3 (2) Use of seed funds. Seed funds, including any
4 interest, dividends, and other earnings accrued, will be
5 eligible for use by a beneficiary for qualified higher
6 education expenses if:

7 (A) the parent or guardian of the eligible child
8 claimed the seed funds for the beneficiary by the
9 beneficiary's 10th birthday;

10 (B) the beneficiary has completed secondary
11 education or has reached the age of 18; and

12 (C) the beneficiary is currently a resident of the
13 State of Illinois. Non-residents are not eligible to
14 claim or use seed funds.

15 (3) Notice of seed fund availability. The State
16 Treasurer shall make a good faith effort to notify
17 beneficiaries and their parents or legal guardians of the
18 seed funds' availability and the deadline to claim such
19 funds.

20 (4) Unclaimed seed funds. Seed funds and any interest
21 earnings that are unclaimed by the beneficiary's 10th
22 birthday or unused by the beneficiary's 26th birthday will
23 be considered forfeited. Unclaimed and unused seed funds
24 and any interest earnings will remain in the omnibus
25 account for future beneficiaries.

26 (e) Financial education. The State Treasurer may develop

1 educational materials that support the financial literacy of
2 beneficiaries and their legal guardians, and may do so in
3 collaboration with State and federal agencies, including, but
4 not limited to, the Illinois State Board of Education and
5 existing nonprofit agencies with expertise in financial
6 literacy and education.

7 (f) Supplementary deposits and partnerships. The State
8 Treasurer may make supplementary deposits to children in
9 financially insecure households if sufficient funds are
10 available. Furthermore, the State Treasurer may develop
11 partnerships with private, nonprofit, or governmental
12 organizations to provide additional savings incentives,
13 including conditional cash transfers or matching contributions
14 that provide a savings incentive based on specific actions
15 taken or other criteria.

16 (g) Illinois Higher Education Savings Program Fund. The
17 Illinois Higher Education Savings Program Fund is hereby
18 established as a special fund in the State treasury. The Fund
19 shall be the official repository of all contributions,
20 appropriated funds, interest, and dividend payments, gifts, or
21 other financial assets received by the State Treasurer in
22 connection with the operation of the Program or related
23 partnerships. All such moneys shall be deposited into ~~in~~ the
24 Fund and held by the State Treasurer as custodian thereof. The
25 State Treasurer may accept gifts, grants, awards, matching
26 contributions, interest income, and appropriated funds from

1 individuals, businesses, governments, and other third-party
2 sources to implement the Program on terms that the Treasurer
3 deems advisable. All interest or other earnings accruing or
4 received on amounts in the Illinois Higher Education Savings
5 Program Fund shall be credited to and retained by the Fund and
6 used for the benefit of the Program. Assets of the Fund must at
7 all times be preserved, invested, and expended only for the
8 purposes of the Program and must be held for the benefit of the
9 beneficiaries. Assets may not be transferred or used by the
10 State or the State Treasurer for any purposes other than the
11 purposes of the Program. In addition, no moneys, interest, or
12 other earnings paid into the Fund shall be used, temporarily
13 or otherwise, for inter-fund borrowing or be otherwise used or
14 appropriated except as expressly authorized by this Act.
15 Notwithstanding the requirements of this subsection (g),
16 amounts in the Fund may be used by the State Treasurer to pay
17 the administrative costs of the Program.

18 (g-5) Fund deposits and payments. On July 15 of each year,
19 beginning July 15, 2023, or as soon thereafter as practical,
20 the State Comptroller shall direct and the State Treasurer
21 shall transfer the sum of \$2,500,000, or the amount that is
22 appropriated annually by the General Assembly, whichever is
23 greater, from the General Revenue Fund to the Illinois Higher
24 Education Savings Program Fund to be used for the
25 administration and operation of the Program.

26 (h) Audits and reports. The State Treasurer shall include

1 the Illinois Higher Education Savings Program as part of the
2 audit of the College Savings Pool described in Section 16.5.
3 The State Treasurer shall annually prepare a report that
4 includes a summary of the Program operations for the preceding
5 fiscal year, including the number of children enrolled in the
6 Program, the total amount of seed fund deposits, the rate of
7 seed deposits claimed, and, to the extent data is reported and
8 available, the racial, ethnic, socioeconomic, and geographic
9 data of beneficiaries and of children in financially insecure
10 households who may receive automatic bonus deposits. Such
11 other information that is relevant to make a full disclosure
12 of the operations of the Program and Fund may also be reported.
13 The report shall be made available on the Treasurer's website
14 by January 31 each year, starting in January of 2024. The State
15 Treasurer may include the Program in other reports as
16 warranted.

17 (i) Rules. The State Treasurer may adopt rules necessary
18 to implement this Section.

19 (Source: P.A. 101-466, eff. 1-1-20; 102-129, eff. 7-23-21;
20 102-558, eff. 8-20-21; 102-1047, eff. 1-1-23.)

21 Section 5-16. The Community Development Loan Guarantee Act
22 is amended by changing Section 30-35 and by adding Section
23 30-36 as follows:

24 (15 ILCS 516/30-35)

1 Sec. 30-35. Limitations on funding. The State Treasurer
2 may allocate ~~use~~ up to \$10,000,000 of investment earnings each
3 year for the Loan Guarantee Program, provided that no more
4 than \$50,000,000 may be used for guaranteeing loans at any
5 given time. The State Treasurer shall make the allocation to
6 the Loan Guarantee Administrative Trust Fund prior to
7 allocating interest from the gross earnings of the State
8 investment portfolio.

9 (Source: P.A. 101-657, eff. 3-23-21.)

10 (15 ILCS 516/30-36 new)

11 Sec. 30-36. Loan Guarantee Administrative Trust Fund. The
12 Loan Guarantee Administrative Trust Fund is created as a
13 nonappropriated trust fund within the State treasury. Moneys
14 in the Fund may be used by the State Treasurer to guarantee
15 loans and to cover administrative expenses related to the
16 Program. The Fund may receive any grants or other moneys
17 designated for administrative purposes from the State, from
18 any unit of federal, State, or local government, or from any
19 other person, firm, partnership, or corporation.

20 Section 5-17. The Substance Use Disorder Act is amended by
21 changing Section 5-10 as follows:

22 (20 ILCS 301/5-10)

23 Sec. 5-10. Functions of the Department.

1 (a) In addition to the powers, duties and functions vested
2 in the Department by this Act, or by other laws of this State,
3 the Department shall carry out the following activities:

4 (1) Design, coordinate and fund comprehensive
5 community-based and culturally and gender-appropriate
6 services throughout the State. These services must include
7 prevention, early intervention, treatment, and other
8 recovery support services for substance use disorders that
9 are accessible and address ~~addresses~~ the needs of at-risk
10 individuals and their families.

11 (2) Act as the exclusive State agency to accept,
12 receive and expend, pursuant to appropriation, any public
13 or private monies, grants or services, including those
14 received from the federal government or from other State
15 agencies, for the purpose of providing prevention, early
16 intervention, treatment, and other recovery support
17 services for substance use disorders.

18 (2.5) In partnership with the Department of Healthcare
19 and Family Services, act as one of the principal State
20 agencies for the sole purpose of calculating the
21 maintenance of effort requirement under Section 1930 of
22 Title XIX, Part B, Subpart II of the Public Health Service
23 Act (42 U.S.C. 300x-30) and the Interim Final Rule (45 CFR
24 96.134).

25 (3) Coordinate a statewide strategy for the
26 prevention, early intervention, treatment, and recovery

1 support of substance use disorders. This strategy shall
2 include the development of a comprehensive plan, submitted
3 annually with the application for federal substance use
4 disorder block grant funding, for the provision of an
5 array of such services. The plan shall be based on local
6 community-based needs and upon data including, but not
7 limited to, that which defines the prevalence of and costs
8 associated with substance use disorders. This
9 comprehensive plan shall include identification of
10 problems, needs, priorities, services and other pertinent
11 information, including the needs of minorities and other
12 specific priority populations in the State, and shall
13 describe how the identified problems and needs will be
14 addressed. For purposes of this paragraph, the term
15 "minorities and other specific priority populations" may
16 include, but shall not be limited to, groups such as
17 women, children, intravenous drug users, persons with AIDS
18 or who are HIV infected, veterans, African-Americans,
19 Puerto Ricans, Hispanics, Asian Americans, the elderly,
20 persons in the criminal justice system, persons who are
21 clients of services provided by other State agencies,
22 persons with disabilities and such other specific
23 populations as the Department may from time to time
24 identify. In developing the plan, the Department shall
25 seek input from providers, parent groups, associations and
26 interested citizens.

1 The plan developed under this Section shall include an
2 explanation of the rationale to be used in ensuring that
3 funding shall be based upon local community needs,
4 including, but not limited to, the incidence and
5 prevalence of, and costs associated with, substance use
6 disorders, as well as upon demonstrated program
7 performance.

8 The plan developed under this Section shall also
9 contain a report detailing the activities of and progress
10 made through services for the care and treatment of
11 substance use disorders among pregnant women and mothers
12 and their children established under subsection (j) of
13 Section 35-5.

14 As applicable, the plan developed under this Section
15 shall also include information about funding by other
16 State agencies for prevention, early intervention,
17 treatment, and other recovery support services.

18 (4) Lead, foster and develop cooperation, coordination
19 and agreements among federal and State governmental
20 agencies and local providers that provide assistance,
21 services, funding or other functions, peripheral or
22 direct, in the prevention, early intervention, treatment,
23 and recovery support for substance use disorders. This
24 shall include, but shall not be limited to, the following:

25 (A) Cooperate with and assist other State
26 agencies, as applicable, in establishing and

1 conducting substance use disorder services among the
2 populations they respectively serve.

3 (B) Cooperate with and assist the Illinois
4 Department of Public Health in the establishment,
5 funding and support of programs and services for the
6 promotion of maternal and child health and the
7 prevention and treatment of infectious diseases,
8 including but not limited to HIV infection, especially
9 with respect to those persons who are high risk due to
10 intravenous injection of illegal drugs, or who may
11 have been sexual partners of these individuals, or who
12 may have impaired immune systems as a result of a
13 substance use disorder.

14 (C) Supply to the Department of Public Health and
15 prenatal care providers a list of all providers who
16 are licensed to provide substance use disorder
17 treatment for pregnant women in this State.

18 (D) Assist in the placement of child abuse or
19 neglect perpetrators (identified by the Illinois
20 Department of Children and Family Services (DCFS)) who
21 have been determined to be in need of substance use
22 disorder treatment pursuant to Section 8.2 of the
23 Abused and Neglected Child Reporting Act.

24 (E) Cooperate with and assist DCFS in carrying out
25 its mandates to:

26 (i) identify substance use disorders among its

1 clients and their families; and

2 (ii) develop services to deal with such
3 disorders.

4 These services may include, but shall not be limited
5 to, programs to prevent or treat substance use
6 disorders with DCFS clients and their families,
7 identifying child care needs within such treatment,
8 and assistance with other issues as required.

9 (F) Cooperate with and assist the Illinois
10 Criminal Justice Information Authority with respect to
11 statistical and other information concerning the
12 incidence and prevalence of substance use disorders.

13 (G) Cooperate with and assist the State
14 Superintendent of Education, boards of education,
15 schools, police departments, the Illinois State
16 Police, courts and other public and private agencies
17 and individuals in establishing prevention programs
18 statewide and preparing curriculum materials for use
19 at all levels of education.

20 (H) Cooperate with and assist the Illinois
21 Department of Healthcare and Family Services in the
22 development and provision of services offered to
23 recipients of public assistance for the treatment and
24 prevention of substance use disorders.

25 (I) (Blank).

26 (5) From monies appropriated to the Department from

1 the Drunk and Drugged Driving Prevention Fund, reimburse
2 DUI evaluation and risk education programs licensed by the
3 Department for providing indigent persons with free or
4 reduced-cost evaluation and risk education services
5 relating to a charge of driving under the influence of
6 alcohol or other drugs.

7 (6) Promulgate regulations to identify and disseminate
8 best practice guidelines that can be utilized by publicly
9 and privately funded programs as well as for levels of
10 payment to government funded programs that provide
11 prevention, early intervention, treatment, and other
12 recovery support services for substance use disorders and
13 those services referenced in Sections 15-10 and 40-5.

14 (7) In consultation with providers and related trade
15 associations, specify a uniform methodology for use by
16 funded providers and the Department for billing and
17 collection and dissemination of statistical information
18 regarding services related to substance use disorders.

19 (8) Receive data and assistance from federal, State
20 and local governmental agencies, and obtain copies of
21 identification and arrest data from all federal, State and
22 local law enforcement agencies for use in carrying out the
23 purposes and functions of the Department.

24 (9) Designate and license providers to conduct
25 screening, assessment, referral and tracking of clients
26 identified by the criminal justice system as having

1 indications of substance use disorders and being eligible
2 to make an election for treatment under Section 40-5 of
3 this Act, and assist in the placement of individuals who
4 are under court order to participate in treatment.

5 (10) Identify and disseminate evidence-based best
6 practice guidelines as maintained in administrative rule
7 that can be utilized to determine a substance use disorder
8 diagnosis.

9 (11) (Blank).

10 (12) Make grants with funds appropriated from the Drug
11 Treatment Fund in accordance with Section 7 of the
12 Controlled Substance and Cannabis Nuisance Act, or in
13 accordance with Section 80 of the Methamphetamine Control
14 and Community Protection Act, or in accordance with
15 subsections (h) and (i) of Section 411.2 of the Illinois
16 Controlled Substances Act, or in accordance with Section
17 6z-107 of the State Finance Act.

18 (13) Encourage all health and disability insurance
19 programs to include substance use disorder treatment as a
20 covered service and to use evidence-based best practice
21 criteria as maintained in administrative rule and as
22 required in Public Act 99-0480 in determining the
23 necessity for such services and continued stay.

24 (14) Award grants and enter into fixed-rate and
25 fee-for-service arrangements with any other department,
26 authority or commission of this State, or any other state

1 or the federal government or with any public or private
2 agency, including the disbursement of funds and furnishing
3 of staff, to effectuate the purposes of this Act.

4 (15) Conduct a public information campaign to inform
5 the State's Hispanic residents regarding the prevention
6 and treatment of substance use disorders.

7 (b) In addition to the powers, duties and functions vested
8 in it by this Act, or by other laws of this State, the
9 Department may undertake, but shall not be limited to, the
10 following activities:

11 (1) Require all organizations licensed or funded by
12 the Department to include an education component to inform
13 participants regarding the causes and means of
14 transmission and methods of reducing the risk of acquiring
15 or transmitting HIV infection and other infectious
16 diseases, and to include funding for such education
17 component in its support of the program.

18 (2) Review all State agency applications for federal
19 funds that include provisions relating to the prevention,
20 early intervention and treatment of substance use
21 disorders in order to ensure consistency.

22 (3) Prepare, publish, evaluate, disseminate and serve
23 as a central repository for educational materials dealing
24 with the nature and effects of substance use disorders.
25 Such materials may deal with the educational needs of the
26 citizens of Illinois, and may include at least pamphlets

1 that describe the causes and effects of fetal alcohol
2 spectrum disorders.

3 (4) Develop and coordinate, with regional and local
4 agencies, education and training programs for persons
5 engaged in providing services for persons with substance
6 use disorders, which programs may include specific HIV
7 education and training for program personnel.

8 (5) Cooperate with and assist in the development of
9 education, prevention, early intervention, and treatment
10 programs for employees of State and local governments and
11 businesses in the State.

12 (6) Utilize the support and assistance of interested
13 persons in the community, including recovering persons, to
14 assist individuals and communities in understanding the
15 dynamics of substance use disorders, and to encourage
16 individuals with substance use disorders to voluntarily
17 undergo treatment.

18 (7) Promote, conduct, assist or sponsor basic
19 clinical, epidemiological and statistical research into
20 substance use disorders and research into the prevention
21 of those problems either solely or in conjunction with any
22 public or private agency.

23 (8) Cooperate with public and private agencies,
24 organizations and individuals in the development of
25 programs, and to provide technical assistance and
26 consultation services for this purpose.

1 (9) (Blank).

2 (10) (Blank).

3 (11) Fund, promote, or assist entities dealing with
4 substance use disorders.

5 (12) With monies appropriated from the Group Home Loan
6 Revolving Fund, make loans, directly or through
7 subcontract, to assist in underwriting the costs of
8 housing in which individuals recovering from substance use
9 disorders may reside, pursuant to Section 50-40 of this
10 Act.

11 (13) Promulgate such regulations as may be necessary
12 to carry out the purposes and enforce the provisions of
13 this Act.

14 (14) Provide funding to help parents be effective in
15 preventing substance use disorders by building an
16 awareness of the family's role in preventing substance use
17 disorders through adjusting expectations, developing new
18 skills, and setting positive family goals. The programs
19 shall include, but not be limited to, the following
20 subjects: healthy family communication; establishing rules
21 and limits; how to reduce family conflict; how to build
22 self-esteem, competency, and responsibility in children;
23 how to improve motivation and achievement; effective
24 discipline; problem solving techniques; and how to talk
25 about drugs and alcohol. The programs shall be open to all
26 parents.

1 (15) Establish an Opioid Remediation Services Capital
2 Investment Grant Program. The Department may, subject to
3 appropriation and approval through the Opioid Overdose
4 Prevention and Recovery Steering Committee, after
5 recommendation by the Illinois Opioid Remediation Advisory
6 Board, and certification by the Office of the Attorney
7 General, make capital improvement grants to units of local
8 government and substance use prevention, treatment, and
9 recovery service providers addressing opioid remediation
10 in the State for approved abatement uses under the
11 Illinois Opioid Allocation Agreement. The Illinois Opioid
12 Remediation State Trust Fund shall be the source of
13 funding for the program. Eligible grant recipients shall
14 be units of local government and substance use prevention,
15 treatment, and recovery service providers that offer
16 facilities and services in a manner that supports and
17 meets the approved uses of the opioid settlement funds.
18 Eligible grant recipients have no entitlement to a grant
19 under this Section. The Department of Human Services may
20 consult with the Capital Development Board, the Department
21 of Commerce and Economic Opportunity, and the Illinois
22 Housing Development Authority to adopt rules to implement
23 this Section and may create a competitive application
24 procedure for grants to be awarded. The rules may specify
25 the manner of applying for grants; grantee eligibility
26 requirements; project eligibility requirements;

1 restrictions on the use of grant moneys; the manner in
2 which grantees must account for the use of grant moneys;
3 and any other provision that the Department of Human
4 Services determines to be necessary or useful for the
5 administration of this Section. Rules may include a
6 requirement for grantees to provide local matching funds
7 in an amount equal to a specific percentage of the grant.
8 No portion of an opioid remediation services capital
9 investment grant awarded under this Section may be used by
10 a grantee to pay for any ongoing operational costs or
11 outstanding debt. The Department of Human Services may
12 consult with the Capital Development Board, the Department
13 of Commerce and Economic Opportunity, and the Illinois
14 Housing Development Authority in the management and
15 disbursement of funds for capital-related projects. The
16 Capital Development Board, the Department of Commerce and
17 Economic Opportunity, and the Illinois Housing Development
18 Authority shall act in a consulting role only for the
19 evaluation of applicants, scoring of applicants, or
20 administration of the grant program.

21 (c) There is created within the Department of Human
22 Services an Office of Opioid Settlement Administration. The
23 Office shall be responsible for implementing and administering
24 approved abatement programs as described in Exhibit B of the
25 Illinois Opioid Allocation Agreement, effective December 30,
26 2021. The Office may also implement and administer other

1 opioid-related programs, including but not limited to
2 prevention, treatment, and recovery services from other funds
3 made available to the Department of Human Services. The
4 Secretary of Human Services shall appoint or assign staff as
5 necessary to carry out the duties and functions of the Office.

6 (Source: P.A. 101-10, eff. 6-5-19; 102-538, eff. 8-20-21;
7 102-699, eff. 4-19-22.)

8 Section 5-20. The Department of Central Management
9 Services Law of the Civil Administrative Code of Illinois is
10 amended by changing Section 405-293 as follows:

11 (20 ILCS 405/405-293)

12 Sec. 405-293. Professional Services.

13 (a) The Department of Central Management Services (the
14 "Department") is responsible for providing professional
15 services for or on behalf of State agencies for all functions
16 transferred to the Department by Executive Order No. 2003-10
17 (as modified by Section 5.5 of the Executive Reorganization
18 Implementation Act) and may, with the approval of the
19 Governor, provide additional services to or on behalf of State
20 agencies. To the extent not compensated by direct fund
21 transfers, the Department shall be reimbursed from each State
22 agency receiving the benefit of these services. The
23 reimbursement shall be determined by the Director of Central
24 Management Services as the amount required to reimburse the

1 Professional Services Fund for the Department's costs of
2 rendering the professional services on behalf of that State
3 agency. For purposes of this Section, funds due the Department
4 for professional services may be made through appropriations
5 to the Department from the General Revenue Fund, as determined
6 by and provided for by the General Assembly.

7 (a-5) The Department of Central Management Services may
8 provide professional services and other services as authorized
9 by subsection (a) for or on behalf of other State entities with
10 the approval of both the Director of Central Management
11 Services and the appropriate official or governing body of the
12 other State entity.

13 (b) For the purposes of this Section, "State agency" means
14 each State agency, department, board, and commission directly
15 responsible to the Governor. "Professional services" means
16 legal services, internal audit services, and other services as
17 approved by the Governor. "Other State entity" means the
18 Illinois State Board of Education and the Illinois State Toll
19 Highway Authority.

20 (Source: P.A. 93-839, eff. 7-30-04; 94-91, eff. 7-1-05.)

21 Section 5-25. The Children and Family Services Act is
22 amended by changing Section 25 as follows:

23 (20 ILCS 505/25) (from Ch. 23, par. 5025)

24 Sec. 25. Funds ~~Grants, gifts, or legacies~~; Putative Father

1 Registry fees.

2 (a) The DCFS Special Purposes Trust Fund is created as a
3 trust fund in the State treasury. The Department is authorized
4 to accept and deposit into the Fund moneys received from
5 grants, gifts, or any other source, public or private, in
6 support of the activities authorized by this Act or on behalf
7 of any institution or program of the Department. Moneys
8 received from federal sources or pursuant to Section 8.27 of
9 the State Finance Act or Section 5-9-1.8 of the Unified Code of
10 Corrections shall not be deposited into the Fund ~~To accept and~~
11 ~~hold in behalf of the State, if for the public interest, a~~
12 ~~grant, gift or legacy of money or property to the State of~~
13 ~~Illinois, to the Department, or to any institution or program~~
14 ~~of the Department made in trust for the maintenance or support~~
15 ~~of a resident of an institution of the Department, or for any~~
16 ~~other legitimate purpose connected with such institution or~~
17 ~~program. The Department shall cause each gift, grant or legacy~~
18 ~~to be kept as a distinct fund, and shall invest the same in the~~
19 ~~manner provided by the laws of this State as the same now~~
20 ~~exist, or shall hereafter be enacted, relating to securities~~
21 ~~in which the deposit in savings banks may be invested. But the~~
22 ~~Department may, in its discretion, deposit in a proper trust~~
23 ~~company or savings bank, during the continuance of the trust,~~
24 ~~any fund so left in trust for the life of a person, and shall~~
25 ~~adopt rules and regulations governing the deposit, transfer,~~
26 ~~or withdrawal of such fund. The Department shall on the~~

1 ~~expiration of any trust as provided in any instrument creating~~
2 ~~the same, dispose of the fund thereby created in the manner~~
3 ~~provided in such instrument. The Department shall include in~~
4 ~~its required reports a statement showing what funds are so~~
5 ~~held by it and the condition thereof. Monies found on~~
6 ~~residents at the time of their admission, or accruing to them~~
7 ~~during their period of institutional care, and monies~~
8 ~~deposited with the superintendents by relatives, guardians or~~
9 ~~friends of residents for the special comfort and pleasure of~~
10 ~~such resident, shall remain in the custody of such~~
11 ~~superintendents who shall act as trustees for disbursement to,~~
12 ~~in behalf of, or for the benefit of such resident. All types of~~
13 ~~retirement and pension benefits from private and public~~
14 ~~sources may be paid directly to the superintendent of the~~
15 ~~institution where the person is a resident, for deposit to the~~
16 ~~resident's trust fund account.~~

17 (b) The Department shall deposit ~~hold~~ all Putative Father
18 Registry fees collected under Section 12.1 of the Adoption Act
19 into the DCFS Special Purposes Trust Fund ~~in a distinct fund~~
20 for the Department's use in maintaining the Putative Father
21 Registry. ~~The Department shall invest the moneys in the fund~~
22 ~~in the same manner as moneys in the funds described in~~
23 ~~subsection (a) and shall include in its required reports a~~
24 ~~statement showing the condition of the fund.~~

25 (c) The DCFS Federal Projects Fund is created as a federal
26 trust fund in the State treasury. Moneys in the DCFS Federal

1 Projects Fund shall be used for the specific purposes
2 established by the terms and conditions of the federal grant
3 or award and for other authorized expenses in accordance with
4 federal requirements.

5 (Source: P.A. 94-1010, eff. 10-1-06.)

6 Section 5-30. The Illinois Promotion Act is amended by
7 changing Section 3, 4a, and 8a as follows:

8 (20 ILCS 665/3) (from Ch. 127, par. 200-23)

9 Sec. 3. Definitions. The following words and terms,
10 whenever used or referred to in this Act, shall have the
11 following meanings, except where the context may otherwise
12 require:

13 (a) "Department" means the Department of Commerce and
14 Economic Opportunity of the State of Illinois.

15 (b) "Local promotion group" means any non-profit
16 corporation, organization, association, agency or committee
17 thereof formed for the primary purpose of publicizing,
18 promoting, advertising or otherwise encouraging the
19 development of tourism in any municipality, county, or region
20 of Illinois.

21 (c) "Promotional activities" means preparing, planning and
22 conducting campaigns of information, advertising and publicity
23 through such media as newspapers, radio, television,
24 magazines, trade journals, moving and still photography,

1 posters, outdoor signboards and personal contact within and
2 without the State of Illinois; dissemination of information,
3 advertising, publicity, photographs and other literature and
4 material designed to carry out the purpose of this Act; and
5 participation in and attendance at meetings and conventions
6 concerned primarily with tourism, including travel to and from
7 such meetings.

8 (d) "Municipality" means "municipality" as defined in
9 Section 1-1-2 of the Illinois Municipal Code, as heretofore
10 and hereafter amended.

11 (e) "Tourism" means travel 50 miles or more one-way or an
12 overnight trip outside of a person's normal routine.

13 (f) "Municipal amateur sports facility" means a sports
14 facility that: (1) is owned by a unit of local government; (2)
15 has contiguous indoor sports competition space; (3) is
16 designed to principally accommodate and host amateur
17 competitions for youths, adults, or both; and (4) is not used
18 for professional sporting events where participants are
19 compensated for their participation.

20 (g) "Municipal convention center" means a convention
21 center or civic center owned by a unit of local government or
22 operated by a convention center authority, or a municipal
23 convention hall as defined in paragraph (1) of Section 11-65-1
24 of the Illinois Municipal Code, ~~with contiguous exhibition~~
25 ~~space ranging between 30,000 and 125,000 square feet.~~

26 (h) "Convention center authority" means an Authority, as

1 defined by the Civic Center Code, that operates a municipal
2 convention center ~~with contiguous exhibition space ranging~~
3 ~~between 30,000 and 125,000 square feet.~~

4 (i) "Incentive" means: (1) a financial incentive provided
5 by a unit of local government, a local promotion group, a
6 not-for-profit organization, a for-profit organization, or a
7 convention center authority to attract a convention, meeting,
8 or trade show ~~held at a municipal convention center~~ that, but
9 for the incentive, would not have occurred in the State or been
10 retained in the State; or (2) a financial incentive provided
11 by a unit of local government, a local promotion group, a
12 not-for-profit organization, a for-profit organization, or a
13 convention center authority for attracting a sporting event
14 ~~held at its municipal amateur sports facility~~ that, but for
15 the incentive, would not have occurred in the State or been
16 retained in the State; but (3) only a financial incentive
17 offered or provided to a person or entity in the form of
18 financial benefits or costs which are allowable costs pursuant
19 to the Grant Accountability and Transparency Act.

20 (j) "Unit of local government" has the meaning provided in
21 Section 1 of Article VII of the Illinois Constitution.

22 (k) "Local parks" means any park, recreation area, or
23 other similar facility owned or operated by a unit of local
24 government.

25 (Source: P.A. 101-10, eff. 6-5-19; 102-287, eff. 8-6-21.)

1 (20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

2 Sec. 4a. Funds.

3 (1) All moneys deposited into ~~in~~ the Tourism Promotion
4 Fund pursuant to this subsection are allocated to the
5 Department for utilization, as appropriated, in the
6 performance of its powers under Section 4; ~~except that during~~
7 ~~fiscal year 2013, the Department shall reserve \$9,800,000 of~~
8 ~~the total funds available for appropriation in the Tourism~~
9 ~~Promotion Fund for appropriation to the Historic Preservation~~
10 ~~Agency for the operation of the Abraham Lincoln Presidential~~
11 ~~Library and Museum and State historic sites; and except that~~
12 beginning in fiscal year 2019, moneys in the Tourism Promotion
13 Fund may also be allocated to the Illinois Department of
14 Agriculture, the Illinois Department of Natural Resources, and
15 the Abraham Lincoln Presidential Library and Museum for
16 utilization, as appropriated, to administer their
17 responsibilities as State agencies promoting tourism in
18 Illinois, and for tourism-related purposes.

19 ~~As soon as possible after the first day of each month,~~
20 ~~beginning July 1, 1997 and ending on the effective date of this~~
21 ~~amendatory Act of the 100th General Assembly, upon~~
22 ~~certification of the Department of Revenue, the Comptroller~~
23 ~~shall order transferred and the Treasurer shall transfer from~~
24 ~~the General Revenue Fund to the Tourism Promotion Fund an~~
25 ~~amount equal to 13% of the net revenue realized from the Hotel~~
26 ~~Operators' Occupation Tax Act plus an amount equal to 13% of~~

1 ~~the net revenue realized from any tax imposed under Section~~
2 ~~4.05 of the Chicago World's Fair 1992 Authority Act during the~~
3 ~~preceding month. "Net revenue realized for a month" means the~~
4 ~~revenue collected by the State under that Act during the~~
5 ~~previous month less the amount paid out during that same month~~
6 ~~as refunds to taxpayers for overpayment of liability under~~
7 ~~that Act.~~

8 (1.1) (Blank).

9 (2) (Blank). ~~As soon as possible after the first day of~~
10 ~~each month, beginning July 1, 1997 and ending on the effective~~
11 ~~date of this amendatory Act of the 100th General Assembly,~~
12 ~~upon certification of the Department of Revenue, the~~
13 ~~Comptroller shall order transferred and the Treasurer shall~~
14 ~~transfer from the General Revenue Fund to the Tourism~~
15 ~~Promotion Fund an amount equal to 8% of the net revenue~~
16 ~~realized from the Hotel Operators' Occupation Tax plus an~~
17 ~~amount equal to 8% of the net revenue realized from any tax~~
18 ~~imposed under Section 4.05 of the Chicago World's Fair 1992~~
19 ~~Authority Act during the preceding month. "Net revenue~~
20 ~~realized for a month" means the revenue collected by the State~~
21 ~~under that Act during the previous month less the amount paid~~
22 ~~out during that same month as refunds to taxpayers for~~
23 ~~overpayment of liability under that Act.~~

24 ~~All monies deposited in the Tourism Promotion Fund under~~
25 ~~this subsection (2) shall be used solely as provided in this~~
26 ~~subsection to advertise and promote tourism throughout~~

1 ~~Illinois. Appropriations of monies deposited in the Tourism~~
2 ~~Promotion Fund pursuant to this subsection (2) shall be used~~
3 ~~solely for advertising to promote tourism, including but not~~
4 ~~limited to advertising production and direct advertisement~~
5 ~~costs, but shall not be used to employ any additional staff,~~
6 ~~finance any individual event, or lease, rent or purchase any~~
7 ~~physical facilities. The Department shall coordinate its~~
8 ~~advertising under this subsection (2) with other public and~~
9 ~~private entities in the State engaged in similar promotion~~
10 ~~activities. Print or electronic media production made pursuant~~
11 ~~to this subsection (2) for advertising promotion shall not~~
12 ~~contain or include the physical appearance of or reference to~~
13 ~~the name or position of any public officer. "Public officer"~~
14 ~~means a person who is elected to office pursuant to statute, or~~
15 ~~who is appointed to an office which is established, and the~~
16 ~~qualifications and duties of which are prescribed, by statute,~~
17 ~~to discharge a public duty for the State or any of its~~
18 ~~political subdivisions.~~

19 (3) (Blank). ~~Notwithstanding anything in this Section to~~
20 ~~the contrary, amounts transferred from the General Revenue~~
21 ~~Fund to the Tourism Promotion Fund pursuant to this Section~~
22 ~~shall not exceed \$26,300,000 in State fiscal year 2012.~~

23 (4) (Blank). ~~As soon as possible after the first day of~~
24 ~~each month, beginning July 1, 2017 and ending June 30, 2018, if~~
25 ~~the amount of revenue deposited into the Tourism Promotion~~
26 ~~Fund under subsection (c) of Section 6 of the Hotel Operators'~~

1 ~~Occupation Tax Act is less than 21% of the net revenue realized~~
2 ~~from the Hotel Operators' Occupation Tax during the preceding~~
3 ~~month, then, upon certification of the Department of Revenue,~~
4 ~~the State Comptroller shall direct and the State Treasurer~~
5 ~~shall transfer from the General Revenue Fund to the Tourism~~
6 ~~Promotion Fund an amount equal to the difference between 21%~~
7 ~~of the net revenue realized from the Hotel Operators'~~
8 ~~Occupation Tax during the preceding month and the amount of~~
9 ~~revenue deposited into the Tourism Promotion Fund under~~
10 ~~subsection (c) of Section 6 of the Hotel Operators' Occupation~~
11 ~~Tax Act.~~

12 (5) As soon as possible after the first day of each month,
13 beginning July 1, 2018, if the amount of revenue deposited
14 into the Tourism Promotion Fund under Section 6 of the Hotel
15 Operators' Occupation Tax Act is less than 21% of the net
16 revenue realized from the Hotel Operators' Occupation Tax
17 during the preceding month, then, upon certification of the
18 Department of Revenue, the State Comptroller shall direct and
19 the State Treasurer shall transfer from the General Revenue
20 Fund to the Tourism Promotion Fund an amount equal to the
21 difference between 21% of the net revenue realized from the
22 Hotel Operators' Occupation Tax during the preceding month and
23 the amount of revenue deposited into the Tourism Promotion
24 Fund under Section 6 of the Hotel Operators' Occupation Tax
25 Act.

26 (6) In addition to any other transfers that may be

1 provided for by law, on the effective date of this amendatory
 2 Act of the 103rd General Assembly, or as soon thereafter as
 3 practical, but no later than June 30, 2023, the State
 4 Comptroller shall direct and the State Treasurer shall
 5 transfer from the Tourism Promotion Fund into the designated
 6 funds the following amounts:

7	<u>International Tourism Fund</u>	<u>\$2,274,267.36</u>
8	<u>Chicago Travel Industry Promotion Fund</u>	<u>\$4,396,916.95</u>
9	<u>Local Tourism Fund</u>	<u>\$7,367,503.22</u>

10 (Source: P.A. 100-23, eff. 7-6-17; 100-587, eff. 6-4-18.)

11 (20 ILCS 665/8a) (from Ch. 127, par. 200-28a)

12 Sec. 8a. Tourism grants and loans.

13 (1) The Department is authorized to make grants and loans,
 14 subject to appropriations by the General Assembly for this
 15 purpose from the Tourism Promotion Fund, to counties,
 16 municipalities, other units of local government, local
 17 promotion groups, not-for-profit organizations, or for-profit
 18 businesses for the development or improvement of tourism
 19 attractions in Illinois. Individual grants and loans shall not
 20 exceed \$1,000,000 and shall not exceed 50% of the entire
 21 amount of the actual expenditures for the development or
 22 improvement of a tourist attraction. Agreements for loans made
 23 by the Department pursuant to this subsection may contain
 24 provisions regarding term, interest rate, security as may be
 25 required by the Department and any other provisions the

1 Department may require to protect the State's interest.

2 (2) From appropriations to the Department from the State
3 CURE fund for this purpose, the Department shall establish
4 Tourism Attraction grants for purposes outlined in subsection
5 (1). Grants under this subsection shall not exceed \$1,000,000
6 but may exceed 50% of the entire amount of the actual
7 expenditure for the development or improvement of a tourist
8 attraction, including, but not limited to, festivals.
9 Expenditures of such funds shall be in accordance with the
10 permitted purposes under Section 9901 of the American Rescue
11 Plan Act of 2021 and all related federal guidance.

12 (3) Subject to appropriation, the Department is authorized
13 to issue competitive grants with initial terms of up to 5 years
14 for the purpose of administering an incentive program that
15 will attract or retain conventions, meetings, sporting events,
16 and trade shows in Illinois with the goal of increasing
17 business or leisure travel.

18 (Source: P.A. 102-16, eff. 6-17-21; 102-287, eff. 8-6-21;
19 102-813, eff. 5-13-22.)

20 Section 5-31. The Department of Human Services Act is
21 amended by adding Section 1-85 as follows:

22 (20 ILCS 1305/1-85 new)

23 Sec. 1-85. Home Illinois Program. Subject to
24 appropriation, the Department of Human Services shall

1 establish the Home Illinois Program. The Home Illinois Program
2 shall focus on preventing and ending homelessness in Illinois
3 and may include, but not be limited to, homeless prevention,
4 emergency and transitional housing, rapid rehousing, outreach,
5 capital investment, and related services and supports for
6 individuals at risk or experiencing homelessness. The
7 Department may establish program eligibility criteria and
8 other program requirements by rule. The Department of Human
9 Services may consult with the Capital Development Board, the
10 Department of Commerce and Economic Opportunity, and the
11 Illinois Housing Development Authority in the management and
12 disbursement of funds for capital related projects. The
13 Capital Development Board, the Department of Commerce and
14 Economic Opportunity, and the Illinois Housing Development
15 Authority shall act in a consulting role only for the
16 evaluation of applicants, scoring of applicants, or
17 administration of the grant program.

18 Section 5-32. The Department of Innovation and Technology
19 Act is amended by adding Section 1-16 as follows:

20 (20 ILCS 1370/1-16 new)

21 Sec. 1-16. Personnel. The Governor may, with the advice
22 and consent of the Senate, appoint a person within the
23 Department to serve as the Deputy Secretary. The Deputy
24 Secretary shall receive an annual salary as set by the

1 Governor and shall be paid out of appropriations to the
2 Department. The Deputy Secretary shall not be subject to the
3 Personnel Code. The duties of the Deputy Secretary shall
4 include the coordination of the State's digital modernization
5 and other duties as assigned by the Secretary.

6 Section 5-33. The Disabilities Services Act of 2003 is
7 amended by changing Sections 51, 52, and 53 as follows:

8 (20 ILCS 2407/51)

9 Sec. 51. Legislative intent. It is the intent of the
10 General Assembly to promote the civil rights of persons with
11 disabilities by providing community-based service for persons
12 with disabilities when such services are determined
13 appropriate and desired, as required by Title II of the
14 Americans with Disabilities Act under the United States
15 Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581
16 (1999). In accordance with Section 6071 of the Deficit
17 Reduction Act of 2005 (P.L. 109-171), as amended by the
18 federal Consolidated Appropriations Act, 2021 (P.L. 116-260),
19 the purpose of this Act is (i) to identify and reduce barriers
20 or mechanisms, whether in State law, the State Medicaid Plan,
21 the State budget, or otherwise, that prevent or restrict the
22 flexible use of public funds to enable individuals with
23 disabilities to receive support for appropriate and necessary
24 long-term care services in settings of their choice; (ii) to

1 increase the use of home and community-based long-term care
2 services, rather than institutions or long-term care
3 facilities; (iii) to increase the ability of the State
4 Medicaid program to assure continued provision of home and
5 community-based long-term care services to eligible
6 individuals who choose to transition from an institution or a
7 long-term care facility to a community setting; and (iv) to
8 ensure that procedures are in place that are at least
9 comparable to those required under the qualified home and
10 community-based program to provide quality assurance for
11 eligible individuals receiving Medicaid home and
12 community-based long-term care services and to provide for
13 continuous quality improvement in such services. Utilizing the
14 framework created by the "Money Follows the Person"
15 demonstration project, approval received by the State on May
16 14, 2007, and any subsequently enacted "Money Follows the
17 Person" demonstration project or initiative terms and
18 conditions, the purpose of this Act is to codify and reinforce
19 the State's commitment to promote individual choice and
20 control and increase utilization of home and community-based
21 services through:

22 (a) Increased ability of the State Medicaid program to
23 ensure continued provision of home and community-based
24 long-term care services to eligible individuals who choose
25 to transition from an institution to a community setting.

26 (b) Assessment and removal of barriers to community

1 reintegration, including development of a comprehensive
2 housing strategy.

3 (c) Expand availability of consumer self-directed
4 service options.

5 (d) Increased use of home and community-based
6 long-term care services, rather than institutions or
7 long-term care facilities, ~~such that the percentage of the~~
8 ~~State long term care budget expended for community based~~
9 ~~services increases from its current 28.5% to at least 37%~~
10 ~~in the next 5 years.~~

11 (e) Creation and implementation of interagency
12 agreements or budgetary mechanisms to allow for the
13 flexible movement of allocated dollars from institutional
14 budget appropriations to appropriations supporting home
15 and community-based services or Medicaid State Plan
16 options.

17 (f) Creation of an equitable, clinically sound and
18 cost-effective system for identification and review of
19 community transition candidates across all long-term care
20 systems; including improvement of prescreening, assessment
21 for rapid reintegration and targeted review of longer stay
22 residents, training and outreach education for providers
23 and consumers on community alternatives across all
24 long-term care systems.

25 (g) Development and implementation of data and
26 information systems to track individuals across service

1 systems and funding streams; support responsive
2 eligibility determination; facilitate placement and care
3 decisions; identify individuals with potential for
4 transition; and drive planning for the development of
5 community-based alternatives.

6 (h) Establishment of procedures that are at least
7 comparable to those required under the qualified home and
8 community-based program to provide quality assurance for
9 eligible individuals receiving Medicaid home and
10 community-based long-term care services and to provide for
11 continuous quality improvement in such services.

12 (i) Nothing in this amendatory Act of the 95th General
13 Assembly shall diminish or restrict the choice of an
14 individual to reside in an institution or the quality of
15 care they receive.

16 (Source: P.A. 95-438, eff. 1-1-08.)

17 (20 ILCS 2407/52)

18 Sec. 52. Applicability; definitions. In accordance with
19 Section 6071 of the Deficit Reduction Act of 2005 (P.L.
20 109-171), as used in this Article:

21 "Departments". The term "Departments" means for the
22 purposes of this Act, the Department of Human Services, the
23 Department on Aging, Department of Healthcare and Family
24 Services and Department of Public Health, unless otherwise
25 noted.

1 "Home and community-based long-term care services". The
2 term "home and community-based long-term care services" means,
3 with respect to the State Medicaid program, a service aid, or
4 benefit, home and community-based services, including, but not
5 limited to, home health and personal care services, that are
6 provided to a person with a disability, and are voluntarily
7 accepted, as part of his or her long-term care that: (i) is
8 provided under the State's qualified home and community-based
9 program or that could be provided under such a program but is
10 otherwise provided under the Medicaid program; (ii) is
11 delivered in a qualified residence; and (iii) is necessary for
12 the person with a disability to live in the community.

13 "ID/DD community care facility". The term "ID/DD community
14 care facility", for the purposes of this Article, means a
15 skilled nursing or intermediate long-term care facility
16 subject to licensure by the Department of Public Health under
17 the ID/DD Community Care Act or the MC/DD Act, an intermediate
18 care facility for persons with developmental disabilities
19 (ICF-DDs), and a State-operated developmental center or mental
20 health center, whether publicly or privately owned.

21 "Money Follows the Person" Demonstration. Enacted by the
22 Deficit Reduction Act of 2005, as amended by the federal
23 Consolidated Appropriations Act, 2021 (P.L. 116-260), the
24 Money Follows the Person (MFP) Rebalancing Demonstration is
25 part of a comprehensive, coordinated strategy to assist
26 states, in collaboration with stakeholders, to make widespread

1 changes to their long-term care support systems. This
2 initiative will assist states in their efforts to reduce their
3 reliance on institutional care while developing
4 community-based long-term care opportunities, enabling the
5 elderly and people with disabilities to fully participate in
6 their communities.

7 "Public funds" mean any funds appropriated by the General
8 Assembly to the Departments of Human Services, on Aging, of
9 Healthcare and Family Services and of Public Health for
10 settings and services as defined in this Article.

11 "Qualified residence". The term "qualified residence"
12 means, with respect to an eligible individual: (i) a home
13 owned or leased by the individual or the individual's
14 authorized representative (as defined by P.L. 109-171); (ii)
15 an apartment with an individual lease, with lockable access
16 and egress, and which includes living, sleeping, bathing, and
17 cooking areas over which the individual or the individual's
18 family has domain and control; or (iii) a residence, in a
19 community-based residential setting, in which no more than 4
20 unrelated individuals reside. Where qualified residences are
21 not sufficient to meet the demand of eligible individuals,
22 time-limited exceptions to this definition may be developed
23 through administrative rule.

24 "Self-directed services". The term "self-directed
25 services" means, with respect to home and community-based
26 long-term services for an eligible individual, those services

1 for the individual that are planned and purchased under the
2 direction and control of the individual or the individual's
3 authorized representative, including the amount, duration,
4 scope, provider, and location of such services, under the
5 State Medicaid program consistent with the following
6 requirements:

7 (a) Assessment: there is an assessment of the needs,
8 capabilities, and preference of the individual with
9 respect to such services.

10 (b) Individual service care or treatment plan: based
11 on the assessment, there is development jointly with such
12 individual or individual's authorized representative, a
13 plan for such services for the individual that (i)
14 specifies those services, if any, that the individual or
15 the individual's authorized representative would be
16 responsible for directing; (ii) identifies the methods by
17 which the individual or the individual's authorized
18 representative or an agency designated by an individual or
19 representative will select, manage, and dismiss providers
20 of such services.

21 (Source: P.A. 99-143, eff. 7-27-15; 99-180, eff. 7-29-15;
22 99-642, eff. 7-28-16.)

23 (20 ILCS 2407/53)

24 Sec. 53. Rebalancing benchmarks.

25 (a) Illinois' long-term care system is in a state of

1 transformation, as evidenced by the creation and subsequent
2 work products of the Disability Services Advisory Committee,
3 Older Adult Services Advisory Committee, Housing Task Force
4 and other executive and legislative branch initiatives.

5 (b) Illinois' Money Follows the Person demonstrations or
6 initiatives capitalize ~~demonstration approval capitalizes~~ on
7 this progress and commit ~~commits~~ the State to transition
8 ~~approximately 3,357~~ older persons and persons with
9 developmental, physical, or psychiatric disabilities from
10 institutional to home and community-based settings, as
11 appropriate ~~resulting in an increased percentage of long-term~~
12 ~~care community spending over the next 5 years.~~

13 (c) (Blank). ~~The State will endeavor to increase the~~
14 ~~percentage of community based long term care spending over the~~
15 ~~next 5 years according to the following timeline:~~

16 ~~Estimated baseline: 28.5%~~

17 ~~Year 1: 30%~~

18 ~~Year 2: 31%~~

19 ~~Year 3: 32%~~

20 ~~Year 4: 35%~~

21 ~~Year 5: 37%~~

22 (d) The Departments will utilize interagency agreements
23 and will seek legislative authority to implement a Money
24 Follows the Person budgetary mechanism to allocate or
25 reallocate funds for the purpose of expanding the
26 availability, quality or stability of home and community-based

1 long-term care services and supports for persons with
2 disabilities.

3 (e) The allocation of public funds for home and
4 community-based long-term care services shall not have the
5 effect of: (i) diminishing or reducing the quality of services
6 available to residents of long-term care facilities; (ii)
7 forcing any residents of long-term care facilities to
8 involuntarily accept home and community-based long-term care
9 services, or causing any residents of long-term care
10 facilities to be involuntarily transferred or discharged;
11 (iii) causing reductions in long-term care facility
12 reimbursement rates in effect as of July 1, 2008; or (iv)
13 diminishing access to a full array of long-term care options.
14 (Source: P.A. 95-438, eff. 1-1-08.)

15 Section 5-35. The Illinois State Police Law of the Civil
16 Administrative Code of Illinois is amended by changing Section
17 2605-407 as follows:

18 (20 ILCS 2605/2605-407)

19 Sec. 2605-407. Illinois State Police Federal Projects
20 Fund.

21 (a) The Illinois State Police Federal Projects Fund is
22 established as a federal trust fund in the State treasury.
23 This federal Trust Fund is established to receive funds
24 awarded to the Illinois State Police from the following: (i)

1 all federal departments and agencies for the specific purposes
2 established by the terms and conditions of the federal awards
3 and (ii) federal pass-through grants from State departments
4 and agencies for the specific purposes established by the
5 terms and conditions of the grant agreements. Any interest
6 earnings that are attributable to moneys in the federal trust
7 fund must be deposited into the Fund.

8 (b) In addition to any other transfers that may be
9 provided for by law, on July 1, 2023, or as soon thereafter as
10 practical, the State Comptroller shall direct and the State
11 Treasurer shall transfer the sum of \$2,000,000 from the State
12 Police Services Fund to the Illinois State Police Federal
13 Projects Fund.

14 (Source: P.A. 102-538, eff. 8-20-21.)

15 Section 5-40. The State Fire Marshal Act is amended by
16 adding Section 2.8 as follows:

17 (20 ILCS 2905/2.8 new)

18 Sec. 2.8. Fire Station Rehabilitation and Construction
19 Grant Program. The Office shall establish and administer a
20 Fire Station Rehabilitation and Construction Grant Program to
21 award grants to units of local government for the
22 rehabilitation or construction of fire stations. The Office
23 shall adopt any rules necessary for the implementation and
24 administration of this Section.

1 Section 5-45. The Governor's Office of Management and
2 Budget Act is amended by adding Section 2.13 as follows:

3 (20 ILCS 3005/2.13 new)

4 Sec. 2.13. Appropriations; Railsplitter Tobacco Settlement
5 Authority Bonds. Subject to appropriation, the Office may make
6 payments from the Tobacco Settlement Recovery Fund to the
7 trustee of those bonds issued by the Railsplitter Tobacco
8 Settlement Authority with which the Authority has executed a
9 bond indenture pursuant to the terms of the Railsplitter
10 Tobacco Settlement Authority Act for the purpose of defeasing
11 outstanding bonds of the Authority.

12 Section 5-47. The Illinois Emergency Management Agency Act
13 is amended by adding Section 17.8 as follows:

14 (20 ILCS 3305/17.8 new)

15 Sec. 17.8. IEMA State Projects Fund. The IEMA State
16 Projects Fund is created as a trust fund in the State treasury.
17 The Fund shall consist of any moneys appropriated to the
18 Agency for purposes of the Illinois' Not-For-Profit Security
19 Grant Program, a grant program authorized by subsection (g-5)
20 of Section 5 of this Act, to provide funding support for target
21 hardening activities and other physical security enhancements
22 for qualifying not-for-profit organizations that are at high

1 risk of terrorist attack. The Agency is authorized to use
2 moneys appropriated from the Fund to make grants to
3 not-for-profit organizations for target hardening activities,
4 security personnel, and physical security enhancements and for
5 the payment of administrative expenses associated with the
6 Not-For-Profit Security Grant Program. As used in this
7 Section, "target hardening activities" include, but are not
8 limited to, the purchase and installation of security
9 equipment on real property owned or leased by the
10 not-for-profit organization. Grants, gifts, and moneys from
11 any other source, public or private, may also be deposited
12 into the Fund and used for the purposes authorized by this Act.

13 Section 5-50. The State Finance Act is amended by changing
14 Sections 5.62, 5.366, 5.581, 5.765, 5.857, 6, 6z-27, 6z-32,
15 6z-35, 6z-43, 6z-100, 6z-121, 6z-126, 8.3, 8.12, 8g-1, 13.2,
16 and 25 and by adding Sections 5.990, 5e-1, and 5h.6 as follows:

17 (30 ILCS 105/5.62) (from Ch. 127, par. 141.62)

18 Sec. 5.62. The Working Capital Revolving Fund. This
19 Section is repealed on January 1, 2024.

20 (Source: Laws 1919, p. 946.)

21 (30 ILCS 105/5.366)

22 Sec. 5.366. The Live and Learn Fund. This Section is
23 repealed on January 1, 2024.

1 (Source: P.A. 88-78; 88-670, eff. 12-2-94.)

2 (30 ILCS 105/5.581)

3 Sec. 5.581. The Professional Sports Teams Education Fund.

4 This Section is repealed on January 1, 2024.

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

6 (30 ILCS 105/5.765)

7 Sec. 5.765. The Soil and Water Conservation District Fund.

8 This Section is repealed on January 1, 2024.

9 (Source: P.A. 96-1377, eff. 1-1-11; 97-333, eff. 8-12-11.)

10 (30 ILCS 105/5.857)

11 (Section scheduled to be repealed on July 1, 2023)

12 Sec. 5.857. The Capital Development Board Revolving Fund.

13 This Section is repealed July 1, ~~2023~~ 2025.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-645, eff. 6-26-20;

15 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

16 (30 ILCS 105/5.990 new)

17 Sec. 5.990. The Imagination Library of Illinois Fund.

18 (30 ILCS 105/5e-1 new)

19 Sec. 5e-1. Transfers from Road Fund. In addition to any

20 other transfers that may be provided for by law, on July 1,

21 2023, or as soon thereafter as practical, the State

1 Comptroller shall direct and the State Treasurer shall
2 transfer the sum of \$10,000,000 from the Road Fund to the
3 Federal Mass Transit Trust Fund. This Section is repealed on
4 January 1, 2025.

5 (30 ILCS 105/5h.6 new)

6 Sec. 5h.6. Cash flow borrowing and health insurance funds
7 liquidity.

8 (a) To meet cash flow deficits and to maintain liquidity
9 in the Community College Health Insurance Security Fund, the
10 State Treasurer and the State Comptroller, as directed by the
11 Governor, shall make transfers, on and after July 1, 2023 and
12 through June 30, 2024, to the Community College Health
13 Insurance Security Fund out of the Health Insurance Reserve
14 Fund, to the extent allowed by federal law.

15 The outstanding total transfers made from the Health
16 Insurance Reserve Fund to the Community College Health
17 Insurance Security Fund under this Section shall, at no time,
18 exceed \$50,000,000. Once the amount of \$50,000,000 has been
19 transferred from the Health Insurance Reserve Fund to the
20 Community College Health Insurance Security Fund, additional
21 transfers may be made from the Health Insurance Reserve Fund
22 to the Community College Health Insurance Security Fund under
23 this Section only to the extent that moneys have first been
24 retransferred from the Community College Health Insurance
25 Security Fund to the Health Insurance Reserve Fund.

1 (b) If moneys have been transferred to the Community
2 College Health Insurance Security Fund pursuant to subsection
3 (a) of this Section, this amendatory Act of the 103rd General
4 Assembly shall constitute the continuing authority for and
5 direction to the State Treasurer and State Comptroller to
6 reimburse the Health Insurance Reserve Fund from the Community
7 College Health Insurance Security Fund by transferring to the
8 Health Insurance Reserve Fund, at such times and in such
9 amounts as directed by the Comptroller when necessary to
10 support appropriated expenditures from the Health Insurance
11 Reserve Fund, an amount equal to that transferred from the
12 Health Insurance Reserve Fund, except that any moneys
13 transferred pursuant to subsection (a) of this Section shall
14 be repaid to the fund of origin within 108 months after the
15 date on which they were borrowed. The continuing authority for
16 reimbursement provided for in this subsection (b) shall expire
17 96 months after the date of the last transfer made pursuant to
18 subsection (a) of this Section, or June 30, 2032, whichever is
19 sooner.

20 (c) Beginning July 31, 2024, and every July 31 thereafter
21 until all moneys borrowed pursuant to this Section have been
22 repaid, the Comptroller shall annually report on every
23 transfer made pursuant to this Section. The report shall
24 identify the amount of each transfer, including the date and
25 the end-of-day balance of the Health Insurance Reserve Fund
26 and the Community College Health Insurance Security Fund on

1 the date each transfer was made, and the status of all funds
2 transferred under this Section for the previous fiscal year.
3 All reports under this Section shall be provided in an
4 electronic format to the Commission on Government Forecasting
5 and Accountability and to the Governor's Office of Management
6 and Budget.

7 (30 ILCS 105/6) (from Ch. 127, par. 142)

8 Sec. 6. The gross or total proceeds, receipts and income
9 of all lands leased by the Department of Corrections and of all
10 industrial operations at the several State institutions and
11 divisions under the direction and supervision of the
12 Department of Corrections shall be covered into the State
13 treasury into a state trust fund to be known as the ~~"The~~
14 Working Capital Revolving Fund". "Industrial operations", as
15 herein used, means and includes the operation of those State
16 institutions producing, by the use of materials, supplies and
17 labor, goods, or wares or merchandise to be sold. On July 1,
18 2023, or as soon thereafter as practical, the State
19 Comptroller shall direct and the State Treasurer shall
20 transfer the remaining balance from the Working Capital
21 Revolving Fund into the General Revenue Fund. Upon completion
22 of the transfer, the Working Capital Revolving Fund is
23 dissolved, and any future deposits due to that Fund and any
24 outstanding obligations or liabilities of that Fund shall pass
25 to the General Revenue Fund.

1 (Source: P.A. 90-372, eff. 7-1-98.)

2 (30 ILCS 105/6z-27)

3 Sec. 6z-27. All moneys in the Audit Expense Fund shall be
4 transferred, appropriated and used only for the purposes
5 authorized by, and subject to the limitations and conditions
6 prescribed by, the Illinois State Auditing Act.

7 Within 30 days after July 1, 2023 ~~2022~~, or as soon
8 thereafter as practical, the State Comptroller shall order
9 transferred and the State Treasurer shall transfer from the
10 following funds moneys in the specified amounts for deposit
11 into the Audit Expense Fund:

12	<u>African-American HIV/AIDS Response Fund</u>	\$1,421
13	<u>Agricultural Premium Fund</u>	\$122,719
14	<u>Alzheimer's Awareness Fund</u>	\$1,499
15	<u>Alzheimer's Disease Research, Care, and Support Fund</u>	\$662
16	<u>Amusement Ride and Patron Safety Fund</u>	\$6,315
17	<u>Assisted Living and Shared Housing Regulatory Fund</u>	\$2,564
18	<u>Capital Development Board Revolving Fund</u>	\$15,118
19	<u>Care Provider Fund for Persons with a Developmental</u>	
20	<u>Disability</u>	\$15,392
21	<u>Carolyn Adams Ticket For The Cure Grant Fund</u>	\$927
22	<u>CDLIS/AAMVANET/NMVTIS Trust Fund (Commercial</u>	
23	<u>Driver's License Information</u>	
24	<u>System/American Association of</u>	
25	<u>Motor Vehicle Administrators</u>	

1 network/National Motor Vehicle
 2 Title Information Service Trust Fund) \$5,236
 3 Chicago Police Memorial Foundation Fund \$708
 4 Chicago State University Education Improvement Fund .. \$13,666
 5 Child Labor and Day and Temporary Labor
 6 Services Enforcement Fund..... \$11,991
 7 Child Support Administrative Fund \$5,287
 8 Clean Air Act Permit Fund \$1,556
 9 Coal Technology Development Assistance Fund \$6,936
 10 Common School Fund \$343,892
 11 Community Mental Health Medicaid Trust Fund \$14,084
 12 Corporate Franchise Tax Refund Fund \$1,096
 13 DCFS Children's Services Fund \$8,766
 14 Death Certificate Surcharge Fund \$2,060
 15 Death Penalty Abolition Fund \$2,448
 16 Department of Business Services Special
 17 Operations Fund..... \$13,889
 18 Department of Human Services Community Services Fund .. \$7,970
 19 Downstate Public Transportation Fund \$11,631
 20 Dram Shop Fund \$142,500
 21 Driver Services Administration Fund..... \$1,873
 22 Drug Rebate Fund \$42,473
 23 Drug Treatment Fund..... \$1,767
 24 Education Assistance Fund..... \$2,031,292
 25 Emergency Public Health Fund \$5,162
 26 Environmental Protection Permit and Inspection Fund \$1,447

1	<u>Estate Tax Refund Fund</u>	\$852
2	<u>Facilities Management Revolving Fund</u>	\$50,148
3	<u>Facility Licensing Fund</u>	\$5,522
4	<u>Fair and Exposition Fund</u>	\$4,248
5	<u>Feed Control Fund</u>	\$7,709
6	<u>Fertilizer Control Fund</u>	\$6,849
7	<u>Fire Prevention Fund</u>	\$3,859
8	<u>Fund for the Advancement of Education</u>	\$24,772
9	<u>General Assembly Operations Revolving Fund</u>	\$1,146
10	<u>General Professions Dedicated Fund</u>	\$4,039
11	<u>General Revenue Fund</u>	\$17,653,153
12	<u>Governor's Administrative Fund</u>	\$2,832
13	<u>Governor's Grant Fund</u>	\$17,709
14	<u>Grade Crossing Protection Fund</u>	\$930
15	<u>Grant Accountability and Transparency Fund</u>	\$805
16	<u>Guardianship and Advocacy Fund</u>	\$14,843
17	<u>Hazardous Waste Fund</u>	\$835
18	<u>Health Facility Plan Review Fund</u>	\$1,776
19	<u>Health and Human Services Medicaid Trust Fund</u>	\$6,554
20	<u>Healthcare Provider Relief Fund</u>	\$407,107
21	<u>Healthy Smiles Fund</u>	\$738
22	<u>Home Care Services Agency Licensure Fund</u>	\$3,101
23	<u>Hospital Licensure Fund</u>	\$1,688
24	<u>Hospital Provider Fund</u>	\$138,829
25	<u>ICCB Federal Trust Fund</u>	\$9,968
26	<u>ICJIA Violence Prevention Fund</u>	\$932

1	<u>Illinois Affordable Housing Trust Fund</u>	<u>\$17,236</u>
2	<u>Illinois Clean Water Fund</u>	<u>\$2,152</u>
3	<u>Illinois Health Facilities Planning Fund</u>	<u>\$3,094</u>
4	<u>IMSA Income Fund</u>	<u>\$12,417</u>
5	<u>Illinois Power Agency Operations Fund</u>	<u>\$62,583</u>
6	<u>Illinois School Asbestos Abatement Fund</u>	<u>\$784</u>
7	<u>Illinois State Fair Fund</u>	<u>\$29,752</u>
8	<u>Illinois State Police Memorial Park Fund</u>	<u>\$681</u>
9	<u>Illinois Telecommunications Access Corporation Fund</u>	<u>\$1,668</u>
10	<u>Illinois Underground Utility Facilities</u>	
11	<u>Damage Prevention Fund</u>	<u>\$4,276</u>
12	<u>Illinois Veterans' Rehabilitation Fund</u>	<u>\$5,943</u>
13	<u>Illinois Workers' Compensation Commission</u>	
14	<u>Operations Fund</u>	<u>\$243,187</u>
15	<u>Income Tax Refund Fund</u>	<u>\$54,420</u>
16	<u>Lead Poisoning Screening, Prevention, and</u>	
17	<u>Abatement Fund</u>	<u>\$16,379</u>
18	<u>Live and Learn Fund</u>	<u>\$25,492</u>
19	<u>Lobbyist Registration Administration Fund</u>	<u>\$1,471</u>
20	<u>Local Government Distributive Fund</u>	<u>\$44,025</u>
21	<u>Long Term Care Monitor/Receiver Fund</u>	<u>\$42,016</u>
22	<u>Long-Term Care Provider Fund</u>	<u>\$13,537</u>
23	<u>Low-Level Radioactive Waste Facility Development</u>	
24	<u>and Operation Fund</u>	<u>\$618</u>
25	<u>Mandatory Arbitration Fund</u>	<u>\$2,104</u>
26	<u>Medical Special Purposes Trust Fund</u>	<u>\$786</u>

1	<u>Mental Health Fund</u>	\$9,376
2	<u>Mental Health Reporting Fund</u>	\$1,443
3	<u>Metabolic Screening and Treatment Fund</u>	\$32,049
4	<u>Monitoring Device Driving Permit Administration</u>	
5	<u>Fee Fund</u>	\$1,616
6	<u>Motor Fuel Tax Fund</u>	\$36,238
7	<u>Motor Vehicle License Plate Fund</u>	\$17,694
8	<u>Multiple Sclerosis Research Fund</u>	\$758
9	<u>Nuclear Safety Emergency Preparedness Fund</u>	\$26,117
10	<u>Nursing Dedicated and Professional Fund</u>	\$2,420
11	<u>Open Space Lands Acquisition and Development Fund</u>	\$658
12	<u>Partners For Conservation Fund</u>	\$89,847
13	<u>Pension Stabilization Fund</u>	\$1,031
14	<u>Personal Property Tax Replacement Fund</u>	\$290,755
15	<u>Pesticide Control Fund</u>	\$30,513
16	<u>Plumbing Licensure and Program Fund</u>	\$6,276
17	<u>Police Memorial Committee Fund</u>	\$813
18	<u>Professional Services Fund</u>	\$72,029
19	<u>Public Health Laboratory Services Revolving Fund</u>	\$5,816
20	<u>Public Transportation Fund</u>	\$46,826
21	<u>Public Utility Fund</u>	\$198,423
22	<u>Radiation Protection Fund</u>	\$11,034
23	<u>Renewable Energy Resources Trust Fund</u>	\$7,834
24	<u>Road Fund</u>	\$226,150
25	<u>Regional Transportation Authority Occupation</u>	
26	<u>and Use Tax Replacement Fund</u>	\$1,167

1	<u>School Infrastructure Fund</u>	<u>\$7,749</u>
2	<u>Secretary of State DUI Administration Fund</u>	<u>\$2,694</u>
3	<u>Secretary of State Identification Security</u>	
4	<u>and Theft Prevention Fund</u>	<u>\$12,676</u>
5	<u>Secretary of State Police Services Fund</u>	<u>\$717</u>
6	<u>Secretary of State Special License Plate Fund</u>	<u>\$4,203</u>
7	<u>Secretary of State Special Services Fund</u>	<u>\$34,491</u>
8	<u>Securities Audit and Enforcement Fund</u>	<u>\$8,198</u>
9	<u>Solid Waste Management Fund</u>	<u>\$1,613</u>
10	<u>Special Olympics Illinois and Special</u>	
11	<u>Children's Charities Fund</u>	<u>\$852</u>
12	<u>Special Education Medicaid Matching Fund</u>	<u>\$5,131</u>
13	<u>Sports Wagering Fund</u>	<u>\$4,450</u>
14	<u>State and Local Sales Tax Reform Fund</u>	<u>\$2,361</u>
15	<u>State Construction Account Fund</u>	<u>\$37,865</u>
16	<u>State Gaming Fund</u>	<u>\$94,435</u>
17	<u>State Garage Revolving Fund</u>	<u>\$8,977</u>
18	<u>State Lottery Fund</u>	<u>\$340,323</u>
19	<u>State Pensions Fund</u>	<u>\$500,000</u>
20	<u>State Treasurer's Bank Services Trust Fund</u>	<u>\$1,295</u>
21	<u>Supreme Court Special Purposes Fund</u>	<u>\$1,722</u>
22	<u>Tattoo and Body Piercing Establishment</u>	
23	<u>Registration Fund</u>	<u>\$950</u>
24	<u>Tax Compliance and Administration Fund</u>	<u>\$1,483</u>
25	<u>Technology Management Revolving Fund</u>	<u>\$186,193</u>
26	<u>Tobacco Settlement Recovery Fund</u>	<u>\$29,864</u>

1	<u>Tourism Promotion Fund</u>	\$50,155
2	<u>Transportation Regulatory Fund</u>	\$78,256
3	<u>Trauma Center Fund</u>	\$1,960
4	<u>Underground Storage Tank Fund</u>	\$3,630
5	<u>University of Illinois Hospital Services Fund</u>	\$6,712
6	<u>Vehicle Hijacking and Motor Vehicle</u>	
7	<u>Theft Prevention and Insurance</u>	
8	<u>Verification Trust Fund</u>	\$10,970
9	<u>Vehicle Inspection Fund</u>	\$5,069
10	<u>Weights and Measures Fund</u>	\$22,129
11	<u>Youth Alcoholism and Substance Abuse Prevention Fund</u>	\$526
12	Attorney General Court Ordered and Voluntary Compliance	
13	Payment Projects Fund	\$38,974
14	Attorney General Sex Offender Awareness,	
15	Training, and Education Fund	\$539
16	Aggregate Operations Regulatory Fund	\$711
17	Agricultural Premium Fund	\$25,265
18	Attorney General's State Projects and Court	
19	Ordered Distribution Fund	\$43,667
20	Anna Veterans Home Fund	\$15,792
21	Appraisal Administration Fund	\$4,017
22	Attorney General Whistleblower Reward	
23	and Protection Fund	\$22,896
24	Bank and Trust Company Fund	\$78,017
25	Cannabis Expungement Fund	\$4,501
26	Capital Development Board Revolving Fund	\$2,494

1	Care Provider Fund for Persons with	
2	 a Developmental Disability	\$5,707
3	CDLIS/AAMVAnet/NMVTIS Trust Fund	\$1,702
4	Cemetery Oversight Licensing and Disciplinary Fund	\$5,002
5	Chicago State University Education	
6	 Improvement Fund	\$16,218
7	Child Support Administrative Fund	\$2,657
8	Clean Air Act Permit Fund	\$10,108
9	Coal Technology Development Assistance Fund	\$12,943
10	Commitment to Human Services Fund	\$111,465
11	Common School Fund	\$445,997
12	Community Mental Health Medicaid Trust Fund	\$9,599
13	Community Water Supply Laboratory Fund	\$637
14	Credit Union Fund	\$16,048
15	DCFS Children's Services Fund	\$287,247
16	Department of Business Services	
17	 Special Operations Fund	\$4,402
18	Department of Corrections Reimbursement	
19	 and Education Fund	\$60,429
20	Design Professionals Administration	
21	 and Investigation Fund	\$3,362
22	Department of Human Services Community Services Fund ..	\$5,239
23	Downstate Public Transportation Fund	\$30,625
24	Driver Services Administration Fund	\$639
25	Drivers Education Fund	\$1,202
26	Drug Rebate Fund	\$22,702

1	Drug Treatment Fund	\$571
2	Drycleaner Environmental Response Trust Fund	\$846
3	Education Assistance Fund	\$1,969,661
4	Environmental Protection Permit and	
5	 Inspection Fund	\$7,079
6	Facilities Management Revolving Fund	\$16,163
7	Federal High Speed Rail Trust Fund	\$1,264
8	Federal Workforce Training Fund	\$91,791
9	Feed Control Fund	\$1,701
10	Fertilizer Control Fund	\$1,791
11	Fire Prevention Fund	\$3,507
12	Firearm Dealer License Certification Fund	\$648
13	Fund for the Advancement of Education	\$44,609
14	General Professions Dedicated Fund	\$31,353
15	General Revenue Fund	\$17,663,958
16	Grade Crossing Protection Fund	\$1,856
17	Hazardous Waste Fund	\$8,446
18	Health and Human Services Medicaid Trust Fund	\$6,134
19	Healthcare Provider Relief Fund	\$185,164
20	Horse Racing Fund	\$169,632
21	Hospital Provider Fund	\$63,346
22	ICCB Federal Trust Fund	\$10,805
23	Illinois Affordable Housing Trust Fund	\$5,414
24	Illinois Charity Bureau Fund	\$3,298
25	Illinois Clean Water Fund	\$11,951
26	Illinois Forestry Development Fund	\$11,004

1	Illinois Gaming Law Enforcement Fund	\$1,869
2	IMSA Income Fund	\$2,188
3	Illinois Military Family Relief Fund	\$6,986
4	Illinois Power Agency Operations Fund	\$41,229
5	Illinois State Dental Disciplinary Fund	\$6,127
6	Illinois State Fair Fund	\$660
7	Illinois State Medical Disciplinary Fund	\$23,384
8	Illinois State Pharmacy Disciplinary Fund	\$10,308
9	Illinois Veterans Assistance Fund	\$2,016
10	Illinois Veterans' Rehabilitation Fund	\$862
11	Illinois Wildlife Preservation Fund	\$1,742
12	Illinois Workers' Compensation Commission	
13	 Operations Fund	\$4,476
14	Income Tax Refund Fund	\$239,691
15	Insurance Financial Regulation Fund	\$104,462
16	Insurance Premium Tax Refund Fund	\$23,121
17	Insurance Producer Administration Fund	\$104,566
18	International Tourism Fund	\$1,985
19	LaSalle Veterans Home Fund	\$46,145
20	LEADS Maintenance Fund	\$681
21	Live and Learn Fund	\$8,120
22	Local Government Distributive Fund	\$154,289
23	Long Term Care Provider Fund	\$6,468
24	Manteno Veterans Home Fund	\$93,493
25	Mental Health Fund	\$12,227
26	Mental Health Reporting Fund	\$611

1	Monitoring Device Driving Permit	
2	Administration Fee Fund	\$617
3	Motor Carrier Safety Inspection Fund	\$1,823
4	Motor Fuel Tax Fund	\$103,497
5	Motor Vehicle License Plate Fund	\$5,656
6	Motor Vehicle Theft Prevention and Insurance	
7	Verification Trust Fund	\$2,618
8	Nursing Dedicated and Professional Fund	\$11,973
9	Off Highway Vehicle Trails Fund	\$1,994
10	Open Space Lands Acquisition and Development Fund	\$45,493
11	Optometric Licensing and Disciplinary Board Fund	\$1,169
12	Partners For Conservation Fund	\$19,950
13	Pawnbroker Regulation Fund	\$1,053
14	Personal Property Tax Replacement Fund	\$203,036
15	Pesticide Control Fund	\$6,845
16	Professional Services Fund	\$2,778
17	Professions Indirect Cost Fund	\$172,106
18	Public Pension Regulation Fund	\$6,919
19	Public Transportation Fund	\$77,303
20	Quincy Veterans Home Fund	\$91,704
21	Real Estate License Administration Fund	\$33,329
22	Registered Certified Public Accountants'	
23	Administration and Disciplinary Fund	\$3,617
24	Renewable Energy Resources Trust Fund	\$1,591
25	Rental Housing Support Program Fund	\$1,539
26	Residential Finance Regulatory Fund	\$20,510

1	Road Fund	\$399,062
2	Regional Transportation Authority Occupation and	
3	Use Tax Replacement Fund	\$5,205
4	Salmon Fund	\$655
5	School Infrastructure Fund	\$14,015
6	Secretary of State DUI Administration Fund	\$1,025
7	Secretary of State Identification Security	
8	and Theft Prevention Fund	\$4,502
9	Secretary of State Special License Plate Fund	\$1,384
10	Secretary of State Special Services Fund	\$8,114
11	Securities Audit and Enforcement Fund	\$2,824
12	State Small Business Credit Initiative Fund	\$4,331
13	Solid Waste Management Fund	\$10,397
14	Special Education Medicaid Matching Fund	\$2,924
15	Sports Wagering Fund	\$8,572
16	State Police Law Enforcement Administration Fund	\$6,822
17	State and Local Sales Tax Reform Fund	\$10,355
18	State Asset Forfeiture Fund	\$1,740
19	State Aviation Program Fund	\$557
20	State Construction Account Fund	\$195,722
21	State Crime Laboratory Fund	\$7,743
22	State Gaming Fund	\$204,660
23	State Garage Revolving Fund	\$3,731
24	State Lottery Fund	\$129,814
25	State Offender DNA Identification System Fund	\$1,405
26	State Pensions Fund	\$500,000

1	State Police Firearm Services Fund	\$16,122
2	State Police Services Fund	\$21,151
3	State Police Vehicle Fund	\$3,013
4	State Police Whistleblower Reward	
5	and Protection Fund	\$2,452
6	Subtitle D Management Fund	\$1,431
7	Supplemental Low Income Energy Assistance Fund	\$68,591
8	Tax Compliance and Administration Fund	\$5,259
9	Technology Management Revolving Fund	\$244,294
10	Tobacco Settlement Recovery Fund	\$4,653
11	Tourism Promotion Fund	\$35,322
12	Traffic and Criminal Conviction Surcharge Fund	\$136,332
13	Underground Storage Tank Fund	\$20,429
14	University of Illinois Hospital Services Fund	\$3,664
15	Vehicle Inspection Fund	\$11,203
16	Violent Crime Victims Assistance Fund	\$14,202
17	Weights and Measures Fund	\$6,127
18	Working Capital Revolving Fund	\$18,120

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

22 These provisions do not apply to funds classified by the
23 Comptroller as federal trust funds or State trust funds. The
24 Audit Expense Fund may receive transfers from those trust
25 funds only as directed herein, except where prohibited by the
26 terms of the trust fund agreement. The Auditor General shall

1 notify the trustees of those funds of the estimated cost of the
2 audit to be incurred under the Illinois State Auditing Act for
3 the fund. The trustees of those funds shall direct the State
4 Comptroller and Treasurer to transfer the estimated amount to
5 the Audit Expense Fund.

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

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

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

1 Beginning with fiscal year 1994 and during each fiscal
2 year thereafter, the Auditor General may direct the State
3 Comptroller and Treasurer to transfer moneys from funds
4 authorized by the General Assembly for that fund. In the event
5 funds, including federal and State trust funds but excluding
6 the General Revenue Fund, are transferred, during fiscal year
7 1994 and during each fiscal year thereafter, in excess of the
8 amount to pay actual costs attributable to audits, studies,
9 and investigations as permitted or required by the Illinois
10 State Auditing Act or specific action of the General Assembly,
11 the Auditor General shall, on September 30, or as soon
12 thereafter as is practicable, direct the State Comptroller and
13 Treasurer to transfer the excess amount back to the fund from
14 which it was originally transferred.

15 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
16 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

17 (30 ILCS 105/6z-32)

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

19 (a) The Partners for Conservation Fund (formerly known as
20 the Conservation 2000 Fund) and the Partners for Conservation
21 Projects Fund (formerly known as the Conservation 2000
22 Projects Fund) are created as special funds in the State
23 Treasury. These funds shall be used to establish a
24 comprehensive program to protect Illinois' natural resources
25 through cooperative partnerships between State government and

1 public and private landowners. Moneys in these Funds may be
2 used, subject to appropriation, by the Department of Natural
3 Resources, Environmental Protection Agency, and the Department
4 of Agriculture for purposes relating to natural resource
5 protection, planning, recreation, tourism, climate resilience,
6 and compatible agricultural and economic development
7 activities. Without limiting these general purposes, moneys in
8 these Funds may be used, subject to appropriation, for the
9 following specific purposes:

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

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

25 (3) To develop a systematic and long-term program to
26 effectively measure and monitor natural resources and

1 ecological conditions through investments in technology
2 and involvement of scientific experts.

3 (4) To initiate strategies to enhance, use, and
4 maintain Illinois' inland lakes through education,
5 technical assistance, research, and financial incentives.

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

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

20 (7) To provide capacity grants to support soil and
21 water conservation districts, including, but not limited
22 to, developing soil health plans, conducting soil health
23 assessments, peer-to-peer training, convening
24 producer-led dialogues, professional development and
25 travel stipends for meetings and educational events.

26 (b) The State Comptroller and State Treasurer shall

1 automatically transfer on the last day of each month,
2 beginning on September 30, 1995 and ending on June 30, 2024
3 ~~2023~~, from the General Revenue Fund to the Partners for
4 Conservation Fund, an amount equal to 1/10 of the amount set
5 forth below in fiscal year 1996 and an amount equal to 1/12 of
6 the amount set forth below in each of the other specified
7 fiscal years:

8 Fiscal Year	Amount
9 1996	\$ 3,500,000
10 1997	\$ 9,000,000
11 1998	\$10,000,000
12 1999	\$11,000,000
13 2000	\$12,500,000
14 2001 through 2004	\$14,000,000
15 2005	\$7,000,000
16 2006	\$11,000,000
17 2007	\$0
18 2008 through 2011	\$14,000,000
19 2012	\$12,200,000
20 2013 through 2017	\$14,000,000
21 2018	\$1,500,000
22 2019	\$14,000,000
23 2020	\$7,500,000
24 2021 through 2023	\$14,000,000
25 <u>2024</u>	<u>\$18,000,000</u>

26 (c) The State Comptroller and State Treasurer shall

1 automatically transfer on the last day of each month beginning
2 on July 31, 2021 and ending June 30, 2022, from the
3 Environmental Protection Permit and Inspection Fund to the
4 Partners for Conservation Fund, an amount equal to 1/12 of
5 \$4,135,000.

6 (c-1) The State Comptroller and State Treasurer shall
7 automatically transfer on the last day of each month beginning
8 on July 31, 2022 and ending June 30, 2023, from the
9 Environmental Protection Permit and Inspection Fund to the
10 Partners for Conservation Fund, an amount equal to 1/12 of
11 \$5,900,000.

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

15 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21;
16 102-699, eff. 4-19-22.)

17 (30 ILCS 105/6z-35)

18 Sec. 6z-35. There is hereby created in the State Treasury
19 a special fund to be known as the Live and Learn Fund. The
20 Comptroller and the Treasurer shall transfer \$1,742,000 from
21 the General Revenue Fund into the Live and Learn Fund each
22 month. The first transfer shall be made 60 days after the
23 effective date of this amendatory Act of 1993, with subsequent
24 transfers occurring on the first of each month. Moneys
25 deposited into the Fund may, subject to appropriation, be used

1 by the Secretary of State for any or all of the following
2 purposes:

3 (a) An organ donation awareness or education program.

4 (b) To provide additional funds for all types of
5 library grants as authorized and administered by the
6 Secretary of State as State Librarian.

7 On July 1, 2023, any future deposits due to the Live and
8 Learn Fund and any outstanding obligations or liabilities of
9 that Fund shall pass to the General Revenue Fund. On November
10 1, 2023, or as soon thereafter as practical, the State
11 Comptroller shall direct and the State Treasurer shall
12 transfer the remaining balance from the Live and Learn Fund
13 into the Secretary of State Special Services Fund. This
14 Section is repealed on January 1, 2024.

15 (Source: P.A. 88-78.)

16 (30 ILCS 105/6z-43)

17 Sec. 6z-43. Tobacco Settlement Recovery Fund.

18 (a) There is created in the State Treasury a special fund
19 to be known as the Tobacco Settlement Recovery Fund, which
20 shall contain 3 accounts: (i) the General Account, (ii) the
21 Tobacco Settlement Bond Proceeds Account and (iii) the Tobacco
22 Settlement Residual Account. There shall be deposited into the
23 several accounts of the Tobacco Settlement Recovery Fund and
24 the Attorney General Tobacco Fund all monies paid to the State
25 pursuant to (1) the Master Settlement Agreement entered in the

1 case of People of the State of Illinois v. Philip Morris, et
2 al. (Circuit Court of Cook County, No. 96-L13146) and (2) any
3 settlement with or judgment against any tobacco product
4 manufacturer other than one participating in the Master
5 Settlement Agreement in satisfaction of any released claim as
6 defined in the Master Settlement Agreement, as well as any
7 other monies as provided by law. Moneys shall be deposited
8 into the Tobacco Settlement Bond Proceeds Account and the
9 Tobacco Settlement Residual Account as provided by the terms
10 of the Railsplitter Tobacco Settlement Authority Act, provided
11 that an annual amount not less than \$2,500,000, subject to
12 appropriation, shall be deposited into the Attorney General
13 Tobacco Fund for use only by the Attorney General's office.
14 The scheduled \$2,500,000 deposit into the Tobacco Settlement
15 Residual Account for fiscal year 2011 should be transferred to
16 the Attorney General Tobacco Fund in fiscal year 2012 as soon
17 as this fund has been established. All other moneys available
18 to be deposited into the Tobacco Settlement Recovery Fund
19 shall be deposited into the General Account. An investment
20 made from moneys credited to a specific account constitutes
21 part of that account and such account shall be credited with
22 all income from the investment of such moneys. The Treasurer
23 may invest the moneys in the several accounts of the Fund in
24 the same manner, in the same types of investments, and subject
25 to the same limitations provided in the Illinois Pension Code
26 for the investment of pension funds other than those

1 established under Article 3 or 4 of the Code. Notwithstanding
2 the foregoing, to the extent necessary to preserve the
3 tax-exempt status of any bonds issued pursuant to the
4 Railsplitter Tobacco Settlement Authority Act, the interest on
5 which is intended to be excludable from the gross income of the
6 owners for federal income tax purposes, moneys on deposit in
7 the Tobacco Settlement Bond Proceeds Account and the Tobacco
8 Settlement Residual Account may be invested in obligations the
9 interest upon which is tax-exempt under the provisions of
10 Section 103 of the Internal Revenue Code of 1986, as now or
11 hereafter amended, or any successor code or provision.

12 (b) Moneys on deposit in the Tobacco Settlement Bond
13 Proceeds Account and the Tobacco Settlement Residual Account
14 may be expended, subject to appropriation, for the purposes
15 authorized in subsection (g) of Section 3-6 of the
16 Railsplitter Tobacco Settlement Authority Act.

17 (b-5) Moneys on deposit in the Tobacco Settlement Recovery
18 Fund may be expended, subject to appropriation, for payments
19 pursuant to Section 2.13 of the Governor's Office of
20 Management and Budget Act.

21 (c) As soon as may be practical after June 30, 2001, upon
22 notification from and at the direction of the Governor, the
23 State Comptroller shall direct and the State Treasurer shall
24 transfer the unencumbered balance in the Tobacco Settlement
25 Recovery Fund as of June 30, 2001, as determined by the
26 Governor, into the Budget Stabilization Fund. The Treasurer

1 may invest the moneys in the Budget Stabilization Fund in the
2 same manner, in the same types of investments, and subject to
3 the same limitations provided in the Illinois Pension Code for
4 the investment of pension funds other than those established
5 under Article 3 or 4 of the Code.

6 (d) All federal financial participation moneys received
7 pursuant to expenditures from the Fund shall be deposited into
8 the General Account.

9 (Source: P.A. 99-78, eff. 7-20-15.)

10 (30 ILCS 105/6z-100)

11 (Section scheduled to be repealed on July 1, 2023)

12 Sec. 6z-100. Capital Development Board Revolving Fund;
13 payments into and use. All monies received by the Capital
14 Development Board for publications or copies issued by the
15 Board, and all monies received for contract administration
16 fees, charges, or reimbursements owing to the Board shall be
17 deposited into a special fund known as the Capital Development
18 Board Revolving Fund, which is hereby created in the State
19 treasury. The monies in this Fund shall be used by the Capital
20 Development Board, as appropriated, for expenditures for
21 personal services, retirement, social security, contractual
22 services, legal services, travel, commodities, printing,
23 equipment, electronic data processing, or telecommunications.
24 For fiscal year 2021 and thereafter, the monies in this Fund
25 may also be appropriated to and used by the Executive Ethics

1 Commission for oversight and administration of the Chief
2 Procurement Officer appointed under paragraph (1) of
3 subsection (a) of Section 10-20 of the Illinois Procurement
4 Code. Unexpended moneys in the Fund shall not be transferred
5 or allocated by the Comptroller or Treasurer to any other
6 fund, nor shall the Governor authorize the transfer or
7 allocation of those moneys to any other fund. This Section is
8 repealed July 1, 2025 ~~2023~~.

9 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
10 101-645, eff. 6-26-20; 102-16, eff. 6-17-21; 102-699, eff.
11 4-19-22.)

12 (30 ILCS 105/6z-121)

13 Sec. 6z-121. State Coronavirus Urgent Remediation
14 Emergency Fund.

15 (a) The State Coronavirus Urgent Remediation Emergency
16 (State CURE) Fund is created as a federal trust fund within the
17 State treasury. The State CURE Fund shall be held separate and
18 apart from all other funds in the State treasury. The State
19 CURE Fund is established: (1) to receive, directly or
20 indirectly, federal funds from the Coronavirus Relief Fund in
21 accordance with Section 5001 of the federal Coronavirus Aid,
22 Relief, and Economic Security (CARES) Act, the Coronavirus
23 State Fiscal Recovery Fund in accordance with Section 9901 of
24 the American Rescue Plan Act of 2021, or from any other federal
25 fund pursuant to any other provision of the American Rescue

1 Plan Act of 2021 or any other federal law; and (2) to provide
2 for the transfer, distribution and expenditure of such federal
3 funds as permitted in the federal Coronavirus Aid, Relief, and
4 Economic Security (CARES) Act, the American Rescue Plan Act of
5 2021, and related federal guidance or any other federal law,
6 and as authorized by this Section.

7 (b) Federal funds received by the State from the
8 Coronavirus Relief Fund in accordance with Section 5001 of the
9 federal Coronavirus Aid, Relief, and Economic Security (CARES)
10 Act, the Coronavirus State Fiscal Recovery Fund in accordance
11 with Section 9901 of the American Rescue Plan Act of 2021, or
12 any other federal funds received pursuant to the American
13 Rescue Plan Act of 2021 or any other federal law, may be
14 deposited, directly or indirectly, into the State CURE Fund.

15 (c) Funds in the State CURE Fund may be expended, subject
16 to appropriation, directly for purposes permitted under the
17 federal law and related federal guidance governing the use of
18 such funds, which may include without limitation purposes
19 permitted in Section 5001 of the CARES Act and Sections 3201,
20 3206, and 9901 of the American Rescue Plan Act of 2021, or as
21 otherwise provided by law and consistent with appropriations
22 of the General Assembly. All federal funds received into the
23 State CURE Fund from the Coronavirus Relief Fund, the
24 Coronavirus State Fiscal Recovery Fund, or any other source
25 under the American Rescue Plan Act of 2021, may be
26 transferred, expended, or returned by the Illinois Emergency

1 Management Agency at the direction of the Governor for the
2 specific purposes permitted by the federal Coronavirus Aid,
3 Relief, and Economic Security (CARES) Act, the American Rescue
4 Plan Act of 2021, any related regulations or federal guidance,
5 and any terms and conditions of the federal awards received by
6 the State thereunder. The State Comptroller shall direct and
7 the State Treasurer shall transfer, as directed by the
8 Governor in writing, a portion of the federal funds received
9 from the Coronavirus Relief Fund or from any other federal
10 fund pursuant to any other provision of federal law to the
11 Local Coronavirus Urgent Remediation Emergency (Local CURE)
12 Fund from time to time for the provision and administration of
13 grants to units of local government as permitted by the
14 federal Coronavirus Aid, Relief, and Economic Security (CARES)
15 Act, any related federal guidance, and any other additional
16 federal law that may provide authorization. The State
17 Comptroller shall direct and the State Treasurer shall
18 transfer amounts, as directed by the Governor in writing, from
19 the State CURE Fund to the Essential Government Services
20 Support Fund to be used for the provision of government
21 services as permitted under Section 602(c)(1)(C) of the Social
22 Security Act as enacted by Section 9901 of the American Rescue
23 Plan Act and related federal guidance. Funds in the State CURE
24 Fund also may be transferred to other funds in the State
25 treasury as reimbursement for expenditures made from such
26 other funds if the expenditures are eligible for federal

1 reimbursement under Section 5001 of the federal Coronavirus
2 Aid, Relief, and Economic Security (CARES) Act, the relevant
3 provisions of the American Rescue Plan Act of 2021, or any
4 related federal guidance.

5 (d) Once the General Assembly has enacted appropriations
6 from the State CURE Fund, the expenditure of funds from the
7 State CURE Fund shall be subject to appropriation by the
8 General Assembly, and shall be administered by the Illinois
9 Emergency Management Agency at the direction of the Governor.
10 The Illinois Emergency Management Agency, and other agencies
11 as named in appropriations, shall transfer, distribute or
12 expend the funds. The State Comptroller shall direct and the
13 State Treasurer shall transfer funds in the State CURE Fund to
14 other funds in the State treasury as reimbursement for
15 expenditures made from such other funds if the expenditures
16 are eligible for federal reimbursement under Section 5001 of
17 the federal Coronavirus Aid, Relief, and Economic Security
18 (CARES) Act, the relevant provisions of the American Rescue
19 Plan Act of 2021, or any related federal guidance, as directed
20 in writing by the Governor. Additional funds that may be
21 received from the federal government from legislation enacted
22 in response to the impact of Coronavirus Disease 2019,
23 including fiscal stabilization payments that replace revenues
24 lost due to Coronavirus Disease 2019, The State Comptroller
25 may direct and the State Treasurer shall transfer in the
26 manner authorized or required by any related federal guidance,

1 as directed in writing by the Governor.

2 (e) The Illinois Emergency Management Agency, in
3 coordination with the Governor's Office of Management and
4 Budget, shall identify amounts derived from the State's
5 Coronavirus Relief Fund allocation and transferred from the
6 State CURE Fund as directed by the Governor under this Section
7 that remain unobligated and unexpended for the period that
8 ended on December 31, 2021. The Agency shall certify to the
9 State Comptroller and the State Treasurer the amounts
10 identified as unobligated and unexpended. The State
11 Comptroller shall direct and the State Treasurer shall
12 transfer the unobligated and unexpended funds identified by
13 the Agency and held in other funds of the State Treasury under
14 this Section to the State CURE Fund. Unexpended funds in the
15 State CURE Fund shall be paid back to the federal government at
16 the direction of the Governor.

17 (f) In addition to any other transfers that may be
18 provided for by law, at the direction of the Governor, the
19 State Comptroller shall direct and the State Treasurer shall
20 transfer the sum of \$24,523,000 from the State CURE Fund to the
21 Chicago Travel Industry Promotion Fund.

22 (g) In addition to any other transfers that may be
23 provided for by law, at the direction of the Governor, the
24 State Comptroller shall direct and the State Treasurer shall
25 transfer the sum of \$30,000,000 from the State CURE Fund to the
26 Metropolitan Pier and Exposition Authority Incentive Fund.

1 (h) In addition to any other transfers that may be
2 provided for by law, at the direction of the Governor, the
3 State Comptroller shall direct and the State Treasurer shall
4 transfer the sum of \$45,180,000 from the State CURE Fund to the
5 Local Tourism Fund.

6 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
7 102-699, eff. 4-19-22.)

8 (30 ILCS 105/6z-126)

9 Sec. 6z-126. Law Enforcement Training Fund. The Law
10 Enforcement Training Fund is hereby created as a special fund
11 in the State treasury. Moneys in the Fund shall consist of: (i)
12 90% of the revenue from increasing the insurance producer
13 license fees, as provided under subsection (a-5) of Section
14 500-135 of the Illinois Insurance Code; and (ii) 90% of the
15 moneys collected from auto insurance policy fees under Section
16 8.6 of the Illinois Vehicle Hijacking and Motor Vehicle Theft
17 Prevention and Insurance Verification Act. This Fund shall be
18 used by the Illinois Law Enforcement Training Standards Board
19 for the following purposes: (i) to fund law enforcement
20 certification compliance; (ii) for ~~and~~ the development and
21 provision of basic courses by Board-approved academics, and
22 in-service courses by approved academies; and (iii) for the
23 ordinary and contingent expenses of the Illinois Law
24 Enforcement Training Standards Board.

25 (Source: P.A. 102-16, eff. 6-17-21; 102-904, eff. 1-1-23;

1 102-1071, eff. 6-10-22; revised 12-13-22.)

2 (30 ILCS 105/8.3) (from Ch. 127, par. 144.3)

3 Sec. 8.3. Money in the Road Fund shall, if and when the
4 State of Illinois incurs any bonded indebtedness for the
5 construction of permanent highways, be set aside and used for
6 the purpose of paying and discharging annually the principal
7 and interest on that bonded indebtedness then due and payable,
8 and for no other purpose. The surplus, if any, in the Road Fund
9 after the payment of principal and interest on that bonded
10 indebtedness then annually due shall be used as follows:

11 first -- to pay the cost of administration of Chapters
12 2 through 10 of the Illinois Vehicle Code, except the cost
13 of administration of Articles I and II of Chapter 3 of that
14 Code, and to pay the costs of the Executive Ethics
15 Commission for oversight and administration of the Chief
16 Procurement Officer appointed under paragraph (2) of
17 subsection (a) of Section 10-20 of the Illinois
18 Procurement Code for transportation; and

19 secondly -- for expenses of the Department of
20 Transportation for construction, reconstruction,
21 improvement, repair, maintenance, operation, and
22 administration of highways in accordance with the
23 provisions of laws relating thereto, or for any purpose
24 related or incident to and connected therewith, including
25 the separation of grades of those highways with railroads

1 and with highways and including the payment of awards made
2 by the Illinois Workers' Compensation Commission under the
3 terms of the Workers' Compensation Act or Workers'
4 Occupational Diseases Act for injury or death of an
5 employee of the Division of Highways in the Department of
6 Transportation; or for the acquisition of land and the
7 erection of buildings for highway purposes, including the
8 acquisition of highway right-of-way or for investigations
9 to determine the reasonably anticipated future highway
10 needs; or for making of surveys, plans, specifications and
11 estimates for and in the construction and maintenance of
12 flight strips and of highways necessary to provide access
13 to military and naval reservations, to defense industries
14 and defense-industry sites, and to the sources of raw
15 materials and for replacing existing highways and highway
16 connections shut off from general public use at military
17 and naval reservations and defense-industry sites, or for
18 the purchase of right-of-way, except that the State shall
19 be reimbursed in full for any expense incurred in building
20 the flight strips; or for the operating and maintaining of
21 highway garages; or for patrolling and policing the public
22 highways and conserving the peace; or for the operating
23 expenses of the Department relating to the administration
24 of public transportation programs; ~~or, during fiscal year~~
25 ~~2022, for the purposes of a grant not to exceed \$8,394,800~~
26 ~~to the Regional Transportation Authority on behalf of PACE~~

1 ~~for the purpose of ADA/Para-transit expenses;~~ or, during
2 fiscal year 2023, for the purposes of a grant not to exceed
3 \$8,394,800 to the Regional Transportation Authority on
4 behalf of PACE for the purpose of ADA/Para-transit
5 expenses; or, during fiscal year 2024, for the purposes of
6 a grant not to exceed \$9,108,400 to the Regional
7 Transportation Authority on behalf of PACE for the purpose
8 of ADA/Para-transit expenses; or for any of those purposes
9 or any other purpose that may be provided by law.

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

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

21 1. Department of Public Health;

22 2. Department of Transportation, only with respect to
23 subsidies for one-half fare Student Transportation and
24 Reduced Fare for Elderly, ~~except fiscal year 2022 when no~~
25 ~~more than \$17,570,000 may be expended and except fiscal~~
26 year 2023 when no more than \$17,570,000 may be expended

1 and except fiscal year 2024 when no more than \$19,063,500
2 may be expended;

3 3. Department of Central Management Services, except
4 for expenditures incurred for group insurance premiums of
5 appropriate personnel;

6 4. Judicial Systems and Agencies.

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

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

16 2. Department of Transportation, only with respect to
17 Intercity Rail Subsidies, ~~except fiscal year 2022 when no~~
18 ~~more than \$50,000,000 may be expended and~~ except fiscal
19 year 2023 when no more than \$55,000,000 may be expended
20 and except fiscal year 2024 when no more than \$60,000,000
21 may be expended, and Rail Freight Services.

22 Beginning with fiscal year 1982 and thereafter, no Road
23 Fund monies shall be appropriated to the following Departments
24 or agencies of State government for administration, grants, or
25 operations; but this limitation is not a restriction upon
26 appropriating for those purposes any Road Fund monies that are

1 eligible for federal reimbursement: Department of Central
2 Management Services, except for awards made by the Illinois
3 Workers' Compensation Commission under the terms of the
4 Workers' Compensation Act or Workers' Occupational Diseases
5 Act for injury or death of an employee of the Division of
6 Highways in the Department of Transportation.

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

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

16 2. State Officers.

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

1 Money in the Road Fund shall, if and when the State of
2 Illinois incurs any bonded indebtedness for the construction
3 of permanent highways, be set aside and used for the purpose of
4 paying and discharging during each fiscal year the principal
5 and interest on that bonded indebtedness as it becomes due and
6 payable as provided in the Transportation Bond Act, and for no
7 other purpose. The surplus, if any, in the Road Fund after the
8 payment of principal and interest on that bonded indebtedness
9 then annually due shall be used as follows:

10 first -- to pay the cost of administration of Chapters
11 2 through 10 of the Illinois Vehicle Code; and

12 secondly -- no Road Fund monies derived from fees,
13 excises, or license taxes relating to registration,
14 operation and use of vehicles on public highways or to
15 fuels used for the propulsion of those vehicles, shall be
16 appropriated or expended other than for costs of
17 administering the laws imposing those fees, excises, and
18 license taxes, statutory refunds and adjustments allowed
19 thereunder, administrative costs of the Department of
20 Transportation, including, but not limited to, the
21 operating expenses of the Department relating to the
22 administration of public transportation programs, payment
23 of debts and liabilities incurred in construction and
24 reconstruction of public highways and bridges, acquisition
25 of rights-of-way for and the cost of construction,
26 reconstruction, maintenance, repair, and operation of

1 public highways and bridges under the direction and
2 supervision of the State, political subdivision, or
3 municipality collecting those monies, ~~or during fiscal~~
4 ~~year 2022 for the purposes of a grant not to exceed~~
5 ~~\$8,394,800 to the Regional Transportation Authority on~~
6 ~~behalf of PACE for the purpose of ADA/Para transit~~
7 ~~expenses,~~ or during fiscal year 2023 for the purposes of a
8 grant not to exceed \$8,394,800 to the Regional
9 Transportation Authority on behalf of PACE for the purpose
10 of ADA/Para-transit expenses, or during fiscal year 2024
11 for the purposes of a grant not to exceed \$9,108,400 to the
12 Regional Transportation Authority on behalf of PACE for
13 the purpose of ADA/Para-transit expenses, and the costs
14 for patrolling and policing the public highways (by the
15 State, political subdivision, or municipality collecting
16 that money) for enforcement of traffic laws. The
17 separation of grades of such highways with railroads and
18 costs associated with protection of at-grade highway and
19 railroad crossing shall also be permissible.

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

23 Except as provided in this paragraph, beginning with
24 fiscal year 1991 and thereafter, no Road Fund monies shall be
25 appropriated to the Illinois State Police for the purposes of
26 this Section in excess of its total fiscal year 1990 Road Fund

1 appropriations for those purposes unless otherwise provided in
2 Section 5g of this Act. For fiscal years 2003, 2004, 2005,
3 2006, and 2007 only, no Road Fund monies shall be appropriated
4 to the Department of State Police for the purposes of this
5 Section in excess of \$97,310,000. For fiscal year 2008 only,
6 no Road Fund monies shall be appropriated to the Department of
7 State Police for the purposes of this Section in excess of
8 \$106,100,000. For fiscal year 2009 only, no Road Fund monies
9 shall be appropriated to the Department of State Police for
10 the purposes of this Section in excess of \$114,700,000.
11 Beginning in fiscal year 2010, no road fund moneys shall be
12 appropriated to the Illinois State Police. It shall not be
13 lawful to circumvent this limitation on appropriations by
14 governmental reorganization or other methods unless otherwise
15 provided in Section 5g of this Act.

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

23 Beginning with fiscal year 1995 and thereafter, no Road
24 Fund monies shall be appropriated to the Secretary of State
25 for the purposes of this Section in excess of the total fiscal
26 year 1994 Road Fund appropriations to the Secretary of State

1 for those purposes. It shall not be lawful to circumvent this
2 limitation on appropriations by governmental reorganization or
3 other methods.

4 Beginning with fiscal year 2000, total Road Fund
5 appropriations to the Secretary of State for the purposes of
6 this Section shall not exceed the amounts specified for the
7 following fiscal years:

8	Fiscal Year 2000	\$80,500,000;
9	Fiscal Year 2001	\$80,500,000;
10	Fiscal Year 2002	\$80,500,000;
11	Fiscal Year 2003	\$130,500,000;
12	Fiscal Year 2004	\$130,500,000;
13	Fiscal Year 2005	\$130,500,000;
14	Fiscal Year 2006	\$130,500,000;
15	Fiscal Year 2007	\$130,500,000;
16	Fiscal Year 2008	\$130,500,000;
17	Fiscal Year 2009	\$130,500,000.

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

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

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

1 methods.

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

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

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

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

24 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
25 102-16, eff. 6-17-21; 102-538, eff. 8-20-21; 102-699, eff.
26 4-19-22; 102-813, eff. 5-13-22.)

1 (30 ILCS 105/8.12) (from Ch. 127, par. 144.12)

2 Sec. 8.12. State Pensions Fund.

3 (a) The moneys in the State Pensions Fund shall be used
4 exclusively for the administration of the Revised Uniform
5 Unclaimed Property Act and for the expenses incurred by the
6 Auditor General for administering the provisions of Section
7 2-8.1 of the Illinois State Auditing Act and for operational
8 expenses of the Office of the State Treasurer and for the
9 funding of the unfunded liabilities of the designated
10 retirement systems. For the purposes of this Section,
11 "operational expenses of the Office of the State Treasurer"
12 includes the acquisition of land and buildings in State fiscal
13 years 2019 and 2020 for use by the Office of the State
14 Treasurer, as well as construction, reconstruction,
15 improvement, repair, and maintenance, in accordance with the
16 provisions of laws relating thereto, of such lands and
17 buildings beginning in State fiscal year 2019 and thereafter.
18 Beginning in State fiscal year 2025 ~~2024~~, payments to the
19 designated retirement systems under this Section shall be in
20 addition to, and not in lieu of, any State contributions
21 required under the Illinois Pension Code.

22 "Designated retirement systems" means:

23 (1) the State Employees' Retirement System of
24 Illinois;

25 (2) the Teachers' Retirement System of the State of

1 Illinois;

2 (3) the State Universities Retirement System;

3 (4) the Judges Retirement System of Illinois; and

4 (5) the General Assembly Retirement System.

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

8 (c) (Blank). ~~As soon as possible after July 30, 2004 (the~~
9 ~~effective date of Public Act 93-839), the General Assembly~~
10 ~~shall appropriate from the State Pensions Fund (1) to the~~
11 ~~State Universities Retirement System the amount certified~~
12 ~~under Section 15-165 during the prior year, (2) to the Judges~~
13 ~~Retirement System of Illinois the amount certified under~~
14 ~~Section 18-140 during the prior year, and (3) to the General~~
15 ~~Assembly Retirement System the amount certified under Section~~
16 ~~2-134 during the prior year as part of the required State~~
17 ~~contributions to each of those designated retirement systems.~~
18 ~~If the amount in the State Pensions Fund does not exceed the~~
19 ~~sum of the amounts certified in Sections 15-165, 18-140, and~~
20 ~~2-134 by at least \$5,000,000, the amount paid to each~~
21 ~~designated retirement system under this subsection shall be~~
22 ~~reduced in proportion to the amount certified by each of those~~
23 ~~designated retirement systems.~~

24 (c-5) For fiscal years 2006 through 2024 ~~2023~~, the General
25 Assembly shall appropriate from the State Pensions Fund to the
26 State Universities Retirement System the amount estimated to

1 be available during the fiscal year in the State Pensions
2 Fund; provided, however, that the amounts appropriated under
3 this subsection (c-5) shall not reduce the amount in the State
4 Pensions Fund below \$5,000,000.

5 (c-6) For fiscal year 2025 ~~2024~~ and each fiscal year
6 thereafter, as soon as may be practical after any money is
7 deposited into the State Pensions Fund from the Unclaimed
8 Property Trust Fund, the State Treasurer shall apportion the
9 deposited amount among the designated retirement systems as
10 defined in subsection (a) to reduce their actuarial reserve
11 deficiencies. The State Comptroller and State Treasurer shall
12 pay the apportioned amounts to the designated retirement
13 systems to fund the unfunded liabilities of the designated
14 retirement systems. The amount apportioned to each designated
15 retirement system shall constitute a portion of the amount
16 estimated to be available for appropriation from the State
17 Pensions Fund that is the same as that retirement system's
18 portion of the total actual reserve deficiency of the systems,
19 as determined annually by the Governor's Office of Management
20 and Budget at the request of the State Treasurer. The amounts
21 apportioned under this subsection shall not reduce the amount
22 in the State Pensions Fund below \$5,000,000.

23 (d) The Governor's Office of Management and Budget shall
24 determine the individual and total reserve deficiencies of the
25 designated retirement systems. For this purpose, the
26 Governor's Office of Management and Budget shall utilize the

1 latest available audit and actuarial reports of each of the
2 retirement systems and the relevant reports and statistics of
3 the Public Employee Pension Fund Division of the Department of
4 Insurance.

5 (d-1) (Blank).

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

9 (Source: P.A. 101-10, eff. 6-5-19; 101-487, eff. 8-23-19;
10 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-699, eff.
11 4-19-22.)

12 (30 ILCS 105/8g-1)

13 Sec. 8g-1. Fund transfers.

14 (a) (Blank).

15 (b) (Blank).

16 (c) (Blank).

17 (d) (Blank).

18 (e) (Blank).

19 (f) (Blank).

20 (g) (Blank).

21 (h) (Blank).

22 (i) (Blank).

23 (j) (Blank).

24 (k) (Blank).

25 (l) (Blank).

1 (m) (Blank).

2 (n) (Blank).

3 (o) (Blank).

4 (p) (Blank).

5 (q) (Blank).

6 (r) (Blank).

7 (s) (Blank).

8 (t) (Blank).

9 (u) In addition to any other transfers that may be
10 provided for by law, on July 1, 2021, or as soon thereafter as
11 practical, only as directed by the Director of the Governor's
12 Office of Management and Budget, the State Comptroller shall
13 direct and the State Treasurer shall transfer the sum of
14 \$5,000,000 from the General Revenue Fund to the DoIT Special
15 Projects Fund, and on June 1, 2022, or as soon thereafter as
16 practical, but no later than June 30, 2022, the State
17 Comptroller shall direct and the State Treasurer shall
18 transfer the sum so transferred from the DoIT Special Projects
19 Fund to the General Revenue Fund.

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

25 (w) In addition to any other transfers that may be
26 provided for by law, on July 1, 2021, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the sum of \$500,000 from the General
3 Revenue Fund to the Grant Accountability and Transparency
4 Fund.

5 (x) In addition to any other transfers that may be
6 provided for by law, at a time or times during Fiscal Year 2022
7 as directed by the Governor, the State Comptroller shall
8 direct and the State Treasurer shall transfer up to a total of
9 \$20,000,000 from the General Revenue Fund to the Illinois
10 Sports Facilities Fund to be credited to the Advance Account
11 within the Fund.

12 (y) In addition to any other transfers that may be
13 provided for by law, on June 15, 2021, or as soon thereafter as
14 practical, but no later than June 30, 2021, the State
15 Comptroller shall direct and the State Treasurer shall
16 transfer the sum of \$100,000,000 from the General Revenue Fund
17 to the Technology Management Revolving Fund.

18 (z) In addition to any other transfers that may be
19 provided for by law, on April 19, 2022 (the effective date of
20 Public Act 102-699), or as soon thereafter as practical, but
21 no later than June 30, 2022, the State Comptroller shall
22 direct and the State Treasurer shall transfer the sum of
23 \$148,000,000 from the General Revenue Fund to the Build
24 Illinois Bond Fund.

25 (aa) In addition to any other transfers that may be
26 provided for by law, on April 19, 2022 (the effective date of

1 Public Act 102-699), or as soon thereafter as practical, but
2 no later than June 30, 2022, the State Comptroller shall
3 direct and the State Treasurer shall transfer the sum of
4 \$180,000,000 from the General Revenue Fund to the Rebuild
5 Illinois Projects Fund.

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

11 (cc) In addition to any other transfers that may be
12 provided for by law, on July 1, 2022, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$500,000 from the General
15 Revenue Fund to the Grant Accountability and Transparency
16 Fund.

17 (dd) In addition to any other transfers that may be
18 provided by law, on April 19, 2022 (the effective date of
19 Public Act 102-700), or as soon thereafter as practical, but
20 no later than June 30, 2022, the State Comptroller shall
21 direct and the State Treasurer shall transfer the sum of
22 \$685,000,000 from the General Revenue Fund to the Income Tax
23 Refund Fund. Moneys from this transfer shall be used for the
24 purpose of making the one-time rebate payments provided under
25 Section 212.1 of the Illinois Income Tax Act.

26 (ee) In addition to any other transfers that may be

1 provided by law, beginning on April 19, 2022 (the effective
2 date of Public Act 102-700) and until December 31, 2023, at the
3 direction of the Department of Revenue, the State Comptroller
4 shall direct and the State Treasurer shall transfer from the
5 General Revenue Fund to the Income Tax Refund Fund any amounts
6 needed beyond the amounts transferred in subsection (dd) to
7 make payments of the one-time rebate payments provided under
8 Section 212.1 of the Illinois Income Tax Act.

9 (ff) In addition to any other transfers that may be
10 provided for by law, on April 19, 2022 (the effective date of
11 Public Act 102-700), or as soon thereafter as practical, but
12 no later than June 30, 2022, the State Comptroller shall
13 direct and the State Treasurer shall transfer the sum of
14 \$720,000,000 from the General Revenue Fund to the Budget
15 Stabilization Fund.

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

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

26 (ii) In addition to any other transfers that may be

1 provided for by law, on January 1, 2023, or as soon thereafter
2 as practical, the State Comptroller shall direct and the State
3 Treasurer shall transfer the sum of \$850,000,000 from the
4 General Revenue Fund to the Budget Stabilization Fund.

5 (jj) In addition to any other transfers that may be
6 provided for by law, at a time or times during Fiscal Year 2023
7 as directed by the Governor, the State Comptroller shall
8 direct and the State Treasurer shall transfer up to a total of
9 \$400,000,000 from the General Revenue Fund to the Large
10 Business Attraction Fund.

11 (kk) In addition to any other transfers that may be
12 provided for by law, on January 1, 2023, or as soon thereafter
13 as practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the sum of \$72,000,000 from the
15 General Revenue Fund to the Disaster Response and Recovery
16 Fund.

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

24 (mm) In addition to any other transfers that may be
25 provided for by law, beginning on the effective date of this
26 amendatory Act of the 103rd General Assembly and until June

1 30, 2024, as directed by the Governor, the State Comptroller
2 shall direct and the State Treasurer shall transfer up to a
3 total of \$1,500,000,000 from the General Revenue Fund to the
4 State Coronavirus Urgent Remediation Emergency Fund.

5 (nn) In addition to any other transfers that may be
6 provided for by law, beginning on the effective date of this
7 amendatory Act of the 103rd General Assembly and until June
8 30, 2024, as directed by the Governor, the State Comptroller
9 shall direct and the State Treasurer shall transfer up to a
10 total of \$424,000,000 from the General Revenue Fund to the
11 Build Illinois Bond Fund.

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

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

23 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
24 102-16, eff. 6-17-21; 102-699, eff. 4-19-22; 102-700, Article
25 40, Section 40-5, eff. 4-19-22; 102-700, Article 80, Section
26 80-5, eff. 4-19-22; 102-1115, eff. 1-9-23.)

1 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

2 Sec. 13.2. Transfers among line item appropriations.

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

9 (a-1) No transfers may be made from one agency to another
10 agency, nor may transfers be made from one institution of
11 higher education to another institution of higher education
12 except as provided by subsection (a-4).

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

22 (a-2.5) (Blank).

23 (a-3) Further, if an agency receives a separate
24 appropriation for employee retirement contributions paid by
25 the employer, any transfer by that agency into an

1 appropriation for personal services must be accompanied by a
2 corresponding transfer into the appropriation for employee
3 retirement contributions paid by the employer, in an amount
4 sufficient to meet the employer share of the employee
5 contributions required to be remitted to the retirement
6 system.

7 (a-4) Long-Term Care Rebalancing. The Governor may
8 designate amounts set aside for institutional services
9 appropriated from the General Revenue Fund or any other State
10 fund that receives monies for long-term care services to be
11 transferred to all State agencies responsible for the
12 administration of community-based long-term care programs,
13 including, but not limited to, community-based long-term care
14 programs administered by the Department of Healthcare and
15 Family Services, the Department of Human Services, and the
16 Department on Aging, provided that the Director of Healthcare
17 and Family Services first certifies that the amounts being
18 transferred are necessary for the purpose of assisting persons
19 in or at risk of being in institutional care to transition to
20 community-based settings, including the financial data needed
21 to prove the need for the transfer of funds. The total amounts
22 transferred shall not exceed 4% in total of the amounts
23 appropriated from the General Revenue Fund or any other State
24 fund that receives monies for long-term care services for each
25 fiscal year. A notice of the fund transfer must be made to the
26 General Assembly and posted at a minimum on the Department of

1 Healthcare and Family Services website, the Governor's Office
2 of Management and Budget website, and any other website the
3 Governor sees fit. These postings shall serve as notice to the
4 General Assembly of the amounts to be transferred. Notice
5 shall be given at least 30 days prior to transfer.

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

9 The Department of Healthcare and Family Services is
10 authorized to make transfers representing savings attributable
11 to not increasing grants due to the births of additional
12 children from line items for payments of cash grants to line
13 items for payments for employment and social services for the
14 purposes outlined in subsection (f) of Section 4-2 of the
15 Illinois Public Aid Code.

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

23 The Department on Aging is authorized to make transfers
24 not exceeding 10% of the aggregate amount appropriated to it
25 within the same treasury fund for the following Community Care
26 Program line items among these same line items: purchase of

1 services covered by the Community Care Program and
2 Comprehensive Case Coordination.

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

13 The State Board of Education is authorized to make
14 transfers between the following line item appropriations
15 within the same treasury fund: Disabled Student
16 Services/Materials (Section 14-13.01 of the School Code),
17 Disabled Student Transportation Reimbursement (Section
18 14-13.01 of the School Code), Disabled Student Tuition -
19 Private Tuition (Section 14-7.02 of the School Code),
20 Extraordinary Special Education (Section 14-7.02b of the
21 School Code), Reimbursement for Free Lunch/Breakfast Program,
22 Summer School Payments (Section 18-4.3 of the School Code),
23 and Transportation - Regular/Vocational Reimbursement (Section
24 29-5 of the School Code). Such transfers shall be made only
25 when the balance remaining in one or more such line item
26 appropriations is insufficient for the purpose for which the

1 appropriation was made and provided that no such transfer may
2 be made unless the amount transferred is no longer required
3 for the purpose for which that appropriation was made.

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

9 The Department of Central Management Services is
10 authorized to make transfers not exceeding 2% of the aggregate
11 amount appropriated to it, within the same treasury fund, from
12 the various line items appropriated to the Department, into
13 the following line item appropriations: auto liability claims
14 and related expenses and payment of claims under the State
15 Employee Indemnification Act.

16 (c) The sum of such transfers for an agency in a fiscal
17 year shall not exceed 2% of the aggregate amount appropriated
18 to it within the same treasury fund for the following objects:
19 Personal Services; Extra Help; Student and Inmate
20 Compensation; State Contributions to Retirement Systems; State
21 Contributions to Social Security; State Contribution for
22 Employee Group Insurance; Contractual Services; Travel;
23 Commodities; Printing; Equipment; Electronic Data Processing;
24 Operation of Automotive Equipment; Telecommunications
25 Services; Travel and Allowance for Committed, Paroled and
26 Discharged Prisoners; Library Books; Federal Matching Grants

1 for Student Loans; Refunds; Workers' Compensation,
2 Occupational Disease, and Tort Claims; Late Interest Penalties
3 under the State Prompt Payment Act and Sections 368a and 370a
4 of the Illinois Insurance Code; and, in appropriations to
5 institutions of higher education, Awards and Grants.
6 Notwithstanding the above, any amounts appropriated for
7 payment of workers' compensation claims to an agency to which
8 the authority to evaluate, administer and pay such claims has
9 been delegated by the Department of Central Management
10 Services may be transferred to any other expenditure object
11 where such amounts exceed the amount necessary for the payment
12 of such claims.

13 (c-1) (Blank).

14 (c-2) (Blank).

15 (c-3) (Blank).

16 (c-4) (Blank).

17 (c-5) (Blank).

18 (c-6) (Blank).

19 (c-7) (Blank).

20 (c-8) (Blank). ~~Special provisions for State fiscal year~~
21 ~~2022. Notwithstanding any other provision of this Section, for~~
22 ~~State fiscal year 2022, transfers among line item~~
23 ~~appropriations to a State agency from the same State treasury~~
24 ~~fund may be made for operational or lump sum expenses only,~~
25 ~~provided that the sum of such transfers for a State agency in~~
26 ~~State fiscal year 2022 shall not exceed 4% of the aggregate~~

1 ~~amount appropriated to that State agency for operational or~~
2 ~~lump sum expenses for State fiscal year 2022. For the purpose~~
3 ~~of this subsection, "operational or lump sum expenses"~~
4 ~~includes the following objects: personal services; extra help;~~
5 ~~student and inmate compensation; State contributions to~~
6 ~~retirement systems; State contributions to social security;~~
7 ~~State contributions for employee group insurance; contractual~~
8 ~~services; travel; commodities; printing; equipment; electronic~~
9 ~~data processing; operation of automotive equipment;~~
10 ~~telecommunications services; travel and allowance for~~
11 ~~committed, paroled, and discharged prisoners; library books;~~
12 ~~federal matching grants for student loans; refunds; workers'~~
13 ~~compensation, occupational disease, and tort claims; Late~~
14 ~~Interest Penalties under the State Prompt Payment Act and~~
15 ~~Sections 368a and 370a of the Illinois Insurance Code; lump~~
16 ~~sum and other purposes; and lump sum operations. For the~~
17 ~~purpose of this subsection, "State agency" does not include~~
18 ~~the Attorney General, the Secretary of State, the Comptroller,~~
19 ~~the Treasurer, or the judicial or legislative branches.~~

20 (c-9) Special provisions for State fiscal year 2023.
21 Notwithstanding any other provision of this Section, for State
22 fiscal year 2023, transfers among line item appropriations to
23 a State agency from the same State treasury fund may be made
24 for operational or lump sum expenses only, provided that the
25 sum of such transfers for a State agency in State fiscal year
26 2023 shall not exceed 4% of the aggregate amount appropriated

1 to that State agency for operational or lump sum expenses for
2 State fiscal year 2023. For the purpose of this subsection,
3 "operational or lump sum expenses" includes the following
4 objects: personal services; extra help; student and inmate
5 compensation; State contributions to retirement systems; State
6 contributions to social security; State contributions for
7 employee group insurance; contractual services; travel;
8 commodities; printing; equipment; electronic data processing;
9 operation of automotive equipment; telecommunications
10 services; travel and allowance for committed, paroled, and
11 discharged prisoners; library books; federal matching grants
12 for student loans; refunds; workers' compensation,
13 occupational disease, and tort claims; late interest penalties
14 under the State Prompt Payment Act and Sections 368a and 370a
15 of the Illinois Insurance Code; lump sum and other purposes;
16 and lump sum operations. For the purpose of this subsection,
17 "State agency" does not include the Attorney General, the
18 Secretary of State, the Comptroller, the Treasurer, or the
19 judicial or legislative branches.

20 (c-10) Special provisions for State fiscal year 2024.
21 Notwithstanding any other provision of this Section, for State
22 fiscal year 2024, transfers among line item appropriations to
23 a State agency from the same State treasury fund may be made
24 for operational or lump sum expenses only, provided that the
25 sum of such transfers for a State agency in State fiscal year
26 2024 shall not exceed 8% of the aggregate amount appropriated

1 to that State agency for operational or lump sum expenses for
2 State fiscal year 2024. For the purpose of this subsection,
3 "operational or lump sum expenses" includes the following
4 objects: personal services; extra help; student and inmate
5 compensation; State contributions to retirement systems; State
6 contributions to social security; State contributions for
7 employee group insurance; contractual services; travel;
8 commodities; printing; equipment; electronic data processing;
9 operation of automotive equipment; telecommunications
10 services; travel and allowance for committed, paroled, and
11 discharged prisoners; library books; federal matching grants
12 for student loans; refunds; workers' compensation,
13 occupational disease, and tort claims; late interest penalties
14 under the State Prompt Payment Act and Sections 368a and 370a
15 of the Illinois Insurance Code; lump sum and other purposes;
16 and lump sum operations. For the purpose of this subsection,
17 "State agency" does not include the Attorney General, the
18 Secretary of State, the Comptroller, the Treasurer, or the
19 judicial or legislative branches.

20 (d) Transfers among appropriations made to agencies of the
21 Legislative and Judicial departments and to the
22 constitutionally elected officers in the Executive branch
23 require the approval of the officer authorized in Section 10
24 of this Act to approve and certify vouchers. Transfers among
25 appropriations made to the University of Illinois, Southern
26 Illinois University, Chicago State University, Eastern

1 Illinois University, Governors State University, Illinois
2 State University, Northeastern Illinois University, Northern
3 Illinois University, Western Illinois University, the Illinois
4 Mathematics and Science Academy and the Board of Higher
5 Education require the approval of the Board of Higher
6 Education and the Governor. Transfers among appropriations to
7 all other agencies require the approval of the Governor.

8 The officer responsible for approval shall certify that
9 the transfer is necessary to carry out the programs and
10 purposes for which the appropriations were made by the General
11 Assembly and shall transmit to the State Comptroller a
12 certified copy of the approval which shall set forth the
13 specific amounts transferred so that the Comptroller may
14 change his records accordingly. The Comptroller shall furnish
15 the Governor with information copies of all transfers approved
16 for agencies of the Legislative and Judicial departments and
17 transfers approved by the constitutionally elected officials
18 of the Executive branch other than the Governor, showing the
19 amounts transferred and indicating the dates such changes were
20 entered on the Comptroller's records.

21 (e) The State Board of Education, in consultation with the
22 State Comptroller, may transfer line item appropriations for
23 General State Aid or Evidence-Based Funding among the Common
24 School Fund and the Education Assistance Fund, and, for State
25 fiscal year 2020 and each fiscal year thereafter, the Fund for
26 the Advancement of Education. With the advice and consent of

1 the Governor's Office of Management and Budget, the State
2 Board of Education, in consultation with the State
3 Comptroller, may transfer line item appropriations between the
4 General Revenue Fund and the Education Assistance Fund for the
5 following programs:

6 (1) Disabled Student Personnel Reimbursement (Section
7 14-13.01 of the School Code);

8 (2) Disabled Student Transportation Reimbursement
9 (subsection (b) of Section 14-13.01 of the School Code);

10 (3) Disabled Student Tuition - Private Tuition
11 (Section 14-7.02 of the School Code);

12 (4) Extraordinary Special Education (Section 14-7.02b
13 of the School Code);

14 (5) Reimbursement for Free Lunch/Breakfast Programs;

15 (6) Summer School Payments (Section 18-4.3 of the
16 School Code);

17 (7) Transportation - Regular/Vocational Reimbursement
18 (Section 29-5 of the School Code);

19 (8) Regular Education Reimbursement (Section 18-3 of
20 the School Code); and

21 (9) Special Education Reimbursement (Section 14-7.03
22 of the School Code).

23 (f) For State fiscal year 2020 and each fiscal year
24 thereafter, the Department on Aging, in consultation with the
25 State Comptroller, with the advice and consent of the
26 Governor's Office of Management and Budget, may transfer line

1 item appropriations for purchase of services covered by the
2 Community Care Program between the General Revenue Fund and
3 the Commitment to Human Services Fund.

4 (g) For State fiscal year 2024 and each fiscal year
5 thereafter, if requested by an agency chief executive officer
6 and authorized and approved by the Comptroller, the
7 Comptroller may direct and the Treasurer shall transfer funds
8 from the General Revenue Fund to fund payroll expenses that
9 meet the payroll transaction exception criteria as defined by
10 the Comptroller in the Statewide Accounting Management System
11 (SAMS) Manual. The agency shall then transfer these funds back
12 to the General Revenue Fund within 7 days.

13 (Source: P.A. 101-10, eff. 6-5-19; 101-81, eff. 7-12-19;
14 101-275, eff. 8-9-19; 101-636, eff. 6-10-20; 102-16, eff.
15 6-17-21; 102-699, eff. 4-19-22.)

16 (30 ILCS 105/25) (from Ch. 127, par. 161)

17 Sec. 25. Fiscal year limitations.

18 (a) All appropriations shall be available for expenditure
19 for the fiscal year or for a lesser period if the Act making
20 that appropriation so specifies. A deficiency or emergency
21 appropriation shall be available for expenditure only through
22 June 30 of the year when the Act making that appropriation is
23 enacted unless that Act otherwise provides.

24 (b) Outstanding liabilities as of June 30, payable from
25 appropriations which have otherwise expired, may be paid out

1 of the expiring appropriations during the 2-month period
2 ending at the close of business on August 31. Any service
3 involving professional or artistic skills or any personal
4 services by an employee whose compensation is subject to
5 income tax withholding must be performed as of June 30 of the
6 fiscal year in order to be considered an "outstanding
7 liability as of June 30" that is thereby eligible for payment
8 out of the expiring appropriation.

9 (b-1) However, payment of tuition reimbursement claims
10 under Section 14-7.03 or 18-3 of the School Code may be made by
11 the State Board of Education from its appropriations for those
12 respective purposes for any fiscal year, even though the
13 claims reimbursed by the payment may be claims attributable to
14 a prior fiscal year, and payments may be made at the direction
15 of the State Superintendent of Education from the fund from
16 which the appropriation is made without regard to any fiscal
17 year limitations, except as required by subsection (j) of this
18 Section. Beginning on June 30, 2021, payment of tuition
19 reimbursement claims under Section 14-7.03 or 18-3 of the
20 School Code as of June 30, payable from appropriations that
21 have otherwise expired, may be paid out of the expiring
22 appropriation during the 4-month period ending at the close of
23 business on October 31.

24 (b-2) (Blank).

25 (b-2.5) (Blank).

26 (b-2.6) (Blank).

1 (b-2.6a) (Blank).

2 (b-2.6b) (Blank).

3 (b-2.6c) (Blank).

4 (b-2.6d) All outstanding liabilities as of June 30, 2020,
5 payable from appropriations that would otherwise expire at the
6 conclusion of the lapse period for fiscal year 2020, and
7 interest penalties payable on those liabilities under the
8 State Prompt Payment Act, may be paid out of the expiring
9 appropriations until December 31, 2020, without regard to the
10 fiscal year in which the payment is made, as long as vouchers
11 for the liabilities are received by the Comptroller no later
12 than September 30, 2020.

13 (b-2.6e) All outstanding liabilities as of June 30, 2021,
14 payable from appropriations that would otherwise expire at the
15 conclusion of the lapse period for fiscal year 2021, and
16 interest penalties payable on those liabilities under the
17 State Prompt Payment Act, may be paid out of the expiring
18 appropriations until September 30, 2021, without regard to the
19 fiscal year in which the payment is made.

20 (b-2.7) For fiscal years 2012, 2013, 2014, 2018, and each
21 fiscal year thereafter ~~2019, 2020, 2021, 2022, and 2023,~~
22 interest penalties payable under the State Prompt Payment Act
23 associated with a voucher for which payment is issued after
24 June 30 may be paid out of the next fiscal year's
25 appropriation. The future year appropriation must be for the
26 same purpose and from the same fund as the original payment. An

1 interest penalty voucher submitted against a future year
2 appropriation must be submitted within 60 days after the
3 issuance of the associated voucher, except that, for fiscal
4 year 2018 only, an interest penalty voucher submitted against
5 a future year appropriation must be submitted within 60 days
6 of June 5, 2019 (the effective date of Public Act 101-10). The
7 Comptroller must issue the interest payment within 60 days
8 after acceptance of the interest voucher.

9 (b-3) Medical payments may be made by the Department of
10 Veterans' Affairs from its appropriations for those purposes
11 for any fiscal year, without regard to the fact that the
12 medical services being compensated for by such payment may
13 have been rendered in a prior fiscal year, except as required
14 by subsection (j) of this Section. Beginning on June 30, 2021,
15 medical payments payable from appropriations that have
16 otherwise expired may be paid out of the expiring
17 appropriation during the 4-month period ending at the close of
18 business on October 31.

19 (b-4) Medical payments and child care payments may be made
20 by the Department of Human Services (as successor to the
21 Department of Public Aid) from appropriations for those
22 purposes for any fiscal year, without regard to the fact that
23 the medical or child care services being compensated for by
24 such payment may have been rendered in a prior fiscal year; and
25 payments may be made at the direction of the Department of
26 Healthcare and Family Services (or successor agency) from the

1 Health Insurance Reserve Fund without regard to any fiscal
2 year limitations, except as required by subsection (j) of this
3 Section. Beginning on June 30, 2021, medical and child care
4 payments made by the Department of Human Services and payments
5 made at the discretion of the Department of Healthcare and
6 Family Services (or successor agency) from the Health
7 Insurance Reserve Fund and payable from appropriations that
8 have otherwise expired may be paid out of the expiring
9 appropriation during the 4-month period ending at the close of
10 business on October 31.

11 (b-5) Medical payments may be made by the Department of
12 Human Services from its appropriations relating to substance
13 abuse treatment services for any fiscal year, without regard
14 to the fact that the medical services being compensated for by
15 such payment may have been rendered in a prior fiscal year,
16 provided the payments are made on a fee-for-service basis
17 consistent with requirements established for Medicaid
18 reimbursement by the Department of Healthcare and Family
19 Services, except as required by subsection (j) of this
20 Section. Beginning on June 30, 2021, medical payments made by
21 the Department of Human Services relating to substance abuse
22 treatment services payable from appropriations that have
23 otherwise expired may be paid out of the expiring
24 appropriation during the 4-month period ending at the close of
25 business on October 31.

26 (b-6) (Blank).

1 (b-7) Payments may be made in accordance with a plan
2 authorized by paragraph (11) or (12) of Section 405-105 of the
3 Department of Central Management Services Law from
4 appropriations for those payments without regard to fiscal
5 year limitations.

6 (b-8) Reimbursements to eligible airport sponsors for the
7 construction or upgrading of Automated Weather Observation
8 Systems may be made by the Department of Transportation from
9 appropriations for those purposes for any fiscal year, without
10 regard to the fact that the qualification or obligation may
11 have occurred in a prior fiscal year, provided that at the time
12 the expenditure was made the project had been approved by the
13 Department of Transportation prior to June 1, 2012 and, as a
14 result of recent changes in federal funding formulas, can no
15 longer receive federal reimbursement.

16 (b-9) (Blank).

17 (c) Further, payments may be made by the Department of
18 Public Health and the Department of Human Services (acting as
19 successor to the Department of Public Health under the
20 Department of Human Services Act) from their respective
21 appropriations for grants for medical care to or on behalf of
22 premature and high-mortality risk infants and their mothers
23 and for grants for supplemental food supplies provided under
24 the United States Department of Agriculture Women, Infants and
25 Children Nutrition Program, for any fiscal year without regard
26 to the fact that the services being compensated for by such

1 payment may have been rendered in a prior fiscal year, except
2 as required by subsection (j) of this Section. Beginning on
3 June 30, 2021, payments made by the Department of Public
4 Health and the Department of Human Services from their
5 respective appropriations for grants for medical care to or on
6 behalf of premature and high-mortality risk infants and their
7 mothers and for grants for supplemental food supplies provided
8 under the United States Department of Agriculture Women,
9 Infants and Children Nutrition Program payable from
10 appropriations that have otherwise expired may be paid out of
11 the expiring appropriations during the 4-month period ending
12 at the close of business on October 31.

13 (d) The Department of Public Health and the Department of
14 Human Services (acting as successor to the Department of
15 Public Health under the Department of Human Services Act)
16 shall each annually submit to the State Comptroller, Senate
17 President, Senate Minority Leader, Speaker of the House, House
18 Minority Leader, and the respective Chairmen and Minority
19 Spokesmen of the Appropriations Committees of the Senate and
20 the House, on or before December 31, a report of fiscal year
21 funds used to pay for services provided in any prior fiscal
22 year. This report shall document by program or service
23 category those expenditures from the most recently completed
24 fiscal year used to pay for services provided in prior fiscal
25 years.

26 (e) The Department of Healthcare and Family Services, the

1 Department of Human Services (acting as successor to the
2 Department of Public Aid), and the Department of Human
3 Services making fee-for-service payments relating to substance
4 abuse treatment services provided during a previous fiscal
5 year shall each annually submit to the State Comptroller,
6 Senate President, Senate Minority Leader, Speaker of the
7 House, House Minority Leader, the respective Chairmen and
8 Minority Spokesmen of the Appropriations Committees of the
9 Senate and the House, on or before November 30, a report that
10 shall document by program or service category those
11 expenditures from the most recently completed fiscal year used
12 to pay for (i) services provided in prior fiscal years and (ii)
13 services for which claims were received in prior fiscal years.

14 (f) The Department of Human Services (as successor to the
15 Department of Public Aid) shall annually submit to the State
16 Comptroller, Senate President, Senate Minority Leader, Speaker
17 of the House, House Minority Leader, and the respective
18 Chairmen and Minority Spokesmen of the Appropriations
19 Committees of the Senate and the House, on or before December
20 31, a report of fiscal year funds used to pay for services
21 (other than medical care) provided in any prior fiscal year.
22 This report shall document by program or service category
23 those expenditures from the most recently completed fiscal
24 year used to pay for services provided in prior fiscal years.

25 (g) In addition, each annual report required to be
26 submitted by the Department of Healthcare and Family Services

1 under subsection (e) shall include the following information
2 with respect to the State's Medicaid program:

3 (1) Explanations of the exact causes of the variance
4 between the previous year's estimated and actual
5 liabilities.

6 (2) Factors affecting the Department of Healthcare and
7 Family Services' liabilities, including, but not limited
8 to, numbers of aid recipients, levels of medical service
9 utilization by aid recipients, and inflation in the cost
10 of medical services.

11 (3) The results of the Department's efforts to combat
12 fraud and abuse.

13 (h) As provided in Section 4 of the General Assembly
14 Compensation Act, any utility bill for service provided to a
15 General Assembly member's district office for a period
16 including portions of 2 consecutive fiscal years may be paid
17 from funds appropriated for such expenditure in either fiscal
18 year.

19 (i) An agency which administers a fund classified by the
20 Comptroller as an internal service fund may issue rules for:

21 (1) billing user agencies in advance for payments or
22 authorized inter-fund transfers based on estimated charges
23 for goods or services;

24 (2) issuing credits, refunding through inter-fund
25 transfers, or reducing future inter-fund transfers during
26 the subsequent fiscal year for all user agency payments or

1 authorized inter-fund transfers received during the prior
2 fiscal year which were in excess of the final amounts owed
3 by the user agency for that period; and

4 (3) issuing catch-up billings to user agencies during
5 the subsequent fiscal year for amounts remaining due when
6 payments or authorized inter-fund transfers received from
7 the user agency during the prior fiscal year were less
8 than the total amount owed for that period.

9 User agencies are authorized to reimburse internal service
10 funds for catch-up billings by vouchers drawn against their
11 respective appropriations for the fiscal year in which the
12 catch-up billing was issued or by increasing an authorized
13 inter-fund transfer during the current fiscal year. For the
14 purposes of this Act, "inter-fund transfers" means transfers
15 without the use of the voucher-warrant process, as authorized
16 by Section 9.01 of the State Comptroller Act.

17 (i-1) Beginning on July 1, 2021, all outstanding
18 liabilities, not payable during the 4-month lapse period as
19 described in subsections (b-1), (b-3), (b-4), (b-5), and (c)
20 of this Section, that are made from appropriations for that
21 purpose for any fiscal year, without regard to the fact that
22 the services being compensated for by those payments may have
23 been rendered in a prior fiscal year, are limited to only those
24 claims that have been incurred but for which a proper bill or
25 invoice as defined by the State Prompt Payment Act has not been
26 received by September 30th following the end of the fiscal

1 year in which the service was rendered.

2 (j) Notwithstanding any other provision of this Act, the
3 aggregate amount of payments to be made without regard for
4 fiscal year limitations as contained in subsections (b-1),
5 (b-3), (b-4), (b-5), and (c) of this Section, and determined
6 by using Generally Accepted Accounting Principles, shall not
7 exceed the following amounts:

8 (1) \$6,000,000,000 for outstanding liabilities related
9 to fiscal year 2012;

10 (2) \$5,300,000,000 for outstanding liabilities related
11 to fiscal year 2013;

12 (3) \$4,600,000,000 for outstanding liabilities related
13 to fiscal year 2014;

14 (4) \$4,000,000,000 for outstanding liabilities related
15 to fiscal year 2015;

16 (5) \$3,300,000,000 for outstanding liabilities related
17 to fiscal year 2016;

18 (6) \$2,600,000,000 for outstanding liabilities related
19 to fiscal year 2017;

20 (7) \$2,000,000,000 for outstanding liabilities related
21 to fiscal year 2018;

22 (8) \$1,300,000,000 for outstanding liabilities related
23 to fiscal year 2019;

24 (9) \$600,000,000 for outstanding liabilities related
25 to fiscal year 2020; and

26 (10) \$0 for outstanding liabilities related to fiscal

1 year 2021 and fiscal years thereafter.

2 (k) Department of Healthcare and Family Services Medical
3 Assistance Payments.

4 (1) Definition of Medical Assistance.

5 For purposes of this subsection, the term "Medical
6 Assistance" shall include, but not necessarily be
7 limited to, medical programs and services authorized
8 under Titles XIX and XXI of the Social Security Act,
9 the Illinois Public Aid Code, the Children's Health
10 Insurance Program Act, the Covering ALL KIDS Health
11 Insurance Act, the Long Term Acute Care Hospital
12 Quality Improvement Transfer Program Act, and medical
13 care to or on behalf of persons suffering from chronic
14 renal disease, persons suffering from hemophilia, and
15 victims of sexual assault.

16 (2) Limitations on Medical Assistance payments that
17 may be paid from future fiscal year appropriations.

18 (A) The maximum amounts of annual unpaid Medical
19 Assistance bills received and recorded by the
20 Department of Healthcare and Family Services on or
21 before June 30th of a particular fiscal year
22 attributable in aggregate to the General Revenue Fund,
23 Healthcare Provider Relief Fund, Tobacco Settlement
24 Recovery Fund, Long-Term Care Provider Fund, and the
25 Drug Rebate Fund that may be paid in total by the
26 Department from future fiscal year Medical Assistance

1 appropriations to those funds are: \$700,000,000 for
2 fiscal year 2013 and \$100,000,000 for fiscal year 2014
3 and each fiscal year thereafter.

4 (B) Bills for Medical Assistance services rendered
5 in a particular fiscal year, but received and recorded
6 by the Department of Healthcare and Family Services
7 after June 30th of that fiscal year, may be paid from
8 either appropriations for that fiscal year or future
9 fiscal year appropriations for Medical Assistance.
10 Such payments shall not be subject to the requirements
11 of subparagraph (A).

12 (C) Medical Assistance bills received by the
13 Department of Healthcare and Family Services in a
14 particular fiscal year, but subject to payment amount
15 adjustments in a future fiscal year may be paid from a
16 future fiscal year's appropriation for Medical
17 Assistance. Such payments shall not be subject to the
18 requirements of subparagraph (A).

19 (D) Medical Assistance payments made by the
20 Department of Healthcare and Family Services from
21 funds other than those specifically referenced in
22 subparagraph (A) may be made from appropriations for
23 those purposes for any fiscal year without regard to
24 the fact that the Medical Assistance services being
25 compensated for by such payment may have been rendered
26 in a prior fiscal year. Such payments shall not be

1 subject to the requirements of subparagraph (A).

2 (3) Extended lapse period for Department of Healthcare
3 and Family Services Medical Assistance payments.
4 Notwithstanding any other State law to the contrary,
5 outstanding Department of Healthcare and Family Services
6 Medical Assistance liabilities, as of June 30th, payable
7 from appropriations which have otherwise expired, may be
8 paid out of the expiring appropriations during the 4-month
9 period ending at the close of business on October 31st.

10 (1) The changes to this Section made by Public Act 97-691
11 shall be effective for payment of Medical Assistance bills
12 incurred in fiscal year 2013 and future fiscal years. The
13 changes to this Section made by Public Act 97-691 shall not be
14 applied to Medical Assistance bills incurred in fiscal year
15 2012 or prior fiscal years.

16 (m) The Comptroller must issue payments against
17 outstanding liabilities that were received prior to the lapse
18 period deadlines set forth in this Section as soon thereafter
19 as practical, but no payment may be issued after the 4 months
20 following the lapse period deadline without the signed
21 authorization of the Comptroller and the Governor.

22 (Source: P.A. 101-10, eff. 6-5-19; 101-275, eff. 8-9-19;
23 101-636, eff. 6-10-20; 102-16, eff. 6-17-21; 102-291, eff.
24 8-6-21; 102-699, eff. 4-19-22; 102-813, eff. 5-13-22.)

25 Section 5-55. The State Revenue Sharing Act is amended by

1 changing Section 12 as follows:

2 (30 ILCS 115/12) (from Ch. 85, par. 616)

3 Sec. 12. Personal Property Tax Replacement Fund. There is
4 hereby created the Personal Property Tax Replacement Fund, a
5 special fund in the State Treasury into which shall be paid all
6 revenue realized:

7 (a) all amounts realized from the additional personal
8 property tax replacement income tax imposed by subsections
9 (c) and (d) of Section 201 of the Illinois Income Tax Act,
10 except for those amounts deposited into the Income Tax
11 Refund Fund pursuant to subsection (c) of Section 901 of
12 the Illinois Income Tax Act; and

13 (b) all amounts realized from the additional personal
14 property replacement invested capital taxes imposed by
15 Section 2a.1 of the Messages Tax Act, Section 2a.1 of the
16 Gas Revenue Tax Act, Section 2a.1 of the Public Utilities
17 Revenue Act, and Section 3 of the Water Company Invested
18 Capital Tax Act, and amounts payable to the Department of
19 Revenue under the Telecommunications Infrastructure
20 Maintenance Fee Act.

21 As soon as may be after the end of each month, the
22 Department of Revenue shall certify to the Treasurer and the
23 Comptroller the amount of all refunds paid out of the General
24 Revenue Fund through the preceding month on account of
25 overpayment of liability on taxes paid into the Personal

1 Property Tax Replacement Fund. Upon receipt of such
2 certification, the Treasurer and the Comptroller shall
3 transfer the amount so certified from the Personal Property
4 Tax Replacement Fund into the General Revenue Fund.

5 The payments of revenue into the Personal Property Tax
6 Replacement Fund shall be used exclusively for distribution to
7 taxing districts, regional offices and officials, and local
8 officials as provided in this Section and in the School Code,
9 payment of the ordinary and contingent expenses of the
10 Property Tax Appeal Board, payment of the expenses of the
11 Department of Revenue incurred in administering the collection
12 and distribution of monies paid into the Personal Property Tax
13 Replacement Fund and transfers due to refunds to taxpayers for
14 overpayment of liability for taxes paid into the Personal
15 Property Tax Replacement Fund.

16 In addition, moneys in the Personal Property Tax
17 Replacement Fund may be used to pay any of the following: (i)
18 salary, stipends, and additional compensation as provided by
19 law for chief election clerks, county clerks, and county
20 recorders; (ii) costs associated with regional offices of
21 education and educational service centers; (iii)
22 reimbursements payable by the State Board of Elections under
23 Section 4-25, 5-35, 6-71, 13-10, 13-10a, or 13-11 of the
24 Election Code; (iv) expenses of the Illinois Educational Labor
25 Relations Board; and (v) salary, personal services, and
26 additional compensation as provided by law for court reporters

1 under the Court Reporters Act.

2 As soon as may be after June 26, 1980 (the effective date
3 of Public Act 81-1255), the Department of Revenue shall
4 certify to the Treasurer the amount of net replacement revenue
5 paid into the General Revenue Fund prior to that effective
6 date from the additional tax imposed by Section 2a.1 of the
7 Messages Tax Act; Section 2a.1 of the Gas Revenue Tax Act;
8 Section 2a.1 of the Public Utilities Revenue Act; Section 3 of
9 the Water Company Invested Capital Tax Act; amounts collected
10 by the Department of Revenue under the Telecommunications
11 Infrastructure Maintenance Fee Act; and the additional
12 personal property tax replacement income tax imposed by the
13 Illinois Income Tax Act, as amended by Public Act 81-1st
14 Special Session-1. Net replacement revenue shall be defined as
15 the total amount paid into and remaining in the General
16 Revenue Fund as a result of those Acts minus the amount
17 outstanding and obligated from the General Revenue Fund in
18 state vouchers or warrants prior to June 26, 1980 (the
19 effective date of Public Act 81-1255) as refunds to taxpayers
20 for overpayment of liability under those Acts.

21 All interest earned by monies accumulated in the Personal
22 Property Tax Replacement Fund shall be deposited in such Fund.
23 All amounts allocated pursuant to this Section are
24 appropriated on a continuing basis.

25 Prior to December 31, 1980, as soon as may be after the end
26 of each quarter beginning with the quarter ending December 31,

1 1979, and on and after December 31, 1980, as soon as may be
2 after January 1, March 1, April 1, May 1, July 1, August 1,
3 October 1 and December 1 of each year, the Department of
4 Revenue shall allocate to each taxing district as defined in
5 Section 1-150 of the Property Tax Code, in accordance with the
6 provisions of paragraph (2) of this Section the portion of the
7 funds held in the Personal Property Tax Replacement Fund which
8 is required to be distributed, as provided in paragraph (1),
9 for each quarter. Provided, however, under no circumstances
10 shall any taxing district during each of the first two years of
11 distribution of the taxes imposed by Public Act 81-1st Special
12 Session-1 be entitled to an annual allocation which is less
13 than the funds such taxing district collected from the 1978
14 personal property tax. Provided further that under no
15 circumstances shall any taxing district during the third year
16 of distribution of the taxes imposed by Public Act 81-1st
17 Special Session-1 receive less than 60% of the funds such
18 taxing district collected from the 1978 personal property tax.
19 In the event that the total of the allocations made as above
20 provided for all taxing districts, during either of such 3
21 years, exceeds the amount available for distribution the
22 allocation of each taxing district shall be proportionately
23 reduced. Except as provided in Section 13 of this Act, the
24 Department shall then certify, pursuant to appropriation, such
25 allocations to the State Comptroller who shall pay over to the
26 several taxing districts the respective amounts allocated to

1 them.

2 Any township which receives an allocation based in whole
3 or in part upon personal property taxes which it levied
4 pursuant to Section 6-507 or 6-512 of the Illinois Highway
5 Code and which was previously required to be paid over to a
6 municipality shall immediately pay over to that municipality a
7 proportionate share of the personal property replacement funds
8 which such township receives.

9 Any municipality or township, other than a municipality
10 with a population in excess of 500,000, which receives an
11 allocation based in whole or in part on personal property
12 taxes which it levied pursuant to Sections 3-1, 3-4 and 3-6 of
13 the Illinois Local Library Act and which was previously
14 required to be paid over to a public library shall immediately
15 pay over to that library a proportionate share of the personal
16 property tax replacement funds which such municipality or
17 township receives; provided that if such a public library has
18 converted to a library organized under the Illinois Public
19 Library District Act, regardless of whether such conversion
20 has occurred on, after or before January 1, 1988, such
21 proportionate share shall be immediately paid over to the
22 library district which maintains and operates the library.
23 However, any library that has converted prior to January 1,
24 1988, and which hitherto has not received the personal
25 property tax replacement funds, shall receive such funds
26 commencing on January 1, 1988.

1 Any township which receives an allocation based in whole
2 or in part on personal property taxes which it levied pursuant
3 to Section 1c of the Public Graveyards Act and which taxes were
4 previously required to be paid over to or used for such public
5 cemetery or cemeteries shall immediately pay over to or use
6 for such public cemetery or cemeteries a proportionate share
7 of the personal property tax replacement funds which the
8 township receives.

9 Any taxing district which receives an allocation based in
10 whole or in part upon personal property taxes which it levied
11 for another governmental body or school district in Cook
12 County in 1976 or for another governmental body or school
13 district in the remainder of the State in 1977 shall
14 immediately pay over to that governmental body or school
15 district the amount of personal property replacement funds
16 which such governmental body or school district would receive
17 directly under the provisions of paragraph (2) of this
18 Section, had it levied its own taxes.

19 (1) The portion of the Personal Property Tax
20 Replacement Fund required to be distributed as of the time
21 allocation is required to be made shall be the amount
22 available in such Fund as of the time allocation is
23 required to be made.

24 The amount available for distribution shall be the
25 total amount in the fund at such time minus the necessary
26 administrative and other authorized expenses as limited by

1 the appropriation and the amount determined by: (a) \$2.8
2 million for fiscal year 1981; (b) for fiscal year 1982,
3 .54% of the funds distributed from the fund during the
4 preceding fiscal year; (c) for fiscal year 1983 through
5 fiscal year 1988, .54% of the funds distributed from the
6 fund during the preceding fiscal year less .02% of such
7 fund for fiscal year 1983 and less .02% of such funds for
8 each fiscal year thereafter; (d) for fiscal year 1989
9 through fiscal year 2011 no more than 105% of the actual
10 administrative expenses of the prior fiscal year; (e) for
11 fiscal year 2012 and beyond, a sufficient amount to pay
12 (i) stipends, additional compensation, salary
13 reimbursements, and other amounts directed to be paid out
14 of this Fund for local officials as authorized or required
15 by statute and (ii) the ordinary and contingent expenses
16 of the Property Tax Appeal Board and the expenses of the
17 Department of Revenue incurred in administering the
18 collection and distribution of moneys paid into the Fund;
19 (f) for fiscal years 2012 and 2013 only, a sufficient
20 amount to pay stipends, additional compensation, salary
21 reimbursements, and other amounts directed to be paid out
22 of this Fund for regional offices and officials as
23 authorized or required by statute; or (g) for fiscal years
24 2018 through 2024 ~~2023~~ only, a sufficient amount to pay
25 amounts directed to be paid out of this Fund for public
26 community college base operating grants and local health

1 protection grants to certified local health departments as
2 authorized or required by appropriation or statute. Such
3 portion of the fund shall be determined after the transfer
4 into the General Revenue Fund due to refunds, if any, paid
5 from the General Revenue Fund during the preceding
6 quarter. If at any time, for any reason, there is
7 insufficient amount in the Personal Property Tax
8 Replacement Fund for payments for regional offices and
9 officials or local officials or payment of costs of
10 administration or for transfers due to refunds at the end
11 of any particular month, the amount of such insufficiency
12 shall be carried over for the purposes of payments for
13 regional offices and officials, local officials, transfers
14 into the General Revenue Fund, and costs of administration
15 to the following month or months. Net replacement revenue
16 held, and defined above, shall be transferred by the
17 Treasurer and Comptroller to the Personal Property Tax
18 Replacement Fund within 10 days of such certification.

19 (2) Each quarterly allocation shall first be
20 apportioned in the following manner: 51.65% for taxing
21 districts in Cook County and 48.35% for taxing districts
22 in the remainder of the State.

23 The Personal Property Replacement Ratio of each taxing
24 district outside Cook County shall be the ratio which the Tax
25 Base of that taxing district bears to the Downstate Tax Base.
26 The Tax Base of each taxing district outside of Cook County is

1 the personal property tax collections for that taxing district
2 for the 1977 tax year. The Downstate Tax Base is the personal
3 property tax collections for all taxing districts in the State
4 outside of Cook County for the 1977 tax year. The Department of
5 Revenue shall have authority to review for accuracy and
6 completeness the personal property tax collections for each
7 taxing district outside Cook County for the 1977 tax year.

8 The Personal Property Replacement Ratio of each Cook
9 County taxing district shall be the ratio which the Tax Base of
10 that taxing district bears to the Cook County Tax Base. The Tax
11 Base of each Cook County taxing district is the personal
12 property tax collections for that taxing district for the 1976
13 tax year. The Cook County Tax Base is the personal property tax
14 collections for all taxing districts in Cook County for the
15 1976 tax year. The Department of Revenue shall have authority
16 to review for accuracy and completeness the personal property
17 tax collections for each taxing district within Cook County
18 for the 1976 tax year.

19 For all purposes of this Section 12, amounts paid to a
20 taxing district for such tax years as may be applicable by a
21 foreign corporation under the provisions of Section 7-202 of
22 the Public Utilities Act, as amended, shall be deemed to be
23 personal property taxes collected by such taxing district for
24 such tax years as may be applicable. The Director shall
25 determine from the Illinois Commerce Commission, for any tax
26 year as may be applicable, the amounts so paid by any such

1 foreign corporation to any and all taxing districts. The
2 Illinois Commerce Commission shall furnish such information to
3 the Director. For all purposes of this Section 12, the
4 Director shall deem such amounts to be collected personal
5 property taxes of each such taxing district for the applicable
6 tax year or years.

7 Taxing districts located both in Cook County and in one or
8 more other counties shall receive both a Cook County
9 allocation and a Downstate allocation determined in the same
10 way as all other taxing districts.

11 If any taxing district in existence on July 1, 1979 ceases
12 to exist, or discontinues its operations, its Tax Base shall
13 thereafter be deemed to be zero. If the powers, duties and
14 obligations of the discontinued taxing district are assumed by
15 another taxing district, the Tax Base of the discontinued
16 taxing district shall be added to the Tax Base of the taxing
17 district assuming such powers, duties and obligations.

18 If two or more taxing districts in existence on July 1,
19 1979, or a successor or successors thereto shall consolidate
20 into one taxing district, the Tax Base of such consolidated
21 taxing district shall be the sum of the Tax Bases of each of
22 the taxing districts which have consolidated.

23 If a single taxing district in existence on July 1, 1979,
24 or a successor or successors thereto shall be divided into two
25 or more separate taxing districts, the tax base of the taxing
26 district so divided shall be allocated to each of the

1 resulting taxing districts in proportion to the then current
2 equalized assessed value of each resulting taxing district.

3 If a portion of the territory of a taxing district is
4 disconnected and annexed to another taxing district of the
5 same type, the Tax Base of the taxing district from which
6 disconnection was made shall be reduced in proportion to the
7 then current equalized assessed value of the disconnected
8 territory as compared with the then current equalized assessed
9 value within the entire territory of the taxing district prior
10 to disconnection, and the amount of such reduction shall be
11 added to the Tax Base of the taxing district to which
12 annexation is made.

13 If a community college district is created after July 1,
14 1979, beginning on January 1, 1996 (the effective date of
15 Public Act 89-327), its Tax Base shall be 3.5% of the sum of
16 the personal property tax collected for the 1977 tax year
17 within the territorial jurisdiction of the district.

18 The amounts allocated and paid to taxing districts
19 pursuant to the provisions of Public Act 81-1st Special
20 Session-1 shall be deemed to be substitute revenues for the
21 revenues derived from taxes imposed on personal property
22 pursuant to the provisions of the "Revenue Act of 1939" or "An
23 Act for the assessment and taxation of private car line
24 companies", approved July 22, 1943, as amended, or Section 414
25 of the Illinois Insurance Code, prior to the abolition of such
26 taxes and shall be used for the same purposes as the revenues

1 derived from ad valorem taxes on real estate.

2 Monies received by any taxing districts from the Personal
3 Property Tax Replacement Fund shall be first applied toward
4 payment of the proportionate amount of debt service which was
5 previously levied and collected from extensions against
6 personal property on bonds outstanding as of December 31, 1978
7 and next applied toward payment of the proportionate share of
8 the pension or retirement obligations of the taxing district
9 which were previously levied and collected from extensions
10 against personal property. For each such outstanding bond
11 issue, the County Clerk shall determine the percentage of the
12 debt service which was collected from extensions against real
13 estate in the taxing district for 1978 taxes payable in 1979,
14 as related to the total amount of such levies and collections
15 from extensions against both real and personal property. For
16 1979 and subsequent years' taxes, the County Clerk shall levy
17 and extend taxes against the real estate of each taxing
18 district which will yield the said percentage or percentages
19 of the debt service on such outstanding bonds. The balance of
20 the amount necessary to fully pay such debt service shall
21 constitute a first and prior lien upon the monies received by
22 each such taxing district through the Personal Property Tax
23 Replacement Fund and shall be first applied or set aside for
24 such purpose. In counties having fewer than 3,000,000
25 inhabitants, the amendments to this paragraph as made by
26 Public Act 81-1255 shall be first applicable to 1980 taxes to

1 be collected in 1981.

2 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
3 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

4 Section 5-60. The Railsplitter Tobacco Settlement
5 Authority Act is amended by changing Section 3-5 as follows:

6 (30 ILCS 171/3-5)

7 Sec. 3-5. Certain powers of the Authority. The Authority
8 shall have the power to:

9 (1) sue and be sued;

10 (2) have a seal and alter the same at pleasure;

11 (3) make and alter by-laws for its organization and
12 internal management and make rules and regulations
13 governing the use of its property and facilities;

14 (4) appoint by and with the consent of the Attorney
15 General, assistant attorneys for such Authority; those
16 assistant attorneys shall be under the control, direction,
17 and supervision of the Attorney General and shall serve at
18 his or her pleasure;

19 (5) retain special counsel, subject to the approval of
20 the Attorney General, as needed from time to time, and fix
21 their compensation, provided however, such special counsel
22 shall be subject to the control, direction and supervision
23 of the Attorney General and shall serve at his or her
24 pleasure;

1 (6) make and execute contracts and all other
2 instruments necessary or convenient for the exercise of
3 its powers and functions under this Section and to
4 commence any action to protect or enforce any right
5 conferred upon it by any law, contract, or other
6 agreement, provided that any underwriter, financial
7 advisor, bond counsel, or other professional providing
8 services to the Authority may be selected pursuant to
9 solicitations issued and completed by the Governor's
10 Office of Management and Budget for those services;

11 (7) appoint officers and agents, prescribe their
12 duties and qualifications, fix their compensation and
13 engage the services of private consultants and counsel on
14 a contract basis for rendering professional and technical
15 assistance and advice, provided that this shall not be
16 construed to limit the authority of the Attorney General
17 provided in Section 4 of the Attorney General Act;

18 (8) pay its operating expenses and its financing
19 costs, including its reasonable costs of issuance and sale
20 and those of the Attorney General, if any, in a total
21 amount not greater than 1% of the principal amount of the
22 proceeds of the bond sale;

23 (9) borrow money in its name and issue negotiable
24 bonds and provide for the rights of the holders thereof as
25 otherwise provided in this Act;

26 (10) procure insurance against any loss in connection

1 with its activities, properties, and assets in such amount
2 and from such insurers as it deems desirable;

3 (11) invest any funds or other moneys under its
4 custody and control in investment securities, including in
5 defeasance collateral, as that term is defined in any bond
6 indenture to which the Authority is party, or under any
7 related bond facility;

8 (12) as security for the payment of the principal of
9 and interest on any bonds issued by it pursuant to this Act
10 and any agreement made in connection therewith and for its
11 obligations under any related bond facility, pledge all or
12 any part of the tobacco settlement revenues;

13 (13) receive payments, transfers of funds, or other
14 moneys from any source in furtherance of a defeasance of
15 bonds, provide notice to an indenture trustee of the
16 defeasance of outstanding bonds, and execute and deliver
17 those instruments necessary to discharge the lien of the
18 trustee and the security interest of the holders of
19 outstanding bonds created under an indenture; and

20 (14) do any and all things necessary or convenient to
21 carry out its purposes and exercise the powers expressly
22 given and granted in this Section.

23 (Source: P.A. 96-958, eff. 7-1-10.)

24 Section 5-62. The Illinois Procurement Code is amended by
25 changing Sections 1-10, 10-10, and 10-20 as follows:

1 (30 ILCS 500/1-10)

2 Sec. 1-10. Application.

3 (a) This Code applies only to procurements for which
4 bidders, offerors, potential contractors, or contractors were
5 first solicited on or after July 1, 1998. This Code shall not
6 be construed to affect or impair any contract, or any
7 provision of a contract, entered into based on a solicitation
8 prior to the implementation date of this Code as described in
9 Article 99, including, but not limited to, any covenant
10 entered into with respect to any revenue bonds or similar
11 instruments. All procurements for which contracts are
12 solicited between the effective date of Articles 50 and 99 and
13 July 1, 1998 shall be substantially in accordance with this
14 Code and its intent.

15 (b) This Code shall apply regardless of the source of the
16 funds with which the contracts are paid, including federal
17 assistance moneys. This Code shall not apply to:

18 (1) Contracts between the State and its political
19 subdivisions or other governments, or between State
20 governmental bodies, except as specifically provided in
21 this Code.

22 (2) Grants, except for the filing requirements of
23 Section 20-80.

24 (3) Purchase of care, except as provided in Section
25 5-30.6 of the Illinois Public Aid Code and this Section.

1 (4) Hiring of an individual as an employee and not as
2 an independent contractor, whether pursuant to an
3 employment code or policy or by contract directly with
4 that individual.

5 (5) Collective bargaining contracts.

6 (6) Purchase of real estate, except that notice of
7 this type of contract with a value of more than \$25,000
8 must be published in the Procurement Bulletin within 10
9 calendar days after the deed is recorded in the county of
10 jurisdiction. The notice shall identify the real estate
11 purchased, the names of all parties to the contract, the
12 value of the contract, and the effective date of the
13 contract.

14 (7) Contracts necessary to prepare for anticipated
15 litigation, enforcement actions, or investigations,
16 provided that the chief legal counsel to the Governor
17 shall give his or her prior approval when the procuring
18 agency is one subject to the jurisdiction of the Governor,
19 and provided that the chief legal counsel of any other
20 procuring entity subject to this Code shall give his or
21 her prior approval when the procuring entity is not one
22 subject to the jurisdiction of the Governor.

23 (8) (Blank).

24 (9) Procurement expenditures by the Illinois
25 Conservation Foundation when only private funds are used.

26 (10) (Blank).

1 (11) Public-private agreements entered into according
2 to the procurement requirements of Section 20 of the
3 Public-Private Partnerships for Transportation Act and
4 design-build agreements entered into according to the
5 procurement requirements of Section 25 of the
6 Public-Private Partnerships for Transportation Act.

7 (12) (A) Contracts for legal, financial, and other
8 professional and artistic services entered into by the
9 Illinois Finance Authority in which the State of Illinois
10 is not obligated. Such contracts shall be awarded through
11 a competitive process authorized by the members of the
12 Illinois Finance Authority and are subject to Sections
13 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
14 as well as the final approval by the members of the
15 Illinois Finance Authority of the terms of the contract.

16 (B) Contracts for legal and financial services entered
17 into by the Illinois Housing Development Authority in
18 connection with the issuance of bonds in which the State
19 of Illinois is not obligated. Such contracts shall be
20 awarded through a competitive process authorized by the
21 members of the Illinois Housing Development Authority and
22 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
23 and 50-37 of this Code, as well as the final approval by
24 the members of the Illinois Housing Development Authority
25 of the terms of the contract.

26 (13) Contracts for services, commodities, and

1 equipment to support the delivery of timely forensic
2 science services in consultation with and subject to the
3 approval of the Chief Procurement Officer as provided in
4 subsection (d) of Section 5-4-3a of the Unified Code of
5 Corrections, except for the requirements of Sections
6 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
7 Code; however, the Chief Procurement Officer may, in
8 writing with justification, waive any certification
9 required under Article 50 of this Code. For any contracts
10 for services which are currently provided by members of a
11 collective bargaining agreement, the applicable terms of
12 the collective bargaining agreement concerning
13 subcontracting shall be followed.

14 On and after January 1, 2019, this paragraph (13),
15 except for this sentence, is inoperative.

16 (14) Contracts for participation expenditures required
17 by a domestic or international trade show or exhibition of
18 an exhibitor, member, or sponsor.

19 (15) Contracts with a railroad or utility that
20 requires the State to reimburse the railroad or utilities
21 for the relocation of utilities for construction or other
22 public purpose. Contracts included within this paragraph
23 (15) shall include, but not be limited to, those
24 associated with: relocations, crossings, installations,
25 and maintenance. For the purposes of this paragraph (15),
26 "railroad" means any form of non-highway ground

1 transportation that runs on rails or electromagnetic
2 guideways and "utility" means: (1) public utilities as
3 defined in Section 3-105 of the Public Utilities Act, (2)
4 telecommunications carriers as defined in Section 13-202
5 of the Public Utilities Act, (3) electric cooperatives as
6 defined in Section 3.4 of the Electric Supplier Act, (4)
7 telephone or telecommunications cooperatives as defined in
8 Section 13-212 of the Public Utilities Act, (5) rural
9 water or waste water systems with 10,000 connections or
10 less, (6) a holder as defined in Section 21-201 of the
11 Public Utilities Act, and (7) municipalities owning or
12 operating utility systems consisting of public utilities
13 as that term is defined in Section 11-117-2 of the
14 Illinois Municipal Code.

15 (16) Procurement expenditures necessary for the
16 Department of Public Health to provide the delivery of
17 timely newborn screening services in accordance with the
18 Newborn Metabolic Screening Act.

19 (17) Procurement expenditures necessary for the
20 Department of Agriculture, the Department of Financial and
21 Professional Regulation, the Department of Human Services,
22 and the Department of Public Health to implement the
23 Compassionate Use of Medical Cannabis Program and Opioid
24 Alternative Pilot Program requirements and ensure access
25 to medical cannabis for patients with debilitating medical
26 conditions in accordance with the Compassionate Use of

1 Medical Cannabis Program Act.

2 (18) This Code does not apply to any procurements
3 necessary for the Department of Agriculture, the
4 Department of Financial and Professional Regulation, the
5 Department of Human Services, the Department of Commerce
6 and Economic Opportunity, and the Department of Public
7 Health to implement the Cannabis Regulation and Tax Act if
8 the applicable agency has made a good faith determination
9 that it is necessary and appropriate for the expenditure
10 to fall within this exemption and if the process is
11 conducted in a manner substantially in accordance with the
12 requirements of Sections 20-160, 25-60, 30-22, 50-5,
13 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
14 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
15 Section 50-35, compliance applies only to contracts or
16 subcontracts over \$100,000. Notice of each contract
17 entered into under this paragraph (18) that is related to
18 the procurement of goods and services identified in
19 paragraph (1) through (9) of this subsection shall be
20 published in the Procurement Bulletin within 14 calendar
21 days after contract execution. The Chief Procurement
22 Officer shall prescribe the form and content of the
23 notice. Each agency shall provide the Chief Procurement
24 Officer, on a monthly basis, in the form and content
25 prescribed by the Chief Procurement Officer, a report of
26 contracts that are related to the procurement of goods and

1 services identified in this subsection. At a minimum, this
2 report shall include the name of the contractor, a
3 description of the supply or service provided, the total
4 amount of the contract, the term of the contract, and the
5 exception to this Code utilized. A copy of any or all of
6 these contracts shall be made available to the Chief
7 Procurement Officer immediately upon request. The Chief
8 Procurement Officer shall submit a report to the Governor
9 and General Assembly no later than November 1 of each year
10 that includes, at a minimum, an annual summary of the
11 monthly information reported to the Chief Procurement
12 Officer. This exemption becomes inoperative 5 years after
13 June 25, 2019 (the effective date of Public Act 101-27).

14 (19) Acquisition of modifications or adjustments,
15 limited to assistive technology devices and assistive
16 technology services, adaptive equipment, repairs, and
17 replacement parts to provide reasonable accommodations (i)
18 that enable a qualified applicant with a disability to
19 complete the job application process and be considered for
20 the position such qualified applicant desires, (ii) that
21 modify or adjust the work environment to enable a
22 qualified current employee with a disability to perform
23 the essential functions of the position held by that
24 employee, (iii) to enable a qualified current employee
25 with a disability to enjoy equal benefits and privileges
26 of employment as are enjoyed by other similarly situated

1 employees without disabilities, and (iv) that allow a
2 customer, client, claimant, or member of the public
3 seeking State services full use and enjoyment of and
4 access to its programs, services, or benefits.

5 For purposes of this paragraph (19):

6 "Assistive technology devices" means any item, piece
7 of equipment, or product system, whether acquired
8 commercially off the shelf, modified, or customized, that
9 is used to increase, maintain, or improve functional
10 capabilities of individuals with disabilities.

11 "Assistive technology services" means any service that
12 directly assists an individual with a disability in
13 selection, acquisition, or use of an assistive technology
14 device.

15 "Qualified" has the same meaning and use as provided
16 under the federal Americans with Disabilities Act when
17 describing an individual with a disability.

18 (20) Procurement expenditures necessary for the
19 Illinois Commerce Commission to hire third-party
20 facilitators pursuant to Sections 16-105.17 and 16-108.18
21 of the Public Utilities Act or an ombudsman pursuant to
22 Section 16-107.5 of the Public Utilities Act, a
23 facilitator pursuant to Section 16-105.17 of the Public
24 Utilities Act, or a grid auditor pursuant to Section
25 16-105.10 of the Public Utilities Act.

26 (21) Procurement expenditures for the purchase,

1 renewal, and expansion of software, software licenses, or
2 software maintenance agreements that support the efforts
3 of the Illinois State Police to enforce, regulate, and
4 administer the Firearm Owners Identification Card Act, the
5 Firearm Concealed Carry Act, the Firearms Restraining
6 Order Act, the Firearm Dealer License Certification Act,
7 the Law Enforcement Agencies Data System (LEADS), the
8 Uniform Crime Reporting Act, the Criminal Identification
9 Act, the Uniform Conviction Information Act, and the Gun
10 Trafficking Information Act, or establish or maintain
11 record management systems necessary to conduct human
12 trafficking investigations or gun trafficking or other
13 stolen firearm investigations. This paragraph (21) applies
14 to contracts entered into on or after the effective date
15 of this amendatory Act of the 102nd General Assembly and
16 the renewal of contracts that are in effect on the
17 effective date of this amendatory Act of the 102nd General
18 Assembly.

19 (22) Contracts for project management services and
20 system integration services required for the completion of
21 the State's enterprise resource planning project. This
22 exemption becomes inoperative 5 years after the effective
23 date of this amendatory Act of the 103rd General Assembly.
24 This paragraph (22) applies to contracts entered into on
25 or after the effective date of this amendatory Act of the
26 103rd General Assembly and the renewal of contracts that

1 are in effect on the effective date of this amendatory Act
2 of the 103rd General Assembly.

3 Notwithstanding any other provision of law, for contracts
4 with an annual value of more than \$100,000 entered into on or
5 after October 1, 2017 under an exemption provided in any
6 paragraph of this subsection (b), except paragraph (1), (2),
7 or (5), each State agency shall post to the appropriate
8 procurement bulletin the name of the contractor, a description
9 of the supply or service provided, the total amount of the
10 contract, the term of the contract, and the exception to the
11 Code utilized. The chief procurement officer shall submit a
12 report to the Governor and General Assembly no later than
13 November 1 of each year that shall include, at a minimum, an
14 annual summary of the monthly information reported to the
15 chief procurement officer.

16 (c) This Code does not apply to the electric power
17 procurement process provided for under Section 1-75 of the
18 Illinois Power Agency Act and Section 16-111.5 of the Public
19 Utilities Act.

20 (d) Except for Section 20-160 and Article 50 of this Code,
21 and as expressly required by Section 9.1 of the Illinois
22 Lottery Law, the provisions of this Code do not apply to the
23 procurement process provided for under Section 9.1 of the
24 Illinois Lottery Law.

25 (e) This Code does not apply to the process used by the
26 Capital Development Board to retain a person or entity to

1 assist the Capital Development Board with its duties related
2 to the determination of costs of a clean coal SNG brownfield
3 facility, as defined by Section 1-10 of the Illinois Power
4 Agency Act, as required in subsection (h-3) of Section 9-220
5 of the Public Utilities Act, including calculating the range
6 of capital costs, the range of operating and maintenance
7 costs, or the sequestration costs or monitoring the
8 construction of clean coal SNG brownfield facility for the
9 full duration of construction.

10 (f) (Blank).

11 (g) (Blank).

12 (h) This Code does not apply to the process to procure or
13 contracts entered into in accordance with Sections 11-5.2 and
14 11-5.3 of the Illinois Public Aid Code.

15 (i) Each chief procurement officer may access records
16 necessary to review whether a contract, purchase, or other
17 expenditure is or is not subject to the provisions of this
18 Code, unless such records would be subject to attorney-client
19 privilege.

20 (j) This Code does not apply to the process used by the
21 Capital Development Board to retain an artist or work or works
22 of art as required in Section 14 of the Capital Development
23 Board Act.

24 (k) This Code does not apply to the process to procure
25 contracts, or contracts entered into, by the State Board of
26 Elections or the State Electoral Board for hearing officers

1 appointed pursuant to the Election Code.

2 (l) This Code does not apply to the processes used by the
3 Illinois Student Assistance Commission to procure supplies and
4 services paid for from the private funds of the Illinois
5 Prepaid Tuition Fund. As used in this subsection (l), "private
6 funds" means funds derived from deposits paid into the
7 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

8 (m) This Code shall apply regardless of the source of
9 funds with which contracts are paid, including federal
10 assistance moneys. Except as specifically provided in this
11 Code, this Code shall not apply to procurement expenditures
12 necessary for the Department of Public Health to conduct the
13 Healthy Illinois Survey in accordance with Section 2310-431 of
14 the Department of Public Health Powers and Duties Law of the
15 Civil Administrative Code of Illinois.

16 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
17 101-363, eff. 8-9-19; 102-175, eff. 7-29-21; 102-483, eff
18 1-1-22; 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662,
19 eff. 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
20 102-1116, eff. 1-10-23.)

21 (30 ILCS 500/10-10)

22 Sec. 10-10. Independent State purchasing officers.

23 (a) The chief procurement officer shall appoint and
24 determine the salary of a State purchasing officer for each
25 agency that the chief procurement officer is responsible for

1 under Section 1-15.15. A State purchasing officer shall be
2 located in the State agency that the officer serves but shall
3 report to his or her respective chief procurement officer. The
4 State purchasing officer shall have direct communication with
5 agency staff assigned to assist with any procurement process.
6 At the direction of his or her respective chief procurement
7 officer, a State purchasing officer shall have the authority
8 to (i) review any contract or contract amendment prior to
9 execution to ensure that applicable procurement and
10 contracting standards were followed and (ii) approve or reject
11 contracts for a purchasing agency. If the State purchasing
12 officer provides written approval of the contract, the head of
13 the applicable State agency shall have the authority to sign
14 and enter into that contract. All actions of a State
15 purchasing officer are subject to review by a chief
16 procurement officer in accordance with procedures and policies
17 established by the chief procurement officer.

18 (a-5) A State purchasing officer may (i) attend any
19 procurement meetings; (ii) access any records or files related
20 to procurement; (iii) submit reports to the chief procurement
21 officer on procurement issues; (iv) ensure the State agency is
22 maintaining appropriate records; and (v) ensure transparency
23 of the procurement process.

24 (a-10) If a State purchasing officer is aware of
25 misconduct, waste, or inefficiency with respect to State
26 procurement, the State purchasing officer shall advise the

1 State agency of the issue in writing. If the State agency does
2 not correct the issue, the State purchasing officer shall
3 report the problem, in writing, to the chief procurement
4 officer and appropriate Inspector General.

5 (b) In addition to any other requirement or qualification
6 required by State law, within 30 months after appointment, a
7 State purchasing officer must be a Certified Professional
8 Public Buyer or a Certified Public Purchasing Officer,
9 pursuant to certification by the Universal Public Purchasing
10 Certification Council or the Institute for Supply Management.
11 A State purchasing officer shall serve a term of 5 years
12 beginning on the date of the officer's appointment. A State
13 purchasing officer shall have an office located in the State
14 agency that the officer serves but shall report to the chief
15 procurement officer. A State purchasing officer may be removed
16 by a chief procurement officer for cause after a hearing by the
17 Executive Ethics Commission. The chief procurement officer or
18 executive officer of the State agency housing the State
19 purchasing officer may institute a complaint against the State
20 purchasing officer by filing such a complaint with the
21 Commission and the Commission shall have a public hearing
22 based on the complaint. The State purchasing officer, chief
23 procurement officer, and executive officer of the State agency
24 shall receive notice of the hearing and shall be permitted to
25 present their respective arguments on the complaint. After the
26 hearing, the Commission shall make a non-binding

1 recommendation on whether the State purchasing officer shall
2 be removed. The salary of a State purchasing officer shall be
3 established by the chief procurement officer and may not be
4 diminished during the officer's term. In the absence of an
5 appointed State purchasing officer, the applicable chief
6 procurement officer shall exercise the procurement authority
7 created by this Code and may appoint a temporary acting State
8 purchasing officer.

9 (c) Each State purchasing officer owes a fiduciary duty to
10 the State.

11 (Source: P.A. 100-43, eff. 8-9-17.)

12 (30 ILCS 500/10-20)

13 Sec. 10-20. Independent chief procurement officers.

14 (a) Appointment. Within 60 calendar days after the
15 effective date of this amendatory Act of the 96th General
16 Assembly, the Executive Ethics Commission, with the advice and
17 consent of the Senate shall appoint or approve 4 chief
18 procurement officers, one for each of the following
19 categories:

20 (1) for procurements for construction and
21 construction-related services committed by law to the
22 jurisdiction or responsibility of the Capital Development
23 Board;

24 (2) for procurements for all construction,
25 construction-related services, operation of any facility,

1 and the provision of any service or activity committed by
2 law to the jurisdiction or responsibility of the Illinois
3 Department of Transportation, including the direct or
4 reimbursable expenditure of all federal funds for which
5 the Department of Transportation is responsible or
6 accountable for the use thereof in accordance with federal
7 law, regulation, or procedure, the chief procurement
8 officer recommended for approval under this item appointed
9 by the Secretary of Transportation after consent by the
10 Executive Ethics Commission;

11 (3) for all procurements made by a public institution
12 of higher education; and

13 (4) for all other procurement needs of State agencies.

14 For fiscal year 2024, the Executive Ethics Commission
15 shall set aside from its appropriation those amounts necessary
16 for the use of the 4 chief procurement officers for the
17 ordinary and contingent expenses of their respective
18 procurement offices. From the amounts set aside by the
19 Commission, each chief procurement officer shall control the
20 internal operations of his or her procurement office and shall
21 procure the necessary equipment, materials, and services to
22 perform the duties of that office, including hiring necessary
23 procurement personnel, legal advisors and other employees, and
24 may establish, in the exercise of the chief procurement
25 officer's discretion, the compensation of the office's
26 employees, which includes the State purchasing officers and

1 any legal advisors. The Executive Ethics Commission shall have
2 no control over the employees of the chief procurement
3 officers. The Executive Ethics Commission shall provide
4 administrative support services, including payroll, for each
5 procurement office. A chief procurement officer shall be
6 responsible to the Executive Ethics Commission but must be
7 located within the agency that the officer provides with
8 procurement services. The chief procurement officer for higher
9 education shall have an office located within the Board of
10 Higher Education, unless otherwise designated by the Executive
11 Ethics Commission. The chief procurement officer for all other
12 procurement needs of the State shall have an office located
13 within the Department of Central Management Services, unless
14 otherwise designated by the Executive Ethics Commission.

15 (b) Terms and independence. Each chief procurement officer
16 appointed under this Section shall serve for a term of 5 years
17 beginning on the date of the officer's appointment. The chief
18 procurement officer may be removed for cause after a hearing
19 by the Executive Ethics Commission. The Governor or the
20 director of a State agency directly responsible to the
21 Governor may institute a complaint against the officer by
22 filing such complaint with the Commission. The Commission
23 shall have a hearing based on the complaint. The officer and
24 the complainant shall receive reasonable notice of the hearing
25 and shall be permitted to present their respective arguments
26 on the complaint. After the hearing, the Commission shall make

1 a finding on the complaint and may take disciplinary action,
2 including but not limited to removal of the officer.

3 The salary of a chief procurement officer shall be
4 established by the Executive Ethics Commission and may not be
5 diminished during the officer's term. The salary may not
6 exceed the salary of the director of a State agency for which
7 the officer serves as chief procurement officer.

8 (c) Qualifications. In addition to any other requirement
9 or qualification required by State law, each chief procurement
10 officer must within 12 months of employment be a Certified
11 Professional Public Buyer or a Certified Public Purchasing
12 Officer, pursuant to certification by the Universal Public
13 Purchasing Certification Council, and must reside in Illinois.

14 (d) Fiduciary duty. Each chief procurement officer owes a
15 fiduciary duty to the State.

16 (e) Vacancy. In case of a vacancy in one or more of the
17 offices of a chief procurement officer under this Section
18 during the recess of the Senate, the Executive Ethics
19 Commission shall make a temporary appointment until the next
20 meeting of the Senate, when the Executive Ethics Commission
21 shall nominate some person to fill the office, and any person
22 so nominated who is confirmed by the Senate shall hold office
23 during the remainder of the term and until his or her successor
24 is appointed and qualified. If the Senate is not in session at
25 the time this amendatory Act of the 96th General Assembly
26 takes effect, the Executive Ethics Commission shall make a

1 temporary appointment as in the case of a vacancy.

2 (f) (Blank).

3 (g) (Blank).

4 (Source: P.A. 98-1076, eff. 1-1-15.)

5 Section 5-65. The Illinois Works Jobs Program Act is
6 amended by changing Section 20-15 as follows:

7 (30 ILCS 559/20-15)

8 Sec. 20-15. Illinois Works Preapprenticeship Program;
9 Illinois Works Bid Credit Program.

10 (a) The Illinois Works Preapprenticeship Program is
11 established and shall be administered by the Department. The
12 goal of the Illinois Works Preapprenticeship Program is to
13 create a network of community-based organizations throughout
14 the State that will recruit, prescreen, and provide
15 preapprenticeship skills training, for which participants may
16 attend free of charge and receive a stipend, to create a
17 qualified, diverse pipeline of workers who are prepared for
18 careers in the construction and building trades. Upon
19 completion of the Illinois Works Preapprenticeship Program,
20 the candidates will be skilled and work-ready.

21 (b) There is created the Illinois Works Fund, a special
22 fund in the State treasury. The Illinois Works Fund shall be
23 administered by the Department. The Illinois Works Fund shall
24 be used to provide funding for community-based organizations

1 throughout the State. In addition to any other transfers that
2 may be provided for by law, on and after July 1, 2019 at the
3 direction of the Director of the Governor's Office of
4 Management and Budget, the State Comptroller shall direct and
5 the State Treasurer shall transfer amounts not exceeding a
6 total of \$50,000,000 ~~\$25,000,000~~ from the Rebuild Illinois
7 Projects Fund to the Illinois Works Fund.

8 (c) Each community-based organization that receives
9 funding from the Illinois Works Fund shall provide an annual
10 report to the Illinois Works Review Panel by April 1 of each
11 calendar year. The annual report shall include the following
12 information:

13 (1) a description of the community-based
14 organization's recruitment, screening, and training
15 efforts;

16 (2) the number of individuals who apply to,
17 participate in, and complete the community-based
18 organization's program, broken down by race, gender, age,
19 and veteran status; and

20 (3) the number of the individuals referenced in item (2)
21 of this subsection who are initially accepted and placed
22 into apprenticeship programs in the construction and
23 building trades.

24 (d) The Department shall create and administer the
25 Illinois Works Bid Credit Program that shall provide economic
26 incentives, through bid credits, to encourage contractors and

1 subcontractors to provide contracting and employment
2 opportunities to historically underrepresented populations in
3 the construction industry.

4 The Illinois Works Bid Credit Program shall allow
5 contractors and subcontractors to earn bid credits for use
6 toward future bids for public works projects contracted by the
7 State or an agency of the State in order to increase the
8 chances that the contractor and the subcontractors will be
9 selected.

10 Contractors or subcontractors may be eligible for bid
11 credits for employing apprentices who have completed the
12 Illinois Works Preapprenticeship Program on public works
13 projects contracted by the State or any agency of the State.
14 Contractors or subcontractors shall earn bid credits at a rate
15 established by the Department and based on labor hours worked
16 on State-contracted public works projects by apprentices who
17 have completed the Illinois Works Preapprenticeship Program.
18 The Department shall establish the rate by rule and shall
19 publish it on the Department's website. The rule may include
20 maximum bid credits allowed per contractor, per subcontractor,
21 per apprentice, per bid, or per year.

22 The Illinois Works Credit Bank is hereby created and shall
23 be administered by the Department. The Illinois Works Credit
24 Bank shall track the bid credits.

25 A contractor or subcontractor who has been awarded bid
26 credits under any other State program for employing

1 apprentices who have completed the Illinois Works
2 Preapprenticeship Program is not eligible to receive bid
3 credits under the Illinois Works Bid Credit Program relating
4 to the same contract.

5 The Department shall report to the Illinois Works Review
6 Panel the following: (i) the number of bid credits awarded by
7 the Department; (ii) the number of bid credits submitted by
8 the contractor or subcontractor to the agency administering
9 the public works contract; and (iii) the number of bid credits
10 accepted by the agency for such contract. Any agency that
11 awards bid credits pursuant to the Illinois Works Credit Bank
12 Program shall report to the Department the number of bid
13 credits it accepted for the public works contract.

14 Upon a finding that a contractor or subcontractor has
15 reported falsified records to the Department in order to
16 fraudulently obtain bid credits, the Department may bar the
17 contractor or subcontractor from participating in the Illinois
18 Works Bid Credit Program and may suspend the contractor or
19 subcontractor from bidding on or participating in any public
20 works project. False or fraudulent claims for payment relating
21 to false bid credits may be subject to damages and penalties
22 under applicable law.

23 (e) The Department shall adopt any rules deemed necessary
24 to implement this Section. In order to provide for the
25 expeditious and timely implementation of this Act, the
26 Department may adopt emergency rules. The adoption of

1 emergency rules authorized by this subsection is deemed to be
2 necessary for the public interest, safety, and welfare.

3 (Source: P.A. 101-31, eff. 6-28-19; 101-601, eff. 12-10-19.)

4 Section 5-70. The Private Colleges and Universities
5 Capital Distribution Formula Act is amended by changing
6 Section 25-15 as follows:

7 (30 ILCS 769/25-15)

8 Sec. 25-15. Transfer of funds to another independent
9 college.

10 (a) If an institution received a grant under this Article
11 and subsequently fails to meet the definition of "independent
12 college", the remaining funds shall be re-distributed as
13 provided in Section 25-10 to those institutions that have an
14 active grant under this Article, unless the campus or
15 facilities for which the grant was given are subsequently
16 operated by another institution that qualifies as an
17 independent college under this Article.

18 (b) If the facilities of a former independent college are
19 operated by another entity that qualifies as an independent
20 college as provided in subsection (a) of this Section, then
21 the entire balance of the grant provided under this Article
22 remaining on the date the former independent college ceased
23 operations, including any amount that had been withheld after
24 the former independent college ceased operations, shall be

1 transferred to the successor independent college for the
2 purpose of the grant ~~operating those facilities~~ for the
3 duration of the grant.

4 (c) In the event that, on or before July 16, 2014 (the
5 effective date of Public Act 98-715) ~~this amendatory Act of~~
6 ~~the 98th General Assembly~~, the remaining funds have been
7 re-allocated or re-distributed to other independent colleges,
8 or the Illinois Board of Higher Education has planned for the
9 remaining funds to be re-allocated or re-distributed to other
10 independent colleges, before the 5-year period provided under
11 this Act for the utilization of funds has ended, any funds so
12 re-allocated or re-distributed shall be deducted from future
13 allocations to those other independent colleges and
14 re-allocated or re-distributed to the initial institution or
15 the successor entity operating the facilities of the original
16 institution if: (i) the institution that failed to meet the
17 definition of "independent college" once again meets the
18 definition of "independent college" before the 5-year period
19 has expired; or (ii) the facility or facilities of the former
20 independent college are operated by another entity that
21 qualifies as an independent college before the 5-year period
22 has expired.

23 (d) Notwithstanding subsection (a) of this Section, on or
24 after the effective date of this amendatory Act of the 103rd
25 General Assembly, remaining funds returned to the State by an
26 institution that failed to meet the definition of "independent

1 college" and that received a grant from appropriations enacted
2 prior to June 28, 2019, shall not be re-distributed. Any such
3 funds shall instead be added to the funds made available in the
4 first grant cycle under subsection (d) of Section 25-10 by the
5 Board of Higher Education following the effective date of this
6 amendatory Act of the 103rd General Assembly and shall be
7 distributed pursuant to the formula as provided in subsection
8 (d) of Section 25-10.

9 (Source: P.A. 101-10, eff. 6-5-19.)

10 Section 5-75. The Illinois Income Tax Act is amended by
11 changing Section 901 as follows:

12 (35 ILCS 5/901)

13 Sec. 901. Collection authority.

14 (a) In general. The Department shall collect the taxes
15 imposed by this Act. The Department shall collect certified
16 past due child support amounts under Section 2505-650 of the
17 Department of Revenue Law of the Civil Administrative Code of
18 Illinois. Except as provided in subsections (b), (c), (e),
19 (f), (g), and (h) of this Section, money collected pursuant to
20 subsections (a) and (b) of Section 201 of this Act shall be
21 paid into the General Revenue Fund in the State treasury;
22 money collected pursuant to subsections (c) and (d) of Section
23 201 of this Act shall be paid into the Personal Property Tax
24 Replacement Fund, a special fund in the State Treasury; and

1 money collected under Section 2505-650 of the Department of
2 Revenue Law of the Civil Administrative Code of Illinois shall
3 be paid into the Child Support Enforcement Trust Fund, a
4 special fund outside the State Treasury, or to the State
5 Disbursement Unit established under Section 10-26 of the
6 Illinois Public Aid Code, as directed by the Department of
7 Healthcare and Family Services.

8 (b) Local Government Distributive Fund. Beginning August
9 1, 2017 and continuing through July 31, 2022, the Treasurer
10 shall transfer each month from the General Revenue Fund to the
11 Local Government Distributive Fund an amount equal to the sum
12 of: (i) 6.06% (10% of the ratio of the 3% individual income tax
13 rate prior to 2011 to the 4.95% individual income tax rate
14 after July 1, 2017) of the net revenue realized from the tax
15 imposed by subsections (a) and (b) of Section 201 of this Act
16 upon individuals, trusts, and estates during the preceding
17 month; (ii) 6.85% (10% of the ratio of the 4.8% corporate
18 income tax rate prior to 2011 to the 7% corporate income tax
19 rate after July 1, 2017) of the net revenue realized from the
20 tax imposed by subsections (a) and (b) of Section 201 of this
21 Act upon corporations during the preceding month; and (iii)
22 beginning February 1, 2022, 6.06% of the net revenue realized
23 from the tax imposed by subsection (p) of Section 201 of this
24 Act upon electing pass-through entities. Beginning August 1,
25 2022 and continuing through July 31, 2023, the Treasurer shall
26 transfer each month from the General Revenue Fund to the Local

1 Government Distributive Fund an amount equal to the sum of:
2 (i) 6.16% of the net revenue realized from the tax imposed by
3 subsections (a) and (b) of Section 201 of this Act upon
4 individuals, trusts, and estates during the preceding month;
5 (ii) 6.85% of the net revenue realized from the tax imposed by
6 subsections (a) and (b) of Section 201 of this Act upon
7 corporations during the preceding month; and (iii) 6.16% of
8 the net revenue realized from the tax imposed by subsection
9 (p) of Section 201 of this Act upon electing pass-through
10 entities. Beginning August 1, 2023, the Treasurer shall
11 transfer each month from the General Revenue Fund to the Local
12 Government Distributive Fund an amount equal to the sum of:
13 (i) 6.47% of the net revenue realized from the tax imposed by
14 subsections (a) and (b) of Section 201 of this Act upon
15 individuals, trusts, and estates during the preceding month;
16 (ii) 6.85% of the net revenue realized from the tax imposed by
17 subsections (a) and (b) of Section 201 of this Act upon
18 corporations during the preceding month; and (iii) 6.47% of
19 the net revenue realized from the tax imposed by subsection
20 (p) of Section 201 of this Act upon electing pass-through
21 entities. Net revenue realized for a month shall be defined as
22 the revenue from the tax imposed by subsections (a) and (b) of
23 Section 201 of this Act which is deposited into ~~in~~ the General
24 Revenue Fund, the Education Assistance Fund, the Income Tax
25 Surcharge Local Government Distributive Fund, the Fund for the
26 Advancement of Education, and the Commitment to Human Services

1 Fund during the month minus the amount paid out of the General
2 Revenue Fund in State warrants during that same month as
3 refunds to taxpayers for overpayment of liability under the
4 tax imposed by subsections (a) and (b) of Section 201 of this
5 Act.

6 Notwithstanding any provision of law to the contrary,
7 beginning on July 6, 2017 (the effective date of Public Act
8 100-23), those amounts required under this subsection (b) to
9 be transferred by the Treasurer into the Local Government
10 Distributive Fund from the General Revenue Fund shall be
11 directly deposited into the Local Government Distributive Fund
12 as the revenue is realized from the tax imposed by subsections
13 (a) and (b) of Section 201 of this Act.

14 (c) Deposits Into Income Tax Refund Fund.

15 (1) Beginning on January 1, 1989 and thereafter, the
16 Department shall deposit a percentage of the amounts
17 collected pursuant to subsections (a) and (b) (1), (2), and
18 (3) of Section 201 of this Act into a fund in the State
19 treasury known as the Income Tax Refund Fund. Beginning
20 with State fiscal year 1990 and for each fiscal year
21 thereafter, the percentage deposited into the Income Tax
22 Refund Fund during a fiscal year shall be the Annual
23 Percentage. For fiscal year 2011, the Annual Percentage
24 shall be 8.75%. For fiscal year 2012, the Annual
25 Percentage shall be 8.75%. For fiscal year 2013, the
26 Annual Percentage shall be 9.75%. For fiscal year 2014,

1 the Annual Percentage shall be 9.5%. For fiscal year 2015,
2 the Annual Percentage shall be 10%. For fiscal year 2018,
3 the Annual Percentage shall be 9.8%. For fiscal year 2019,
4 the Annual Percentage shall be 9.7%. For fiscal year 2020,
5 the Annual Percentage shall be 9.5%. For fiscal year 2021,
6 the Annual Percentage shall be 9%. For fiscal year 2022,
7 the Annual Percentage shall be 9.25%. For fiscal year
8 2023, the Annual Percentage shall be 9.25%. For fiscal
9 year 2024, the Annual Percentage shall be 9.15%. For all
10 other fiscal years, the Annual Percentage shall be
11 calculated as a fraction, the numerator of which shall be
12 the amount of refunds approved for payment by the
13 Department during the preceding fiscal year as a result of
14 overpayment of tax liability under subsections (a) and
15 (b)(1), (2), and (3) of Section 201 of this Act plus the
16 amount of such refunds remaining approved but unpaid at
17 the end of the preceding fiscal year, minus the amounts
18 transferred into the Income Tax Refund Fund from the
19 Tobacco Settlement Recovery Fund, and the denominator of
20 which shall be the amounts which will be collected
21 pursuant to subsections (a) and (b)(1), (2), and (3) of
22 Section 201 of this Act during the preceding fiscal year;
23 except that in State fiscal year 2002, the Annual
24 Percentage shall in no event exceed 7.6%. The Director of
25 Revenue shall certify the Annual Percentage to the
26 Comptroller on the last business day of the fiscal year

1 immediately preceding the fiscal year for which it is to
2 be effective.

3 (2) Beginning on January 1, 1989 and thereafter, the
4 Department shall deposit a percentage of the amounts
5 collected pursuant to subsections (a) and (b)(6), (7), and
6 (8), (c) and (d) of Section 201 of this Act into a fund in
7 the State treasury known as the Income Tax Refund Fund.
8 Beginning with State fiscal year 1990 and for each fiscal
9 year thereafter, the percentage deposited into the Income
10 Tax Refund Fund during a fiscal year shall be the Annual
11 Percentage. For fiscal year 2011, the Annual Percentage
12 shall be 17.5%. For fiscal year 2012, the Annual
13 Percentage shall be 17.5%. For fiscal year 2013, the
14 Annual Percentage shall be 14%. For fiscal year 2014, the
15 Annual Percentage shall be 13.4%. For fiscal year 2015,
16 the Annual Percentage shall be 14%. For fiscal year 2018,
17 the Annual Percentage shall be 17.5%. For fiscal year
18 2019, the Annual Percentage shall be 15.5%. For fiscal
19 year 2020, the Annual Percentage shall be 14.25%. For
20 fiscal year 2021, the Annual Percentage shall be 14%. For
21 fiscal year 2022, the Annual Percentage shall be 15%. For
22 fiscal year 2023, the Annual Percentage shall be 14.5%.
23 For fiscal year 2024, the Annual Percentage shall be 14%.

24 For all other fiscal years, the Annual Percentage shall be
25 calculated as a fraction, the numerator of which shall be
26 the amount of refunds approved for payment by the

1 Department during the preceding fiscal year as a result of
2 overpayment of tax liability under subsections (a) and
3 (b) (6), (7), and (8), (c) and (d) of Section 201 of this
4 Act plus the amount of such refunds remaining approved but
5 unpaid at the end of the preceding fiscal year, and the
6 denominator of which shall be the amounts which will be
7 collected pursuant to subsections (a) and (b) (6), (7), and
8 (8), (c) and (d) of Section 201 of this Act during the
9 preceding fiscal year; except that in State fiscal year
10 2002, the Annual Percentage shall in no event exceed 23%.
11 The Director of Revenue shall certify the Annual
12 Percentage to the Comptroller on the last business day of
13 the fiscal year immediately preceding the fiscal year for
14 which it is to be effective.

15 (3) The Comptroller shall order transferred and the
16 Treasurer shall transfer from the Tobacco Settlement
17 Recovery Fund to the Income Tax Refund Fund (i)
18 \$35,000,000 in January, 2001, (ii) \$35,000,000 in January,
19 2002, and (iii) \$35,000,000 in January, 2003.

20 (d) Expenditures from Income Tax Refund Fund.

21 (1) Beginning January 1, 1989, money in the Income Tax
22 Refund Fund shall be expended exclusively for the purpose
23 of paying refunds resulting from overpayment of tax
24 liability under Section 201 of this Act and for making
25 transfers pursuant to this subsection (d), except that in
26 State fiscal years 2022 and 2023, moneys in the Income Tax

1 Refund Fund shall also be used to pay one-time rebate
2 payments as provided under Sections 208.5 and 212.1.

3 (2) The Director shall order payment of refunds
4 resulting from overpayment of tax liability under Section
5 201 of this Act from the Income Tax Refund Fund only to the
6 extent that amounts collected pursuant to Section 201 of
7 this Act and transfers pursuant to this subsection (d) and
8 item (3) of subsection (c) have been deposited and
9 retained in the Fund.

10 (3) As soon as possible after the end of each fiscal
11 year, the Director shall order transferred and the State
12 Treasurer and State Comptroller shall transfer from the
13 Income Tax Refund Fund to the Personal Property Tax
14 Replacement Fund an amount, certified by the Director to
15 the Comptroller, equal to the excess of the amount
16 collected pursuant to subsections (c) and (d) of Section
17 201 of this Act deposited into the Income Tax Refund Fund
18 during the fiscal year over the amount of refunds
19 resulting from overpayment of tax liability under
20 subsections (c) and (d) of Section 201 of this Act paid
21 from the Income Tax Refund Fund during the fiscal year.

22 (4) As soon as possible after the end of each fiscal
23 year, the Director shall order transferred and the State
24 Treasurer and State Comptroller shall transfer from the
25 Personal Property Tax Replacement Fund to the Income Tax
26 Refund Fund an amount, certified by the Director to the

1 Comptroller, equal to the excess of the amount of refunds
2 resulting from overpayment of tax liability under
3 subsections (c) and (d) of Section 201 of this Act paid
4 from the Income Tax Refund Fund during the fiscal year
5 over the amount collected pursuant to subsections (c) and
6 (d) of Section 201 of this Act deposited into the Income
7 Tax Refund Fund during the fiscal year.

8 (4.5) As soon as possible after the end of fiscal year
9 1999 and of each fiscal year thereafter, the Director
10 shall order transferred and the State Treasurer and State
11 Comptroller shall transfer from the Income Tax Refund Fund
12 to the General Revenue Fund any surplus remaining in the
13 Income Tax Refund Fund as of the end of such fiscal year;
14 excluding for fiscal years 2000, 2001, and 2002 amounts
15 attributable to transfers under item (3) of subsection (c)
16 less refunds resulting from the earned income tax credit,
17 and excluding for fiscal year 2022 amounts attributable to
18 transfers from the General Revenue Fund authorized by
19 Public Act 102-700 ~~this amendatory Act of the 102nd~~
20 ~~General Assembly.~~

21 (5) This Act shall constitute an irrevocable and
22 continuing appropriation from the Income Tax Refund Fund
23 for the purposes of (i) paying refunds upon the order of
24 the Director in accordance with the provisions of this
25 Section and (ii) paying one-time rebate payments under
26 Sections 208.5 and 212.1.

1 (e) Deposits into the Education Assistance Fund and the
2 Income Tax Surcharge Local Government Distributive Fund. On
3 July 1, 1991, and thereafter, of the amounts collected
4 pursuant to subsections (a) and (b) of Section 201 of this Act,
5 minus deposits into the Income Tax Refund Fund, the Department
6 shall deposit 7.3% into the Education Assistance Fund in the
7 State Treasury. Beginning July 1, 1991, and continuing through
8 January 31, 1993, of the amounts collected pursuant to
9 subsections (a) and (b) of Section 201 of the Illinois Income
10 Tax Act, minus deposits into the Income Tax Refund Fund, the
11 Department shall deposit 3.0% into the Income Tax Surcharge
12 Local Government Distributive Fund in the State Treasury.
13 Beginning February 1, 1993 and continuing through June 30,
14 1993, of the amounts collected pursuant to subsections (a) and
15 (b) of Section 201 of the Illinois Income Tax Act, minus
16 deposits into the Income Tax Refund Fund, the Department shall
17 deposit 4.4% into the Income Tax Surcharge Local Government
18 Distributive Fund in the State Treasury. Beginning July 1,
19 1993, and continuing through June 30, 1994, of the amounts
20 collected under subsections (a) and (b) of Section 201 of this
21 Act, minus deposits into the Income Tax Refund Fund, the
22 Department shall deposit 1.475% into the Income Tax Surcharge
23 Local Government Distributive Fund in the State Treasury.

24 (f) Deposits into the Fund for the Advancement of
25 Education. Beginning February 1, 2015, the Department shall
26 deposit the following portions of the revenue realized from

1 the tax imposed upon individuals, trusts, and estates by
2 subsections (a) and (b) of Section 201 of this Act, minus
3 deposits into the Income Tax Refund Fund, into the Fund for the
4 Advancement of Education:

5 (1) beginning February 1, 2015, and prior to February
6 1, 2025, 1/30; and

7 (2) beginning February 1, 2025, 1/26.

8 If the rate of tax imposed by subsection (a) and (b) of
9 Section 201 is reduced pursuant to Section 201.5 of this Act,
10 the Department shall not make the deposits required by this
11 subsection (f) on or after the effective date of the
12 reduction.

13 (g) Deposits into the Commitment to Human Services Fund.
14 Beginning February 1, 2015, the Department shall deposit the
15 following portions of the revenue realized from the tax
16 imposed upon individuals, trusts, and estates by subsections
17 (a) and (b) of Section 201 of this Act, minus deposits into the
18 Income Tax Refund Fund, into the Commitment to Human Services
19 Fund:

20 (1) beginning February 1, 2015, and prior to February
21 1, 2025, 1/30; and

22 (2) beginning February 1, 2025, 1/26.

23 If the rate of tax imposed by subsection (a) and (b) of
24 Section 201 is reduced pursuant to Section 201.5 of this Act,
25 the Department shall not make the deposits required by this
26 subsection (g) on or after the effective date of the

1 reduction.

2 (h) Deposits into the Tax Compliance and Administration
3 Fund. Beginning on the first day of the first calendar month to
4 occur on or after August 26, 2014 (the effective date of Public
5 Act 98-1098), each month the Department shall pay into the Tax
6 Compliance and Administration Fund, to be used, subject to
7 appropriation, to fund additional auditors and compliance
8 personnel at the Department, an amount equal to 1/12 of 5% of
9 the cash receipts collected during the preceding fiscal year
10 by the Audit Bureau of the Department from the tax imposed by
11 subsections (a), (b), (c), and (d) of Section 201 of this Act,
12 net of deposits into the Income Tax Refund Fund made from those
13 cash receipts.

14 (Source: P.A. 101-8, see Section 99 for effective date;
15 101-10, eff. 6-5-19; 101-81, eff. 7-12-19; 101-636, eff.
16 6-10-20; 102-16, eff. 6-17-21; 102-558, eff. 8-20-21; 102-658,
17 eff. 8-27-21; 102-699, eff. 4-19-22; 102-700, eff. 4-19-22;
18 102-813, eff. 5-13-22; revised 8-2-22.)

19 Section 5-80. The Hotel Operators' Occupation Tax Act is
20 amended by changing Section 6 as follows:

21 (35 ILCS 145/6) (from Ch. 120, par. 481b.36)

22 Sec. 6. Filing of returns and distribution of revenue
23 ~~proceeds~~. Except as provided hereinafter in this Section, on
24 or before the last day of each calendar month, every person

1 engaged in the business of renting, leasing or letting rooms
2 in a hotel in this State during the preceding calendar month
3 shall file a return with the Department, stating:

4 1. The name of the operator;

5 2. His residence address and the address of his
6 principal place of business and the address of the
7 principal place of business (if that is a different
8 address) from which he engages in the business of renting,
9 leasing or letting rooms in a hotel in this State;

10 3. Total amount of rental receipts received by him
11 during the preceding calendar month from renting, leasing
12 or letting rooms during such preceding calendar month;

13 4. Total amount of rental receipts received by him
14 during the preceding calendar month from renting, leasing
15 or letting rooms to permanent residents during such
16 preceding calendar month;

17 5. Total amount of other exclusions from gross rental
18 receipts allowed by this Act;

19 6. Gross rental receipts which were received by him
20 during the preceding calendar month and upon the basis of
21 which the tax is imposed;

22 7. The amount of tax due;

23 8. Such other reasonable information as the Department
24 may require.

25 If the operator's average monthly tax liability to the
26 Department does not exceed \$200, the Department may authorize

1 his returns to be filed on a quarter annual basis, with the
2 return for January, February and March of a given year being
3 due by April 30 of such year; with the return for April, May
4 and June of a given year being due by July 31 of such year;
5 with the return for July, August and September of a given year
6 being due by October 31 of such year, and with the return for
7 October, November and December of a given year being due by
8 January 31 of the following year.

9 If the operator's average monthly tax liability to the
10 Department does not exceed \$50, the Department may authorize
11 his returns to be filed on an annual basis, with the return for
12 a given year being due by January 31 of the following year.

13 Such quarter annual and annual returns, as to form and
14 substance, shall be subject to the same requirements as
15 monthly returns.

16 Notwithstanding any other provision in this Act concerning
17 the time within which an operator may file his return, in the
18 case of any operator who ceases to engage in a kind of business
19 which makes him responsible for filing returns under this Act,
20 such operator shall file a final return under this Act with the
21 Department not more than 1 month after discontinuing such
22 business.

23 Where the same person has more than 1 business registered
24 with the Department under separate registrations under this
25 Act, such person shall not file each return that is due as a
26 single return covering all such registered businesses, but

1 shall file separate returns for each such registered business.

2 In his return, the operator shall determine the value of
3 any consideration other than money received by him in
4 connection with the renting, leasing or letting of rooms in
5 the course of his business and he shall include such value in
6 his return. Such determination shall be subject to review and
7 revision by the Department in the manner hereinafter provided
8 for the correction of returns.

9 Where the operator is a corporation, the return filed on
10 behalf of such corporation shall be signed by the president,
11 vice-president, secretary or treasurer or by the properly
12 accredited agent of such corporation.

13 The person filing the return herein provided for shall, at
14 the time of filing such return, pay to the Department the
15 amount of tax herein imposed. The operator filing the return
16 under this Section shall, at the time of filing such return,
17 pay to the Department the amount of tax imposed by this Act
18 less a discount of 2.1% or \$25 per calendar year, whichever is
19 greater, which is allowed to reimburse the operator for the
20 expenses incurred in keeping records, preparing and filing
21 returns, remitting the tax and supplying data to the
22 Department on request.

23 If any payment provided for in this Section exceeds the
24 operator's liabilities under this Act, as shown on an original
25 return, the Department may authorize the operator to credit
26 such excess payment against liability subsequently to be

1 remitted to the Department under this Act, in accordance with
2 reasonable rules adopted by the Department. If the Department
3 subsequently determines that all or any part of the credit
4 taken was not actually due to the operator, the operator's
5 discount shall be reduced by an amount equal to the difference
6 between the discount as applied to the credit taken and that
7 actually due, and that operator shall be liable for penalties
8 and interest on such difference.

9 There shall be deposited into ~~in~~ the Build Illinois Fund
10 in the State Treasury for each State fiscal year 40% of the
11 amount of total net revenue ~~proceeds~~ from the tax imposed by
12 subsection (a) of Section 3. Of the remaining 60%: (i),
13 \$5,000,000 shall be deposited into ~~in~~ the Illinois Sports
14 Facilities Fund and credited to the Subsidy Account each
15 fiscal year by making monthly deposits in the amount of 1/8 of
16 \$5,000,000 plus cumulative deficiencies in such deposits for
17 prior months, and (ii) an amount equal to the then applicable
18 Advance Amount ~~additional \$8,000,000~~ shall be deposited into
19 ~~in~~ the Illinois Sports Facilities Fund and credited to the
20 Advance Account each fiscal year by making monthly deposits in
21 the amount of 1/8 of the then applicable Advance Amount
22 ~~\$8,000,000~~ plus any cumulative deficiencies in such deposits
23 for prior months; ~~provided, that for fiscal years ending after~~
24 ~~June 30, 2001, the amount to be so deposited into the Illinois~~
25 ~~Sports Facilities Fund and credited to the Advance Account~~
26 ~~each fiscal year shall be increased from \$8,000,000 to the~~

1 ~~then applicable Advance Amount and the required monthly~~
2 ~~deposits beginning with July 2001 shall be in the amount of 1/8~~
3 ~~of the then applicable Advance Amount plus any cumulative~~
4 ~~deficiencies in those deposits for prior months.~~ (The deposits
5 of the ~~additional \$8,000,000 or~~ the then applicable Advance
6 Amount, ~~as applicable,~~ during each fiscal year shall be
7 treated as advances of funds to the Illinois Sports Facilities
8 Authority for its corporate purposes to the extent paid to the
9 Authority or its trustee and shall be repaid into the General
10 Revenue Fund in the State Treasury by the State Treasurer on
11 behalf of the Authority pursuant to Section 19 of the Illinois
12 Sports Facilities Authority Act, as amended. If in any fiscal
13 year the full amount of the then applicable Advance Amount is
14 not repaid into the General Revenue Fund, then the deficiency
15 shall be paid from the amount in the Local Government
16 Distributive Fund that would otherwise be allocated to the
17 City of Chicago under the State Revenue Sharing Act.)

18 For purposes of the foregoing paragraph, the term "Advance
19 Amount" means, for fiscal year 2002, \$22,179,000, and for
20 subsequent fiscal years through fiscal year 2033, 105.615% of
21 the Advance Amount for the immediately preceding fiscal year,
22 rounded up to the nearest \$1,000.

23 ~~Of the remaining 60% of the amount of total net proceeds~~
24 ~~prior to August 1, 2011 from the tax imposed by subsection (a)~~
25 ~~of Section 3 after all required deposits in the Illinois~~
26 ~~Sports Facilities Fund, the amount equal to 8% of the net~~

1 ~~revenue realized from this Act plus an amount equal to 8% of~~
2 ~~the net revenue realized from any tax imposed under Section~~
3 ~~4.05 of the Chicago World's Fair 1992 Authority Act during the~~
4 ~~preceding month shall be deposited in the Local Tourism Fund~~
5 ~~each month for purposes authorized by Section 605-705 of the~~
6 ~~Department of Commerce and Economic Opportunity Law (20 ILCS~~
7 ~~605/605-705).~~ Of the remaining 60% of the amount of total net
8 revenue proceeds beginning on August 1, 2011 through June 30,
9 2023, from the tax imposed by subsection (a) of Section 3 after
10 all required deposits into ~~in~~ the Illinois Sports Facilities
11 Fund, an amount equal to 8% of the net revenue realized from
12 this Act ~~plus an amount equal to 8% of the net revenue realized~~
13 ~~from any tax imposed under Section 4.05 of the Chicago World's~~
14 ~~Fair 1992 Authority Act~~ during the preceding month shall be
15 deposited as follows: 18% of such amount shall be deposited
16 into the Chicago Travel Industry Promotion Fund for the
17 purposes described in subsection (n) of Section 5 of the
18 Metropolitan Pier and Exposition Authority Act and the
19 remaining 82% of such amount shall be deposited into the Local
20 Tourism Fund each month for purposes authorized by Section
21 605-705 of the Department of Commerce and Economic Opportunity
22 Law. ~~Beginning on August 1, 1999 and ending on July 31, 2011,~~
23 ~~an amount equal to 4.5% of the net revenue realized from the~~
24 ~~Hotel Operators' Occupation Tax Act during the preceding month~~
25 ~~shall be deposited into the International Tourism Fund for the~~
26 ~~purposes authorized in Section 605-707 of the Department of~~

1 ~~Commerce and Economic Opportunity Law.~~ Beginning on August 1,
2 2011 and through June 30, 2023, an amount equal to 4.5% of the
3 net revenue realized from this Act during the preceding month
4 shall be deposited as follows: 55% of such amount shall be
5 deposited into the Chicago Travel Industry Promotion Fund for
6 the purposes described in subsection (n) of Section 5 of the
7 Metropolitan Pier and Exposition Authority Act and the
8 remaining 45% of such amount deposited into the International
9 Tourism Fund for the purposes authorized in Section 605-707 of
10 the Department of Commerce and Economic Opportunity Law. "Net
11 revenue realized ~~for a month~~" means the revenue collected by
12 the State under this ~~that~~ Act ~~during the previous month~~ less
13 the amount paid out ~~during that same month~~ as refunds to
14 taxpayers for overpayment of liability under this ~~that~~ Act.

15 Beginning on July 1, 2023, of the remaining 60% of the
16 amount of total net revenue realized from the tax imposed
17 under subsection (a) of Section 3, after all required deposits
18 into the Illinois Sports Facilities Fund:

19 (1) an amount equal to 8% of the net revenue realized
20 under this Act for the preceding month shall be deposited
21 as follows: 82% to the Local Tourism Fund and 18% to the
22 Chicago Travel Industry Promotion Fund; and

23 (2) an amount equal to 4.5% of the net revenue
24 realized under this Act for the preceding month shall be
25 deposited as follows: 55% to the Chicago Travel Industry
26 Promotion Fund and 45% to the International Tourism Fund.

1 After making all these deposits, any remaining net revenue
2 realized from ~~all other proceeds~~ of the tax imposed under
3 subsection (a) of Section 3 shall be deposited into ~~in~~ the
4 Tourism Promotion Fund in the State Treasury. All moneys
5 received by the Department from the additional tax imposed
6 under subsection (b) of Section 3 shall be deposited into the
7 Build Illinois Fund in the State Treasury.

8 The Department may, upon separate written notice to a
9 taxpayer, require the taxpayer to prepare and file with the
10 Department on a form prescribed by the Department within not
11 less than 60 days after receipt of the notice an annual
12 information return for the tax year specified in the notice.
13 Such annual return to the Department shall include a statement
14 of gross receipts as shown by the operator's last State income
15 tax return. If the total receipts of the business as reported
16 in the State income tax return do not agree with the gross
17 receipts reported to the Department for the same period, the
18 operator shall attach to his annual information return a
19 schedule showing a reconciliation of the 2 amounts and the
20 reasons for the difference. The operator's annual information
21 return to the Department shall also disclose payroll ~~pay-roll~~
22 information of the operator's business during the year covered
23 by such return and any additional reasonable information which
24 the Department deems would be helpful in determining the
25 accuracy of the monthly, quarterly or annual tax returns by
26 such operator as hereinbefore provided for in this Section.

1 If the annual information return required by this Section
2 is not filed when and as required the taxpayer shall be liable
3 for a penalty in an amount determined in accordance with
4 Section 3-4 of the Uniform Penalty and Interest Act until such
5 return is filed as required, the penalty to be assessed and
6 collected in the same manner as any other penalty provided for
7 in this Act.

8 The chief executive officer, proprietor, owner or highest
9 ranking manager shall sign the annual return to certify the
10 accuracy of the information contained therein. Any person who
11 willfully signs the annual return containing false or
12 inaccurate information shall be guilty of perjury and punished
13 accordingly. The annual return form prescribed by the
14 Department shall include a warning that the person signing the
15 return may be liable for perjury.

16 The foregoing portion of this Section concerning the
17 filing of an annual information return shall not apply to an
18 operator who is not required to file an income tax return with
19 the United States Government.

20 (Source: P.A. 102-16, eff. 6-17-21.)

21 Section 5-85. The Motor Fuel Tax Law is amended by
22 changing Section 8 as follows:

23 (35 ILCS 505/8) (from Ch. 120, par. 424)

24 Sec. 8. Distribution of proceeds of tax. Except as

1 provided in subsection (a-1) of this Section, Section 8a,
2 subdivision (h)(1) of Section 12a, Section 13a.6, and items
3 13, 14, 15, and 16 of Section 15, all money received by the
4 Department under this Act, including payments made to the
5 Department by member jurisdictions participating in the
6 International Fuel Tax Agreement, shall be deposited into ~~in~~ a
7 special fund in the State treasury, to be known as the "Motor
8 Fuel Tax Fund", and shall be used as follows:

9 (a) 2 1/2 cents per gallon of the tax collected on special
10 fuel under paragraph (b) of Section 2 and Section 13a of this
11 Act shall be transferred to the State Construction Account
12 Fund in the State Treasury; the remainder of the tax collected
13 on special fuel under paragraph (b) of Section 2 and Section
14 13a of this Act shall be deposited into the Road Fund;

15 (a-1) Beginning on July 1, 2019, an amount equal to the
16 amount of tax collected under subsection (a) of Section 2 and
17 Section 13a as a result of the increase in the tax rate under
18 subsection (a) of Section 2 authorized by Public Act 101-32
19 shall be deposited ~~transferred~~ each month into the
20 Transportation Renewal Fund; provided, however, that the
21 amount that represents the part (b) portion of the rate under
22 Section 13a shall be deposited each month into the Motor Fuel
23 Tax Fund and the Transportation Renewal Fund in the same
24 proportion as the amount collected under subsection (a) of
25 Section 2;

26 (b) \$420,000 shall be transferred each month to the State

1 Boating Act Fund to be used by the Department of Natural
2 Resources for the purposes specified in Article X of the Boat
3 Registration and Safety Act;

4 (c) \$3,500,000 shall be transferred each month to the
5 Grade Crossing Protection Fund to be used as follows: not less
6 than \$12,000,000 each fiscal year shall be used for the
7 construction or reconstruction of rail highway grade
8 separation structures; \$5,500,000 in fiscal year 2022 and each
9 fiscal year thereafter shall be transferred to the
10 Transportation Regulatory Fund and shall be used to pay the
11 cost of administration of the Illinois Commerce Commission's
12 railroad safety program in connection with its duties under
13 subsection (3) of Section 18c-7401 of the Illinois Vehicle
14 Code, with the remainder to be used by the Department of
15 Transportation upon order of the Illinois Commerce Commission,
16 to pay that part of the cost apportioned by such Commission to
17 the State to cover the interest of the public in the use of
18 highways, roads, streets, or pedestrian walkways in the county
19 highway system, township and district road system, or
20 municipal street system as defined in the Illinois Highway
21 Code, as the same may from time to time be amended, for
22 separation of grades, for installation, construction or
23 reconstruction of crossing protection or reconstruction,
24 alteration, relocation including construction or improvement
25 of any existing highway necessary for access to property or
26 improvement of any grade crossing and grade crossing surface

1 including the necessary highway approaches thereto of any
2 railroad across the highway or public road, or for the
3 installation, construction, reconstruction, or maintenance of
4 safety treatments to deter trespassing or a pedestrian walkway
5 over or under a railroad right-of-way, as provided for in and
6 in accordance with Section 18c-7401 of the Illinois Vehicle
7 Code. The Commission may order up to \$2,000,000 per year in
8 Grade Crossing Protection Fund moneys for the improvement of
9 grade crossing surfaces and up to \$300,000 per year for the
10 maintenance and renewal of 4-quadrant gate vehicle detection
11 systems located at non-high speed rail grade crossings. In
12 entering orders for projects for which payments from the Grade
13 Crossing Protection Fund will be made, the Commission shall
14 account for expenditures authorized by the orders on a cash
15 rather than an accrual basis. For purposes of this requirement
16 an "accrual basis" assumes that the total cost of the project
17 is expended in the fiscal year in which the order is entered,
18 while a "cash basis" allocates the cost of the project among
19 fiscal years as expenditures are actually made. To meet the
20 requirements of this subsection, the Illinois Commerce
21 Commission shall develop annual and 5-year project plans of
22 rail crossing capital improvements that will be paid for with
23 moneys from the Grade Crossing Protection Fund. The annual
24 project plan shall identify projects for the succeeding fiscal
25 year and the 5-year project plan shall identify projects for
26 the 5 directly succeeding fiscal years. The Commission shall

1 submit the annual and 5-year project plans for this Fund to the
2 Governor, the President of the Senate, the Senate Minority
3 Leader, the Speaker of the House of Representatives, and the
4 Minority Leader of the House of Representatives on the first
5 Wednesday in April of each year;

6 (d) of the amount remaining after allocations provided for
7 in subsections (a), (a-1), (b), and (c), a sufficient amount
8 shall be reserved to pay all of the following:

9 (1) the costs of the Department of Revenue in
10 administering this Act;

11 (2) the costs of the Department of Transportation in
12 performing its duties imposed by the Illinois Highway Code
13 for supervising the use of motor fuel tax funds
14 apportioned to municipalities, counties and road
15 districts;

16 (3) refunds provided for in Section 13, refunds for
17 overpayment of decal fees paid under Section 13a.4 of this
18 Act, and refunds provided for under the terms of the
19 International Fuel Tax Agreement referenced in Section
20 14a;

21 (4) from October 1, 1985 until June 30, 1994, the
22 administration of the Vehicle Emissions Inspection Law,
23 which amount shall be certified monthly by the
24 Environmental Protection Agency to the State Comptroller
25 and shall promptly be transferred by the State Comptroller
26 and Treasurer from the Motor Fuel Tax Fund to the Vehicle

1 Inspection Fund, and for the period July 1, 1994 through
2 June 30, 2000, one-twelfth of \$25,000,000 each month, for
3 the period July 1, 2000 through June 30, 2003, one-twelfth
4 of \$30,000,000 each month, and \$15,000,000 on July 1,
5 2003, and \$15,000,000 on January 1, 2004, and \$15,000,000
6 on each July 1 and October 1, or as soon thereafter as may
7 be practical, during the period July 1, 2004 through June
8 30, 2012, and \$30,000,000 on June 1, 2013, or as soon
9 thereafter as may be practical, and \$15,000,000 on July 1
10 and October 1, or as soon thereafter as may be practical,
11 during the period of July 1, 2013 through June 30, 2015,
12 for the administration of the Vehicle Emissions Inspection
13 Law of 2005, to be transferred by the State Comptroller
14 and Treasurer from the Motor Fuel Tax Fund into the
15 Vehicle Inspection Fund;

16 (4.5) beginning on July 1, 2019, the costs of the
17 Environmental Protection Agency for the administration of
18 the Vehicle Emissions Inspection Law of 2005 shall be
19 paid, subject to appropriation, from the Motor Fuel Tax
20 Fund into the Vehicle Inspection Fund; beginning in 2019,
21 no later than December 31 of each year, or as soon
22 thereafter as practical, the State Comptroller shall
23 direct and the State Treasurer shall transfer from the
24 Vehicle Inspection Fund to the Motor Fuel Tax Fund any
25 balance remaining in the Vehicle Inspection Fund in excess
26 of \$2,000,000;

1 (5) amounts ordered paid by the Court of Claims; and

2 (6) payment of motor fuel use taxes due to member
3 jurisdictions under the terms of the International Fuel
4 Tax Agreement. The Department shall certify these amounts
5 to the Comptroller by the 15th day of each month; the
6 Comptroller shall cause orders to be drawn for such
7 amounts, and the Treasurer shall administer those amounts
8 on or before the last day of each month;

9 (e) after allocations for the purposes set forth in
10 subsections (a), (a-1), (b), (c), and (d), the remaining
11 amount shall be apportioned as follows:

12 (1) Until January 1, 2000, 58.4%, and beginning
13 January 1, 2000, 45.6% shall be deposited as follows:

14 (A) 37% into the State Construction Account Fund,
15 and

16 (B) 63% into the Road Fund, \$1,250,000 of which
17 shall be reserved each month for the Department of
18 Transportation to be used in accordance with the
19 provisions of Sections 6-901 through 6-906 of the
20 Illinois Highway Code;

21 (2) Until January 1, 2000, 41.6%, and beginning
22 January 1, 2000, 54.4% shall be transferred to the
23 Department of Transportation to be distributed as follows:

24 (A) 49.10% to the municipalities of the State,

25 (B) 16.74% to the counties of the State having
26 1,000,000 or more inhabitants,

1 (C) 18.27% to the counties of the State having
2 less than 1,000,000 inhabitants,

3 (D) 15.89% to the road districts of the State.

4 If a township is dissolved under Article 24 of the
5 Township Code, McHenry County shall receive any moneys
6 that would have been distributed to the township under
7 this subparagraph, except that a municipality that assumes
8 the powers and responsibilities of a road district under
9 paragraph (6) of Section 24-35 of the Township Code shall
10 receive any moneys that would have been distributed to the
11 township in a percent equal to the area of the dissolved
12 road district or portion of the dissolved road district
13 over which the municipality assumed the powers and
14 responsibilities compared to the total area of the
15 dissolved township. The moneys received under this
16 subparagraph shall be used in the geographic area of the
17 dissolved township. If a township is reconstituted as
18 provided under Section 24-45 of the Township Code, McHenry
19 County or a municipality shall no longer be distributed
20 moneys under this subparagraph.

21 As soon as may be after the first day of each month, the
22 Department of Transportation shall allot to each municipality
23 its share of the amount apportioned to the several
24 municipalities which shall be in proportion to the population
25 of such municipalities as determined by the last preceding
26 municipal census if conducted by the Federal Government or

1 Federal census. If territory is annexed to any municipality
2 subsequent to the time of the last preceding census the
3 corporate authorities of such municipality may cause a census
4 to be taken of such annexed territory and the population so
5 ascertained for such territory shall be added to the
6 population of the municipality as determined by the last
7 preceding census for the purpose of determining the allotment
8 for that municipality. If the population of any municipality
9 was not determined by the last Federal census preceding any
10 apportionment, the apportionment to such municipality shall be
11 in accordance with any census taken by such municipality. Any
12 municipal census used in accordance with this Section shall be
13 certified to the Department of Transportation by the clerk of
14 such municipality, and the accuracy thereof shall be subject
15 to approval of the Department which may make such corrections
16 as it ascertains to be necessary.

17 As soon as may be after the first day of each month, the
18 Department of Transportation shall allot to each county its
19 share of the amount apportioned to the several counties of the
20 State as herein provided. Each allotment to the several
21 counties having less than 1,000,000 inhabitants shall be in
22 proportion to the amount of motor vehicle license fees
23 received from the residents of such counties, respectively,
24 during the preceding calendar year. The Secretary of State
25 shall, on or before April 15 of each year, transmit to the
26 Department of Transportation a full and complete report

1 showing the amount of motor vehicle license fees received from
2 the residents of each county, respectively, during the
3 preceding calendar year. The Department of Transportation
4 shall, each month, use for allotment purposes the last such
5 report received from the Secretary of State.

6 As soon as may be after the first day of each month, the
7 Department of Transportation shall allot to the several
8 counties their share of the amount apportioned for the use of
9 road districts. The allotment shall be apportioned among the
10 several counties in the State in the proportion which the
11 total mileage of township or district roads in the respective
12 counties bears to the total mileage of all township and
13 district roads in the State. Funds allotted to the respective
14 counties for the use of road districts therein shall be
15 allocated to the several road districts in the county in the
16 proportion which the total mileage of such township or
17 district roads in the respective road districts bears to the
18 total mileage of all such township or district roads in the
19 county. After July 1 of any year prior to 2011, no allocation
20 shall be made for any road district unless it levied a tax for
21 road and bridge purposes in an amount which will require the
22 extension of such tax against the taxable property in any such
23 road district at a rate of not less than either .08% of the
24 value thereof, based upon the assessment for the year
25 immediately prior to the year in which such tax was levied and
26 as equalized by the Department of Revenue or, in DuPage

1 County, an amount equal to or greater than \$12,000 per mile of
2 road under the jurisdiction of the road district, whichever is
3 less. Beginning July 1, 2011 and each July 1 thereafter, an
4 allocation shall be made for any road district if it levied a
5 tax for road and bridge purposes. In counties other than
6 DuPage County, if the amount of the tax levy requires the
7 extension of the tax against the taxable property in the road
8 district at a rate that is less than 0.08% of the value
9 thereof, based upon the assessment for the year immediately
10 prior to the year in which the tax was levied and as equalized
11 by the Department of Revenue, then the amount of the
12 allocation for that road district shall be a percentage of the
13 maximum allocation equal to the percentage obtained by
14 dividing the rate extended by the district by 0.08%. In DuPage
15 County, if the amount of the tax levy requires the extension of
16 the tax against the taxable property in the road district at a
17 rate that is less than the lesser of (i) 0.08% of the value of
18 the taxable property in the road district, based upon the
19 assessment for the year immediately prior to the year in which
20 such tax was levied and as equalized by the Department of
21 Revenue, or (ii) a rate that will yield an amount equal to
22 \$12,000 per mile of road under the jurisdiction of the road
23 district, then the amount of the allocation for the road
24 district shall be a percentage of the maximum allocation equal
25 to the percentage obtained by dividing the rate extended by
26 the district by the lesser of (i) 0.08% or (ii) the rate that

1 will yield an amount equal to \$12,000 per mile of road under
2 the jurisdiction of the road district.

3 Prior to 2011, if any road district has levied a special
4 tax for road purposes pursuant to Sections 6-601, 6-602, and
5 6-603 of the Illinois Highway Code, and such tax was levied in
6 an amount which would require extension at a rate of not less
7 than .08% of the value of the taxable property thereof, as
8 equalized or assessed by the Department of Revenue, or, in
9 DuPage County, an amount equal to or greater than \$12,000 per
10 mile of road under the jurisdiction of the road district,
11 whichever is less, such levy shall, however, be deemed a
12 proper compliance with this Section and shall qualify such
13 road district for an allotment under this Section. Beginning
14 in 2011 and thereafter, if any road district has levied a
15 special tax for road purposes under Sections 6-601, 6-602, and
16 6-603 of the Illinois Highway Code, and the tax was levied in
17 an amount that would require extension at a rate of not less
18 than 0.08% of the value of the taxable property of that road
19 district, as equalized or assessed by the Department of
20 Revenue or, in DuPage County, an amount equal to or greater
21 than \$12,000 per mile of road under the jurisdiction of the
22 road district, whichever is less, that levy shall be deemed a
23 proper compliance with this Section and shall qualify such
24 road district for a full, rather than proportionate, allotment
25 under this Section. If the levy for the special tax is less
26 than 0.08% of the value of the taxable property, or, in DuPage

1 County if the levy for the special tax is less than the lesser
2 of (i) 0.08% or (ii) \$12,000 per mile of road under the
3 jurisdiction of the road district, and if the levy for the
4 special tax is more than any other levy for road and bridge
5 purposes, then the levy for the special tax qualifies the road
6 district for a proportionate, rather than full, allotment
7 under this Section. If the levy for the special tax is equal to
8 or less than any other levy for road and bridge purposes, then
9 any allotment under this Section shall be determined by the
10 other levy for road and bridge purposes.

11 Prior to 2011, if a township has transferred to the road
12 and bridge fund money which, when added to the amount of any
13 tax levy of the road district would be the equivalent of a tax
14 levy requiring extension at a rate of at least .08%, or, in
15 DuPage County, an amount equal to or greater than \$12,000 per
16 mile of road under the jurisdiction of the road district,
17 whichever is less, such transfer, together with any such tax
18 levy, shall be deemed a proper compliance with this Section
19 and shall qualify the road district for an allotment under
20 this Section.

21 In counties in which a property tax extension limitation
22 is imposed under the Property Tax Extension Limitation Law,
23 road districts may retain their entitlement to a motor fuel
24 tax allotment or, beginning in 2011, their entitlement to a
25 full allotment if, at the time the property tax extension
26 limitation was imposed, the road district was levying a road

1 and bridge tax at a rate sufficient to entitle it to a motor
2 fuel tax allotment and continues to levy the maximum allowable
3 amount after the imposition of the property tax extension
4 limitation. Any road district may in all circumstances retain
5 its entitlement to a motor fuel tax allotment or, beginning in
6 2011, its entitlement to a full allotment if it levied a road
7 and bridge tax in an amount that will require the extension of
8 the tax against the taxable property in the road district at a
9 rate of not less than 0.08% of the assessed value of the
10 property, based upon the assessment for the year immediately
11 preceding the year in which the tax was levied and as equalized
12 by the Department of Revenue or, in DuPage County, an amount
13 equal to or greater than \$12,000 per mile of road under the
14 jurisdiction of the road district, whichever is less.

15 As used in this Section, the term "road district" means
16 any road district, including a county unit road district,
17 provided for by the Illinois Highway Code; and the term
18 "township or district road" means any road in the township and
19 district road system as defined in the Illinois Highway Code.
20 For the purposes of this Section, "township or district road"
21 also includes such roads as are maintained by park districts,
22 forest preserve districts and conservation districts. The
23 Department of Transportation shall determine the mileage of
24 all township and district roads for the purposes of making
25 allotments and allocations of motor fuel tax funds for use in
26 road districts.

1 Payment of motor fuel tax moneys to municipalities and
2 counties shall be made as soon as possible after the allotment
3 is made. The treasurer of the municipality or county may
4 invest these funds until their use is required and the
5 interest earned by these investments shall be limited to the
6 same uses as the principal funds.

7 (Source: P.A. 101-32, eff. 6-28-19; 101-230, eff. 8-9-19;
8 101-493, eff. 8-23-19; 102-16, eff. 6-17-21; 102-558, eff.
9 8-20-21; 102-699, eff. 4-19-22.)

10 Section 5-87. The Illinois Pension Code is amended by
11 changing Sections 1A-112, 2-121.1, and 16-132 and by adding
12 Sections 2-105.3 and 2-105.4 as follows:

13 (40 ILCS 5/1A-112)

14 Sec. 1A-112. Fees.

15 (a) Every pension fund that is required to file an annual
16 statement under Section 1A-109 shall pay to the Department an
17 annual compliance fee. In the case of a pension fund under
18 Article 3 or 4 of this Code, (i) prior to the conclusion of the
19 transition period, the annual compliance fee shall be 0.02% (2
20 basis points) of the total assets of the pension fund, as
21 reported in the most current annual statement of the fund, but
22 not more than \$8,000 and (ii) after the conclusion of the
23 transition period, the annual compliance fee shall be \$8,000
24 and shall be paid by the Consolidated Fund. In the case of all

1 other pension funds and retirement systems, the annual
2 compliance fee shall be \$8,000. Effective July 1, 2023, each
3 pension fund established under Article 3 or 4 of this Code
4 shall pay an annual compliance fee of at least 0.02% but not
5 more than 0.05% of the total assets of the pension fund, as
6 reported in the most current annual statement of the fund, to
7 the Department of Insurance unless the appropriate
8 Consolidated Fund agrees to conduct an audit or examination of
9 all pension funds as provided in Section 1A-104. The
10 Department shall have the discretion to set the annual
11 compliance fee to be paid by each pension fund to cover the
12 cost of the compliance audits. The Department shall provide
13 written notice to each Article 3 and Article 4 pension fund of
14 the amount of the annual compliance fee due not less than 60
15 days prior to the fee payment deadline.

16 (b) The annual compliance fee shall be due on June 30 for
17 the following State fiscal year, except that the fee payable
18 in 1997 for fiscal year 1998 shall be due no earlier than 30
19 days following the effective date of this amendatory Act of
20 1997.

21 (c) Any information obtained by the Division that is
22 available to the public under the Freedom of Information Act
23 and is either compiled in published form or maintained on a
24 computer processible medium shall be furnished upon the
25 written request of any applicant and the payment of a
26 reasonable information services fee established by the

1 Director, sufficient to cover the total cost to the Division
2 of compiling, processing, maintaining, and generating the
3 information. The information may be furnished by means of
4 published copy or on a computer processed or computer
5 processible medium.

6 No fee may be charged to any person for information that
7 the Division is required by law to furnish to that person.

8 (d) Except as otherwise provided in this Section, all fees
9 and penalties collected by the Department under this Code
10 shall be deposited into the Public Pension Regulation Fund.

11 (e) Fees collected under subsection (c) of this Section
12 and money collected under Section 1A-107 shall be deposited
13 into the Technology Management Revolving Fund and credited to
14 the account of the Department's Public Pension Division. This
15 income shall be used exclusively for the purposes set forth in
16 Section 1A-107. Notwithstanding the provisions of Section
17 408.2 of the Illinois Insurance Code, no surplus funds
18 remaining in this account shall be deposited in the Insurance
19 Financial Regulation Fund. All money in this account that the
20 Director certifies is not needed for the purposes set forth in
21 Section 1A-107 of this Code shall be transferred to the Public
22 Pension Regulation Fund.

23 (f) Nothing in this Code prohibits the General Assembly
24 from appropriating funds from the General Revenue Fund to the
25 Department for the purpose of administering or enforcing this
26 Code.

1 (Source: P.A. 100-23, eff. 7-6-17; 101-610, eff. 1-1-20.)

2 (40 ILCS 5/2-105.3 new)

3 Sec. 2-105.3. Tier 1 participant; Tier 2 participant.

4 "Tier 1 participant": A participant who first became a
5 participant before January 1, 2011.

6 "Tier 2 participant": A participant who first became a
7 participant on or after January 1, 2011.

8 (40 ILCS 5/2-105.4 new)

9 Sec. 2-105.4. Tier 1 retiree. "Tier 1 retiree" means a
10 former Tier 1 participant who has made the election to retire
11 and has terminated service.

12 (40 ILCS 5/2-121.1) (from Ch. 108 1/2, par. 2-121.1)

13 Sec. 2-121.1. Survivor's annuity; amount ~~annuity~~ ~~amount~~.

14 (a) A surviving spouse shall be entitled to 66 2/3% of the
15 amount of retirement annuity to which the participant or
16 annuitant was entitled on the date of death, without regard to
17 whether the participant had attained age 55 prior to his or her
18 death, subject to a minimum payment of 10% of salary. If a
19 surviving spouse, regardless of age, has in his or her care at
20 the date of death any eligible child or children of the
21 participant, the survivor's annuity shall be the greater of
22 the following: (1) 66 2/3% of the amount of retirement annuity
23 to which the participant or annuitant was entitled on the date

1 of death, or (2) 30% of the participant's salary increased by
2 10% of salary on account of each such child, subject to a total
3 payment for the surviving spouse and children of 50% of
4 salary. If eligible children survive but there is no surviving
5 spouse, or if the surviving spouse dies or becomes
6 disqualified by remarriage while eligible children survive,
7 each eligible child shall be entitled to an annuity of 20% of
8 salary, subject to a maximum total payment for all such
9 children of 50% of salary.

10 However, the survivor's annuity payable under this Section
11 shall not be less than 100% of the amount of retirement annuity
12 to which the participant or annuitant was entitled on the date
13 of death, if he or she is survived by a dependent disabled
14 child.

15 The salary to be used for determining these benefits shall
16 be the salary used for determining the amount of retirement
17 annuity as provided in Section 2-119.01.

18 (b) Upon the death of a participant after the termination
19 of service or upon death of an annuitant, the maximum total
20 payment to a surviving spouse and eligible children, or to
21 eligible children alone if there is no surviving spouse, shall
22 be 75% of the retirement annuity to which the participant or
23 annuitant was entitled, unless there is a dependent disabled
24 child among the survivors.

25 (c) When a child ceases to be an eligible child, the
26 annuity to that child, or to the surviving spouse on account of

1 that child, shall thereupon cease, and the annuity payable to
2 the surviving spouse or other eligible children shall be
3 recalculated if necessary.

4 Upon the ineligibility of the last eligible child, the
5 annuity shall immediately revert to the amount payable upon
6 death of a participant or annuitant who leaves no eligible
7 children. If the surviving spouse is then under age 50, the
8 annuity as revised shall be deferred until the attainment of
9 age 50.

10 (d) Beginning January 1, 1990, every survivor's annuity
11 shall be increased (1) on each January 1 occurring on or after
12 the commencement of the annuity if the deceased member died
13 while receiving a retirement annuity, or (2) in other cases,
14 on each January 1 occurring on or after the first anniversary
15 of the commencement of the annuity, by an amount equal to 3% of
16 the current amount of the annuity, including any previous
17 increases under this Article. Such increases shall apply
18 without regard to whether the deceased member was in service
19 on or after the effective date of this amendatory Act of 1991,
20 but shall not accrue for any period prior to January 1, 1990.

21 (d-5) Notwithstanding any other provision of this Article,
22 the initial survivor's annuity of a survivor of a participant
23 who first becomes a participant on or after January 1, 2011
24 (the effective date of Public Act 96-889) shall be in the
25 amount of $66 \frac{2}{3}\%$ of the amount of the retirement annuity to
26 which the participant or annuitant was entitled on the date of

1 death and shall be increased (1) on each January 1 occurring on
2 or after the commencement of the annuity if the deceased
3 member died while receiving a retirement annuity or (2) in
4 other cases, on each January 1 occurring on or after the first
5 anniversary of the commencement of the annuity, by an amount
6 equal to 3% or the annual unadjusted percentage increase in
7 the Consumer Price Index for All Urban Consumers as determined
8 by the Public Pension Division of the Department of Insurance
9 under subsection (a) of Section 2-108.1, whichever is less, of
10 the survivor's annuity then being paid.

11 The provisions of this subsection (d-5) shall not apply to
12 a survivor's annuity of a survivor of a participant who died in
13 service before January 1, 2023.

14 (e) Notwithstanding any other provision of this Article,
15 beginning January 1, 1990, the minimum survivor's annuity
16 payable to any person who is entitled to receive a survivor's
17 annuity under this Article shall be \$300 per month, without
18 regard to whether or not the deceased participant was in
19 service on the effective date of this amendatory Act of 1989.

20 (f) In the case of a proportional survivor's annuity
21 arising under the Retirement Systems Reciprocal Act where the
22 amount payable by the System on January 1, 1993 is less than
23 \$300 per month, the amount payable by the System shall be
24 increased beginning on that date by a monthly amount equal to
25 \$2 for each full year that has expired since the annuity began.

26 (g) Notwithstanding any other provision of this Code, the

1 survivor's annuity payable to an eligible survivor of a Tier 2
2 participant who died in service prior to January 1, 2023 shall
3 be calculated in accordance with the provisions applicable to
4 the survivors of a deceased Tier 1 participant.
5 Notwithstanding Section 1-103.1, the changes to this Section
6 made by this amendatory Act of the 103rd General Assembly
7 apply without regard to whether the participant was in active
8 service before the effective date of this amendatory Act of
9 the 103rd General Assembly.

10 (Source: P.A. 96-889, eff. 1-1-11; 96-1490, eff. 1-1-11.)

11 (40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)

12 Sec. 16-132. Retirement annuity eligibility. A member who
13 has at least 20 years of creditable service is entitled to a
14 retirement annuity upon or after attainment of age 55. A
15 member who has at least 10 but less than 20 years of creditable
16 service is entitled to a retirement annuity upon or after
17 attainment of age 60. A member who has at least 5 but less than
18 10 years of creditable service is entitled to a retirement
19 annuity upon or after attainment of age 62. A member who (i)
20 has earned during the period immediately preceding the last
21 day of service at least one year of contributing creditable
22 service as an employee of a department as defined in Section
23 14-103.04, (ii) has earned at least 5 years of contributing
24 creditable service as an employee of a department as defined
25 in Section 14-103.04, and (iii) retires on or after January 1,

1 2001 is entitled to a retirement annuity upon or after
2 attainment of an age which, when added to the number of years
3 of his or her total creditable service, equals at least 85.
4 Portions of years shall be counted as decimal equivalents.

5 A member who is eligible to receive a retirement annuity
6 of at least 74.6% of final average salary and will attain age
7 55 on or before December 31 during the year which commences on
8 July 1 shall be deemed to attain age 55 on the preceding June
9 1.

10 A member meeting the above eligibility conditions is
11 entitled to a retirement annuity upon written application to
12 the board setting forth the date the member wishes the
13 retirement annuity to commence. However, the effective date of
14 the retirement annuity shall be no earlier than the day
15 following the last day of creditable service, regardless of
16 the date of official termination of employment; however, upon
17 written application within 6 months after the effective date
18 of this amendatory Act of the 103rd General Assembly by a
19 member or annuitant, the creditable service and earnings
20 received in the last fiscal year of employment may be
21 disregarded when determining the retirement effective date and
22 the retirement benefit ~~except that the effective date of a~~
23 ~~retirement annuity may be after the date of official~~
24 ~~termination of employment~~ as long as such employment is for
25 (1) less than 10 days in length; ~~and~~ (2) less than \$2,500
26 \$2,000 in creditable earnings; and (3) the last fiscal year of

1 employment includes only a fiscal year beginning on or after
2 July 1, 2016 and ending before June 30, 2023 compensation. The
3 retirement effective date may not, as a result of the
4 application of this amendatory Act of the 103rd General
5 Assembly, be earlier than July 1, 2016.

6 To be eligible for a retirement annuity, a member shall
7 not be employed as a teacher in the schools included under this
8 System or under Article 17, except (i) as provided in Section
9 16-118 or 16-150.1, (ii) if the member is disabled (in which
10 event, eligibility for salary must cease), or (iii) if the
11 System is required by federal law to commence payment due to
12 the member's age; the changes to this sentence made by this
13 amendatory Act of the 93rd General Assembly apply without
14 regard to whether the member terminated employment before or
15 after its effective date.

16 (Source: P.A. 102-871, eff. 5-13-22.)

17 (40 ILCS 5/2-105.1 rep.)

18 (40 ILCS 5/2-105.2 rep.)

19 Section 5-88. The Illinois Pension Code is amended by
20 repealing Sections 2-105.1 and 2-105.2.

21 Section 5-89. The Innovation Development and Economy Act
22 is amended by changing Sections 20, 30, and 50 as follows:

23 (50 ILCS 470/20)

1 Sec. 20. Approval of STAR bond projects. The governing
2 body of a political subdivision may establish one or more STAR
3 bond projects in any STAR bond district. A STAR bond project
4 which is partially outside the boundaries of a municipality
5 must also be approved by the governing body of the county by
6 resolution.

7 (a) After the establishment of a STAR bond district, the
8 master developer may propose one or more STAR bond projects to
9 a political subdivision and the master developer shall, in
10 cooperation with the political subdivision, prepare a STAR
11 bond project plan in consultation with the planning commission
12 of the political subdivision, if any. The STAR bond project
13 plan may be implemented in separate development stages.

14 (b) Any political subdivision considering a STAR bond
15 project within a STAR bond district shall notify the
16 Department, which shall cause to be prepared an independent
17 feasibility study by a feasibility consultant with certified
18 copies provided to the political subdivision, the Director,
19 and the Department of Commerce and Economic Opportunity. The
20 feasibility study shall include the following:

21 (1) the estimated amount of pledged STAR revenues
22 expected to be collected in each year through the maturity
23 date of the proposed STAR bonds;

24 (2) a statement of how the jobs and taxes obtained
25 from the STAR bond project will contribute significantly
26 to the economic development of the State and region;

- 1 (3) visitation expectations;
- 2 (4) the unique quality of the project;
- 3 (5) an economic impact study;
- 4 (6) a market study;
- 5 (7) integration and collaboration with other resources
- 6 or businesses;
- 7 (8) the quality of service and experience provided, as
- 8 measured against national consumer standards for the
- 9 specific target market;
- 10 (9) project accountability, measured according to best
- 11 industry practices;
- 12 (10) the expected return on State and local investment
- 13 that the STAR bond project is anticipated to produce; and
- 14 (11) an anticipated principal and interest payment
- 15 schedule on the STAR bonds.

16 The feasibility consultant, along with the independent
17 economist and any other consultants commissioned to perform
18 the studies and other analysis required by the feasibility
19 study, shall be selected by the Director with the approval of
20 the political subdivision. The consultants shall be retained
21 by the Director and the Department shall be reimbursed by the
22 master developer for the costs to retain the consultants.

23 The failure to include all information enumerated in this
24 subsection in the feasibility study for a STAR bond project
25 shall not affect the validity of STAR bonds issued pursuant to
26 this Act.

1 (c) If the political subdivision determines the STAR bond
2 project is feasible, the STAR bond project plan shall include:

3 (1) a summary of the feasibility study;

4 (2) a reference to the STAR bond district plan that
5 identifies the STAR bond project area that is set forth in
6 the STAR bond project plan that is being considered;

7 (3) a legal description and map of the STAR bond
8 project area to be developed or redeveloped;

9 (4) a description of the buildings and facilities
10 proposed to be constructed or improved in such STAR bond
11 project area, including destination users and an
12 entertainment user, as applicable;

13 (5) a copy of letters of intent to locate within the
14 STAR bond district signed by both the master developer and
15 the appropriate corporate officer of at least one
16 destination user for the first STAR bond project proposed
17 within the district; and

18 (6) any other information the governing body of the
19 political subdivision deems reasonable and necessary to
20 advise the public of the intent of the STAR bond project
21 plan.

22 (d) Before a political subdivision may hold a public
23 hearing to consider a STAR bond project plan, the political
24 subdivision must apply to the Department for approval of the
25 STAR bond project plan. An application for approval of a STAR
26 bond project plan must not be approved unless all of the

1 components of the feasibility study set forth in items (1)
2 through (11) of subsection (b) have been completed and
3 submitted to the Department for review. In addition to
4 reviewing all of the other elements of the STAR bond project
5 plan required under subsection (c), which must be included in
6 the application (which plan must include a letter or letters
7 of intent as required under subdivision (c)(5) in order to
8 receive Director approval), the Director must review the
9 feasibility study and consider all of the components of the
10 feasibility study set forth in items (1) through (11) of
11 subsection (b) of Section 20, including without limitation the
12 economic impact study and the financial benefit of the
13 proposed STAR bond project to the local, regional, and State
14 economies, the proposed adverse impacts on similar businesses
15 and projects as well as municipalities within the market area,
16 and the net effect of the proposed STAR bond project on the
17 local, regional, and State economies. In addition to the
18 economic impact study, the political subdivision must also
19 submit to the Department, as part of its application, the
20 financial and other information that substantiates the basis
21 for the conclusion of the economic impact study, in the form
22 and manner as required by the Department, so that the
23 Department can verify the results of the study. In addition to
24 any other criteria in this subsection, to approve the STAR
25 bond project plan, the Director must be satisfied that the
26 proposed destination user is in fact a true destination user

1 and also find that the STAR bond project plan is in accordance
2 with the purpose of this Act and the public interest. The
3 Director shall either approve or deny the STAR bond project
4 plan based on the criteria in this subsection. In granting its
5 approval, the Department may require the political subdivision
6 to execute a binding agreement or memorandum of understanding
7 with the State. The terms of the agreement or memorandum may
8 include, among other things, the political subdivision's
9 repayment of the State sales tax increment distributed to it
10 should any violation of the agreement or memorandum or this
11 Act occur.

12 (e) Upon a finding by the planning and zoning commission
13 of the political subdivision that the STAR bond project plan
14 is consistent with the intent of the comprehensive plan for
15 the development of the political subdivision and upon issuance
16 of written approval of the STAR bond project plan from the
17 Director pursuant to subsection (d) of Section 20, the
18 governing body of the political subdivision shall adopt a
19 resolution stating that the political subdivision is
20 considering the adoption of the STAR bond project plan. The
21 resolution shall:

22 (1) give notice that a public hearing will be held to
23 consider the adoption of the STAR bond project plan and
24 fix the date, hour, and place of the public hearing;

25 (2) describe the general boundaries of the STAR bond
26 district within which the STAR bond project will be

1 located and the date of establishment of the STAR bond
2 district;

3 (3) describe the general boundaries of the area
4 proposed to be included within the STAR bond project area;

5 (4) provide that the STAR bond project plan and map of
6 the area to be redeveloped or developed are available for
7 inspection during regular office hours in the offices of
8 the political subdivision; and

9 (5) contain a summary of the terms and conditions of
10 any proposed project development agreement with the
11 political subdivision.

12 (f) A public hearing shall be conducted to consider the
13 adoption of any STAR bond project plan.

14 (1) The date fixed for the public hearing to consider
15 the adoption of the STAR bond project plan shall be not
16 less than 20 nor more than 90 days following the date of
17 the adoption of the resolution fixing the date of the
18 hearing.

19 (2) A copy of the political subdivision's resolution
20 providing for the public hearing shall be sent by
21 certified mail, return receipt requested, to the governing
22 body of the county. A copy of the political subdivision's
23 resolution providing for the public hearing shall be sent
24 by certified mail, return receipt requested, to each
25 person or persons in whose name the general taxes for the
26 last preceding year were paid on each parcel of land lying

1 within the proposed STAR bond project area within 10 days
2 following the date of the adoption of the resolution. The
3 resolution shall be published once in a newspaper of
4 general circulation in the political subdivision not less
5 than one week nor more than 3 weeks preceding the date
6 fixed for the public hearing. A map or aerial photo
7 clearly delineating the area of land proposed to be
8 included within the STAR bond project area shall be
9 published with the resolution.

10 (3) The hearing shall be held at a location that is
11 within 20 miles of the STAR bond district, in a facility
12 that can accommodate a large crowd, and in a facility that
13 is accessible to persons with disabilities.

14 (4) At the public hearing, a representative of the
15 political subdivision or master developer shall present
16 the STAR bond project plan. Following the presentation of
17 the STAR bond project plan, all interested persons shall
18 be given an opportunity to be heard. The governing body
19 may continue the date and time of the public hearing.

20 (g) Upon conclusion of the public hearing, the governing
21 body of the political subdivision may adopt the STAR bond
22 project plan by a resolution approving the STAR bond project
23 plan.

24 (h) After the adoption by the corporate authorities of the
25 political subdivision of a STAR bond project plan, the
26 political subdivision may enter into a project development

1 agreement if the master developer has requested the political
2 subdivision to be a party to the project development agreement
3 pursuant to subsection (b) of Section 25.

4 (i) Within 30 days after the adoption by the political
5 subdivision of a STAR bond project plan, the clerk of the
6 political subdivision shall transmit a copy of the legal
7 description of the land and a list of all new and existing
8 mailing addresses within the STAR bond district, a copy of the
9 resolution adopting the STAR bond project plan, and a map or
10 plat indicating the boundaries of the STAR bond project area
11 to the clerk, treasurer, and governing body of the county and
12 to the Department of Revenue. Within 30 days of creation of any
13 new mailing addresses within a STAR bond district, the clerk
14 of the political subdivision shall provide written notice of
15 such new addresses to the Department of Revenue.

16 If a certified copy of the resolution adopting the STAR
17 bond project plan is filed with the Department on or before the
18 first day of April, the Department, if all other requirements
19 of this subsection are met, shall proceed to collect and
20 allocate any local sales tax increment and any State sales tax
21 increment in accordance with the provisions of this Act as of
22 the first day of July next following the adoption and filing.
23 If a certified copy of the resolution adopting the STAR bond
24 project plan is filed with the Department after April 1 but on
25 or before the first day of October, the Department, if all
26 other requirements of this subsection are met, shall proceed

1 to collect and allocate any local sales tax increment and any
2 State sales tax increment in accordance with the provisions of
3 this Act as of the first day of January next following the
4 adoption and filing.

5 Any substantial changes to a STAR bond project plan as
6 adopted shall be subject to a public hearing following
7 publication of notice thereof in a newspaper of general
8 circulation in the political subdivision and approval by
9 resolution of the governing body of the political subdivision.

10 The Department of Revenue shall not collect or allocate
11 any local sales tax increment or State sales tax increment
12 until the political subdivision also provides, in the manner
13 prescribed by the Department, the boundaries of the STAR bond
14 project area and each address in the STAR bond project area in
15 such a way that the Department can determine by its address
16 whether a business is located in the STAR bond project area.
17 The political subdivision must provide this boundary and
18 address information to the Department on or before April 1 for
19 administration and enforcement under this Act by the
20 Department beginning on the following July 1 and on or before
21 October 1 for administration and enforcement under this Act by
22 the Department beginning on the following January 1. The
23 Department of Revenue shall not administer or enforce any
24 change made to the boundaries of a STAR bond project or any
25 address change, addition, or deletion until the political
26 subdivision reports the boundary change or address change,

1 addition, or deletion to the Department in the manner
2 prescribed by the Department. The political subdivision must
3 provide this boundary change or address change, addition, or
4 deletion information to the Department on or before April 1
5 for administration and enforcement by the Department of the
6 change, addition, or deletion beginning on the following July
7 1 and on or before October 1 for administration and
8 enforcement by the Department of the change, addition, or
9 deletion beginning on the following January 1. If a retailer
10 is incorrectly included or excluded from the list of those
11 located in the STAR bond project, the Department of Revenue
12 shall be held harmless if it reasonably relied on information
13 provided by the political subdivision.

14 (j) Any STAR bond project must be approved by the
15 political subdivision prior to that date which is 23 years
16 from the date of the approval of the STAR bond district,
17 provided however that any amendments to such STAR bond project
18 may occur following such date.

19 (k) Any developer of a STAR bond project shall commence
20 work on the STAR bond project within 3 years from the date of
21 adoption of the STAR bond project plan. If the developer fails
22 to commence work on the STAR bond project within the 3-year
23 period, funding for the project shall cease and the developer
24 of the project or complex shall have one year to appeal to the
25 political subdivision for reapproval of the project and
26 funding. If the project is reapproved, the 3-year period for

1 commencement shall begin again on the date of the reapproval.

2 (l) After the adoption by the corporate authorities of the
3 political subdivision of a STAR bond project plan and approval
4 of the Director pursuant to subsection (d) of Section 20, the
5 political subdivision may authorize the issuance of the STAR
6 bonds in one or more series to finance the STAR bond project in
7 accordance with the provisions of this Act.

8 (m) The maximum maturity of STAR bonds issued to finance a
9 STAR bond project shall not exceed 23 years from the first date
10 of distribution of State sales tax revenues from such STAR
11 bond project to the political subdivision unless the political
12 subdivision extends such maturity by resolution up to a
13 maximum of 35 years from such first distribution date. Any
14 such extension shall require the approval of the Director. In
15 no event shall the maximum maturity date for any STAR bonds
16 exceed that date which is 35 years from the first distribution
17 date of the first STAR bonds issued in a STAR bond district.

18 (Source: P.A. 96-939, eff. 6-24-10.)

19 (50 ILCS 470/30)

20 Sec. 30. STAR bonds; source of payment. Any political
21 subdivision shall have the power to issue STAR bonds in one or
22 more series to finance the undertaking of any STAR bond
23 project in accordance with the provisions of this Act and the
24 Omnibus Bond Acts. STAR bonds may be issued as revenue bonds,
25 alternate bonds, or general obligation bonds as defined in and

1 subject to the procedures provided in the Local Government
2 Debt Reform Act.

3 (a) STAR bonds may be made payable, both as to principal
4 and interest, from the following revenues, which to the extent
5 pledged by each respective political subdivision or other
6 public entity for such purpose shall constitute pledged STAR
7 revenues:

8 (1) revenues of the political subdivision derived from
9 or held in connection with the undertaking and carrying
10 out of any STAR bond project or projects under this Act;

11 (2) available private funds and contributions, grants,
12 tax credits, or other financial assistance from the State
13 or federal government;

14 (3) STAR bond occupation taxes created pursuant to
15 Section 31 and designated as pledged STAR revenues by the
16 political subdivision;

17 (4) all of the local sales tax increment of a
18 municipality, county, or other unit of local government;

19 (5) any special service area taxes collected within
20 the STAR bond district under the Special Service Area Tax
21 Act, may be used for the purposes of funding project costs
22 or paying debt service on STAR bonds in addition to the
23 purposes contained in the special service area plan;

24 (6) all of the State sales tax increment;

25 (7) any other revenues appropriated by the political
26 subdivision; and

1 (8) any combination of these methods.

2 (b) The political subdivision may pledge the pledged STAR
3 revenues to the repayment of STAR bonds prior to,
4 simultaneously with, or subsequent to the issuance of the STAR
5 bonds.

6 (c) Bonds issued as revenue bonds shall not be general
7 obligations of the political subdivision, nor in any event
8 shall they give rise to a charge against its general credit or
9 taxing powers, or be payable out of any funds or properties
10 other than those set forth in subsection (a) and the bonds
11 shall so state on their face.

12 (d) For each STAR bond project financed with STAR bonds
13 payable from the pledged STAR revenues, the political
14 subdivision shall prepare and submit to the Department of
15 Revenue by June 1 of each year a report describing the status
16 of the STAR bond project, any expenditures of the proceeds of
17 STAR bonds that have occurred for the preceding calendar year,
18 and any expenditures of the proceeds of the bonds expected to
19 occur in the future, including the amount of pledged STAR
20 revenue, the amount of revenue that has been spent, the
21 projected amount of the revenue, and the anticipated use of
22 the revenue. Each annual report shall be accompanied by an
23 affidavit of the master developer certifying the contents of
24 the report as true to the best of the master developer's
25 knowledge. The Department of Revenue shall have the right, but
26 not the obligation, to request the Illinois Auditor General to

1 review the annual report and the political subdivision's
2 records containing the source information for the report for
3 the purpose of verifying the report's contents. If the
4 Illinois Auditor General declines the request for review, the
5 Department of Revenue shall have the right to select an
6 independent third-party auditor to conduct an audit of the
7 annual report and the political subdivision's records
8 containing the source information for the report. The
9 reasonable cost of the audit shall be paid by the master
10 developer. The master development agreement shall grant the
11 Department of Revenue and the Illinois Auditor General the
12 right to review the records of the political subdivision
13 containing the source information for the report.

14 (e) There is created in the State treasury a special fund
15 to be known as the STAR Bonds Revenue Fund. As soon as possible
16 after the first day of each month, beginning January 1, 2011,
17 upon certification of the Department of Revenue, the
18 Comptroller shall order transferred, and the Treasurer shall
19 transfer, from the General Revenue Fund to the STAR Bonds
20 Revenue Fund the State sales tax increment for the second
21 preceding month, less 3% of that amount, which shall be
22 transferred into the Tax Compliance and Administration Fund
23 and shall be used by the Department, subject to appropriation,
24 to cover the costs of the Department in administering the
25 Innovation Development and Economy Act. As soon as possible
26 after the first day of each month, beginning January 1, 2011,

1 upon certification of the Department of Revenue, the
2 Comptroller shall order transferred, and the Treasurer shall
3 transfer, from the Local Government Tax Fund to the STAR Bonds
4 Revenue Fund the local sales tax increment for the second
5 preceding month, as provided in Section 6z-18 of the State
6 Finance Act and from the County and Mass Transit District Fund
7 to the STAR Bonds Revenue Fund the local sales tax increment
8 for the second preceding month, as provided in Section 6z-20
9 of the State Finance Act.

10 On or before the 25th day of each calendar month,
11 beginning on January 1, 2011, the Department shall prepare and
12 certify to the Comptroller the disbursement of stated sums of
13 money out of the STAR Bonds Revenue Fund to named
14 municipalities and counties, the municipalities and counties
15 to be those entitled to distribution of taxes or penalties
16 paid to the Department during the second preceding calendar
17 month. The amount to be paid to each municipality or county
18 shall be the amount of the State sales tax increment and the
19 local sales tax increment (not including credit memoranda or
20 the amount transferred into the Tax Compliance and
21 Administration Fund) collected during the second preceding
22 calendar month by the Department from retailers and servicemen
23 on transactions at places of business located within a STAR
24 bond district in that municipality or county, plus an amount
25 the Department determines is necessary to offset any amounts
26 which were erroneously paid to a different taxing body, and

1 not including an amount equal to the amount of refunds made
2 during the second preceding calendar month by the Department,
3 and not including any amount which the Department determines
4 is necessary to offset any amounts which are payable to a
5 different taxing body but were erroneously paid to the
6 municipality or county. Within 10 days after receipt, by the
7 Comptroller, of the disbursement certification to the
8 municipalities and counties, provided for in this Section to
9 be given to the Comptroller by the Department, the Comptroller
10 shall cause the orders to be drawn for the respective amounts
11 in accordance with the directions contained in such
12 certification.

13 When certifying the amount of monthly disbursement to a
14 municipality or county under this subsection, the Department
15 shall increase or decrease that amount by an amount necessary
16 to offset any misallocation of previous disbursements. The
17 offset amount shall be the amount erroneously disbursed within
18 the 6 months preceding the time a misallocation is discovered.

19 The corporate authorities of the political subdivision
20 shall deposit the proceeds for the STAR Bonds Revenue Fund
21 into a special fund of the political subdivision called the
22 "(Name of political subdivision) STAR Bond District Revenue
23 Fund" for the purpose of paying or reimbursing STAR bond
24 project costs and obligations incurred in the payment of those
25 costs.

26 If the political subdivision fails to issue STAR bonds

1 within 180 days after the first distribution to the political
2 subdivision from the STAR Bonds Revenue Fund, the Department
3 of Revenue shall cease distribution of the State sales tax
4 increment to the political subdivision, shall transfer any
5 State sales tax increment in the STAR Bonds Revenue Fund to the
6 General Revenue Fund, and shall cease deposits of State sales
7 tax increment amounts into the STAR Bonds Revenue Fund. The
8 political subdivision shall repay all of the State sales tax
9 increment distributed to the political subdivision to date,
10 which amounts shall be deposited into the General Revenue
11 Fund. If not repaid within 90 days after notice from the State,
12 the Department of Revenue shall withhold distributions to the
13 political subdivision from the Local Government Tax Fund until
14 the excess amount is repaid, which withheld amounts shall be
15 transferred to the General Revenue Fund. At such time as the
16 political subdivision notifies the Department of Revenue in
17 writing that it has issued STAR Bonds in accordance with this
18 Act and provides the Department with a copy of the political
19 subdivision's official statement, bond purchase agreements,
20 indenture, or other evidence of bond sale, the Department of
21 Revenue shall resume deposits of the State sales tax increment
22 into the STAR Bonds Revenue Fund and distribution of the State
23 sales tax increment to the political subdivision in accordance
24 with this Section.

25 (f) As of the seventh anniversary of the first date of
26 distribution of State sales tax revenues from the first STAR

1 bond project in the STAR bond district, and as of every fifth
2 anniversary thereafter until final maturity of all STAR bonds
3 issued in a STAR bond district, the portion of the aggregate
4 proceeds of STAR bonds issued to date that is derived from the
5 State sales tax increment pledged to pay STAR bonds in any STAR
6 bond district shall not exceed 50% of the total development
7 costs in the STAR bond district to date. The Illinois Auditor
8 General shall make the foregoing determination on said seventh
9 anniversary and every 5 years thereafter until final maturity
10 of all STAR bonds issued in a STAR bond district. If at any
11 time after the seventh anniversary of the first date of
12 distribution of State sales tax revenues from the first STAR
13 bond project in the STAR bond district the Illinois Auditor
14 General determines that the portion of the aggregate proceeds
15 of STAR bonds issued to date that is derived from the State
16 sales tax increment pledged to pay STAR bonds in any STAR bond
17 district has exceeded 50% of the total development costs in
18 the STAR bond district, no additional STAR bonds may be issued
19 in the STAR bond district until the percentage is reduced to
20 50% or below. When the percentage has been reduced to 50% or
21 below, the master developer shall have the right, at its own
22 cost, to obtain a new audit prepared by an independent
23 third-party auditor verifying compliance and shall provide
24 such audit to the Illinois Auditor General for review and
25 approval. Upon the Illinois Auditor General's determination
26 from the audit that the percentage has been reduced to 50% or

1 below, STAR bonds may again be issued in the STAR bond
2 district.

3 (g) Notwithstanding the provisions of the Tax Increment
4 Allocation Redevelopment Act, if any portion of property taxes
5 attributable to the increase in equalized assessed value
6 within a STAR bond district are, at the time of formation of
7 the STAR bond district, already subject to tax increment
8 financing under the Tax Increment Allocation Redevelopment
9 Act, then the tax increment for such portion shall be frozen at
10 the base year established in accordance with this Act, and all
11 future incremental increases over the base year shall not be
12 subject to tax increment financing under the Tax Increment
13 Allocation Redevelopment Act. Any party otherwise entitled to
14 receipt of incremental tax revenues through an existing tax
15 increment financing district shall be entitled to continue to
16 receive such revenues up to the amount frozen in the base year.
17 Nothing in this Act shall affect the prior qualification of
18 existing redevelopment project costs incurred that are
19 eligible for reimbursement under the Tax Increment Allocation
20 Redevelopment Act. In such event, prior to approving a STAR
21 bond district, the political subdivision forming the STAR bond
22 district shall take such action as is necessary, including
23 amending the existing tax increment financing district
24 redevelopment plan, to carry out the provisions of this Act.

25 (Source: P.A. 96-939, eff. 6-24-10.)

1 (50 ILCS 470/50)

2 Sec. 50. Reporting taxes. Notwithstanding any other
3 provisions of law to the contrary, the Department of Revenue
4 shall provide a certified report of the State sales tax
5 increment and local sales tax increment from all taxpayers
6 within a STAR bond district to the bond trustee, escrow agent,
7 or paying agent for such bonds upon the written request of the
8 political subdivision on or before the 25th day of each month.
9 Such report shall provide a detailed allocation of State sales
10 tax increment and local sales tax increment from each local
11 sales tax and State sales tax reported to the Department of
12 Revenue.

13 (a) The bond trustee, escrow agent, or paying agent shall
14 keep such sales and use tax reports and the information
15 contained therein confidential, but may use such information
16 for purposes of allocating and depositing the sales and use
17 tax revenues in connection with the bonds used to finance
18 project costs in such STAR bond district. Except as otherwise
19 provided herein, the sales and use tax reports received by the
20 bond trustee, escrow agent, or paying agent shall be subject
21 to the provisions of Chapter 35 of the Illinois Compiled
22 Statutes, including Section 3 of the Retailers' Occupation Tax
23 Act and Section 9 of the Use Tax Act.

24 (b) The political subdivision shall determine when the
25 amount of sales tax and other revenues that have been
26 collected and distributed to the bond debt service or reserve

1 fund is sufficient to satisfy all principal and interest costs
2 to the maturity date or dates of any STAR bond issued by a
3 political subdivision to finance a STAR bond project and shall
4 give the Department of Revenue written notice of such
5 determination. The notice shall include a date certain on
6 which deposits into the STAR Bonds Revenue Fund for that STAR
7 bond project shall terminate and shall be provided to the
8 Department of Revenue at least 60 days prior to that date.
9 Thereafter, all sales tax and other revenues shall be
10 collected and distributed in accordance with applicable law.

11 If the political subdivision fails to give timely notice
12 under this subsection (b), the Department of Revenue, upon
13 discovery of this failure, shall cease distribution of the
14 State sales tax increment to the political subdivision, shall
15 transfer any State sales tax increment in the STAR Bonds
16 Revenue Fund to the General Revenue Fund, and shall cease
17 deposits of State sales tax increment amounts into the STAR
18 Bonds Revenue Fund. Any amount of State sales tax increment
19 distributed to the political subdivision from the STAR Bonds
20 Revenue Fund in excess of the amount sufficient to satisfy all
21 principal and interest costs to the maturity date or dates of
22 any STAR bond issued by the political subdivision to finance a
23 STAR bond project shall be repaid to the Department of Revenue
24 and deposited into the General Revenue Fund. If not repaid
25 within 90 days after notice from the State, the Department of
26 Revenue shall withhold distributions to the political

1 subdivision from the Local Government Tax Fund until the
2 excess amount is repaid, which withheld amounts shall be
3 transferred to the General Revenue Fund.

4 (Source: P.A. 96-939, eff. 6-24-10.)

5 Section 5-90. The Illinois Police Training Act is amended
6 by changing Section 6 as follows:

7 (50 ILCS 705/6) (from Ch. 85, par. 506)

8 Sec. 6. Powers and duties of the Board; selection and
9 certification of schools. The Board shall select and certify
10 schools within the State of Illinois for the purpose of
11 providing basic training for probationary law enforcement
12 officers, probationary county corrections officers, and court
13 security officers and of providing advanced or in-service
14 training for permanent law enforcement officers or permanent
15 county corrections officers, which schools may be either
16 publicly or privately owned and operated. In addition, the
17 Board has the following power and duties:

18 a. To require law enforcement agencies to furnish such
19 reports and information as the Board deems necessary to
20 fully implement this Act.

21 b. To establish appropriate mandatory minimum
22 standards relating to the training of probationary local
23 law enforcement officers or probationary county
24 corrections officers, and in-service training of permanent

1 law enforcement officers.

2 c. To provide appropriate certification to those
3 probationary officers who successfully complete the
4 prescribed minimum standard basic training course.

5 d. To review and approve annual training curriculum
6 for county sheriffs.

7 e. To review and approve applicants to ensure that no
8 applicant is admitted to a certified academy unless the
9 applicant is a person of good character and has not been
10 convicted of, found guilty of, entered a plea of guilty
11 to, or entered a plea of nolo contendere to a felony
12 offense, any of the misdemeanors in Sections 11-1.50,
13 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,
14 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
15 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
16 violation of any Section of Part E of Title III of the
17 Criminal Code of 1961 or the Criminal Code of 2012, or
18 subsection (a) of Section 17-32 of the Criminal Code of
19 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
20 the Cannabis Control Act, or a crime involving moral
21 turpitude under the laws of this State or any other state
22 which if committed in this State would be punishable as a
23 felony or a crime of moral turpitude, or any felony or
24 misdemeanor in violation of federal law or the law of any
25 state that is the equivalent of any of the offenses
26 specified therein. The Board may appoint investigators who

1 shall enforce the duties conferred upon the Board by this
2 Act.

3 For purposes of this paragraph e, a person is
4 considered to have been convicted of, found guilty of, or
5 entered a plea of guilty to, plea of nolo contendere to
6 regardless of whether the adjudication of guilt or
7 sentence is withheld or not entered thereon. This includes
8 sentences of supervision, conditional discharge, or first
9 offender probation, or any similar disposition provided
10 for by law.

11 f. To establish statewide standards for minimum
12 standards regarding regular mental health screenings for
13 probationary and permanent police officers, ensuring that
14 counseling sessions and screenings remain confidential.

15 g. To review and ensure all law enforcement officers
16 remain in compliance with this Act, and any administrative
17 rules adopted under this Act.

18 h. To suspend any certificate for a definite period,
19 limit or restrict any certificate, or revoke any
20 certificate.

21 i. The Board and the Panel shall have power to secure
22 by its subpoena and bring before it any person or entity in
23 this State and to take testimony either orally or by
24 deposition or both with the same fees and mileage and in
25 the same manner as prescribed by law in judicial
26 proceedings in civil cases in circuit courts of this

1 State. The Board and the Panel shall also have the power to
2 subpoena the production of documents, papers, files,
3 books, documents, and records, whether in physical or
4 electronic form, in support of the charges and for
5 defense, and in connection with a hearing or
6 investigation.

7 j. The Executive Director, the administrative law
8 judge designated by the Executive Director, and each
9 member of the Board and the Panel shall have the power to
10 administer oaths to witnesses at any hearing that the
11 Board is authorized to conduct under this Act and any
12 other oaths required or authorized to be administered by
13 the Board under this Act.

14 k. In case of the neglect or refusal of any person to
15 obey a subpoena issued by the Board and the Panel, any
16 circuit court, upon application of the Board and the
17 Panel, through the Illinois Attorney General, may order
18 such person to appear before the Board and the Panel give
19 testimony or produce evidence, and any failure to obey
20 such order is punishable by the court as a contempt
21 thereof. This order may be served by personal delivery, by
22 email, or by mail to the address of record or email address
23 of record.

24 l. The Board shall have the power to administer state
25 certification examinations. Any and all records related to
26 these examinations, including, but not limited to, test

1 questions, test formats, digital files, answer responses,
2 answer keys, and scoring information shall be exempt from
3 disclosure.

4 m. To make grants, subject to appropriation, to units
5 of local government and public institutions of higher
6 education for the purposes of hiring and retaining law
7 enforcement officers.

8 n. To make grants, subject to appropriation, to local
9 law enforcement agencies for costs associated with the
10 expansion and support of National Integrated Ballistic
11 Information Network (NIBIN) and other ballistic technology
12 equipment for ballistic testing.

13 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
14 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
15 25-40, eff. 1-1-22; 102-687, eff. 12-17-21; 102-694, eff.
16 1-7-22; 102-1115, eff. 1-9-23.)

17 Section 5-92. The Metropolitan Pier and Exposition
18 Authority Act is amended by changing Section 5 as follows:

19 (70 ILCS 210/5) (from Ch. 85, par. 1225)

20 Sec. 5. The Metropolitan Pier and Exposition Authority
21 shall also have the following rights and powers:

22 (a) To accept from Chicago Park Fair, a corporation,
23 an assignment of whatever sums of money it may have
24 received from the Fair and Exposition Fund, allocated by

1 the Department of Agriculture of the State of Illinois,
2 and Chicago Park Fair is hereby authorized to assign, set
3 over and transfer any of those funds to the Metropolitan
4 Pier and Exposition Authority. The Authority has the right
5 and power hereafter to receive sums as may be distributed
6 to it by the Department of Agriculture of the State of
7 Illinois from the Fair and Exposition Fund pursuant to the
8 provisions of Sections 5, 6i, and 28 of the State Finance
9 Act. All sums received by the Authority shall be held in
10 the sole custody of the secretary-treasurer of the
11 Metropolitan Pier and Exposition Board.

12 (b) To accept the assignment of, assume and execute
13 any contracts heretofore entered into by Chicago Park
14 Fair.

15 (c) To acquire, own, construct, equip, lease, operate
16 and maintain grounds, buildings and facilities to carry
17 out its corporate purposes and duties, and to carry out or
18 otherwise provide for the recreational, cultural,
19 commercial or residential development of Navy Pier, and to
20 fix and collect just, reasonable and nondiscriminatory
21 charges for the use thereof. The charges so collected
22 shall be made available to defray the reasonable expenses
23 of the Authority and to pay the principal of and the
24 interest upon any revenue bonds issued by the Authority.
25 The Authority shall be subject to and comply with the Lake
26 Michigan and Chicago Lakefront Protection Ordinance, the

1 Chicago Building Code, the Chicago Zoning Ordinance, and
2 all ordinances and regulations of the City of Chicago
3 contained in the following Titles of the Municipal Code of
4 Chicago: Businesses, Occupations and Consumer Protection;
5 Health and Safety; Fire Prevention; Public Peace, Morals
6 and Welfare; Utilities and Environmental Protection;
7 Streets, Public Ways, Parks, Airports and Harbors;
8 Electrical Equipment and Installation; Housing and
9 Economic Development (only Chapter 5-4 thereof); and
10 Revenue and Finance (only so far as such Title pertains to
11 the Authority's duty to collect taxes on behalf of the
12 City of Chicago).

13 (d) To enter into contracts treating in any manner
14 with the objects and purposes of this Act.

15 (e) To lease any buildings to the Adjutant General of
16 the State of Illinois for the use of the Illinois National
17 Guard or the Illinois Naval Militia.

18 (f) To exercise the right of eminent domain by
19 condemnation proceedings in the manner provided by the
20 Eminent Domain Act, including, with respect to Site B
21 only, the authority to exercise quick take condemnation by
22 immediate vesting of title under Article 20 of the Eminent
23 Domain Act, to acquire any privately owned real or
24 personal property and, with respect to Site B only, public
25 property used for rail transportation purposes (but no
26 such taking of such public property shall, in the

1 reasonable judgment of the owner, interfere with such rail
2 transportation) for the lawful purposes of the Authority
3 in Site A, at Navy Pier, and at Site B. Just compensation
4 for property taken or acquired under this paragraph shall
5 be paid in money or, notwithstanding any other provision
6 of this Act and with the agreement of the owner of the
7 property to be taken or acquired, the Authority may convey
8 substitute property or interests in property or enter into
9 agreements with the property owner, including leases,
10 licenses, or concessions, with respect to any property
11 owned by the Authority, or may provide for other lawful
12 forms of just compensation to the owner. Any property
13 acquired in condemnation proceedings shall be used only as
14 provided in this Act. Except as otherwise provided by law,
15 the City of Chicago shall have a right of first refusal
16 prior to any sale of any such property by the Authority to
17 a third party other than substitute property. The
18 Authority shall develop and implement a relocation plan
19 for businesses displaced as a result of the Authority's
20 acquisition of property. The relocation plan shall be
21 substantially similar to provisions of the Uniform
22 Relocation Assistance and Real Property Acquisition Act
23 and regulations promulgated under that Act relating to
24 assistance to displaced businesses. To implement the
25 relocation plan the Authority may acquire property by
26 purchase or gift or may exercise the powers authorized in

1 this subsection (f), except the immediate vesting of title
2 under Article 20 of the Eminent Domain Act, to acquire
3 substitute private property within one mile of Site B for
4 the benefit of displaced businesses located on property
5 being acquired by the Authority. However, no such
6 substitute property may be acquired by the Authority
7 unless the mayor of the municipality in which the property
8 is located certifies in writing that the acquisition is
9 consistent with the municipality's land use and economic
10 development policies and goals. The acquisition of
11 substitute property is declared to be for public use. In
12 exercising the powers authorized in this subsection (f),
13 the Authority shall use its best efforts to relocate
14 businesses within the area of McCormick Place or, failing
15 that, within the City of Chicago.

16 (g) To enter into contracts relating to construction
17 projects which provide for the delivery by the contractor
18 of a completed project, structure, improvement, or
19 specific portion thereof, for a fixed maximum price, which
20 contract may provide that the delivery of the project,
21 structure, improvement, or specific portion thereof, for
22 the fixed maximum price is insured or guaranteed by a
23 third party capable of completing the construction.

24 (h) To enter into agreements with any person with
25 respect to the use and occupancy of the grounds,
26 buildings, and facilities of the Authority, including

1 concession, license, and lease agreements on terms and
2 conditions as the Authority determines. Notwithstanding
3 Section 24, agreements with respect to the use and
4 occupancy of the grounds, buildings, and facilities of the
5 Authority for a term of more than one year shall be entered
6 into in accordance with the procurement process provided
7 for in Section 25.1.

8 (i) To enter into agreements with any person with
9 respect to the operation and management of the grounds,
10 buildings, and facilities of the Authority or the
11 provision of goods and services on terms and conditions as
12 the Authority determines.

13 (j) After conducting the procurement process provided
14 for in Section 25.1, to enter into one or more contracts to
15 provide for the design and construction of all or part of
16 the Authority's Expansion Project grounds, buildings, and
17 facilities. Any contract for design and construction of
18 the Expansion Project shall be in the form authorized by
19 subsection (g), shall be for a fixed maximum price not in
20 excess of the funds that are authorized to be made
21 available for those purposes during the term of the
22 contract, and shall be entered into before commencement of
23 construction.

24 (k) To enter into agreements, including project
25 agreements with labor unions, that the Authority deems
26 necessary to complete the Expansion Project or any other

1 construction or improvement project in the most timely and
2 efficient manner and without strikes, picketing, or other
3 actions that might cause disruption or delay and thereby
4 add to the cost of the project.

5 (1) To provide incentives to organizations and
6 entities that agree to make use of the grounds, buildings,
7 and facilities of the Authority for conventions, meetings,
8 or trade shows. The incentives may take the form of
9 discounts from regular fees charged by the Authority,
10 subsidies for or assumption of the costs incurred with
11 respect to the convention, meeting, or trade show, or
12 other inducements. The Authority shall award incentives to
13 attract or retain conventions, meetings, and trade shows
14 under the terms set forth in this subsection (1) from
15 amounts appropriated to the Authority from the
16 Metropolitan Pier and Exposition Authority Incentive Fund
17 for this purpose.

18 No later than May 15 of each year, the Chief Executive
19 Officer of the Metropolitan Pier and Exposition Authority
20 shall certify to the State Comptroller and the State
21 Treasurer the amounts of incentive grant funds used,
22 including incentive grant funds used for future events
23 under the provisions of this Section, during the current
24 fiscal year to provide incentives for conventions,
25 meetings, or trade shows that:

26 (i) have been approved by the Authority, in

1 consultation with an organization meeting the
2 qualifications set out in Section 5.6 of this Act,
3 provided the Authority has entered into a marketing
4 agreement with such an organization,

5 (ii) (A) for fiscal years prior to 2022 and after
6 2024, demonstrate registered attendance (or projected
7 attendance for future events) in excess of 5,000
8 individuals or in excess of 10,000 individuals, as
9 appropriate;

10 (B) for fiscal years 2022 through 2024,
11 demonstrate registered attendance (or projected
12 attendance for future events) in excess of 3,000
13 individuals or in excess of 5,000 individuals, as
14 appropriate; or

15 (C) for fiscal years 2022 and 2023, regardless of
16 registered attendance, demonstrate incurrence of costs
17 associated with mitigation of COVID-19, including, but
18 not limited to, costs for testing and screening,
19 contact tracing and notification, personal protective
20 equipment, and other physical and organizational
21 costs, and

22 (iii) in the case of subparagraphs (A) and (B) of
23 paragraph (ii), but for the incentive, would not have
24 used (or, in the case of a future event, committed to
25 use) the facilities of the Authority for the
26 convention, meeting, or trade show. The State

1 Comptroller may request that the Auditor General
2 conduct an audit of the accuracy of the certification.
3 If the State Comptroller determines by this process of
4 certification that incentive funds, in whole or in
5 part, were disbursed by the Authority by means other
6 than in accordance with the standards of this
7 subsection (1), then any amount transferred to the
8 Metropolitan Pier and Exposition Authority Incentive
9 Fund shall be reduced during the next subsequent
10 transfer in direct proportion to that amount
11 determined to be in violation of the terms set forth in
12 this subsection (1).

13 On July 15, 2012, the Comptroller shall order
14 transferred, and the Treasurer shall transfer, into the
15 Metropolitan Pier and Exposition Authority Incentive Fund
16 from the General Revenue Fund the sum of \$7,500,000 plus
17 an amount equal to the incentive grant funds certified by
18 the Chief Executive Officer as having been lawfully paid
19 under the provisions of this Section in the previous 2
20 fiscal years that have not otherwise been transferred into
21 the Metropolitan Pier and Exposition Authority Incentive
22 Fund, provided that transfers in excess of \$15,000,000
23 shall not be made in any fiscal year.

24 On July 15, 2013, the Comptroller shall order
25 transferred, and the Treasurer shall transfer, into the
26 Metropolitan Pier and Exposition Authority Incentive Fund

1 from the General Revenue Fund the sum of \$7,500,000 plus
2 an amount equal to the incentive grant funds certified by
3 the Chief Executive Officer as having been lawfully paid
4 under the provisions of this Section in the previous
5 fiscal year that have not otherwise been transferred into
6 the Metropolitan Pier and Exposition Authority Incentive
7 Fund, provided that transfers in excess of \$15,000,000
8 shall not be made in any fiscal year.

9 On July 15, 2014, and every year thereafter, the
10 Comptroller shall order transferred, and the Treasurer
11 shall transfer, into the Metropolitan Pier and Exposition
12 Authority Incentive Fund from the General Revenue Fund an
13 amount equal to the incentive grant funds certified by the
14 Chief Executive Officer as (i) having been lawfully paid
15 under the provisions of this Section in the previous
16 fiscal year or incurred by the Authority for a future
17 event under the provisions of this Section and (ii) ~~that~~
18 ~~have~~ not otherwise having been ~~been~~ transferred into the
19 Metropolitan Pier and Exposition Authority Incentive Fund,
20 provided that (1) no transfers with respect to any
21 previous fiscal year shall be made after the transfer has
22 been made with respect to the 2017 fiscal year until the
23 transfer that is made for the 2022 fiscal year and
24 thereafter, and no transfers with respect to any previous
25 fiscal year shall be made after the transfer has been made
26 with respect to the 2026 fiscal year, and (2) transfers in

1 excess of \$15,000,000 shall not be made in any fiscal
2 year.

3 After a transfer has been made under this subsection
4 (1), the Chief Executive Officer shall file a request for
5 payment with the Comptroller evidencing that the incentive
6 grants have been made and the Comptroller shall thereafter
7 order paid, and the Treasurer shall pay, the requested
8 amounts to the Metropolitan Pier and Exposition Authority.

9 Excluding any amounts related to the payment of costs
10 associated with the mitigation of COVID-19 in accordance
11 with this subsection (1), in no case shall more than
12 \$5,000,000 be used in any one year by the Authority for
13 incentives granted to conventions, meetings, or trade
14 shows with a registered attendance (or projected
15 attendance for future events) of (1) more than 5,000 and
16 less than 10,000 prior to the 2022 fiscal year and after
17 the 2024 fiscal year and (2) more than 3,000 and less than
18 5,000 for fiscal years 2022 through 2024. Amounts in the
19 Metropolitan Pier and Exposition Authority Incentive Fund
20 shall only be used by the Authority for incentives paid to
21 attract or retain conventions, meetings, and trade shows
22 as provided in this subsection (1).

23 "Future event" means a convention, meeting, or trade show
24 that executed an agreement during the fiscal year to use the
25 facilities of the Authority after fiscal year 2026; provided
26 that the agreement is entered into with the Authority or with

1 an organization that meets the qualifications set out in
2 Section 5.6 of this Act and that has entered into a marketing
3 agreement with the Authority.

4 (1-5) The Village of Rosemont shall provide incentives
5 from amounts transferred into the Convention Center
6 Support Fund to retain and attract conventions, meetings,
7 or trade shows to the Donald E. Stephens Convention Center
8 under the terms set forth in this subsection (1-5).

9 No later than May 15 of each year, the Mayor of the
10 Village of Rosemont or his or her designee shall certify
11 to the State Comptroller and the State Treasurer the
12 amounts of incentive grant funds used during the previous
13 fiscal year to provide incentives for conventions,
14 meetings, or trade shows that (1) have been approved by
15 the Village, (2) demonstrate registered attendance in
16 excess of 5,000 individuals, and (3) but for the
17 incentive, would not have used the Donald E. Stephens
18 Convention Center facilities for the convention, meeting,
19 or trade show. The State Comptroller may request that the
20 Auditor General conduct an audit of the accuracy of the
21 certification.

22 If the State Comptroller determines by this process of
23 certification that incentive funds, in whole or in part,
24 were disbursed by the Village by means other than in
25 accordance with the standards of this subsection (1-5),
26 then the amount transferred to the Convention Center

1 Support Fund shall be reduced during the next subsequent
2 transfer in direct proportion to that amount determined to
3 be in violation of the terms set forth in this subsection
4 (1-5).

5 On July 15, 2012, and each year thereafter, the
6 Comptroller shall order transferred, and the Treasurer
7 shall transfer, into the Convention Center Support Fund
8 from the General Revenue Fund the amount of \$5,000,000 for
9 (i) incentives to attract large conventions, meetings, and
10 trade shows to the Donald E. Stephens Convention Center,
11 and (ii) to be used by the Village of Rosemont for the
12 repair, maintenance, and improvement of the Donald E.
13 Stephens Convention Center and for debt service on debt
14 instruments issued for those purposes by the village. No
15 later than 30 days after the transfer, the Comptroller
16 shall order paid, and the Treasurer shall pay, to the
17 Village of Rosemont the amounts transferred.

18 (m) To enter into contracts with any person conveying
19 the naming rights or other intellectual property rights
20 with respect to the grounds, buildings, and facilities of
21 the Authority.

22 (n) To enter into grant agreements with the Chicago
23 Convention and Tourism Bureau providing for the marketing
24 of the convention facilities to large and small
25 conventions, meetings, and trade shows and the promotion
26 of the travel industry in the City of Chicago, provided

1 such agreements meet the requirements of Section 5.6 of
2 this Act. Receipts of the Authority from the increase in
3 the airport departure tax authorized in subsection (f) of
4 Section 13 of this Act by Public Act 96-898 and, subject to
5 appropriation to the Authority, funds deposited in the
6 Chicago Travel Industry Promotion Fund pursuant to Section
7 6 of the Hotel Operators' Occupation Tax Act shall be
8 granted to the Bureau for such purposes.

9 For Fiscal Year 2023 only, the Department of Commerce
10 and Economic Opportunity shall enter into the grant
11 agreements described in this subsection in place of the
12 Authority. The grant agreements entered into by the
13 Department and the Bureau under this subsection are not
14 subject to the matching funds requirements or the other
15 terms and conditions of Section 605-705 of the Department
16 of Commerce and Economic Opportunity Law of the Civil
17 Administrative Code of Illinois. Subject to appropriation,
18 funds transferred into the Chicago Travel Industry
19 Promotion Fund pursuant to subsection (f) of Section
20 6z-121 of the State Finance Act shall be granted to the
21 Bureau for the purposes described in this subsection. The
22 Department shall have authority to make expenditures from
23 the Chicago Travel Industry Promotion Fund solely for the
24 purpose of providing grants to the Bureau.

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

1 Section 5-95. The School Code is amended by adding
2 Sections 2-3.196 and 2-3.197 and by changing Sections 2-3.186,
3 10-22.36, 18-8.15, and 27-23.1 as follows:

4 (105 ILCS 5/2-3.186)

5 Sec. 2-3.186. Freedom Schools; grant program.

6 (a) The General Assembly recognizes and values the
7 contributions that Freedom Schools make to enhance the lives
8 of Black students. The General Assembly makes all of the
9 following findings:

10 (1) The fundamental goal of the Freedom Schools of the
11 1960s was to provide quality education for all students,
12 to motivate active civic engagement, and to empower
13 disenfranchised communities. The renowned and progressive
14 curriculum of Freedom Schools allowed students of all ages
15 to experience a new and liberating form of education that
16 directly related to the imperatives of their lives, their
17 communities, and the Freedom Movement.

18 (2) Freedom Schools continue to demonstrate the proven
19 benefits of critical civic engagement and
20 intergenerational effects by providing historically
21 disadvantaged students, including African American
22 students and other students of color, with quality
23 instruction that fosters student confidence, critical
24 thinking, and social and emotional development.

25 (3) Freedom Schools offer culturally relevant learning

1 opportunities with the academic and social supports that
2 Black children need by utilizing quality teaching,
3 challenging and engaging curricula, wrap-around supports,
4 a positive school climate, and strong ties to family and
5 community. Freedom Schools have a clear focus on results.

6 (4) Public schools serve a foundational role in the
7 education of over 2,000,000 students in this State.

8 (b) The State Board of Education shall establish a Freedom
9 School network to supplement the learning taking place in
10 public schools by awarding one or more grants as set forth in
11 subsection (e) to create Freedom Schools ~~creating a 6-week~~
12 ~~summer program with an organization~~ with a mission to improve
13 the odds for children in poverty by ~~that operates Freedom~~
14 ~~Schools in multiple states~~ using a research-based and
15 multicultural curriculum for disenfranchised communities most
16 affected by the opportunity gap and learning loss caused by
17 the pandemic, and by expanding the teaching of African
18 American history, developing leadership skills, and providing
19 an understanding of the tenets of the civil rights movement.
20 The teachers in Freedom Schools must be from the local
21 community, with an emphasis on historically disadvantaged
22 youth, including African American students and other students
23 of color, so that (i) these individuals have access to ~~summer~~
24 jobs and teaching experiences that serve as a long-term
25 pipeline to educational careers and the hiring of minority
26 educators in public schools, (ii) these individuals are

1 elevated as content experts and community leaders, and (iii)
2 Freedom School students have access to both mentorship and
3 equitable educational resources.

4 (c) A Freedom School shall intentionally and imaginatively
5 implement strategies that focus on all of the following:

6 (1) Racial justice and equity.

7 (2) Transparency and building trusting relationships.

8 (3) Self-determination and governance.

9 (4) Building on community strengths and community
10 wisdom.

11 (5) Utilizing current data, best practices, and
12 evidence.

13 (6) Shared leadership and collaboration.

14 (7) A reflective learning culture.

15 (8) A whole-child approach to education.

16 (9) Literacy.

17 (d) The State Board of Education, in the establishment of
18 Freedom Schools, shall strive for authentic parent and
19 community engagement during the development of Freedom Schools
20 and their curriculum. Authentic parent and community
21 engagement includes all of the following:

22 (1) A shared responsibility that values equal
23 partnerships between families and professionals.

24 (2) Ensuring that students and families who are
25 directly impacted by Freedom School policies and practices
26 are the decision-makers in the creation, design,

1 implementation, and assessment of those policies and
2 practices.

3 (3) Genuine respect for the culture and diversity of
4 families.

5 (4) Relationships that center around the goal of
6 supporting family well-being and children's development
7 and learning.

8 (e) Subject to appropriation, the State Board of Education
9 shall establish and implement a grant program to provide
10 grants to public schools, public community colleges, and
11 not-for-profit, community-based organizations to facilitate
12 improved educational outcomes for historically disadvantaged
13 students, including African American students and other
14 students of color in grades pre-kindergarten through 12 in
15 alignment with the integrity and practices of the Freedom
16 School model established during the civil rights movement.
17 Grant recipients under the program may include, but are not
18 limited to, entities that work with the Children's Defense
19 Fund or offer established programs with proven results and
20 outcomes. The State Board of Education shall award grants to
21 eligible entities that demonstrate a likelihood of reasonable
22 success in achieving the goals identified in the grant
23 application, including, but not limited to, all of the
24 following:

25 (1) Engaging, culturally relevant, and challenging
26 curricula.

1 (2) High-quality teaching.

2 (3) Wrap-around supports and opportunities.

3 (4) Positive discipline practices, such as restorative
4 justice.

5 (5) Inclusive leadership.

6 (f) The Freedom Schools Fund is created as a special fund
7 in the State treasury. The Fund shall consist of
8 appropriations from the General Revenue Fund, grant funds from
9 the federal government, and donations from educational and
10 private foundations. All money in the Fund shall be used,
11 subject to appropriation, by the State Board of Education for
12 the purposes of this Section and to support related
13 activities.

14 (g) The State Board of Education may adopt any rules
15 necessary to implement this Section.

16 (Source: P.A. 101-654, eff. 3-8-21; 102-209, eff. 11-30-21

17 (See Section 5 of P.A. 102-671 for effective date of P.A.
18 102-209).)

19 (105 ILCS 5/2-3.196 new)

20 Sec. 2-3.196. Teacher Vacancy Grant Pilot Program.

21 (a) Subject to appropriation, beginning in Fiscal Year
22 2024, the State Board of Education shall administer a 3-year
23 Teacher Vacancy Grant Pilot Program for the allocation of
24 formula grant funds to school districts to support the
25 reduction of unfilled teaching positions throughout the State.

1 The State Board shall identify which districts are eligible to
2 apply for a 3-year grant under this Section by reviewing the
3 State Board's Fiscal Year 2023 annual unfilled teaching
4 positions report to determine which districts designated as
5 Tier 1, Tier 2, and Tier 3 under Section 18-8.15 have the
6 greatest need for funds. Based on the National Center for
7 Education Statistics locale classifications, 60% of eligible
8 districts shall be rural districts and 40% of eligible
9 districts shall be urban districts. Continued funding for the
10 grant in Fiscal Year 2025 and Fiscal Year 2026 is subject to
11 appropriation. The State Board shall post, on its website,
12 information about the grant program and the list of identified
13 districts that are eligible to apply for a grant under this
14 subsection.

15 (b) A school district that is determined to be eligible
16 for a grant under subsection (a) and that chooses to
17 participate in the program must submit an application to the
18 State Board that describes the relevant context for the need
19 for teacher vacancy support, suspected causes of teacher
20 vacancies in the district, and the district's plan in
21 utilizing grant funds to reduce unfilled teaching positions
22 throughout the district. If an eligible school district
23 chooses not to participate in the program, the State Board
24 shall identify a potential replacement district by using the
25 same methodology described in subsection (a).

26 (c) Grant funds awarded under this Section may be used for

1 financial incentives to support the recruitment and hiring of
2 teachers, programs and incentives to strengthen teacher
3 pipelines, or investments to sustain teachers and reduce
4 attrition among teachers. Grant funds shall be used only for
5 the purposes outlined in the district's application to the
6 State Board to reduce unfilled teaching positions. Grant funds
7 shall not be used for any purposes not approved by the State
8 Board.

9 (d) A school district that receives grant funds under this
10 Section shall submit an annual report to the State Board that
11 includes, but is not limited to, a summary of all grant-funded
12 activities implemented to reduce unfilled teaching positions,
13 progress towards reducing unfilled teaching positions, the
14 number of unfilled teaching positions in the district in the
15 preceding fiscal year, the number of new teachers hired during
16 the program, the teacher attrition rate, the number of
17 individuals participating in any programs designed to reduce
18 attrition, the number of teachers retained using support of
19 the grant funds, participation in any strategic pathway
20 programs created under the program, and the number of and
21 participation in any new pathways into teaching positions
22 created under the program.

23 (e) No later than March 1, 2027, the State Board shall
24 submit a report to the Governor and the General Assembly on the
25 efficacy of the pilot program that includes a summary of the
26 information received under subsection (d) and an overview of

1 its activities to support grantees.

2 (105 ILCS 5/2-3.197 new)

3 Sec. 2-3.197. Imagination Library of Illinois; grant
4 program. To promote the development of a comprehensive
5 statewide initiative for encouraging preschool age children to
6 develop a love of reading and learning, the State Board of
7 Education is authorized to develop, fund, support, promote,
8 and operate the Imagination Library of Illinois Program, which
9 is hereby established. For purposes of this Section, "State
10 program" means the Imagination Library of Illinois Program.

11 (a) State program funds shall be used to provide, through
12 Dolly Parton's Imagination Library, one age-appropriate book,
13 per month, to each registered child from birth to age 5 in
14 participating counties. Books shall be sent monthly to each
15 registered child's home at no cost to families. Subject to an
16 annual appropriation, the State Board of Education shall
17 contribute the State's matching funds per the cost-sharing
18 framework established by Dolly Parton's Imagination Library
19 for the State program. The State program shall contribute the
20 50% match of funds required of local programs participating in
21 Dolly Parton's Imagination Library. Local program partners
22 shall match the State program funds to provide the remaining
23 50% match of funds required by Dolly Parton's Imagination
24 Library.

25 (1) The Imagination Library of Illinois Fund is hereby

1 created as a special fund in the State Treasury. The State
2 Board of Education may accept gifts, grants, awards,
3 donations, matching contributions, appropriations,
4 interest income, public or private bequests, and cost
5 sharings from any individuals, businesses, governments, or
6 other third-party sources, and any federal funds. All
7 moneys received under this Section shall be deposited into
8 the Imagination Library of Illinois Fund. Any moneys that
9 are unobligated or unexpended at the end of a fiscal year
10 shall remain in the Imagination Library of Illinois Fund,
11 shall not lapse into the General Revenue Fund, and shall
12 be available to the Board for expenditure in the next
13 fiscal year, subject to appropriation. Notwithstanding any
14 other law to the contrary, this Fund is not subject to
15 sweeps, administrative chargebacks, or any other fiscal or
16 budgetary maneuver that in any way would transfer any
17 amount from this Fund into any other fund of the State.

18 (2) Moneys received under this Section are subject to
19 appropriation by the General Assembly and may only be
20 expended for purposes consistent with the conditions under
21 which the moneys were received, including, but not limited
22 to, the following:

23 (i) Moneys in the Fund shall be used to provide
24 age-appropriate books on a monthly basis, at home, to
25 each child registered in the Imagination Library of
26 Illinois Program, from birth through their fifth

1 birthday, at no cost to families, through Dolly
2 Parton's Imagination Library.

3 (ii) Subject to availability, moneys in the Fund
4 shall be allocated to qualified local entities that
5 provide a dollar-for-dollar match for the program. As
6 used in this Section, "qualified local entity" means
7 any existing or new local Dolly Parton's Imagination
8 Library affiliate.

9 (iii) Moneys in the Fund may be used by the State
10 Board of Education to pay for administrative expenses
11 of the State program, including associated operating
12 expenses of the State Board of Education or any
13 nonprofit entity that coordinates the State program
14 pursuant to subsection (b).

15 (b) The State Board of Education shall coordinate with a
16 nonprofit entity qualified under Section 501(c)(3) of the
17 Internal Revenue Code to operate the State program. That
18 organization must be organized solely to promote and encourage
19 reading by the children of the State, for the purpose of
20 implementing this Section.

21 (c) The State Board of Education shall provide oversight
22 of the nonprofit entity that operates the State program
23 pursuant to subsection (b) to ensure the nonprofit entity does
24 all of the following:

25 (1) Promotes the statewide development of local Dolly
26 Parton's Imagination Library programs.

1 (2) Advances and strengthens local Dolly Parton's
2 Imagination Library programs with the goal of increasing
3 enrollment.

4 (3) Develops community engagement.

5 (4) Develops, promotes, and coordinates a public
6 awareness campaign to make donors aware of the opportunity
7 to donate to the affiliate programs and make the public
8 aware of the opportunity to register eligible children to
9 receive books through the program.

10 (5) Administers the local match requirement and
11 coordinates the collection and remittance of local program
12 costs for books and mailing.

13 (6) Develops statewide marketing and communication
14 plans.

15 (7) Solicits donations, gifts, and other funding from
16 statewide partners to financially support local Dolly
17 Parton's Imagination Library programs.

18 (8) Identifies and applies for available grant awards.

19 (d) The State Board of Education shall make publicly
20 available on an annual basis information regarding the number
21 of local programs that exist, where the local programs are
22 located, the number of children that are enrolled in the
23 program, the number of books that have been provided, and
24 those entities or organizations that serve as local partners.

25 (e) The State Board of Education may adopt rules as may be
26 needed for the administration of the Imagination Library of

1 Illinois Program.

2 (105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

3 Sec. 10-22.36. Buildings for school purposes.

4 (a) To build or purchase a building for school classroom
5 or instructional purposes upon the approval of a majority of
6 the voters upon the proposition at a referendum held for such
7 purpose or in accordance with Section 17-2.11, 19-3.5, or
8 19-3.10. The board may initiate such referendum by resolution.
9 The board shall certify the resolution and proposition to the
10 proper election authority for submission in accordance with
11 the general election law.

12 The questions of building one or more new buildings for
13 school purposes or office facilities, and issuing bonds for
14 the purpose of borrowing money to purchase one or more
15 buildings or sites for such buildings or office sites, to
16 build one or more new buildings for school purposes or office
17 facilities or to make additions and improvements to existing
18 school buildings, may be combined into one or more
19 propositions on the ballot.

20 Before erecting, or purchasing or remodeling such a
21 building the board shall submit the plans and specifications
22 respecting heating, ventilating, lighting, seating, water
23 supply, toilets and safety against fire to the regional
24 superintendent of schools having supervision and control over
25 the district, for approval in accordance with Section 2-3.12.

1 Notwithstanding any of the foregoing, no referendum shall
2 be required if the purchase, construction, or building of any
3 such building (1) occurs while the building is being leased by
4 the school district or (2) is paid with (A) funds derived from
5 the sale or disposition of other buildings, land, or
6 structures of the school district or (B) funds received (i) as
7 a grant under the School Construction Law or (ii) as gifts or
8 donations, provided that no funds to purchase, construct, or
9 build such building, other than lease payments, are derived
10 from the district's bonded indebtedness or the tax levy of the
11 district.

12 Notwithstanding any of the foregoing, no referendum shall
13 be required if the purchase, construction, or building of any
14 such building is paid with funds received from the County
15 School Facility and Resources Occupation Tax Law under Section
16 5-1006.7 of the Counties Code or from the proceeds of bonds or
17 other debt obligations secured by revenues obtained from that
18 Law.

19 Notwithstanding any of the foregoing, for Decatur School
20 District Number 61, no referendum shall be required if at
21 least 50% of the cost of the purchase, construction, or
22 building of any such building is paid, or will be paid, with
23 funds received or expected to be received as part of, or
24 otherwise derived from, any COVID-19 pandemic relief program
25 or funding source, including, but not limited to, Elementary
26 and Secondary School Emergency Relief Fund grant proceeds.

1 (b) Notwithstanding the provisions of subsection (a), for
2 any school district: (i) that is a tier 1 school, (ii) that has
3 a population of less than 50,000 inhabitants, (iii) whose
4 student population is between 5,800 and 6,300, (iv) in which
5 57% to 62% of students are low-income, and (v) whose average
6 district spending is between \$10,000 to \$12,000 per pupil,
7 until July 1, 2025, no referendum shall be required if at least
8 50% of the cost of the purchase, construction, or building of
9 any such building is paid, or will be paid, with funds received
10 or expected to be received as part of, or otherwise derived
11 from, the federal Consolidated Appropriations Act and the
12 federal American Rescue Plan Act of 2021.

13 For this subsection (b), the school board must hold at
14 least 2 public hearings, the sole purpose of which shall be to
15 discuss the decision to construct a school building and to
16 receive input from the community. The notice of each public
17 hearing that sets forth the time, date, place, and name or
18 description of the school building that the school board is
19 considering constructing must be provided at least 10 days
20 prior to the hearing by publication on the school board's
21 Internet website.

22 (c) Notwithstanding the provisions of subsection (a) and
23 (b), for Cahokia Community Unit School District 187, no
24 referendum shall be required for the lease of any building for
25 school or educational purposes if the cost is paid or will be
26 paid with funds available at the time of the lease in the

1 district's existing fund balances to fund the lease of a
2 building during the 2023-2024 or 2024-2025 school year.

3 For the purposes of this subsection (c), the school board
4 must hold at least 2 public hearings, the sole purpose of which
5 shall be to discuss the decision to lease a school building and
6 to receive input from the community. The notice of each public
7 hearing that sets forth the time, date, place, and name or
8 description of the school building that the school board is
9 considering leasing must be provided at least 10 days prior to
10 the hearing by publication on the school district's website.

11 (Source: P.A. 101-455, eff. 8-23-19; 102-16, eff. 6-17-21;
12 102-699, eff. 7-1-22.)

13 (105 ILCS 5/18-8.15)

14 Sec. 18-8.15. Evidence-Based Funding for student success
15 for the 2017-2018 and subsequent school years.

16 (a) General provisions.

17 (1) The purpose of this Section is to ensure that, by
18 June 30, 2027 and beyond, this State has a kindergarten
19 through grade 12 public education system with the capacity
20 to ensure the educational development of all persons to
21 the limits of their capacities in accordance with Section
22 1 of Article X of the Constitution of the State of
23 Illinois. To accomplish that objective, this Section
24 creates a method of funding public education that is
25 evidence-based; is sufficient to ensure every student

1 receives a meaningful opportunity to learn irrespective of
2 race, ethnicity, sexual orientation, gender, or
3 community-income level; and is sustainable and
4 predictable. When fully funded under this Section, every
5 school shall have the resources, based on what the
6 evidence indicates is needed, to:

7 (A) provide all students with a high quality
8 education that offers the academic, enrichment, social
9 and emotional support, technical, and career-focused
10 programs that will allow them to become competitive
11 workers, responsible parents, productive citizens of
12 this State, and active members of our national
13 democracy;

14 (B) ensure all students receive the education they
15 need to graduate from high school with the skills
16 required to pursue post-secondary education and
17 training for a rewarding career;

18 (C) reduce, with a goal of eliminating, the
19 achievement gap between at-risk and non-at-risk
20 students by raising the performance of at-risk
21 students and not by reducing standards; and

22 (D) ensure this State satisfies its obligation to
23 assume the primary responsibility to fund public
24 education and simultaneously relieve the
25 disproportionate burden placed on local property taxes
26 to fund schools.

1 (2) The Evidence-Based Funding formula under this
2 Section shall be applied to all Organizational Units in
3 this State. The Evidence-Based Funding formula outlined in
4 this Act is based on the formula outlined in Senate Bill 1
5 of the 100th General Assembly, as passed by both
6 legislative chambers. As further defined and described in
7 this Section, there are 4 major components of the
8 Evidence-Based Funding model:

9 (A) First, the model calculates a unique Adequacy
10 Target for each Organizational Unit in this State that
11 considers the costs to implement research-based
12 activities, the unit's student demographics, and
13 regional wage differences.

14 (B) Second, the model calculates each
15 Organizational Unit's Local Capacity, or the amount
16 each Organizational Unit is assumed to contribute
17 toward its Adequacy Target from local resources.

18 (C) Third, the model calculates how much funding
19 the State currently contributes to the Organizational
20 Unit and adds that to the unit's Local Capacity to
21 determine the unit's overall current adequacy of
22 funding.

23 (D) Finally, the model's distribution method
24 allocates new State funding to those Organizational
25 Units that are least well-funded, considering both
26 Local Capacity and State funding, in relation to their

1 Adequacy Target.

2 (3) An Organizational Unit receiving any funding under
3 this Section may apply those funds to any fund so received
4 for which that Organizational Unit is authorized to make
5 expenditures by law.

6 (4) As used in this Section, the following terms shall
7 have the meanings ascribed in this paragraph (4):

8 "Adequacy Target" is defined in paragraph (1) of
9 subsection (b) of this Section.

10 "Adjusted EAV" is defined in paragraph (4) of
11 subsection (d) of this Section.

12 "Adjusted Local Capacity Target" is defined in
13 paragraph (3) of subsection (c) of this Section.

14 "Adjusted Operating Tax Rate" means a tax rate for all
15 Organizational Units, for which the State Superintendent
16 shall calculate and subtract for the Operating Tax Rate a
17 transportation rate based on total expenses for
18 transportation services under this Code, as reported on
19 the most recent Annual Financial Report in Pupil
20 Transportation Services, function 2550 in both the
21 Education and Transportation funds and functions 4110 and
22 4120 in the Transportation fund, less any corresponding
23 fiscal year State of Illinois scheduled payments excluding
24 net adjustments for prior years for regular, vocational,
25 or special education transportation reimbursement pursuant
26 to Section 29-5 or subsection (b) of Section 14-13.01 of

1 this Code divided by the Adjusted EAV. If an
2 Organizational Unit's corresponding fiscal year State of
3 Illinois scheduled payments excluding net adjustments for
4 prior years for regular, vocational, or special education
5 transportation reimbursement pursuant to Section 29-5 or
6 subsection (b) of Section 14-13.01 of this Code exceed the
7 total transportation expenses, as defined in this
8 paragraph, no transportation rate shall be subtracted from
9 the Operating Tax Rate.

10 "Allocation Rate" is defined in paragraph (3) of
11 subsection (g) of this Section.

12 "Alternative School" means a public school that is
13 created and operated by a regional superintendent of
14 schools and approved by the State Board.

15 "Applicable Tax Rate" is defined in paragraph (1) of
16 subsection (d) of this Section.

17 "Assessment" means any of those benchmark, progress
18 monitoring, formative, diagnostic, and other assessments,
19 in addition to the State accountability assessment, that
20 assist teachers' needs in understanding the skills and
21 meeting the needs of the students they serve.

22 "Assistant principal" means a school administrator
23 duly endorsed to be employed as an assistant principal in
24 this State.

25 "At-risk student" means a student who is at risk of
26 not meeting the Illinois Learning Standards or not

1 graduating from elementary or high school and who
2 demonstrates a need for vocational support or social
3 services beyond that provided by the regular school
4 program. All students included in an Organizational Unit's
5 Low-Income Count, as well as all English learner and
6 disabled students attending the Organizational Unit, shall
7 be considered at-risk students under this Section.

8 "Average Student Enrollment" or "ASE" for fiscal year
9 2018 means, for an Organizational Unit, the greater of the
10 average number of students (grades K through 12) reported
11 to the State Board as enrolled in the Organizational Unit
12 on October 1 in the immediately preceding school year,
13 plus the pre-kindergarten students who receive special
14 education services of 2 or more hours a day as reported to
15 the State Board on December 1 in the immediately preceding
16 school year, or the average number of students (grades K
17 through 12) reported to the State Board as enrolled in the
18 Organizational Unit on October 1, plus the
19 pre-kindergarten students who receive special education
20 services of 2 or more hours a day as reported to the State
21 Board on December 1, for each of the immediately preceding
22 3 school years. For fiscal year 2019 and each subsequent
23 fiscal year, "Average Student Enrollment" or "ASE" means,
24 for an Organizational Unit, the greater of the average
25 number of students (grades K through 12) reported to the
26 State Board as enrolled in the Organizational Unit on

1 October 1 and March 1 in the immediately preceding school
2 year, plus the pre-kindergarten students who receive
3 special education services as reported to the State Board
4 on October 1 and March 1 in the immediately preceding
5 school year, or the average number of students (grades K
6 through 12) reported to the State Board as enrolled in the
7 Organizational Unit on October 1 and March 1, plus the
8 pre-kindergarten students who receive special education
9 services as reported to the State Board on October 1 and
10 March 1, for each of the immediately preceding 3 school
11 years. For the purposes of this definition, "enrolled in
12 the Organizational Unit" means the number of students
13 reported to the State Board who are enrolled in schools
14 within the Organizational Unit that the student attends or
15 would attend if not placed or transferred to another
16 school or program to receive needed services. For the
17 purposes of calculating "ASE", all students, grades K
18 through 12, excluding those attending kindergarten for a
19 half day and students attending an alternative education
20 program operated by a regional office of education or
21 intermediate service center, shall be counted as 1.0. All
22 students attending kindergarten for a half day shall be
23 counted as 0.5, unless in 2017 by June 15 or by March 1 in
24 subsequent years, the school district reports to the State
25 Board of Education the intent to implement full-day
26 kindergarten district-wide for all students, then all

1 students attending kindergarten shall be counted as 1.0.
2 Special education pre-kindergarten students shall be
3 counted as 0.5 each. If the State Board does not collect or
4 has not collected both an October 1 and March 1 enrollment
5 count by grade or a December 1 collection of special
6 education pre-kindergarten students as of August 31, 2017
7 (the effective date of Public Act 100-465), it shall
8 establish such collection for all future years. For any
9 year in which a count by grade level was collected only
10 once, that count shall be used as the single count
11 available for computing a 3-year average ASE. Funding for
12 programs operated by a regional office of education or an
13 intermediate service center must be calculated using the
14 Evidence-Based Funding formula under this Section for the
15 2019-2020 school year and each subsequent school year
16 until separate adequacy formulas are developed and adopted
17 for each type of program. ASE for a program operated by a
18 regional office of education or an intermediate service
19 center must be determined by the March 1 enrollment for
20 the program. For the 2019-2020 school year, the ASE used
21 in the calculation must be the first-year ASE and, in that
22 year only, the assignment of students served by a regional
23 office of education or intermediate service center shall
24 not result in a reduction of the March enrollment for any
25 school district. For the 2020-2021 school year, the ASE
26 must be the greater of the current-year ASE or the 2-year

1 average ASE. Beginning with the 2021-2022 school year, the
2 ASE must be the greater of the current-year ASE or the
3 3-year average ASE. School districts shall submit the data
4 for the ASE calculation to the State Board within 45 days
5 of the dates required in this Section for submission of
6 enrollment data in order for it to be included in the ASE
7 calculation. For fiscal year 2018 only, the ASE
8 calculation shall include only enrollment taken on October
9 1. In recognition of the impact of COVID-19, the
10 definition of "Average Student Enrollment" or "ASE" shall
11 be adjusted for calculations under this Section for fiscal
12 years 2022 through 2024. For fiscal years 2022 through
13 2024, the enrollment used in the calculation of ASE
14 representing the 2020-2021 school year shall be the
15 greater of the enrollment for the 2020-2021 school year or
16 the 2019-2020 school year.

17 "Base Funding Guarantee" is defined in paragraph (10)
18 of subsection (g) of this Section.

19 "Base Funding Minimum" is defined in subsection (e) of
20 this Section.

21 "Base Tax Year" means the property tax levy year used
22 to calculate the Budget Year allocation of primary State
23 aid.

24 "Base Tax Year's Extension" means the product of the
25 equalized assessed valuation utilized by the county clerk
26 in the Base Tax Year multiplied by the limiting rate as

1 calculated by the county clerk and defined in PTELL.

2 "Bilingual Education Allocation" means the amount of
3 an Organizational Unit's final Adequacy Target
4 attributable to bilingual education divided by the
5 Organizational Unit's final Adequacy Target, the product
6 of which shall be multiplied by the amount of new funding
7 received pursuant to this Section. An Organizational
8 Unit's final Adequacy Target attributable to bilingual
9 education shall include all additional investments in
10 English learner students' adequacy elements.

11 "Budget Year" means the school year for which primary
12 State aid is calculated and awarded under this Section.

13 "Central office" means individual administrators and
14 support service personnel charged with managing the
15 instructional programs, business and operations, and
16 security of the Organizational Unit.

17 "Comparable Wage Index" or "CWI" means a regional cost
18 differentiation metric that measures systemic, regional
19 variations in the salaries of college graduates who are
20 not educators. The CWI utilized for this Section shall,
21 for the first 3 years of Evidence-Based Funding
22 implementation, be the CWI initially developed by the
23 National Center for Education Statistics, as most recently
24 updated by Texas A & M University. In the fourth and
25 subsequent years of Evidence-Based Funding implementation,
26 the State Superintendent shall re-determine the CWI using

1 a similar methodology to that identified in the Texas A & M
2 University study, with adjustments made no less frequently
3 than once every 5 years.

4 "Computer technology and equipment" means computers
5 servers, notebooks, network equipment, copiers, printers,
6 instructional software, security software, curriculum
7 management courseware, and other similar materials and
8 equipment.

9 "Computer technology and equipment investment
10 allocation" means the final Adequacy Target amount of an
11 Organizational Unit assigned to Tier 1 or Tier 2 in the
12 prior school year attributable to the additional \$285.50
13 per student computer technology and equipment investment
14 grant divided by the Organizational Unit's final Adequacy
15 Target, the result of which shall be multiplied by the
16 amount of new funding received pursuant to this Section.
17 An Organizational Unit assigned to a Tier 1 or Tier 2 final
18 Adequacy Target attributable to the received computer
19 technology and equipment investment grant shall include
20 all additional investments in computer technology and
21 equipment adequacy elements.

22 "Core subject" means mathematics; science; reading,
23 English, writing, and language arts; history and social
24 studies; world languages; and subjects taught as Advanced
25 Placement in high schools.

26 "Core teacher" means a regular classroom teacher in

1 elementary schools and teachers of a core subject in
2 middle and high schools.

3 "Core Intervention teacher (tutor)" means a licensed
4 teacher providing one-on-one or small group tutoring to
5 students struggling to meet proficiency in core subjects.

6 "CPPRT" means corporate personal property replacement
7 tax funds paid to an Organizational Unit during the
8 calendar year one year before the calendar year in which a
9 school year begins, pursuant to "An Act in relation to the
10 abolition of ad valorem personal property tax and the
11 replacement of revenues lost thereby, and amending and
12 repealing certain Acts and parts of Acts in connection
13 therewith", certified August 14, 1979, as amended (Public
14 Act 81-1st S.S.-1).

15 "EAV" means equalized assessed valuation as defined in
16 paragraph (2) of subsection (d) of this Section and
17 calculated in accordance with paragraph (3) of subsection
18 (d) of this Section.

19 "ECI" means the Bureau of Labor Statistics' national
20 employment cost index for civilian workers in educational
21 services in elementary and secondary schools on a
22 cumulative basis for the 12-month calendar year preceding
23 the fiscal year of the Evidence-Based Funding calculation.

24 "EIS Data" means the employment information system
25 data maintained by the State Board on educators within
26 Organizational Units.

1 "Employee benefits" means health, dental, and vision
2 insurance offered to employees of an Organizational Unit,
3 the costs associated with the statutorily required payment
4 of the normal cost of the Organizational Unit's teacher
5 pensions, Social Security employer contributions, and
6 Illinois Municipal Retirement Fund employer contributions.

7 "English learner" or "EL" means a child included in
8 the definition of "English learners" under Section 14C-2
9 of this Code participating in a program of transitional
10 bilingual education or a transitional program of
11 instruction meeting the requirements and program
12 application procedures of Article 14C of this Code. For
13 the purposes of collecting the number of EL students
14 enrolled, the same collection and calculation methodology
15 as defined above for "ASE" shall apply to English
16 learners, with the exception that EL student enrollment
17 shall include students in grades pre-kindergarten through
18 12.

19 "Essential Elements" means those elements, resources,
20 and educational programs that have been identified through
21 academic research as necessary to improve student success,
22 improve academic performance, close achievement gaps, and
23 provide for other per student costs related to the
24 delivery and leadership of the Organizational Unit, as
25 well as the maintenance and operations of the unit, and
26 which are specified in paragraph (2) of subsection (b) of

1 this Section.

2 "Evidence-Based Funding" means State funding provided
3 to an Organizational Unit pursuant to this Section.

4 "Extended day" means academic and enrichment programs
5 provided to students outside the regular school day before
6 and after school or during non-instructional times during
7 the school day.

8 "Extension Limitation Ratio" means a numerical ratio
9 in which the numerator is the Base Tax Year's Extension
10 and the denominator is the Preceding Tax Year's Extension.

11 "Final Percent of Adequacy" is defined in paragraph
12 (4) of subsection (f) of this Section.

13 "Final Resources" is defined in paragraph (3) of
14 subsection (f) of this Section.

15 "Full-time equivalent" or "FTE" means the full-time
16 equivalency compensation for staffing the relevant
17 position at an Organizational Unit.

18 "Funding Gap" is defined in paragraph (1) of
19 subsection (g).

20 "Hybrid District" means a partial elementary unit
21 district created pursuant to Article 11E of this Code.

22 "Instructional assistant" means a core or special
23 education, non-licensed employee who assists a teacher in
24 the classroom and provides academic support to students.

25 "Instructional facilitator" means a qualified teacher
26 or licensed teacher leader who facilitates and coaches

1 continuous improvement in classroom instruction; provides
2 instructional support to teachers in the elements of
3 research-based instruction or demonstrates the alignment
4 of instruction with curriculum standards and assessment
5 tools; develops or coordinates instructional programs or
6 strategies; develops and implements training; chooses
7 standards-based instructional materials; provides
8 teachers with an understanding of current research; serves
9 as a mentor, site coach, curriculum specialist, or lead
10 teacher; or otherwise works with fellow teachers, in
11 collaboration, to use data to improve instructional
12 practice or develop model lessons.

13 "Instructional materials" means relevant
14 instructional materials for student instruction,
15 including, but not limited to, textbooks, consumable
16 workbooks, laboratory equipment, library books, and other
17 similar materials.

18 "Laboratory School" means a public school that is
19 created and operated by a public university and approved
20 by the State Board.

21 "Librarian" means a teacher with an endorsement as a
22 library information specialist or another individual whose
23 primary responsibility is overseeing library resources
24 within an Organizational Unit.

25 "Limiting rate for Hybrid Districts" means the
26 combined elementary school and high school limiting rates.

1 "Local Capacity" is defined in paragraph (1) of
2 subsection (c) of this Section.

3 "Local Capacity Percentage" is defined in subparagraph
4 (A) of paragraph (2) of subsection (c) of this Section.

5 "Local Capacity Ratio" is defined in subparagraph (B)
6 of paragraph (2) of subsection (c) of this Section.

7 "Local Capacity Target" is defined in paragraph (2) of
8 subsection (c) of this Section.

9 "Low-Income Count" means, for an Organizational Unit
10 in a fiscal year, the higher of the average number of
11 students for the prior school year or the immediately
12 preceding 3 school years who, as of July 1 of the
13 immediately preceding fiscal year (as determined by the
14 Department of Human Services), are eligible for at least
15 one of the following low-income programs: Medicaid, the
16 Children's Health Insurance Program, Temporary Assistance
17 for Needy Families (TANF), or the Supplemental Nutrition
18 Assistance Program, excluding pupils who are eligible for
19 services provided by the Department of Children and Family
20 Services. Until such time that grade level low-income
21 populations become available, grade level low-income
22 populations shall be determined by applying the low-income
23 percentage to total student enrollments by grade level.
24 The low-income percentage is determined by dividing the
25 Low-Income Count by the Average Student Enrollment. The
26 low-income percentage for programs operated by a regional

1 office of education or an intermediate service center must
2 be set to the weighted average of the low-income
3 percentages of all of the school districts in the service
4 region. The weighted low-income percentage is the result
5 of multiplying the low-income percentage of each school
6 district served by the regional office of education or
7 intermediate service center by each school district's
8 Average Student Enrollment, summarizing those products and
9 dividing the total by the total Average Student Enrollment
10 for the service region.

11 "Maintenance and operations" means custodial services,
12 facility and ground maintenance, facility operations,
13 facility security, routine facility repairs, and other
14 similar services and functions.

15 "Minimum Funding Level" is defined in paragraph (9) of
16 subsection (g) of this Section.

17 "New Property Tax Relief Pool Funds" means, for any
18 given fiscal year, all State funds appropriated under
19 Section 2-3.170 of this Code.

20 "New State Funds" means, for a given school year, all
21 State funds appropriated for Evidence-Based Funding in
22 excess of the amount needed to fund the Base Funding
23 Minimum for all Organizational Units in that school year.

24 "Nurse" means an individual licensed as a certified
25 school nurse, in accordance with the rules established for
26 nursing services by the State Board, who is an employee of

1 and is available to provide health care-related services
2 for students of an Organizational Unit.

3 "Operating Tax Rate" means the rate utilized in the
4 previous year to extend property taxes for all purposes,
5 except Bond and Interest, Summer School, Rent, Capital
6 Improvement, and Vocational Education Building purposes.
7 For Hybrid Districts, the Operating Tax Rate shall be the
8 combined elementary and high school rates utilized in the
9 previous year to extend property taxes for all purposes,
10 except Bond and Interest, Summer School, Rent, Capital
11 Improvement, and Vocational Education Building purposes.

12 "Organizational Unit" means a Laboratory School or any
13 public school district that is recognized as such by the
14 State Board and that contains elementary schools typically
15 serving kindergarten through 5th grades, middle schools
16 typically serving 6th through 8th grades, high schools
17 typically serving 9th through 12th grades, a program
18 established under Section 2-3.66 or 2-3.41, or a program
19 operated by a regional office of education or an
20 intermediate service center under Article 13A or 13B. The
21 General Assembly acknowledges that the actual grade levels
22 served by a particular Organizational Unit may vary
23 slightly from what is typical.

24 "Organizational Unit CWI" is determined by calculating
25 the CWI in the region and original county in which an
26 Organizational Unit's primary administrative office is

1 located as set forth in this paragraph, provided that if
2 the Organizational Unit CWI as calculated in accordance
3 with this paragraph is less than 0.9, the Organizational
4 Unit CWI shall be increased to 0.9. Each county's current
5 CWI value shall be adjusted based on the CWI value of that
6 county's neighboring Illinois counties, to create a
7 "weighted adjusted index value". This shall be calculated
8 by summing the CWI values of all of a county's adjacent
9 Illinois counties and dividing by the number of adjacent
10 Illinois counties, then taking the weighted value of the
11 original county's CWI value and the adjacent Illinois
12 county average. To calculate this weighted value, if the
13 number of adjacent Illinois counties is greater than 2,
14 the original county's CWI value will be weighted at 0.25
15 and the adjacent Illinois county average will be weighted
16 at 0.75. If the number of adjacent Illinois counties is 2,
17 the original county's CWI value will be weighted at 0.33
18 and the adjacent Illinois county average will be weighted
19 at 0.66. The greater of the county's current CWI value and
20 its weighted adjusted index value shall be used as the
21 Organizational Unit CWI.

22 "Preceding Tax Year" means the property tax levy year
23 immediately preceding the Base Tax Year.

24 "Preceding Tax Year's Extension" means the product of
25 the equalized assessed valuation utilized by the county
26 clerk in the Preceding Tax Year multiplied by the

1 Operating Tax Rate.

2 "Preliminary Percent of Adequacy" is defined in
3 paragraph (2) of subsection (f) of this Section.

4 "Preliminary Resources" is defined in paragraph (2) of
5 subsection (f) of this Section.

6 "Principal" means a school administrator duly endorsed
7 to be employed as a principal in this State.

8 "Professional development" means training programs for
9 licensed staff in schools, including, but not limited to,
10 programs that assist in implementing new curriculum
11 programs, provide data focused or academic assessment data
12 training to help staff identify a student's weaknesses and
13 strengths, target interventions, improve instruction,
14 encompass instructional strategies for English learner,
15 gifted, or at-risk students, address inclusivity, cultural
16 sensitivity, or implicit bias, or otherwise provide
17 professional support for licensed staff.

18 "Prototypical" means 450 special education
19 pre-kindergarten and kindergarten through grade 5 students
20 for an elementary school, 450 grade 6 through 8 students
21 for a middle school, and 600 grade 9 through 12 students
22 for a high school.

23 "PTELL" means the Property Tax Extension Limitation
24 Law.

25 "PTELL EAV" is defined in paragraph (4) of subsection
26 (d) of this Section.

1 "Pupil support staff" means a nurse, psychologist,
2 social worker, family liaison personnel, or other staff
3 member who provides support to at-risk or struggling
4 students.

5 "Real Receipts" is defined in paragraph (1) of
6 subsection (d) of this Section.

7 "Regionalization Factor" means, for a particular
8 Organizational Unit, the figure derived by dividing the
9 Organizational Unit CWI by the Statewide Weighted CWI.

10 "School counselor" means a licensed school counselor
11 who provides guidance and counseling support for students
12 within an Organizational Unit.

13 "School site staff" means the primary school secretary
14 and any additional clerical personnel assigned to a
15 school.

16 "Special education" means special educational
17 facilities and services, as defined in Section 14-1.08 of
18 this Code.

19 "Special Education Allocation" means the amount of an
20 Organizational Unit's final Adequacy Target attributable
21 to special education divided by the Organizational Unit's
22 final Adequacy Target, the product of which shall be
23 multiplied by the amount of new funding received pursuant
24 to this Section. An Organizational Unit's final Adequacy
25 Target attributable to special education shall include all
26 special education investment adequacy elements.

1 "Specialist teacher" means a teacher who provides
2 instruction in subject areas not included in core
3 subjects, including, but not limited to, art, music,
4 physical education, health, driver education,
5 career-technical education, and such other subject areas
6 as may be mandated by State law or provided by an
7 Organizational Unit.

8 "Specially Funded Unit" means an Alternative School,
9 safe school, Department of Juvenile Justice school,
10 special education cooperative or entity recognized by the
11 State Board as a special education cooperative,
12 State-approved charter school, or alternative learning
13 opportunities program that received direct funding from
14 the State Board during the 2016-2017 school year through
15 any of the funding sources included within the calculation
16 of the Base Funding Minimum or Glenwood Academy.

17 "Supplemental Grant Funding" means supplemental
18 general State aid funding received by an Organizational
19 Unit during the 2016-2017 school year pursuant to
20 subsection (H) of Section 18-8.05 of this Code (now
21 repealed).

22 "State Adequacy Level" is the sum of the Adequacy
23 Targets of all Organizational Units.

24 "State Board" means the State Board of Education.

25 "State Superintendent" means the State Superintendent
26 of Education.

1 "Statewide Weighted CWI" means a figure determined by
2 multiplying each Organizational Unit CWI times the ASE for
3 that Organizational Unit creating a weighted value,
4 summing all Organizational Units' weighted values, and
5 dividing by the total ASE of all Organizational Units,
6 thereby creating an average weighted index.

7 "Student activities" means non-credit producing
8 after-school programs, including, but not limited to,
9 clubs, bands, sports, and other activities authorized by
10 the school board of the Organizational Unit.

11 "Substitute teacher" means an individual teacher or
12 teaching assistant who is employed by an Organizational
13 Unit and is temporarily serving the Organizational Unit on
14 a per diem or per period-assignment basis to replace
15 another staff member.

16 "Summer school" means academic and enrichment programs
17 provided to students during the summer months outside of
18 the regular school year.

19 "Supervisory aide" means a non-licensed staff member
20 who helps in supervising students of an Organizational
21 Unit, but does so outside of the classroom, in situations
22 such as, but not limited to, monitoring hallways and
23 playgrounds, supervising lunchrooms, or supervising
24 students when being transported in buses serving the
25 Organizational Unit.

26 "Target Ratio" is defined in paragraph (4) of

1 subsection (g).

2 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined
3 in paragraph (3) of subsection (g).

4 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
5 Funding", "Tier 3 Aggregate Funding", and "Tier 4
6 Aggregate Funding" are defined in paragraph (1) of
7 subsection (g).

8 (b) Adequacy Target calculation.

9 (1) Each Organizational Unit's Adequacy Target is the
10 sum of the Organizational Unit's cost of providing
11 Essential Elements, as calculated in accordance with this
12 subsection (b), with the salary amounts in the Essential
13 Elements multiplied by a Regionalization Factor calculated
14 pursuant to paragraph (3) of this subsection (b).

15 (2) The Essential Elements are attributable on a pro
16 rata basis related to defined subgroups of the ASE of each
17 Organizational Unit as specified in this paragraph (2),
18 with investments and FTE positions pro rata funded based
19 on ASE counts in excess of or less than the thresholds set
20 forth in this paragraph (2). The method for calculating
21 attributable pro rata costs and the defined subgroups
22 thereto are as follows:

23 (A) Core class size investments. Each
24 Organizational Unit shall receive the funding required
25 to support that number of FTE core teacher positions
26 as is needed to keep the respective class sizes of the

1 Organizational Unit to the following maximum numbers:

2 (i) For grades kindergarten through 3, the
3 Organizational Unit shall receive funding required
4 to support one FTE core teacher position for every
5 15 Low-Income Count students in those grades and
6 one FTE core teacher position for every 20
7 non-Low-Income Count students in those grades.

8 (ii) For grades 4 through 12, the
9 Organizational Unit shall receive funding required
10 to support one FTE core teacher position for every
11 20 Low-Income Count students in those grades and
12 one FTE core teacher position for every 25
13 non-Low-Income Count students in those grades.

14 The number of non-Low-Income Count students in a
15 grade shall be determined by subtracting the
16 Low-Income students in that grade from the ASE of the
17 Organizational Unit for that grade.

18 (B) Specialist teacher investments. Each
19 Organizational Unit shall receive the funding needed
20 to cover that number of FTE specialist teacher
21 positions that correspond to the following
22 percentages:

23 (i) if the Organizational Unit operates an
24 elementary or middle school, then 20.00% of the
25 number of the Organizational Unit's core teachers,
26 as determined under subparagraph (A) of this

1 paragraph (2); and

2 (ii) if such Organizational Unit operates a
3 high school, then 33.33% of the number of the
4 Organizational Unit's core teachers.

5 (C) Instructional facilitator investments. Each
6 Organizational Unit shall receive the funding needed
7 to cover one FTE instructional facilitator position
8 for every 200 combined ASE of pre-kindergarten
9 children with disabilities and all kindergarten
10 through grade 12 students of the Organizational Unit.

11 (D) Core intervention teacher (tutor) investments.
12 Each Organizational Unit shall receive the funding
13 needed to cover one FTE teacher position for each
14 prototypical elementary, middle, and high school.

15 (E) Substitute teacher investments. Each
16 Organizational Unit shall receive the funding needed
17 to cover substitute teacher costs that is equal to
18 5.70% of the minimum pupil attendance days required
19 under Section 10-19 of this Code for all full-time
20 equivalent core, specialist, and intervention
21 teachers, school nurses, special education teachers
22 and instructional assistants, instructional
23 facilitators, and summer school and extended day
24 teacher positions, as determined under this paragraph
25 (2), at a salary rate of 33.33% of the average salary
26 for grade K through 12 teachers and 33.33% of the

1 average salary of each instructional assistant
2 position.

3 (F) Core school counselor investments. Each
4 Organizational Unit shall receive the funding needed
5 to cover one FTE school counselor for each 450
6 combined ASE of pre-kindergarten children with
7 disabilities and all kindergarten through grade 5
8 students, plus one FTE school counselor for each 250
9 grades 6 through 8 ASE middle school students, plus
10 one FTE school counselor for each 250 grades 9 through
11 12 ASE high school students.

12 (G) Nurse investments. Each Organizational Unit
13 shall receive the funding needed to cover one FTE
14 nurse for each 750 combined ASE of pre-kindergarten
15 children with disabilities and all kindergarten
16 through grade 12 students across all grade levels it
17 serves.

18 (H) Supervisory aide investments. Each
19 Organizational Unit shall receive the funding needed
20 to cover one FTE for each 225 combined ASE of
21 pre-kindergarten children with disabilities and all
22 kindergarten through grade 5 students, plus one FTE
23 for each 225 ASE middle school students, plus one FTE
24 for each 200 ASE high school students.

25 (I) Librarian investments. Each Organizational
26 Unit shall receive the funding needed to cover one FTE

1 librarian for each prototypical elementary school,
2 middle school, and high school and one FTE aide or
3 media technician for every 300 combined ASE of
4 pre-kindergarten children with disabilities and all
5 kindergarten through grade 12 students.

6 (J) Principal investments. Each Organizational
7 Unit shall receive the funding needed to cover one FTE
8 principal position for each prototypical elementary
9 school, plus one FTE principal position for each
10 prototypical middle school, plus one FTE principal
11 position for each prototypical high school.

12 (K) Assistant principal investments. Each
13 Organizational Unit shall receive the funding needed
14 to cover one FTE assistant principal position for each
15 prototypical elementary school, plus one FTE assistant
16 principal position for each prototypical middle
17 school, plus one FTE assistant principal position for
18 each prototypical high school.

19 (L) School site staff investments. Each
20 Organizational Unit shall receive the funding needed
21 for one FTE position for each 225 ASE of
22 pre-kindergarten children with disabilities and all
23 kindergarten through grade 5 students, plus one FTE
24 position for each 225 ASE middle school students, plus
25 one FTE position for each 200 ASE high school
26 students.

1 (M) Gifted investments. Each Organizational Unit
2 shall receive \$40 per kindergarten through grade 12
3 ASE.

4 (N) Professional development investments. Each
5 Organizational Unit shall receive \$125 per student of
6 the combined ASE of pre-kindergarten children with
7 disabilities and all kindergarten through grade 12
8 students for trainers and other professional
9 development-related expenses for supplies and
10 materials.

11 (O) Instructional material investments. Each
12 Organizational Unit shall receive \$190 per student of
13 the combined ASE of pre-kindergarten children with
14 disabilities and all kindergarten through grade 12
15 students to cover instructional material costs.

16 (P) Assessment investments. Each Organizational
17 Unit shall receive \$25 per student of the combined ASE
18 of pre-kindergarten children with disabilities and all
19 kindergarten through grade 12 students to cover
20 assessment costs.

21 (Q) Computer technology and equipment investments.
22 Each Organizational Unit shall receive \$285.50 per
23 student of the combined ASE of pre-kindergarten
24 children with disabilities and all kindergarten
25 through grade 12 students to cover computer technology
26 and equipment costs. For the 2018-2019 school year and

1 subsequent school years, Organizational Units assigned
2 to Tier 1 and Tier 2 in the prior school year shall
3 receive an additional \$285.50 per student of the
4 combined ASE of pre-kindergarten children with
5 disabilities and all kindergarten through grade 12
6 students to cover computer technology and equipment
7 costs in the Organizational Unit's Adequacy Target.
8 The State Board may establish additional requirements
9 for Organizational Unit expenditures of funds received
10 pursuant to this subparagraph (Q), including a
11 requirement that funds received pursuant to this
12 subparagraph (Q) may be used only for serving the
13 technology needs of the district. It is the intent of
14 Public Act 100-465 that all Tier 1 and Tier 2 districts
15 receive the addition to their Adequacy Target in the
16 following year, subject to compliance with the
17 requirements of the State Board.

18 (R) Student activities investments. Each
19 Organizational Unit shall receive the following
20 funding amounts to cover student activities: \$100 per
21 kindergarten through grade 5 ASE student in elementary
22 school, plus \$200 per ASE student in middle school,
23 plus \$675 per ASE student in high school.

24 (S) Maintenance and operations investments. Each
25 Organizational Unit shall receive \$1,038 per student
26 of the combined ASE of pre-kindergarten children with

1 disabilities and all kindergarten through grade 12
2 students for day-to-day maintenance and operations
3 expenditures, including salary, supplies, and
4 materials, as well as purchased services, but
5 excluding employee benefits. The proportion of salary
6 for the application of a Regionalization Factor and
7 the calculation of benefits is equal to \$352.92.

8 (T) Central office investments. Each
9 Organizational Unit shall receive \$742 per student of
10 the combined ASE of pre-kindergarten children with
11 disabilities and all kindergarten through grade 12
12 students to cover central office operations, including
13 administrators and classified personnel charged with
14 managing the instructional programs, business and
15 operations of the school district, and security
16 personnel. The proportion of salary for the
17 application of a Regionalization Factor and the
18 calculation of benefits is equal to \$368.48.

19 (U) Employee benefit investments. Each
20 Organizational Unit shall receive 30% of the total of
21 all salary-calculated elements of the Adequacy Target,
22 excluding substitute teachers and student activities
23 investments, to cover benefit costs. For central
24 office and maintenance and operations investments, the
25 benefit calculation shall be based upon the salary
26 proportion of each investment. If at any time the

1 responsibility for funding the employer normal cost of
2 teacher pensions is assigned to school districts, then
3 that amount certified by the Teachers' Retirement
4 System of the State of Illinois to be paid by the
5 Organizational Unit for the preceding school year
6 shall be added to the benefit investment. For any
7 fiscal year in which a school district organized under
8 Article 34 of this Code is responsible for paying the
9 employer normal cost of teacher pensions, then that
10 amount of its employer normal cost plus the amount for
11 retiree health insurance as certified by the Public
12 School Teachers' Pension and Retirement Fund of
13 Chicago to be paid by the school district for the
14 preceding school year that is statutorily required to
15 cover employer normal costs and the amount for retiree
16 health insurance shall be added to the 30% specified
17 in this subparagraph (U). The Teachers' Retirement
18 System of the State of Illinois and the Public School
19 Teachers' Pension and Retirement Fund of Chicago shall
20 submit such information as the State Superintendent
21 may require for the calculations set forth in this
22 subparagraph (U).

23 (V) Additional investments in low-income students.
24 In addition to and not in lieu of all other funding
25 under this paragraph (2), each Organizational Unit
26 shall receive funding based on the average teacher

1 salary for grades K through 12 to cover the costs of:

2 (i) one FTE intervention teacher (tutor)
3 position for every 125 Low-Income Count students;

4 (ii) one FTE pupil support staff position for
5 every 125 Low-Income Count students;

6 (iii) one FTE extended day teacher position
7 for every 120 Low-Income Count students; and

8 (iv) one FTE summer school teacher position
9 for every 120 Low-Income Count students.

10 (W) Additional investments in English learner
11 students. In addition to and not in lieu of all other
12 funding under this paragraph (2), each Organizational
13 Unit shall receive funding based on the average
14 teacher salary for grades K through 12 to cover the
15 costs of:

16 (i) one FTE intervention teacher (tutor)
17 position for every 125 English learner students;

18 (ii) one FTE pupil support staff position for
19 every 125 English learner students;

20 (iii) one FTE extended day teacher position
21 for every 120 English learner students;

22 (iv) one FTE summer school teacher position
23 for every 120 English learner students; and

24 (v) one FTE core teacher position for every
25 100 English learner students.

26 (X) Special education investments. Each

1 Organizational Unit shall receive funding based on the
2 average teacher salary for grades K through 12 to
3 cover special education as follows:

4 (i) one FTE teacher position for every 141
5 combined ASE of pre-kindergarten children with
6 disabilities and all kindergarten through grade 12
7 students;

8 (ii) one FTE instructional assistant for every
9 141 combined ASE of pre-kindergarten children with
10 disabilities and all kindergarten through grade 12
11 students; and

12 (iii) one FTE psychologist position for every
13 1,000 combined ASE of pre-kindergarten children
14 with disabilities and all kindergarten through
15 grade 12 students.

16 (3) For calculating the salaries included within the
17 Essential Elements, the State Superintendent shall
18 annually calculate average salaries to the nearest dollar
19 using the employment information system data maintained by
20 the State Board, limited to public schools only and
21 excluding special education and vocational cooperatives,
22 schools operated by the Department of Juvenile Justice,
23 and charter schools, for the following positions:

24 (A) Teacher for grades K through 8.

25 (B) Teacher for grades 9 through 12.

26 (C) Teacher for grades K through 12.

- 1 (D) School counselor for grades K through 8.
2 (E) School counselor for grades 9 through 12.
3 (F) School counselor for grades K through 12.
4 (G) Social worker.
5 (H) Psychologist.
6 (I) Librarian.
7 (J) Nurse.
8 (K) Principal.
9 (L) Assistant principal.

10 For the purposes of this paragraph (3), "teacher"
11 includes core teachers, specialist and elective teachers,
12 instructional facilitators, tutors, special education
13 teachers, pupil support staff teachers, English learner
14 teachers, extended day teachers, and summer school
15 teachers. Where specific grade data is not required for
16 the Essential Elements, the average salary for
17 corresponding positions shall apply. For substitute
18 teachers, the average teacher salary for grades K through
19 12 shall apply.

20 For calculating the salaries included within the
21 Essential Elements for positions not included within EIS
22 Data, the following salaries shall be used in the first
23 year of implementation of Evidence-Based Funding:

- 24 (i) school site staff, \$30,000; and
25 (ii) non-instructional assistant, instructional
26 assistant, library aide, library media tech, or

1 supervisory aide: \$25,000.

2 In the second and subsequent years of implementation
3 of Evidence-Based Funding, the amounts in items (i) and
4 (ii) of this paragraph (3) shall annually increase by the
5 ECI.

6 The salary amounts for the Essential Elements
7 determined pursuant to subparagraphs (A) through (L), (S)
8 and (T), and (V) through (X) of paragraph (2) of
9 subsection (b) of this Section shall be multiplied by a
10 Regionalization Factor.

11 (c) Local Capacity calculation.

12 (1) Each Organizational Unit's Local Capacity
13 represents an amount of funding it is assumed to
14 contribute toward its Adequacy Target for purposes of the
15 Evidence-Based Funding formula calculation. "Local
16 Capacity" means either (i) the Organizational Unit's Local
17 Capacity Target as calculated in accordance with paragraph
18 (2) of this subsection (c) if its Real Receipts are equal
19 to or less than its Local Capacity Target or (ii) the
20 Organizational Unit's Adjusted Local Capacity, as
21 calculated in accordance with paragraph (3) of this
22 subsection (c) if Real Receipts are more than its Local
23 Capacity Target.

24 (2) "Local Capacity Target" means, for an
25 Organizational Unit, that dollar amount that is obtained
26 by multiplying its Adequacy Target by its Local Capacity

1 Ratio.

2 (A) An Organizational Unit's Local Capacity
3 Percentage is the conversion of the Organizational
4 Unit's Local Capacity Ratio, as such ratio is
5 determined in accordance with subparagraph (B) of this
6 paragraph (2), into a cumulative distribution
7 resulting in a percentile ranking to determine each
8 Organizational Unit's relative position to all other
9 Organizational Units in this State. The calculation of
10 Local Capacity Percentage is described in subparagraph
11 (C) of this paragraph (2).

12 (B) An Organizational Unit's Local Capacity Ratio
13 in a given year is the percentage obtained by dividing
14 its Adjusted EAV or PTELL EAV, whichever is less, by
15 its Adequacy Target, with the resulting ratio further
16 adjusted as follows:

17 (i) for Organizational Units serving grades
18 kindergarten through 12 and Hybrid Districts, no
19 further adjustments shall be made;

20 (ii) for Organizational Units serving grades
21 kindergarten through 8, the ratio shall be
22 multiplied by 9/13;

23 (iii) for Organizational Units serving grades
24 9 through 12, the Local Capacity Ratio shall be
25 multiplied by 4/13; and

26 (iv) for an Organizational Unit with a

1 different grade configuration than those specified
2 in items (i) through (iii) of this subparagraph
3 (B), the State Superintendent shall determine a
4 comparable adjustment based on the grades served.

5 (C) The Local Capacity Percentage is equal to the
6 percentile ranking of the district. Local Capacity
7 Percentage converts each Organizational Unit's Local
8 Capacity Ratio to a cumulative distribution resulting
9 in a percentile ranking to determine each
10 Organizational Unit's relative position to all other
11 Organizational Units in this State. The Local Capacity
12 Percentage cumulative distribution resulting in a
13 percentile ranking for each Organizational Unit shall
14 be calculated using the standard normal distribution
15 of the score in relation to the weighted mean and
16 weighted standard deviation and Local Capacity Ratios
17 of all Organizational Units. If the value assigned to
18 any Organizational Unit is in excess of 90%, the value
19 shall be adjusted to 90%. For Laboratory Schools, the
20 Local Capacity Percentage shall be set at 10% in
21 recognition of the absence of EAV and resources from
22 the public university that are allocated to the
23 Laboratory School. For programs operated by a regional
24 office of education or an intermediate service center,
25 the Local Capacity Percentage must be set at 10% in
26 recognition of the absence of EAV and resources from

1 school districts that are allocated to the regional
2 office of education or intermediate service center.
3 The weighted mean for the Local Capacity Percentage
4 shall be determined by multiplying each Organizational
5 Unit's Local Capacity Ratio times the ASE for the unit
6 creating a weighted value, summing the weighted values
7 of all Organizational Units, and dividing by the total
8 ASE of all Organizational Units. The weighted standard
9 deviation shall be determined by taking the square
10 root of the weighted variance of all Organizational
11 Units' Local Capacity Ratio, where the variance is
12 calculated by squaring the difference between each
13 unit's Local Capacity Ratio and the weighted mean,
14 then multiplying the variance for each unit times the
15 ASE for the unit to create a weighted variance for each
16 unit, then summing all units' weighted variance and
17 dividing by the total ASE of all units.

18 (D) For any Organizational Unit, the
19 Organizational Unit's Adjusted Local Capacity Target
20 shall be reduced by either (i) the school board's
21 remaining contribution pursuant to paragraph (ii) of
22 subsection (b-4) of Section 16-158 of the Illinois
23 Pension Code in a given year or (ii) the board of
24 education's remaining contribution pursuant to
25 paragraph (iv) of subsection (b) of Section 17-129 of
26 the Illinois Pension Code absent the employer normal

1 cost portion of the required contribution and amount
2 allowed pursuant to subdivision (3) of Section
3 17-142.1 of the Illinois Pension Code in a given year.
4 In the preceding sentence, item (i) shall be certified
5 to the State Board of Education by the Teachers'
6 Retirement System of the State of Illinois and item
7 (ii) shall be certified to the State Board of
8 Education by the Public School Teachers' Pension and
9 Retirement Fund of the City of Chicago.

10 (3) If an Organizational Unit's Real Receipts are more
11 than its Local Capacity Target, then its Local Capacity
12 shall equal an Adjusted Local Capacity Target as
13 calculated in accordance with this paragraph (3). The
14 Adjusted Local Capacity Target is calculated as the sum of
15 the Organizational Unit's Local Capacity Target and its
16 Real Receipts Adjustment. The Real Receipts Adjustment
17 equals the Organizational Unit's Real Receipts less its
18 Local Capacity Target, with the resulting figure
19 multiplied by the Local Capacity Percentage.

20 As used in this paragraph (3), "Real Percent of
21 Adequacy" means the sum of an Organizational Unit's Real
22 Receipts, CPPRT, and Base Funding Minimum, with the
23 resulting figure divided by the Organizational Unit's
24 Adequacy Target.

25 (d) Calculation of Real Receipts, EAV, and Adjusted EAV
26 for purposes of the Local Capacity calculation.

1 (1) An Organizational Unit's Real Receipts are the
2 product of its Applicable Tax Rate and its Adjusted EAV.
3 An Organizational Unit's Applicable Tax Rate is its
4 Adjusted Operating Tax Rate for property within the
5 Organizational Unit.

6 (2) The State Superintendent shall calculate the
7 equalized assessed valuation, or EAV, of all taxable
8 property of each Organizational Unit as of September 30 of
9 the previous year in accordance with paragraph (3) of this
10 subsection (d). The State Superintendent shall then
11 determine the Adjusted EAV of each Organizational Unit in
12 accordance with paragraph (4) of this subsection (d),
13 which Adjusted EAV figure shall be used for the purposes
14 of calculating Local Capacity.

15 (3) To calculate Real Receipts and EAV, the Department
16 of Revenue shall supply to the State Superintendent the
17 value as equalized or assessed by the Department of
18 Revenue of all taxable property of every Organizational
19 Unit, together with (i) the applicable tax rate used in
20 extending taxes for the funds of the Organizational Unit
21 as of September 30 of the previous year and (ii) the
22 limiting rate for all Organizational Units subject to
23 property tax extension limitations as imposed under PTELL.

24 (A) The Department of Revenue shall add to the
25 equalized assessed value of all taxable property of
26 each Organizational Unit situated entirely or

1 partially within a county that is or was subject to the
2 provisions of Section 15-176 or 15-177 of the Property
3 Tax Code (i) an amount equal to the total amount by
4 which the homestead exemption allowed under Section
5 15-176 or 15-177 of the Property Tax Code for real
6 property situated in that Organizational Unit exceeds
7 the total amount that would have been allowed in that
8 Organizational Unit if the maximum reduction under
9 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
10 in all other counties in tax year 2003 or (II) \$5,000
11 in all counties in tax year 2004 and thereafter and
12 (ii) an amount equal to the aggregate amount for the
13 taxable year of all additional exemptions under
14 Section 15-175 of the Property Tax Code for owners
15 with a household income of \$30,000 or less. The county
16 clerk of any county that is or was subject to the
17 provisions of Section 15-176 or 15-177 of the Property
18 Tax Code shall annually calculate and certify to the
19 Department of Revenue for each Organizational Unit all
20 homestead exemption amounts under Section 15-176 or
21 15-177 of the Property Tax Code and all amounts of
22 additional exemptions under Section 15-175 of the
23 Property Tax Code for owners with a household income
24 of \$30,000 or less. It is the intent of this
25 subparagraph (A) that if the general homestead
26 exemption for a parcel of property is determined under

1 Section 15-176 or 15-177 of the Property Tax Code
2 rather than Section 15-175, then the calculation of
3 EAV shall not be affected by the difference, if any,
4 between the amount of the general homestead exemption
5 allowed for that parcel of property under Section
6 15-176 or 15-177 of the Property Tax Code and the
7 amount that would have been allowed had the general
8 homestead exemption for that parcel of property been
9 determined under Section 15-175 of the Property Tax
10 Code. It is further the intent of this subparagraph
11 (A) that if additional exemptions are allowed under
12 Section 15-175 of the Property Tax Code for owners
13 with a household income of less than \$30,000, then the
14 calculation of EAV shall not be affected by the
15 difference, if any, because of those additional
16 exemptions.

17 (B) With respect to any part of an Organizational
18 Unit within a redevelopment project area in respect to
19 which a municipality has adopted tax increment
20 allocation financing pursuant to the Tax Increment
21 Allocation Redevelopment Act, Division 74.4 of Article
22 11 of the Illinois Municipal Code, or the Industrial
23 Jobs Recovery Law, Division 74.6 of Article 11 of the
24 Illinois Municipal Code, no part of the current EAV of
25 real property located in any such project area that is
26 attributable to an increase above the total initial

1 EAV of such property shall be used as part of the EAV
2 of the Organizational Unit, until such time as all
3 redevelopment project costs have been paid, as
4 provided in Section 11-74.4-8 of the Tax Increment
5 Allocation Redevelopment Act or in Section 11-74.6-35
6 of the Industrial Jobs Recovery Law. For the purpose
7 of the EAV of the Organizational Unit, the total
8 initial EAV or the current EAV, whichever is lower,
9 shall be used until such time as all redevelopment
10 project costs have been paid.

11 (B-5) The real property equalized assessed
12 valuation for a school district shall be adjusted by
13 subtracting from the real property value, as equalized
14 or assessed by the Department of Revenue, for the
15 district an amount computed by dividing the amount of
16 any abatement of taxes under Section 18-170 of the
17 Property Tax Code by 3.00% for a district maintaining
18 grades kindergarten through 12, by 2.30% for a
19 district maintaining grades kindergarten through 8, or
20 by 1.05% for a district maintaining grades 9 through
21 12 and adjusted by an amount computed by dividing the
22 amount of any abatement of taxes under subsection (a)
23 of Section 18-165 of the Property Tax Code by the same
24 percentage rates for district type as specified in
25 this subparagraph (B-5).

26 (C) For Organizational Units that are Hybrid

1 Districts, the State Superintendent shall use the
2 lesser of the adjusted equalized assessed valuation
3 for property within the partial elementary unit
4 district for elementary purposes, as defined in
5 Article 11E of this Code, or the adjusted equalized
6 assessed valuation for property within the partial
7 elementary unit district for high school purposes, as
8 defined in Article 11E of this Code.

9 (D) If a school district's boundaries span
10 multiple counties, then the Department of Revenue
11 shall send to the State Board, for the purposes of
12 calculating Evidence-Based Funding, the limiting rate
13 and individual rates by purpose for the county that
14 contains the majority of the school district's
15 equalized assessed valuation.

16 (4) An Organizational Unit's Adjusted EAV shall be the
17 average of its EAV over the immediately preceding 3 years
18 or the lesser of its EAV in the immediately preceding year
19 or the average of its EAV over the immediately preceding 3
20 years if the EAV in the immediately preceding year has
21 declined by 10% or more when comparing the 2 most recent
22 years. In the event of Organizational Unit reorganization,
23 consolidation, or annexation, the Organizational Unit's
24 Adjusted EAV for the first 3 years after such change shall
25 be as follows: the most current EAV shall be used in the
26 first year, the average of a 2-year EAV or its EAV in the

1 immediately preceding year if the EAV declines by 10% or
2 more when comparing the 2 most recent years for the second
3 year, and the lesser of a 3-year average EAV or its EAV in
4 the immediately preceding year if the Adjusted EAV
5 declines by 10% or more when comparing the 2 most recent
6 years for the third year. For any school district whose
7 EAV in the immediately preceding year is used in
8 calculations, in the following year, the Adjusted EAV
9 shall be the average of its EAV over the immediately
10 preceding 2 years or the immediately preceding year if
11 that year represents a decline of 10% or more when
12 comparing the 2 most recent years.

13 "PTELL EAV" means a figure calculated by the State
14 Board for Organizational Units subject to PTELL as
15 described in this paragraph (4) for the purposes of
16 calculating an Organizational Unit's Local Capacity Ratio.
17 Except as otherwise provided in this paragraph (4), the
18 PTELL EAV of an Organizational Unit shall be equal to the
19 product of the equalized assessed valuation last used in
20 the calculation of general State aid under Section 18-8.05
21 of this Code (now repealed) or Evidence-Based Funding
22 under this Section and the Organizational Unit's Extension
23 Limitation Ratio. If an Organizational Unit has approved
24 or does approve an increase in its limiting rate, pursuant
25 to Section 18-190 of the Property Tax Code, affecting the
26 Base Tax Year, the PTELL EAV shall be equal to the product

1 of the equalized assessed valuation last used in the
2 calculation of general State aid under Section 18-8.05 of
3 this Code (now repealed) or Evidence-Based Funding under
4 this Section multiplied by an amount equal to one plus the
5 percentage increase, if any, in the Consumer Price Index
6 for All Urban Consumers for all items published by the
7 United States Department of Labor for the 12-month
8 calendar year preceding the Base Tax Year, plus the
9 equalized assessed valuation of new property, annexed
10 property, and recovered tax increment value and minus the
11 equalized assessed valuation of disconnected property.

12 As used in this paragraph (4), "new property" and
13 "recovered tax increment value" shall have the meanings
14 set forth in the Property Tax Extension Limitation Law.

15 (e) Base Funding Minimum calculation.

16 (1) For the 2017-2018 school year, the Base Funding
17 Minimum of an Organizational Unit or a Specially Funded
18 Unit shall be the amount of State funds distributed to the
19 Organizational Unit or Specially Funded Unit during the
20 2016-2017 school year prior to any adjustments and
21 specified appropriation amounts described in this
22 paragraph (1) from the following Sections, as calculated
23 by the State Superintendent: Section 18-8.05 of this Code
24 (now repealed); Section 5 of Article 224 of Public Act
25 99-524 (equity grants); Section 14-7.02b of this Code
26 (funding for children requiring special education

1 services); Section 14-13.01 of this Code (special
2 education facilities and staffing), except for
3 reimbursement of the cost of transportation pursuant to
4 Section 14-13.01; Section 14C-12 of this Code (English
5 learners); and Section 18-4.3 of this Code (summer
6 school), based on an appropriation level of \$13,121,600.
7 For a school district organized under Article 34 of this
8 Code, the Base Funding Minimum also includes (i) the funds
9 allocated to the school district pursuant to Section 1D-1
10 of this Code attributable to funding programs authorized
11 by the Sections of this Code listed in the preceding
12 sentence and (ii) the difference between (I) the funds
13 allocated to the school district pursuant to Section 1D-1
14 of this Code attributable to the funding programs
15 authorized by Section 14-7.02 (non-public special
16 education reimbursement), subsection (b) of Section
17 14-13.01 (special education transportation), Section 29-5
18 (transportation), Section 2-3.80 (agricultural
19 education), Section 2-3.66 (truants' alternative
20 education), Section 2-3.62 (educational service centers),
21 and Section 14-7.03 (special education - orphanage) of
22 this Code and Section 15 of the Childhood Hunger Relief
23 Act (free breakfast program) and (II) the school
24 district's actual expenditures for its non-public special
25 education, special education transportation,
26 transportation programs, agricultural education, truants'

1 alternative education, services that would otherwise be
2 performed by a regional office of education, special
3 education orphanage expenditures, and free breakfast, as
4 most recently calculated and reported pursuant to
5 subsection (f) of Section 1D-1 of this Code. The Base
6 Funding Minimum for Glenwood Academy shall be \$952,014
7 ~~\$625,500~~. For programs operated by a regional office of
8 education or an intermediate service center, the Base
9 Funding Minimum must be the total amount of State funds
10 allocated to those programs in the 2018-2019 school year
11 and amounts provided pursuant to Article 34 of Public Act
12 100-586 and Section 3-16 of this Code. All programs
13 established after June 5, 2019 (the effective date of
14 Public Act 101-10) and administered by a regional office
15 of education or an intermediate service center must have
16 an initial Base Funding Minimum set to an amount equal to
17 the first-year ASE multiplied by the amount of per pupil
18 funding received in the previous school year by the lowest
19 funded similar existing program type. If the enrollment
20 for a program operated by a regional office of education
21 or an intermediate service center is zero, then it may not
22 receive Base Funding Minimum funds for that program in the
23 next fiscal year, and those funds must be distributed to
24 Organizational Units under subsection (g).

25 (2) For the 2018-2019 and subsequent school years, the
26 Base Funding Minimum of Organizational Units and Specially

1 Funded Units shall be the sum of (i) the amount of
2 Evidence-Based Funding for the prior school year, (ii) the
3 Base Funding Minimum for the prior school year, and (iii)
4 any amount received by a school district pursuant to
5 Section 7 of Article 97 of Public Act 100-21.

6 For the 2022-2023 school year, the Base Funding
7 Minimum of Organizational Units shall be the amounts
8 recalculated by the State Board of Education for Fiscal
9 Year 2019 through Fiscal Year 2022 that were necessary due
10 to average student enrollment errors for districts
11 organized under Article 34 of this Code, plus the Fiscal
12 Year 2022 property tax relief grants provided under
13 Section 2-3.170 of this Code, ensuring each Organizational
14 Unit has the correct amount of resources for Fiscal Year
15 2023 Evidence-Based Funding calculations and that Fiscal
16 Year 2023 Evidence-Based Funding Distributions are made in
17 accordance with this Section.

18 (3) Subject to approval by the General Assembly as
19 provided in this paragraph (3), an Organizational Unit
20 that meets all of the following criteria, as determined by
21 the State Board, shall have District Intervention Money
22 added to its Base Funding Minimum at the time the Base
23 Funding Minimum is calculated by the State Board:

24 (A) The Organizational Unit is operating under an
25 Independent Authority under Section 2-3.25f-5 of this
26 Code for a minimum of 4 school years or is subject to

1 the control of the State Board pursuant to a court
2 order for a minimum of 4 school years.

3 (B) The Organizational Unit was designated as a
4 Tier 1 or Tier 2 Organizational Unit in the previous
5 school year under paragraph (3) of subsection (g) of
6 this Section.

7 (C) The Organizational Unit demonstrates
8 sustainability through a 5-year financial and
9 strategic plan.

10 (D) The Organizational Unit has made sufficient
11 progress and achieved sufficient stability in the
12 areas of governance, academic growth, and finances.

13 As part of its determination under this paragraph (3),
14 the State Board may consider the Organizational Unit's
15 summative designation, any accreditations of the
16 Organizational Unit, or the Organizational Unit's
17 financial profile, as calculated by the State Board.

18 If the State Board determines that an Organizational
19 Unit has met the criteria set forth in this paragraph (3),
20 it must submit a report to the General Assembly, no later
21 than January 2 of the fiscal year in which the State Board
22 makes its determination, on the amount of District
23 Intervention Money to add to the Organizational Unit's
24 Base Funding Minimum. The General Assembly must review the
25 State Board's report and may approve or disapprove, by
26 joint resolution, the addition of District Intervention

1 Money. If the General Assembly fails to act on the report
2 within 40 calendar days from the receipt of the report,
3 the addition of District Intervention Money is deemed
4 approved. If the General Assembly approves the amount of
5 District Intervention Money to be added to the
6 Organizational Unit's Base Funding Minimum, the District
7 Intervention Money must be added to the Base Funding
8 Minimum annually thereafter.

9 For the first 4 years following the initial year that
10 the State Board determines that an Organizational Unit has
11 met the criteria set forth in this paragraph (3) and has
12 received funding under this Section, the Organizational
13 Unit must annually submit to the State Board, on or before
14 November 30, a progress report regarding its financial and
15 strategic plan under subparagraph (C) of this paragraph
16 (3). The plan shall include the financial data from the
17 past 4 annual financial reports or financial audits that
18 must be presented to the State Board by November 15 of each
19 year and the approved budget financial data for the
20 current year. The plan shall be developed according to the
21 guidelines presented to the Organizational Unit by the
22 State Board. The plan shall further include financial
23 projections for the next 3 fiscal years and include a
24 discussion and financial summary of the Organizational
25 Unit's facility needs. If the Organizational Unit does not
26 demonstrate sufficient progress toward its 5-year plan or

1 if it has failed to file an annual financial report, an
2 annual budget, a financial plan, a deficit reduction plan,
3 or other financial information as required by law, the
4 State Board may establish a Financial Oversight Panel
5 under Article 1H of this Code. However, if the
6 Organizational Unit already has a Financial Oversight
7 Panel, the State Board may extend the duration of the
8 Panel.

9 (f) Percent of Adequacy and Final Resources calculation.

10 (1) The Evidence-Based Funding formula establishes a
11 Percent of Adequacy for each Organizational Unit in order
12 to place such units into tiers for the purposes of the
13 funding distribution system described in subsection (g) of
14 this Section. Initially, an Organizational Unit's
15 Preliminary Resources and Preliminary Percent of Adequacy
16 are calculated pursuant to paragraph (2) of this
17 subsection (f). Then, an Organizational Unit's Final
18 Resources and Final Percent of Adequacy are calculated to
19 account for the Organizational Unit's poverty
20 concentration levels pursuant to paragraphs (3) and (4) of
21 this subsection (f).

22 (2) An Organizational Unit's Preliminary Resources are
23 equal to the sum of its Local Capacity Target, CPPRT, and
24 Base Funding Minimum. An Organizational Unit's Preliminary
25 Percent of Adequacy is the lesser of (i) its Preliminary
26 Resources divided by its Adequacy Target or (ii) 100%.

1 (3) Except for Specially Funded Units, an
2 Organizational Unit's Final Resources are equal to the sum
3 of its Local Capacity, CPPRT, and Adjusted Base Funding
4 Minimum. The Base Funding Minimum of each Specially Funded
5 Unit shall serve as its Final Resources, except that the
6 Base Funding Minimum for State-approved charter schools
7 shall not include any portion of general State aid
8 allocated in the prior year based on the per capita
9 tuition charge times the charter school enrollment.

10 (4) An Organizational Unit's Final Percent of Adequacy
11 is its Final Resources divided by its Adequacy Target. An
12 Organizational Unit's Adjusted Base Funding Minimum is
13 equal to its Base Funding Minimum less its Supplemental
14 Grant Funding, with the resulting figure added to the
15 product of its Supplemental Grant Funding and Preliminary
16 Percent of Adequacy.

17 (g) Evidence-Based Funding formula distribution system.

18 (1) In each school year under the Evidence-Based
19 Funding formula, each Organizational Unit receives funding
20 equal to the sum of its Base Funding Minimum and the unit's
21 allocation of New State Funds determined pursuant to this
22 subsection (g). To allocate New State Funds, the
23 Evidence-Based Funding formula distribution system first
24 places all Organizational Units into one of 4 tiers in
25 accordance with paragraph (3) of this subsection (g),
26 based on the Organizational Unit's Final Percent of

1 Adequacy. New State Funds are allocated to each of the 4
2 tiers as follows: Tier 1 Aggregate Funding equals 50% of
3 all New State Funds, Tier 2 Aggregate Funding equals 49%
4 of all New State Funds, Tier 3 Aggregate Funding equals
5 0.9% of all New State Funds, and Tier 4 Aggregate Funding
6 equals 0.1% of all New State Funds. Each Organizational
7 Unit within Tier 1 or Tier 2 receives an allocation of New
8 State Funds equal to its tier Funding Gap, as defined in
9 the following sentence, multiplied by the tier's
10 Allocation Rate determined pursuant to paragraph (4) of
11 this subsection (g). For Tier 1, an Organizational Unit's
12 Funding Gap equals the tier's Target Ratio, as specified
13 in paragraph (5) of this subsection (g), multiplied by the
14 Organizational Unit's Adequacy Target, with the resulting
15 amount reduced by the Organizational Unit's Final
16 Resources. For Tier 2, an Organizational Unit's Funding
17 Gap equals the tier's Target Ratio, as described in
18 paragraph (5) of this subsection (g), multiplied by the
19 Organizational Unit's Adequacy Target, with the resulting
20 amount reduced by the Organizational Unit's Final
21 Resources and its Tier 1 funding allocation. To determine
22 the Organizational Unit's Funding Gap, the resulting
23 amount is then multiplied by a factor equal to one minus
24 the Organizational Unit's Local Capacity Target
25 percentage. Each Organizational Unit within Tier 3 or Tier
26 4 receives an allocation of New State Funds equal to the

1 product of its Adequacy Target and the tier's Allocation
2 Rate, as specified in paragraph (4) of this subsection
3 (g).

4 (2) To ensure equitable distribution of dollars for
5 all Tier 2 Organizational Units, no Tier 2 Organizational
6 Unit shall receive fewer dollars per ASE than any Tier 3
7 Organizational Unit. Each Tier 2 and Tier 3 Organizational
8 Unit shall have its funding allocation divided by its ASE.
9 Any Tier 2 Organizational Unit with a funding allocation
10 per ASE below the greatest Tier 3 allocation per ASE shall
11 get a funding allocation equal to the greatest Tier 3
12 funding allocation per ASE multiplied by the
13 Organizational Unit's ASE. Each Tier 2 Organizational
14 Unit's Tier 2 funding allocation shall be multiplied by
15 the percentage calculated by dividing the original Tier 2
16 Aggregate Funding by the sum of all Tier 2 Organizational
17 Units' Tier 2 funding allocation after adjusting
18 districts' funding below Tier 3 levels.

19 (3) Organizational Units are placed into one of 4
20 tiers as follows:

21 (A) Tier 1 consists of all Organizational Units,
22 except for Specially Funded Units, with a Percent of
23 Adequacy less than the Tier 1 Target Ratio. The Tier 1
24 Target Ratio is the ratio level that allows for Tier 1
25 Aggregate Funding to be distributed, with the Tier 1
26 Allocation Rate determined pursuant to paragraph (4)

1 of this subsection (g).

2 (B) Tier 2 consists of all Tier 1 Units and all
3 other Organizational Units, except for Specially
4 Funded Units, with a Percent of Adequacy of less than
5 0.90.

6 (C) Tier 3 consists of all Organizational Units,
7 except for Specially Funded Units, with a Percent of
8 Adequacy of at least 0.90 and less than 1.0.

9 (D) Tier 4 consists of all Organizational Units
10 with a Percent of Adequacy of at least 1.0.

11 (4) The Allocation Rates for Tiers 1 through 4 are
12 determined as follows:

13 (A) The Tier 1 Allocation Rate is 30%.

14 (B) The Tier 2 Allocation Rate is the result of the
15 following equation: Tier 2 Aggregate Funding, divided
16 by the sum of the Funding Gaps for all Tier 2
17 Organizational Units, unless the result of such
18 equation is higher than 1.0. If the result of such
19 equation is higher than 1.0, then the Tier 2
20 Allocation Rate is 1.0.

21 (C) The Tier 3 Allocation Rate is the result of the
22 following equation: Tier 3 Aggregate Funding, divided
23 by the sum of the Adequacy Targets of all Tier 3
24 Organizational Units.

25 (D) The Tier 4 Allocation Rate is the result of the
26 following equation: Tier 4 Aggregate Funding, divided

1 by the sum of the Adequacy Targets of all Tier 4
2 Organizational Units.

3 (5) A tier's Target Ratio is determined as follows:

4 (A) The Tier 1 Target Ratio is the ratio level that
5 allows for Tier 1 Aggregate Funding to be distributed
6 with the Tier 1 Allocation Rate.

7 (B) The Tier 2 Target Ratio is 0.90.

8 (C) The Tier 3 Target Ratio is 1.0.

9 (6) If, at any point, the Tier 1 Target Ratio is
10 greater than 90%, then all Tier 1 funding shall be
11 allocated to Tier 2 and no Tier 1 Organizational Unit's
12 funding may be identified.

13 (7) In the event that all Tier 2 Organizational Units
14 receive funding at the Tier 2 Target Ratio level, any
15 remaining New State Funds shall be allocated to Tier 3 and
16 Tier 4 Organizational Units.

17 (8) If any Specially Funded Units, excluding Glenwood
18 Academy, recognized by the State Board do not qualify for
19 direct funding following the implementation of Public Act
20 100-465 from any of the funding sources included within
21 the definition of Base Funding Minimum, the unqualified
22 portion of the Base Funding Minimum shall be transferred
23 to one or more appropriate Organizational Units as
24 determined by the State Superintendent based on the prior
25 year ASE of the Organizational Units.

26 (8.5) If a school district withdraws from a special

1 education cooperative, the portion of the Base Funding
2 Minimum that is attributable to the school district may be
3 redistributed to the school district upon withdrawal. The
4 school district and the cooperative must include the
5 amount of the Base Funding Minimum that is to be
6 reapportioned in their withdrawal agreement and notify the
7 State Board of the change with a copy of the agreement upon
8 withdrawal.

9 (9) The Minimum Funding Level is intended to establish
10 a target for State funding that will keep pace with
11 inflation and continue to advance equity through the
12 Evidence-Based Funding formula. The target for State
13 funding of New Property Tax Relief Pool Funds is
14 \$50,000,000 for State fiscal year 2019 and subsequent
15 State fiscal years. The Minimum Funding Level is equal to
16 \$350,000,000. In addition to any New State Funds, no more
17 than \$50,000,000 New Property Tax Relief Pool Funds may be
18 counted toward the Minimum Funding Level. If the sum of
19 New State Funds and applicable New Property Tax Relief
20 Pool Funds are less than the Minimum Funding Level, than
21 funding for tiers shall be reduced in the following
22 manner:

23 (A) First, Tier 4 funding shall be reduced by an
24 amount equal to the difference between the Minimum
25 Funding Level and New State Funds until such time as
26 Tier 4 funding is exhausted.

1 (B) Next, Tier 3 funding shall be reduced by an
2 amount equal to the difference between the Minimum
3 Funding Level and New State Funds and the reduction in
4 Tier 4 funding until such time as Tier 3 funding is
5 exhausted.

6 (C) Next, Tier 2 funding shall be reduced by an
7 amount equal to the difference between the Minimum
8 Funding Level and New State Funds and the reduction in
9 Tier 4 and Tier 3.

10 (D) Finally, Tier 1 funding shall be reduced by an
11 amount equal to the difference between the Minimum
12 Funding level and New State Funds and the reduction in
13 Tier 2, 3, and 4 funding. In addition, the Allocation
14 Rate for Tier 1 shall be reduced to a percentage equal
15 to the Tier 1 Allocation Rate set by paragraph (4) of
16 this subsection (g), multiplied by the result of New
17 State Funds divided by the Minimum Funding Level.

18 (9.5) For State fiscal year 2019 and subsequent State
19 fiscal years, if New State Funds exceed \$300,000,000, then
20 any amount in excess of \$300,000,000 shall be dedicated
21 for purposes of Section 2-3.170 of this Code up to a
22 maximum of \$50,000,000.

23 (10) In the event of a decrease in the amount of the
24 appropriation for this Section in any fiscal year after
25 implementation of this Section, the Organizational Units
26 receiving Tier 1 and Tier 2 funding, as determined under

1 paragraph (3) of this subsection (g), shall be held
2 harmless by establishing a Base Funding Guarantee equal to
3 the per pupil kindergarten through grade 12 funding
4 received in accordance with this Section in the prior
5 fiscal year. Reductions shall be made to the Base Funding
6 Minimum of Organizational Units in Tier 3 and Tier 4 on a
7 per pupil basis equivalent to the total number of the ASE
8 in Tier 3-funded and Tier 4-funded Organizational Units
9 divided by the total reduction in State funding. The Base
10 Funding Minimum as reduced shall continue to be applied to
11 Tier 3 and Tier 4 Organizational Units and adjusted by the
12 relative formula when increases in appropriations for this
13 Section resume. In no event may State funding reductions
14 to Organizational Units in Tier 3 or Tier 4 exceed an
15 amount that would be less than the Base Funding Minimum
16 established in the first year of implementation of this
17 Section. If additional reductions are required, all school
18 districts shall receive a reduction by a per pupil amount
19 equal to the aggregate additional appropriation reduction
20 divided by the total ASE of all Organizational Units.

21 (11) The State Superintendent shall make minor
22 adjustments to the distribution formula set forth in this
23 subsection (g) to account for the rounding of percentages
24 to the nearest tenth of a percentage and dollar amounts to
25 the nearest whole dollar.

26 (h) State Superintendent administration of funding and

1 district submission requirements.

2 (1) The State Superintendent shall, in accordance with
3 appropriations made by the General Assembly, meet the
4 funding obligations created under this Section.

5 (2) The State Superintendent shall calculate the
6 Adequacy Target for each Organizational Unit under this
7 Section. No Evidence-Based Funding shall be distributed
8 within an Organizational Unit without the approval of the
9 unit's school board.

10 (3) Annually, the State Superintendent shall calculate
11 and report to each Organizational Unit the unit's
12 aggregate financial adequacy amount, which shall be the
13 sum of the Adequacy Target for each Organizational Unit.
14 The State Superintendent shall calculate and report
15 separately for each Organizational Unit the unit's total
16 State funds allocated for its students with disabilities.
17 The State Superintendent shall calculate and report
18 separately for each Organizational Unit the amount of
19 funding and applicable FTE calculated for each Essential
20 Element of the unit's Adequacy Target.

21 (4) Annually, the State Superintendent shall calculate
22 and report to each Organizational Unit the amount the unit
23 must expend on special education and bilingual education
24 and computer technology and equipment for Organizational
25 Units assigned to Tier 1 or Tier 2 that received an
26 additional \$285.50 per student computer technology and

1 equipment investment grant to their Adequacy Target
2 pursuant to the unit's Base Funding Minimum, Special
3 Education Allocation, Bilingual Education Allocation, and
4 computer technology and equipment investment allocation.

5 (5) Moneys distributed under this Section shall be
6 calculated on a school year basis, but paid on a fiscal
7 year basis, with payments beginning in August and
8 extending through June. Unless otherwise provided, the
9 moneys appropriated for each fiscal year shall be
10 distributed in 22 equal payments at least 2 times monthly
11 to each Organizational Unit. If moneys appropriated for
12 any fiscal year are distributed other than monthly, the
13 distribution shall be on the same basis for each
14 Organizational Unit.

15 (6) Any school district that fails, for any given
16 school year, to maintain school as required by law or to
17 maintain a recognized school is not eligible to receive
18 Evidence-Based Funding. In case of non-recognition of one
19 or more attendance centers in a school district otherwise
20 operating recognized schools, the claim of the district
21 shall be reduced in the proportion that the enrollment in
22 the attendance center or centers bears to the enrollment
23 of the school district. "Recognized school" means any
24 public school that meets the standards for recognition by
25 the State Board. A school district or attendance center
26 not having recognition status at the end of a school term

1 is entitled to receive State aid payments due upon a legal
2 claim that was filed while it was recognized.

3 (7) School district claims filed under this Section
4 are subject to Sections 18-9 and 18-12 of this Code,
5 except as otherwise provided in this Section.

6 (8) Each fiscal year, the State Superintendent shall
7 calculate for each Organizational Unit an amount of its
8 Base Funding Minimum and Evidence-Based Funding that shall
9 be deemed attributable to the provision of special
10 educational facilities and services, as defined in Section
11 14-1.08 of this Code, in a manner that ensures compliance
12 with maintenance of State financial support requirements
13 under the federal Individuals with Disabilities Education
14 Act. An Organizational Unit must use such funds only for
15 the provision of special educational facilities and
16 services, as defined in Section 14-1.08 of this Code, and
17 must comply with any expenditure verification procedures
18 adopted by the State Board.

19 (9) All Organizational Units in this State must submit
20 annual spending plans by the end of September of each year
21 to the State Board as part of the annual budget process,
22 which shall describe how each Organizational Unit will
23 utilize the Base Funding Minimum and Evidence-Based
24 Funding it receives from this State under this Section
25 with specific identification of the intended utilization
26 of Low-Income, English learner, and special education

1 resources. Additionally, the annual spending plans of each
2 Organizational Unit shall describe how the Organizational
3 Unit expects to achieve student growth and how the
4 Organizational Unit will achieve State education goals, as
5 defined by the State Board. The State Superintendent may,
6 from time to time, identify additional requisites for
7 Organizational Units to satisfy when compiling the annual
8 spending plans required under this subsection (h). The
9 format and scope of annual spending plans shall be
10 developed by the State Superintendent and the State Board
11 of Education. School districts that serve students under
12 Article 14C of this Code shall continue to submit
13 information as required under Section 14C-12 of this Code.

14 (10) No later than January 1, 2018, the State
15 Superintendent shall develop a 5-year strategic plan for
16 all Organizational Units to help in planning for adequacy
17 funding under this Section. The State Superintendent shall
18 submit the plan to the Governor and the General Assembly,
19 as provided in Section 3.1 of the General Assembly
20 Organization Act. The plan shall include recommendations
21 for:

22 (A) a framework for collaborative, professional,
23 innovative, and 21st century learning environments
24 using the Evidence-Based Funding model;

25 (B) ways to prepare and support this State's
26 educators for successful instructional careers;

1 (C) application and enhancement of the current
2 financial accountability measures, the approved State
3 plan to comply with the federal Every Student Succeeds
4 Act, and the Illinois Balanced Accountability Measures
5 in relation to student growth and elements of the
6 Evidence-Based Funding model; and

7 (D) implementation of an effective school adequacy
8 funding system based on projected and recommended
9 funding levels from the General Assembly.

10 (11) On an annual basis, the State Superintendent must
11 recalibrate all of the following per pupil elements of the
12 Adequacy Target and applied to the formulas, based on the
13 study of average expenses and as reported in the most
14 recent annual financial report:

15 (A) Gifted under subparagraph (M) of paragraph (2)
16 of subsection (b).

17 (B) Instructional materials under subparagraph (O)
18 of paragraph (2) of subsection (b).

19 (C) Assessment under subparagraph (P) of paragraph
20 (2) of subsection (b).

21 (D) Student activities under subparagraph (R) of
22 paragraph (2) of subsection (b).

23 (E) Maintenance and operations under subparagraph
24 (S) of paragraph (2) of subsection (b).

25 (F) Central office under subparagraph (T) of
26 paragraph (2) of subsection (b).

1 (i) Professional Review Panel.

2 (1) A Professional Review Panel is created to study
3 and review topics related to the implementation and effect
4 of Evidence-Based Funding, as assigned by a joint
5 resolution or Public Act of the General Assembly or a
6 motion passed by the State Board of Education. The Panel
7 must provide recommendations to and serve the Governor,
8 the General Assembly, and the State Board. The State
9 Superintendent or his or her designee must serve as a
10 voting member and chairperson of the Panel. The State
11 Superintendent must appoint a vice chairperson from the
12 membership of the Panel. The Panel must advance
13 recommendations based on a three-fifths majority vote of
14 Panel members present and voting. A minority opinion may
15 also accompany any recommendation of the Panel. The Panel
16 shall be appointed by the State Superintendent, except as
17 otherwise provided in paragraph (2) of this subsection (i)
18 and include the following members:

19 (A) Two appointees that represent district
20 superintendents, recommended by a statewide
21 organization that represents district superintendents.

22 (B) Two appointees that represent school boards,
23 recommended by a statewide organization that
24 represents school boards.

25 (C) Two appointees from districts that represent
26 school business officials, recommended by a statewide

1 organization that represents school business
2 officials.

3 (D) Two appointees that represent school
4 principals, recommended by a statewide organization
5 that represents school principals.

6 (E) Two appointees that represent teachers,
7 recommended by a statewide organization that
8 represents teachers.

9 (F) Two appointees that represent teachers,
10 recommended by another statewide organization that
11 represents teachers.

12 (G) Two appointees that represent regional
13 superintendents of schools, recommended by
14 organizations that represent regional superintendents.

15 (H) Two independent experts selected solely by the
16 State Superintendent.

17 (I) Two independent experts recommended by public
18 universities in this State.

19 (J) One member recommended by a statewide
20 organization that represents parents.

21 (K) Two representatives recommended by collective
22 impact organizations that represent major metropolitan
23 areas or geographic areas in Illinois.

24 (L) One member from a statewide organization
25 focused on research-based education policy to support
26 a school system that prepares all students for

1 college, a career, and democratic citizenship.

2 (M) One representative from a school district
3 organized under Article 34 of this Code.

4 The State Superintendent shall ensure that the
5 membership of the Panel includes representatives from
6 school districts and communities reflecting the
7 geographic, socio-economic, racial, and ethnic diversity
8 of this State. The State Superintendent shall additionally
9 ensure that the membership of the Panel includes
10 representatives with expertise in bilingual education and
11 special education. Staff from the State Board shall staff
12 the Panel.

13 (2) In addition to those Panel members appointed by
14 the State Superintendent, 4 members of the General
15 Assembly shall be appointed as follows: one member of the
16 House of Representatives appointed by the Speaker of the
17 House of Representatives, one member of the Senate
18 appointed by the President of the Senate, one member of
19 the House of Representatives appointed by the Minority
20 Leader of the House of Representatives, and one member of
21 the Senate appointed by the Minority Leader of the Senate.
22 There shall be one additional member appointed by the
23 Governor. All members appointed by legislative leaders or
24 the Governor shall be non-voting, ex officio members.

25 (3) The Panel must study topics at the direction of
26 the General Assembly or State Board of Education, as

1 provided under paragraph (1). The Panel may also study the
2 following topics at the direction of the chairperson:

3 (A) The format and scope of annual spending plans
4 referenced in paragraph (9) of subsection (h) of this
5 Section.

6 (B) The Comparable Wage Index under this Section.

7 (C) Maintenance and operations, including capital
8 maintenance and construction costs.

9 (D) "At-risk student" definition.

10 (E) Benefits.

11 (F) Technology.

12 (G) Local Capacity Target.

13 (H) Funding for Alternative Schools, Laboratory
14 Schools, safe schools, and alternative learning
15 opportunities programs.

16 (I) Funding for college and career acceleration
17 strategies.

18 (J) Special education investments.

19 (K) Early childhood investments, in collaboration
20 with the Illinois Early Learning Council.

21 (4) (Blank).

22 (5) Within 5 years after the implementation of this
23 Section, and every 5 years thereafter, the Panel shall
24 complete an evaluative study of the entire Evidence-Based
25 Funding model, including an assessment of whether or not
26 the formula is achieving State goals. The Panel shall

1 report to the State Board, the General Assembly, and the
2 Governor on the findings of the study.

3 (6) (Blank).

4 (7) To ensure that (i) the Adequacy Target calculation
5 under subsection (b) accurately reflects the needs of
6 students living in poverty or attending schools located in
7 areas of high poverty, (ii) racial equity within the
8 Evidence-Based Funding formula is explicitly explored and
9 advanced, and (iii) the funding goals of the formula
10 distribution system established under this Section are
11 sufficient to provide adequate funding for every student
12 and to fully fund every school in this State, the Panel
13 shall review the Essential Elements under paragraph (2) of
14 subsection (b). The Panel shall consider all of the
15 following in its review:

16 (A) The financial ability of school districts to
17 provide instruction in a foreign language to every
18 student and whether an additional Essential Element
19 should be added to the formula to ensure that every
20 student has access to instruction in a foreign
21 language.

22 (B) The adult-to-student ratio for each Essential
23 Element in which a ratio is identified. The Panel
24 shall consider whether the ratio accurately reflects
25 the staffing needed to support students living in
26 poverty or who have traumatic backgrounds.

1 (C) Changes to the Essential Elements that may be
2 required to better promote racial equity and eliminate
3 structural racism within schools.

4 (D) The impact of investing \$350,000,000 in
5 additional funds each year under this Section and an
6 estimate of when the school system will become fully
7 funded under this level of appropriation.

8 (E) Provide an overview of alternative funding
9 structures that would enable the State to become fully
10 funded at an earlier date.

11 (F) The potential to increase efficiency and to
12 find cost savings within the school system to expedite
13 the journey to a fully funded system.

14 (G) The appropriate levels for reenrolling and
15 graduating high-risk high school students who have
16 been previously out of school. These outcomes shall
17 include enrollment, attendance, skill gains, credit
18 gains, graduation or promotion to the next grade
19 level, and the transition to college, training, or
20 employment, with an emphasis on progressively
21 increasing the overall attendance.

22 (H) The evidence-based or research-based practices
23 that are shown to reduce the gaps and disparities
24 experienced by African American students in academic
25 achievement and educational performance, including
26 practices that have been shown to reduce disparities

1 in disciplinary rates, drop-out rates, graduation
2 rates, college matriculation rates, and college
3 completion rates.

4 On or before December 31, 2021, the Panel shall report
5 to the State Board, the General Assembly, and the Governor
6 on the findings of its review. This paragraph (7) is
7 inoperative on and after July 1, 2022.

8 (8) On or before April 1, 2024, the Panel must submit a
9 report to the General Assembly on annual adjustments to
10 Glenwood Academy's base-funding minimum in a similar
11 fashion to school districts under this Section.

12 (j) References. Beginning July 1, 2017, references in
13 other laws to general State aid funds or calculations under
14 Section 18-8.05 of this Code (now repealed) shall be deemed to
15 be references to evidence-based model formula funds or
16 calculations under this Section.

17 (Source: P.A. 101-10, eff. 6-5-19; 101-17, eff. 6-14-19;
18 101-643, eff. 6-18-20; 101-654, eff. 3-8-21; 102-33, eff.
19 6-25-21; 102-197, eff. 7-30-21; 102-558, eff. 8-20-21;
20 102-699, eff. 4-19-22; 102-782, eff. 1-1-23; 102-813, eff.
21 5-13-22; 102-894, eff. 5-20-22; revised 12-13-22.)

22 (105 ILCS 5/27-23.1) (from Ch. 122, par. 27-23.1)

23 Sec. 27-23.1. Parenting education.

24 (a) The State Board of Education must assist each school
25 district that offers an evidence-based parenting education

1 model. School districts may provide instruction in parenting
2 education for grades 6 through 12 and include such instruction
3 in the courses of study regularly taught therein. School
4 districts may give regular school credit for satisfactory
5 completion by the student of such courses.

6 As used in this subsection (a), "parenting education"
7 means and includes instruction in the following:

8 (1) Child growth and development, including prenatal
9 development.

10 (2) Childbirth and child care.

11 (3) Family structure, function and management.

12 (4) Prenatal and postnatal care for mothers and
13 infants.

14 (5) Prevention of child abuse.

15 (6) The physical, mental, emotional, social, economic
16 and psychological aspects of interpersonal and family
17 relationships.

18 (7) Parenting skill development.

19 The State Board of Education shall assist those districts
20 offering parenting education instruction, upon request, in
21 developing instructional materials, training teachers, and
22 establishing appropriate time allotments for each of the areas
23 included in such instruction.

24 School districts may offer parenting education courses
25 during that period of the day which is not part of the regular
26 school day. Residents of the school district may enroll in

1 such courses. The school board may establish fees and collect
2 such charges as may be necessary for attendance at such
3 courses in an amount not to exceed the per capita cost of the
4 operation thereof, except that the board may waive all or part
5 of such charges if it determines that the individual is
6 indigent or that the educational needs of the individual
7 requires his or her attendance at such courses.

8 (b) Beginning with the 2019-2020 school year, from
9 appropriations made for the purposes of this Section, the
10 State Board of Education shall implement and administer a
11 7-year ~~3-year~~ pilot program supporting the health and wellness
12 student-learning requirement by utilizing a unit of
13 instruction on parenting education in participating school
14 districts that maintain grades 9 through 12, to be determined
15 by the participating school districts. The program is
16 encouraged to include, but is not be limited to, instruction
17 on (i) family structure, function, and management, (ii) the
18 prevention of child abuse, (iii) the physical, mental,
19 emotional, social, economic, and psychological aspects of
20 interpersonal and family relationships, and (iv) parenting
21 education competency development that is aligned to the social
22 and emotional learning standards of the student's grade level.
23 Instruction under this subsection (b) may be included in the
24 Comprehensive Health Education Program set forth under Section
25 3 of the Critical Health Problems and Comprehensive Health
26 Education Act. The State Board of Education is authorized to

1 make grants to school districts that apply to participate in
2 the pilot program under this subsection (b). The State Board
3 of Education shall by rule provide for the form of the
4 application and criteria to be used and applied in selecting
5 participating urban, suburban, and rural school districts. The
6 provisions of this subsection (b), other than this sentence,
7 are inoperative at the conclusion of the pilot program.

8 (Source: P.A. 100-1043, eff. 8-23-18.)

9 Section 5-100. The School Construction Law is amended by
10 changing Section 5-300 as follows:

11 (105 ILCS 230/5-300)

12 Sec. 5-300. Early childhood construction grants.

13 (a) The Capital Development Board is authorized to make
14 grants to public school districts and not-for-profit entities
15 for early childhood construction projects, except that in
16 fiscal year 2024 those grants may be made only to public school
17 districts. These grants shall be paid out of moneys
18 appropriated for that purpose from the School Construction
19 Fund, the Build Illinois Bond Fund, or the Rebuild Illinois
20 Projects Fund. No grants may be awarded to entities providing
21 services within private residences. A public school district
22 or other eligible entity must provide local matching funds in
23 the following manner:

24 (1) A public school district assigned to Tier 1 under

1 Section 18-8.15 of the School Code or any other eligible
2 entity in an area encompassed by that district must
3 provide local matching funds in an amount equal to 3% of
4 the grant awarded under this Section.

5 (2) A public school district assigned to Tier 2 under
6 Section 18-8.15 of the School Code or any other eligible
7 entity in an area encompassed by that district must
8 provide local matching funds in an amount equal to 7.5% of
9 the grant awarded under this Section.

10 (3) A public school district assigned to Tier 3 under
11 Section 18-8.15 of the School Code or any other eligible
12 entity in an area encompassed by that district must
13 provide local matching funds in an amount equal to 8.75%
14 of the grant awarded under this Section.

15 (4) A public school district assigned to Tier 4 under
16 Section 18-8.15 of the School Code or any other eligible
17 entity in an area encompassed by that district must
18 provide local matching funds in an amount equal to 10% of
19 the grant awarded under this Section.

20 A public school district or other eligible entity has no
21 entitlement to a grant under this Section.

22 (b) The Capital Development Board shall adopt rules to
23 implement this Section. These rules need not be the same as the
24 rules for school construction project grants or school
25 maintenance project grants. The rules may specify:

26 (1) the manner of applying for grants;

- 1 (2) project eligibility requirements;
- 2 (3) restrictions on the use of grant moneys;
- 3 (4) the manner in which school districts and other
4 eligible entities must account for the use of grant
5 moneys;
- 6 (5) requirements that new or improved facilities be
7 used for early childhood and other related programs for a
8 period of at least 10 years; and
- 9 (6) any other provision that the Capital Development
10 Board determines to be necessary or useful for the
11 administration of this Section.

12 (b-5) When grants are made to non-profit corporations for
13 the acquisition or construction of new facilities, the Capital
14 Development Board or any State agency it so designates shall
15 hold title to or place a lien on the facility for a period of
16 10 years after the date of the grant award, after which title
17 to the facility shall be transferred to the non-profit
18 corporation or the lien shall be removed, provided that the
19 non-profit corporation has complied with the terms of its
20 grant agreement. When grants are made to non-profit
21 corporations for the purpose of renovation or rehabilitation,
22 if the non-profit corporation does not comply with item (5) of
23 subsection (b) of this Section, the Capital Development Board
24 or any State agency it so designates shall recover the grant
25 pursuant to the procedures outlined in the Illinois Grant
26 Funds Recovery Act.

1 (c) The Capital Development Board, in consultation with
2 the State Board of Education, shall establish standards for
3 the determination of priority needs concerning early childhood
4 projects based on projects located in communities in the State
5 with the greatest underserved population of young children,
6 utilizing Census data and other reliable local early childhood
7 service data.

8 (d) In each school year in which early childhood
9 construction project grants are awarded, 20% of the total
10 amount awarded shall be awarded to a school district with a
11 population of more than 500,000, provided that the school
12 district complies with the requirements of this Section and
13 the rules adopted under this Section.

14 (Source: P.A. 102-16, eff. 6-17-21.)

15 Section 5-104. The Public Community College Act is amended
16 by changing Section 2-16.02 as follows:

17 (110 ILCS 805/2-16.02) (from Ch. 122, par. 102-16.02)

18 Sec. 2-16.02. Grants. Any community college district that
19 maintains a community college recognized by the State Board
20 shall receive, when eligible, grants enumerated in this
21 Section. Funded semester credit hours or other measures or
22 both as specified by the State Board shall be used to
23 distribute grants to community colleges. Funded semester
24 credit hours shall be defined, for purposes of this Section,

1 as the greater of (1) the number of semester credit hours, or
2 equivalent, in all funded instructional categories of students
3 who have been certified as being in attendance at midterm
4 during the respective terms of the base fiscal year or (2) the
5 average of semester credit hours, or equivalent, in all funded
6 instructional categories of students who have been certified
7 as being in attendance at midterm during the respective terms
8 of the base fiscal year and the 2 prior fiscal years. For
9 purposes of this Section, "base fiscal year" means the fiscal
10 year 2 years prior to the fiscal year for which the grants are
11 appropriated. Such students shall have been residents of
12 Illinois and shall have been enrolled in courses that are part
13 of instructional program categories approved by the State
14 Board and that are applicable toward an associate degree or
15 certificate. Courses that are eligible for reimbursement are
16 those courses for which the district pays 50% or more of the
17 program costs from unrestricted revenue sources, with the
18 exception of dual credit courses and courses offered by
19 contract with the Department of Corrections in correctional
20 institutions. For the purposes of this Section, "unrestricted
21 revenue sources" means those revenues in which the provider of
22 the revenue imposes no financial limitations upon the district
23 as it relates to the expenditure of the funds. Except for
24 Fiscal Year 2012, base operating grants shall be paid based on
25 rates per funded semester credit hour or equivalent calculated
26 by the State Board for funded instructional categories using

1 cost of instruction, enrollment, inflation, and other relevant
2 factors. For Fiscal Year 2012, the allocations for base
3 operating grants to community college districts shall be the
4 same as they were in Fiscal Year 2011, reduced or increased
5 proportionately according to the appropriation for base
6 operating grants for Fiscal Year 2012.

7 Equalization grants shall be calculated by the State Board
8 by determining a local revenue factor for each district by:
9 (A) adding (1) each district's Corporate Personal Property
10 Replacement Fund allocations from the base fiscal year or the
11 average of the base fiscal year and prior year, whichever is
12 less, divided by the applicable statewide average tax rate to
13 (2) the district's most recently audited year's equalized
14 assessed valuation or the average of the most recently audited
15 year and prior year, whichever is less, (B) then dividing by
16 the district's audited full-time equivalent resident students
17 for the base fiscal year or the average for the base fiscal
18 year and the 2 prior fiscal years, whichever is greater, and
19 (C) then multiplying by the applicable statewide average tax
20 rate. The State Board shall calculate a statewide weighted
21 average threshold by applying the same methodology to the
22 totals of all districts' Corporate Personal Property Tax
23 Replacement Fund allocations, equalized assessed valuations,
24 and audited full-time equivalent district resident students
25 and multiplying by the applicable statewide average tax rate.
26 The difference between the statewide weighted average

1 threshold and the local revenue factor, multiplied by the
2 number of full-time equivalent resident students, shall
3 determine the amount of equalization funding that each
4 district is eligible to receive. A percentage factor, as
5 determined by the State Board, may be applied to the statewide
6 threshold as a method for allocating equalization funding. A
7 minimum equalization grant of an amount per district as
8 determined by the State Board shall be established for any
9 community college district which qualifies for an equalization
10 grant based upon the preceding criteria, but becomes
11 ineligible for equalization funding, or would have received a
12 grant of less than the minimum equalization grant, due to
13 threshold prorations applied to reduce equalization funding.
14 As of July 1, 2013, a community college district eligible to
15 receive an equalization grant based upon the preceding
16 criteria must maintain a minimum required combined in-district
17 tuition and universal fee rate per semester credit hour equal
18 to 70% of the State-average combined rate, as determined by
19 the State Board, or the total revenue received by the
20 community college district from combined in-district tuition
21 and universal fees must be at least 30% of the total revenue
22 received by the community college district, as determined by
23 the State Board, for equalization funding. As of July 1, 2004,
24 a community college district must maintain a minimum required
25 operating tax rate equal to at least 95% of its maximum
26 authorized tax rate to qualify for equalization funding. This

1 95% minimum tax rate requirement shall be based upon the
2 maximum operating tax rate as limited by the Property Tax
3 Extension Limitation Law.

4 The State Board shall distribute such other grants as may
5 be authorized or appropriated by the General Assembly. The
6 State Board may adopt any rules necessary for the purposes of
7 implementing and distributing funds pursuant to an authorized
8 or appropriated grant.

9 Each community college district entitled to State grants
10 under this Section must submit a report of its enrollment to
11 the State Board not later than 30 days following the end of
12 each semester or term in a format prescribed by the State
13 Board. These semester credit hours, or equivalent, shall be
14 certified by each district on forms provided by the State
15 Board. Each district's certified semester credit hours, or
16 equivalent, are subject to audit pursuant to Section 3-22.1.

17 The State Board shall certify, prepare, and submit monthly
18 vouchers to the State Comptroller setting forth an amount
19 equal to one-twelfth of the grants approved by the State Board
20 for base operating grants and equalization grants. The State
21 Board shall prepare and submit to the State Comptroller
22 vouchers for payments of other grants as appropriated by the
23 General Assembly. If the amount appropriated for grants is
24 different from the amount provided for such grants under this
25 Act, the grants shall be proportionately reduced or increased
26 accordingly.

1 For the purposes of this Section, "resident student" means
2 a student in a community college district who maintains
3 residency in that district or meets other residency
4 definitions established by the State Board, and who was
5 enrolled either in one of the approved instructional program
6 categories in that district, or in another community college
7 district to which the resident's district is paying tuition
8 under Section 6-2 or with which the resident's district has
9 entered into a cooperative agreement in lieu of such tuition.
10 Students shall be classified as residents of the community
11 college district without meeting the 30-day residency
12 requirement of the district if they are currently residing in
13 the district and are youth (i) who are currently under the
14 legal guardianship of the Illinois Department of Children and
15 Family Services or have recently been emancipated from the
16 Department and (ii) who had previously met the 30-day
17 residency requirement of the district but who had a placement
18 change into a new community college district. The student, a
19 caseworker or other personnel of the Department, or the
20 student's attorney or guardian ad litem appointed under the
21 Juvenile Court Act of 1987 shall provide the district with
22 proof of current in-district residency.

23 For the purposes of this Section, a "full-time equivalent"
24 student is equal to 30 semester credit hours.

25 The Illinois Community College Board Contracts and Grants
26 Fund is hereby created in the State Treasury. Items of income

1 to this fund shall include any grants, awards, endowments, or
2 like proceeds, and where appropriate, other funds made
3 available through contracts with governmental, public, and
4 private agencies or persons. The General Assembly shall from
5 time to time make appropriations payable from such fund for
6 the support, improvement, and expenses of the State Board and
7 Illinois community college districts.

8 (Source: P.A. 99-845, eff. 1-1-17; 100-884, eff. 1-1-19.)

9 Section 5-105. The Higher Education Student Assistance Act
10 is amended by changing Sections 35 and 65.100 as follows:

11 (110 ILCS 947/35)

12 Sec. 35. Monetary award program.

13 (a) The Commission shall, each year, receive and consider
14 applications for grant assistance under this Section. Subject
15 to a separate appropriation for such purposes, an applicant is
16 eligible for a grant under this Section when the Commission
17 finds that the applicant:

18 (1) is a resident of this State and a citizen or
19 permanent resident of the United States;

20 (2) is enrolled or has been accepted for enrollment in
21 a qualified institution for the purpose of obtaining a
22 degree, certificate, or other credential offered by the
23 institution, as applicable; and

24 (3) in the absence of grant assistance, will be

1 deterred by financial considerations from completing an
2 educational program at the qualified institution of his or
3 her choice.

4 (b) The Commission shall award renewals only upon the
5 student's application and upon the Commission's finding that
6 the applicant:

7 (1) has remained a student in good standing;

8 (2) remains a resident of this State; and

9 (3) is in a financial situation that continues to
10 warrant assistance.

11 (c) All grants shall be applicable only to tuition and
12 necessary fee costs. The Commission shall determine the grant
13 amount for each student, which shall not exceed the smallest
14 of the following amounts:

15 (1) subject to appropriation, \$5,468 for fiscal year
16 2009, \$5,968 for fiscal year 2010, \$6,468 for fiscal year
17 2011 and each fiscal year thereafter through fiscal year
18 2022, ~~and~~ \$8,508 for fiscal year 2023, and \$10,896 for
19 fiscal year 2024 and each fiscal year thereafter, or such
20 lesser amount as the Commission finds to be available,
21 during an academic year;

22 (2) the amount which equals 2 semesters or 3 quarters
23 tuition and other necessary fees required generally by the
24 institution of all full-time undergraduate students; or

25 (3) such amount as the Commission finds to be
26 appropriate in view of the applicant's financial

1 resources.

2 Subject to appropriation, the maximum grant amount for
3 students not subject to subdivision (1) of this subsection (c)
4 must be increased by the same percentage as any increase made
5 by law to the maximum grant amount under subdivision (1) of
6 this subsection (c).

7 "Tuition and other necessary fees" as used in this Section
8 include the customary charge for instruction and use of
9 facilities in general, and the additional fixed fees charged
10 for specified purposes, which are required generally of
11 nongrant recipients for each academic period for which the
12 grant applicant actually enrolls, but do not include fees
13 payable only once or breakage fees and other contingent
14 deposits which are refundable in whole or in part. The
15 Commission may prescribe, by rule not inconsistent with this
16 Section, detailed provisions concerning the computation of
17 tuition and other necessary fees.

18 (d) No applicant, including those presently receiving
19 scholarship assistance under this Act, is eligible for
20 monetary award program consideration under this Act after
21 receiving a baccalaureate degree or the equivalent of 135
22 semester credit hours of award payments.

23 (d-5) In this subsection (d-5), "renewing applicant" means
24 a student attending an institution of higher learning who
25 received a Monetary Award Program grant during the prior
26 academic year. Beginning with the processing of applications

1 for the 2020-2021 academic year, the Commission shall annually
2 publish a priority deadline date for renewing applicants.
3 Subject to appropriation, a renewing applicant who files by
4 the published priority deadline date shall receive a grant if
5 he or she continues to meet the eligibility requirements under
6 this Section. A renewing applicant's failure to apply by the
7 priority deadline date established under this subsection (d-5)
8 shall not disqualify him or her from receiving a grant if
9 sufficient funding is available to provide awards after that
10 date.

11 (e) The Commission, in determining the number of grants to
12 be offered, shall take into consideration past experience with
13 the rate of grant funds unclaimed by recipients. The
14 Commission shall notify applicants that grant assistance is
15 contingent upon the availability of appropriated funds.

16 (e-5) The General Assembly finds and declares that it is
17 an important purpose of the Monetary Award Program to
18 facilitate access to college both for students who pursue
19 postsecondary education immediately following high school and
20 for those who pursue postsecondary education later in life,
21 particularly Illinoisans who are dislocated workers with
22 financial need and who are seeking to improve their economic
23 position through education. For the 2015-2016 and 2016-2017
24 academic years, the Commission shall give additional and
25 specific consideration to the needs of dislocated workers with
26 the intent of allowing applicants who are dislocated workers

1 an opportunity to secure financial assistance even if applying
2 later than the general pool of applicants. The Commission's
3 consideration shall include, in determining the number of
4 grants to be offered, an estimate of the resources needed to
5 serve dislocated workers who apply after the Commission
6 initially suspends award announcements for the upcoming
7 regular academic year, but prior to the beginning of that
8 academic year. For the purposes of this subsection (e-5), a
9 dislocated worker is defined as in the federal Workforce
10 Innovation and Opportunity Act.

11 (f) (Blank).

12 (g) The Commission shall determine the eligibility of and
13 make grants to applicants enrolled at qualified for-profit
14 institutions in accordance with the criteria set forth in this
15 Section. The eligibility of applicants enrolled at such
16 for-profit institutions shall be limited as follows:

17 (1) Beginning with the academic year 1997, only to
18 eligible first-time freshmen and first-time transfer
19 students who have attained an associate degree.

20 (2) Beginning with the academic year 1998, only to
21 eligible freshmen students, transfer students who have
22 attained an associate degree, and students who receive a
23 grant under paragraph (1) for the academic year 1997 and
24 whose grants are being renewed for the academic year 1998.

25 (3) Beginning with the academic year 1999, to all
26 eligible students.

1 (h) The Commission may award a grant to an eligible
2 applicant enrolled at an Illinois public institution of higher
3 learning in a program that will culminate in the award of an
4 occupational or career and technical certificate as that term
5 is defined in 23 Ill. Adm. Code 1501.301.

6 (i) The Commission may adopt rules to implement this
7 Section.

8 (Source: P.A. 101-81, eff. 7-12-19; 102-699, eff. 4-19-22.)

9 (110 ILCS 947/65.100)

10 (Section scheduled to be repealed on October 1, 2024)

11 Sec. 65.100. AIM HIGH Grant Pilot Program.

12 (a) The General Assembly makes all of the following
13 findings:

14 (1) Both access and affordability are important
15 aspects of the Illinois Public Agenda for College and
16 Career Success report.

17 (2) This State is in the top quartile with respect to
18 the percentage of family income needed to pay for college.

19 (3) Research suggests that as loan amounts increase,
20 rather than an increase in grant amounts, the probability
21 of college attendance decreases.

22 (4) There is further research indicating that
23 socioeconomic status may affect the willingness of
24 students to use loans to attend college.

25 (5) Strategic use of tuition discounting can decrease

1 the amount of loans that students must use to pay for
2 tuition.

3 (6) A modest, individually tailored tuition discount
4 can make the difference in a student choosing to attend
5 college and enhance college access for low-income and
6 middle-income families.

7 (7) Even if the federally calculated financial need
8 for college attendance is met, the federally determined
9 Expected Family Contribution can still be a daunting
10 amount.

11 (8) This State is the second largest exporter of
12 students in the country.

13 (9) When talented Illinois students attend
14 universities in this State, the State and those
15 universities benefit.

16 (10) State universities in other states have adopted
17 pricing and incentives that allow many Illinois residents
18 to pay less to attend an out-of-state university than to
19 remain in this State for college.

20 (11) Supporting Illinois student attendance at
21 Illinois public universities can assist in State efforts
22 to maintain and educate a highly trained workforce.

23 (12) Modest tuition discounts that are individually
24 targeted and tailored can result in enhanced revenue for
25 public universities.

26 (13) By increasing a public university's capacity to

1 strategically use tuition discounting, the public
2 university will be capable of creating enhanced tuition
3 revenue by increasing enrollment yields.

4 (b) In this Section:

5 "Eligible applicant" means a student from any high school
6 in this State, whether or not recognized by the State Board of
7 Education, who is engaged in a program of study that in due
8 course will be completed by the end of the school year and who
9 meets all of the qualifications and requirements under this
10 Section.

11 "Tuition and other necessary fees" includes the customary
12 charge for instruction and use of facilities in general and
13 the additional fixed fees charged for specified purposes that
14 are required generally of non-grant recipients for each
15 academic period for which the grant applicant actually
16 enrolls, but does not include fees payable only once or
17 breakage fees and other contingent deposits that are
18 refundable in whole or in part. The Commission may adopt, by
19 rule not inconsistent with this Section, detailed provisions
20 concerning the computation of tuition and other necessary
21 fees.

22 (c) Beginning with the 2019-2020 academic year, each
23 public university may establish a merit-based scholarship
24 pilot program known as the AIM HIGH Grant Pilot Program. Each
25 year, the Commission shall receive and consider applications
26 from public universities under this Section. Subject to

1 appropriation and any tuition waiver limitation established by
2 the Board of Higher Education, a public university campus may
3 award a grant to a student under this Section if it finds that
4 the applicant meets all of the following criteria:

5 (1) He or she is a resident of this State and a citizen
6 or eligible noncitizen of the United States.

7 (2) He or she files a Free Application for Federal
8 Student Aid and demonstrates financial need with a
9 household income no greater than 8 ~~6~~ times the poverty
10 guidelines updated periodically in the Federal Register by
11 the U.S. Department of Health and Human Services under the
12 authority of 42 U.S.C. 9902(2). The household income of
13 the applicant at the time of initial application shall be
14 deemed to be the household income of the applicant for the
15 duration of the pilot program.

16 (3) He or she meets the minimum cumulative grade point
17 average or ACT or SAT college admissions test score, as
18 determined by the public university campus.

19 (4) He or she is enrolled in a public university as an
20 undergraduate student on a full-time basis.

21 (5) He or she has not yet received a baccalaureate
22 degree or the equivalent of 135 semester credit hours.

23 (6) He or she is not incarcerated.

24 (7) He or she is not in default on any student loan or
25 does not owe a refund or repayment on any State or federal
26 grant or scholarship.

1 (8) Any other reasonable criteria, as determined by
2 the public university campus.

3 (d) Each public university campus shall determine grant
4 renewal criteria consistent with the requirements under this
5 Section.

6 (e) Each participating public university campus shall post
7 on its Internet website criteria and eligibility requirements
8 for receiving awards that use funds under this Section that
9 include a range in the sizes of these individual awards. The
10 criteria and amounts must also be reported to the Commission
11 and the Board of Higher Education, who shall post the
12 information on their respective Internet websites.

13 (f) After enactment of an appropriation for this Program,
14 the Commission shall determine an allocation of funds to each
15 public university in an amount proportionate to the number of
16 undergraduate students who are residents of this State and
17 citizens or eligible noncitizens of the United States and who
18 were enrolled at each public university campus in the previous
19 academic year. All applications must be made to the Commission
20 on or before a date determined by the Commission and on forms
21 that the Commission shall provide to each public university
22 campus. The form of the application and the information
23 required shall be determined by the Commission and shall
24 include, without limitation, the total public university
25 campus funds used to match funds received from the Commission
26 in the previous academic year under this Section, if any, the

1 total enrollment of undergraduate students who are residents
2 of this State from the previous academic year, and any
3 supporting documents as the Commission deems necessary. Each
4 public university campus shall match the amount of funds
5 received by the Commission with financial aid for eligible
6 students.

7 A public university in which an average of at least 49% of
8 the students seeking a bachelor's degree or certificate
9 received a Pell Grant over the prior 3 academic years, as
10 reported to the Commission, shall match 20% of the amount of
11 funds awarded in a given academic year with non-loan financial
12 aid for eligible students. A public university in which an
13 average of less than 49% of the students seeking a bachelor's
14 degree or certificate received a Pell Grant over the prior 3
15 academic years, as reported to the Commission, shall match 60%
16 of the amount of funds awarded in a given academic year with
17 non-loan financial aid for eligible students.

18 A public university campus is not required to claim its
19 entire allocation. The Commission shall make available to all
20 public universities, on a date determined by the Commission,
21 any unclaimed funds and the funds must be made available to
22 those public university campuses in the proportion determined
23 under this subsection (f), excluding from the calculation
24 those public university campuses not claiming their full
25 allocations.

26 Each public university campus may determine the award

1 amounts for eligible students on an individual or broad basis,
2 but, subject to renewal eligibility, each renewed award may
3 not be less than the amount awarded to the eligible student in
4 his or her first year attending the public university campus.
5 Notwithstanding this limitation, a renewal grant may be
6 reduced due to changes in the student's cost of attendance,
7 including, but not limited to, if a student reduces the number
8 of credit hours in which he or she is enrolled, but remains a
9 full-time student, or switches to a course of study with a
10 lower tuition rate.

11 An eligible applicant awarded grant assistance under this
12 Section is eligible to receive other financial aid. Total
13 grant aid to the student from all sources may not exceed the
14 total cost of attendance at the public university campus.

15 (g) All money allocated to a public university campus
16 under this Section may be used only for financial aid purposes
17 for students attending the public university campus during the
18 academic year, not including summer terms. Notwithstanding any
19 other provision of law to the contrary, any funds received by a
20 public university campus under this Section that are not
21 granted to students in the academic year for which the funds
22 are received may be retained by the public university campus
23 for expenditure on students participating in the Program or
24 students eligible to participate in the Program.

25 (h) Each public university campus that establishes a
26 Program under this Section must annually report to the

1 Commission, on or before a date determined by the Commission,
2 the number of undergraduate students enrolled at that campus
3 who are residents of this State.

4 (i) Each public university campus must report to the
5 Commission the total non-loan financial aid amount given by
6 the public university campus to undergraduate students in the
7 2017-2018 academic year, not including the summer term. To be
8 eligible to receive funds under the Program, a public
9 university campus may not decrease the total amount of
10 non-loan financial aid it gives to undergraduate students, not
11 including any funds received from the Commission under this
12 Section or any funds used to match grant awards under this
13 Section, to an amount lower than the reported amount for the
14 2017-2018 academic year, not including the summer term.

15 (j) On or before a date determined by the Commission, each
16 public university campus that participates in the Program
17 under this Section shall annually submit a report to the
18 Commission with all of the following information:

19 (1) The Program's impact on tuition revenue and
20 enrollment goals and increase in access and affordability
21 at the public university campus.

22 (2) Total funds received by the public university
23 campus under the Program.

24 (3) Total non-loan financial aid awarded to
25 undergraduate students attending the public university
26 campus.

1 (4) Total amount of funds matched by the public
2 university campus.

3 (5) Total amount of claimed and unexpended funds
4 retained by the public university campus.

5 (6) The percentage of total financial aid distributed
6 under the Program by the public university campus.

7 (7) The total number of students receiving grants from
8 the public university campus under the Program and those
9 students' grade level, race, gender, income level, family
10 size, Monetary Award Program eligibility, Pell Grant
11 eligibility, and zip code of residence and the amount of
12 each grant award. This information shall include unit
13 record data on those students regarding variables
14 associated with the parameters of the public university's
15 Program, including, but not limited to, a student's ACT or
16 SAT college admissions test score, high school or
17 university cumulative grade point average, or program of
18 study.

19 On or before October 1, 2020 and annually on or before
20 October 1 thereafter, the Commission shall submit a report
21 with the findings under this subsection (j) and any other
22 information regarding the AIM HIGH Grant Pilot Program to (i)
23 the Governor, (ii) the Speaker of the House of
24 Representatives, (iii) the Minority Leader of the House of
25 Representatives, (iv) the President of the Senate, and (v) the
26 Minority Leader of the Senate. The reports to the General

1 Assembly shall be filed with the Clerk of the House of
2 Representatives and the Secretary of the Senate in electronic
3 form only, in the manner that the Clerk and the Secretary shall
4 direct. The Commission's report may not disaggregate data to a
5 level that may disclose personally identifying information of
6 individual students.

7 The sharing and reporting of student data under this
8 subsection (j) must be in accordance with the requirements
9 under the federal Family Educational Rights and Privacy Act of
10 1974 and the Illinois School Student Records Act. All parties
11 must preserve the confidentiality of the information as
12 required by law. The names of the grant recipients under this
13 Section are not subject to disclosure under the Freedom of
14 Information Act.

15 Public university campuses that fail to submit a report
16 under this subsection (j) or that fail to adhere to any other
17 requirements under this Section may not be eligible for
18 distribution of funds under the Program for the next academic
19 year, but may be eligible for distribution of funds for each
20 academic year thereafter.

21 (k) The Commission shall adopt rules to implement this
22 Section.

23 (l) This Section is repealed on October 1, 2024.

24 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;
25 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19; 101-613, eff.
26 6-1-20; 101-643, eff. 6-18-20; 101-654, eff. 3-8-21.)

1 Section 5-110. If and only if House Bill 2041 of the 103rd
2 General Assembly becomes law, then the Private College Act is
3 amended by adding Section 14.12 as follows:

4 (110 ILCS 1005/14.12 new)

5 Sec. 14.12. Transfer of Fund Balance. On the effective
6 date of this Section, or as soon thereafter as practical, the
7 State Comptroller shall direct and the State Treasurer shall
8 transfer the remaining balance from the Private College
9 Academic Quality Assurance Fund into the Academic Quality
10 Assurance Fund. Upon completion of the transfer, the Private
11 College Academic Quality Assurance Fund is dissolved, and any
12 future deposits due to that Fund and any outstanding
13 obligations or liabilities of that Fund pass to the Academic
14 Quality Assurance Fund. This Section is repealed on January 1,
15 2024.

16 Section 5-120. The Illinois Health Benefits Exchange Law
17 is amended by adding Section 5-30 as follows:

18 (215 ILCS 122/5-30 new)

19 Sec. 5-30. Transfers from Insurance Producer
20 Administration Fund. During fiscal year 2024 only, at the
21 direction of and upon notification from the Director of
22 Insurance, the State Comptroller shall direct and the State

1 Treasurer shall transfer up to a total of \$10,000,000 from the
2 Insurance Producer Administration Fund to the Illinois Health
3 Benefits Exchange Fund. This Section is repealed on January 1,
4 2025.

5 Section 5-121. The Auction License Act is amended by
6 changing Section 10-50 as follows:

7 (225 ILCS 407/10-50)

8 (Section scheduled to be repealed on January 1, 2030)

9 Sec. 10-50. Fees; disposition of funds.

10 (a) The Department shall establish by rule a schedule of
11 fees for the administration and maintenance of this Act. Such
12 fees shall be nonrefundable.

13 (b) Prior to July 1, 2023, all fees collected under this
14 Act shall be deposited into the General Professions Dedicated
15 Fund and appropriated to the Department for the ordinary and
16 contingent expenses of the Department in the administration of
17 this Act. Beginning on July 1, 2023, all fees, fines,
18 penalties, or other monies received or collected pursuant to
19 this Act shall be deposited in the Division of Real Estate
20 General Fund. On or after July 1, 2023, at the direction of the
21 Department, the Comptroller shall direct and the Treasurer
22 shall transfer the remaining balance of funds collected under
23 this Act from the General Professions Dedicated Fund to the
24 Division of Real Estate General Fund.

1 (Source: P.A. 102-970, eff. 5-27-22.)

2 Section 5-123. The Illinois Horse Racing Act of 1975 is
3 amended by changing Sections 30 and 31 as follows:

4 (230 ILCS 5/30) (from Ch. 8, par. 37-30)

5 Sec. 30. (a) The General Assembly declares that it is the
6 policy of this State to encourage the breeding of thoroughbred
7 horses in this State and the ownership of such horses by
8 residents of this State in order to provide for: sufficient
9 numbers of high quality thoroughbred horses to participate in
10 thoroughbred racing meetings in this State, and to establish
11 and preserve the agricultural and commercial benefits of such
12 breeding and racing industries to the State of Illinois. It is
13 the intent of the General Assembly to further this policy by
14 the provisions of this Act.

15 (b) Each organization licensee conducting a thoroughbred
16 racing meeting pursuant to this Act shall provide at least two
17 races each day limited to Illinois conceived and foaled horses
18 or Illinois foaled horses or both. A minimum of 6 races shall
19 be conducted each week limited to Illinois conceived and
20 foaled or Illinois foaled horses or both. No horses shall be
21 permitted to start in such races unless duly registered under
22 the rules of the Department of Agriculture.

23 (c) Conditions of races under subsection (b) shall be
24 commensurate with past performance, quality, and class of

1 Illinois conceived and foaled and Illinois foaled horses
2 available. If, however, sufficient competition cannot be had
3 among horses of that class on any day, the races may, with
4 consent of the Board, be eliminated for that day and
5 substitute races provided.

6 (d) There is hereby created a special fund of the State
7 Treasury to be known as the Illinois Thoroughbred Breeders
8 Fund.

9 Beginning on June 28, 2019 (the effective date of Public
10 Act 101-31) ~~this amendatory Act of the 101st General Assembly,~~
11 the Illinois Thoroughbred Breeders Fund shall become a
12 non-appropriated trust fund held separate from State moneys.
13 Expenditures from this Fund shall no longer be subject to
14 appropriation.

15 Except as provided in subsection (g) of Section 27 of this
16 Act, 8.5% of all the monies received by the State as privilege
17 taxes on Thoroughbred racing meetings shall be paid into the
18 Illinois Thoroughbred Breeders Fund.

19 Notwithstanding any provision of law to the contrary,
20 amounts deposited into the Illinois Thoroughbred Breeders Fund
21 from revenues generated by gaming pursuant to an organization
22 gaming license issued under the Illinois Gambling Act after
23 June 28, 2019 (the effective date of Public Act 101-31) ~~this~~
24 ~~amendatory Act of the 101st General Assembly~~ shall be in
25 addition to tax and fee amounts paid under this Section for
26 calendar year 2019 and thereafter.

1 (e) The Illinois Thoroughbred Breeders Fund shall be
2 administered by the Department of Agriculture with the advice
3 and assistance of the Advisory Board created in subsection (f)
4 of this Section.

5 (f) The Illinois Thoroughbred Breeders Fund Advisory Board
6 shall consist of the Director of the Department of
7 Agriculture, who shall serve as Chairman; a member of the
8 Illinois Racing Board, designated by it; 2 representatives of
9 the organization licensees conducting thoroughbred racing
10 meetings, recommended by them; 2 representatives of the
11 Illinois Thoroughbred Breeders and Owners Foundation,
12 recommended by it; one representative of the Horsemen's
13 Benevolent Protective Association; and one representative from
14 the Illinois Thoroughbred Horsemen's Association. Advisory
15 Board members shall serve for 2 years commencing January 1 of
16 each odd numbered year. If representatives of the organization
17 licensees conducting thoroughbred racing meetings, the
18 Illinois Thoroughbred Breeders and Owners Foundation, the
19 Horsemen's Benevolent Protection Association, and the Illinois
20 Thoroughbred Horsemen's Association have not been recommended
21 by January 1, of each odd numbered year, the Director of the
22 Department of Agriculture shall make an appointment for the
23 organization failing to so recommend a member of the Advisory
24 Board. Advisory Board members shall receive no compensation
25 for their services as members but shall be reimbursed for all
26 actual and necessary expenses and disbursements incurred in

1 the execution of their official duties.

2 (g) Monies expended from the Illinois Thoroughbred
3 Breeders Fund shall be expended by the Department of
4 Agriculture, with the advice and assistance of the Illinois
5 Thoroughbred Breeders Fund Advisory Board, for the following
6 purposes only:

7 (1) To provide purse supplements to owners of horses
8 participating in races limited to Illinois conceived and
9 foaled and Illinois foaled horses. Any such purse
10 supplements shall not be included in and shall be paid in
11 addition to any purses, stakes, or breeders' awards
12 offered by each organization licensee as determined by
13 agreement between such organization licensee and an
14 organization representing the horsemen. No monies from the
15 Illinois Thoroughbred Breeders Fund shall be used to
16 provide purse supplements for claiming races in which the
17 minimum claiming price is less than \$7,500.

18 (2) To provide stakes and awards to be paid to the
19 owners of the winning horses in certain races limited to
20 Illinois conceived and foaled and Illinois foaled horses
21 designated as stakes races.

22 (2.5) To provide an award to the owner or owners of an
23 Illinois conceived and foaled or Illinois foaled horse
24 that wins a maiden special weight, an allowance, overnight
25 handicap race, or claiming race with claiming price of
26 \$10,000 or more providing the race is not restricted to

1 Illinois conceived and foaled or Illinois foaled horses.
2 Awards shall also be provided to the owner or owners of
3 Illinois conceived and foaled and Illinois foaled horses
4 that place second or third in those races. To the extent
5 that additional moneys are required to pay the minimum
6 additional awards of 40% of the purse the horse earns for
7 placing first, second or third in those races for Illinois
8 foaled horses and of 60% of the purse the horse earns for
9 placing first, second or third in those races for Illinois
10 conceived and foaled horses, those moneys shall be
11 provided from the purse account at the track where earned.

12 (3) To provide stallion awards to the owner or owners
13 of any stallion that is duly registered with the Illinois
14 Thoroughbred Breeders Fund Program whose duly registered
15 Illinois conceived and foaled offspring wins a race
16 conducted at an Illinois thoroughbred racing meeting other
17 than a claiming race, provided that the stallion stood
18 service within Illinois at the time the offspring was
19 conceived and that the stallion did not stand for service
20 outside of Illinois at any time during the year in which
21 the offspring was conceived.

22 (4) To provide \$75,000 annually for purses to be
23 distributed to county fairs that provide for the running
24 of races during each county fair exclusively for the
25 thoroughbreds conceived and foaled in Illinois. The
26 conditions of the races shall be developed by the county

1 fair association and reviewed by the Department with the
2 advice and assistance of the Illinois Thoroughbred
3 Breeders Fund Advisory Board. There shall be no wagering
4 of any kind on the running of Illinois conceived and
5 foaled races at county fairs.

6 (4.1) To provide purse money for an Illinois stallion
7 stakes program.

8 (5) No less than 90% of all monies expended from the
9 Illinois Thoroughbred Breeders Fund shall be expended for
10 the purposes in (1), (2), (2.5), (3), (4), (4.1), and (5)
11 as shown above.

12 (6) To provide for educational programs regarding the
13 thoroughbred breeding industry.

14 (7) To provide for research programs concerning the
15 health, development and care of the thoroughbred horse.

16 (8) To provide for a scholarship and training program
17 for students of equine veterinary medicine.

18 (9) To provide for dissemination of public information
19 designed to promote the breeding of thoroughbred horses in
20 Illinois.

21 (10) To provide for all expenses incurred in the
22 administration of the Illinois Thoroughbred Breeders Fund.

23 (h) The Illinois Thoroughbred Breeders Fund is not subject
24 to administrative charges or chargebacks, including, but not
25 limited to, those authorized under Section 8h of the State
26 Finance Act.

1 (i) A sum equal to 13% of the first prize money of every
2 purse won by an Illinois foaled or Illinois conceived and
3 foaled horse in races not limited to Illinois foaled horses or
4 Illinois conceived and foaled horses, or both, shall be paid
5 by the organization licensee conducting the horse race
6 meeting. Such sum shall be paid 50% from the organization
7 licensee's share of the money wagered and 50% from the purse
8 account as follows: 11 1/2% to the breeder of the winning horse
9 and 1 1/2% to the organization representing thoroughbred
10 breeders and owners who representative serves on the Illinois
11 Thoroughbred Breeders Fund Advisory Board for verifying the
12 amounts of breeders' awards earned, ensuring their
13 distribution in accordance with this Act, and servicing and
14 promoting the Illinois thoroughbred horse racing industry.
15 Beginning in the calendar year in which an organization
16 licensee that is eligible to receive payments under paragraph
17 (13) of subsection (g) of Section 26 of this Act begins to
18 receive funds from gaming pursuant to an organization gaming
19 license issued under the Illinois Gambling Act, a sum equal to
20 21 1/2% of the first prize money of every purse won by an
21 Illinois foaled or an Illinois conceived and foaled horse in
22 races not limited to an Illinois conceived and foaled horse,
23 or both, shall be paid 30% from the organization licensee's
24 account and 70% from the purse account as follows: 20% to the
25 breeder of the winning horse and 1 1/2% to the organization
26 representing thoroughbred breeders and owners whose

1 representatives serve on the Illinois Thoroughbred Breeders
2 Fund Advisory Board for verifying the amounts of breeders'
3 awards earned, ensuring their distribution in accordance with
4 this Act, and servicing and promoting the Illinois
5 Thoroughbred racing industry. The organization representing
6 thoroughbred breeders and owners shall cause all expenditures
7 of monies received under this subsection (i) to be audited at
8 least annually by a registered public accountant. The
9 organization shall file copies of each annual audit with the
10 Racing Board, the Clerk of the House of Representatives and
11 the Secretary of the Senate, and shall make copies of each
12 annual audit available to the public upon request and upon
13 payment of the reasonable cost of photocopying the requested
14 number of copies. Such payments shall not reduce any award to
15 the owner of the horse or reduce the taxes payable under this
16 Act. Upon completion of its racing meet, each organization
17 licensee shall deliver to the organization representing
18 thoroughbred breeders and owners whose representative serves
19 on the Illinois Thoroughbred Breeders Fund Advisory Board a
20 listing of all the Illinois foaled and the Illinois conceived
21 and foaled horses which won breeders' awards and the amount of
22 such breeders' awards under this subsection to verify accuracy
23 of payments and assure proper distribution of breeders' awards
24 in accordance with the provisions of this Act. Such payments
25 shall be delivered by the organization licensee within 30 days
26 of the end of each race meeting.

1 (j) A sum equal to 13% of the first prize money won in
2 every race limited to Illinois foaled horses or Illinois
3 conceived and foaled horses, or both, shall be paid in the
4 following manner by the organization licensee conducting the
5 horse race meeting, 50% from the organization licensee's share
6 of the money wagered and 50% from the purse account as follows:
7 11 1/2% to the breeders of the horses in each such race which
8 are the official first, second, third, and fourth finishers
9 and 1 1/2% to the organization representing thoroughbred
10 breeders and owners whose representatives serve on the
11 Illinois Thoroughbred Breeders Fund Advisory Board for
12 verifying the amounts of breeders' awards earned, ensuring
13 their proper distribution in accordance with this Act, and
14 servicing and promoting the Illinois horse racing industry.
15 Beginning in the calendar year in which an organization
16 licensee that is eligible to receive payments under paragraph
17 (13) of subsection (g) of Section 26 of this Act begins to
18 receive funds from gaming pursuant to an organization gaming
19 license issued under the Illinois Gambling Act, a sum of 21
20 1/2% of every purse in a race limited to Illinois foaled horses
21 or Illinois conceived and foaled horses, or both, shall be
22 paid by the organization licensee conducting the horse race
23 meeting. Such sum shall be paid 30% from the organization
24 licensee's account and 70% from the purse account as follows:
25 20% to the breeders of the horses in each such race who are
26 official first, second, third and fourth finishers and 1 1/2%

1 to the organization representing thoroughbred breeders and
2 owners whose representatives serve on the Illinois
3 Thoroughbred Breeders Fund Advisory Board for verifying the
4 amounts of breeders' awards earned, ensuring their proper
5 distribution in accordance with this Act, and servicing and
6 promoting the Illinois thoroughbred horse racing industry. The
7 organization representing thoroughbred breeders and owners
8 shall cause all expenditures of moneys received under this
9 subsection (j) to be audited at least annually by a registered
10 public accountant. The organization shall file copies of each
11 annual audit with the Racing Board, the Clerk of the House of
12 Representatives and the Secretary of the Senate, and shall
13 make copies of each annual audit available to the public upon
14 request and upon payment of the reasonable cost of
15 photocopying the requested number of copies. The copies of the
16 audit to the General Assembly shall be filed with the Clerk of
17 the House of Representatives and the Secretary of the Senate
18 in electronic form only, in the manner that the Clerk and the
19 Secretary shall direct.

20 The amounts paid to the breeders in accordance with this
21 subsection shall be distributed as follows:

22 (1) 60% of such sum shall be paid to the breeder of the
23 horse which finishes in the official first position;

24 (2) 20% of such sum shall be paid to the breeder of the
25 horse which finishes in the official second position;

26 (3) 15% of such sum shall be paid to the breeder of the

1 horse which finishes in the official third position; and

2 (4) 5% of such sum shall be paid to the breeder of the
3 horse which finishes in the official fourth position.

4 Such payments shall not reduce any award to the owners of a
5 horse or reduce the taxes payable under this Act. Upon
6 completion of its racing meet, each organization licensee
7 shall deliver to the organization representing thoroughbred
8 breeders and owners whose representative serves on the
9 Illinois Thoroughbred Breeders Fund Advisory Board a listing
10 of all the Illinois foaled and the Illinois conceived and
11 foaled horses which won breeders' awards and the amount of
12 such breeders' awards in accordance with the provisions of
13 this Act. Such payments shall be delivered by the organization
14 licensee within 30 days of the end of each race meeting.

15 (k) The term "breeder", as used herein, means the owner of
16 the mare at the time the foal is dropped. An "Illinois foaled
17 horse" is a foal dropped by a mare which enters this State on
18 or before December 1, in the year in which the horse is bred,
19 provided the mare remains continuously in this State until its
20 foal is born. An "Illinois foaled horse" also means a foal born
21 of a mare in the same year as the mare enters this State on or
22 before March 1, and remains in this State at least 30 days
23 after foaling, is bred back during the season of the foaling to
24 an Illinois Registered Stallion (unless a veterinarian
25 certifies that the mare should not be bred for health
26 reasons), and is not bred to a stallion standing in any other

1 state during the season of foaling. An "Illinois foaled horse"
2 also means a foal born in Illinois of a mare purchased at
3 public auction subsequent to the mare entering this State on
4 or before March 1 of the foaling year providing the mare is
5 owned solely by one or more Illinois residents or an Illinois
6 entity that is entirely owned by one or more Illinois
7 residents.

8 (1) The Department of Agriculture shall, by rule, with the
9 advice and assistance of the Illinois Thoroughbred Breeders
10 Fund Advisory Board:

11 (1) Qualify stallions for Illinois breeding; such
12 stallions to stand for service within the State of
13 Illinois at the time of a foal's conception. Such stallion
14 must not stand for service at any place outside the State
15 of Illinois during the calendar year in which the foal is
16 conceived. The Department of Agriculture may assess and
17 collect an application fee of up to \$500 for the
18 registration of Illinois-eligible stallions. All fees
19 collected are to be held in trust accounts for the
20 purposes set forth in this Act and in accordance with
21 Section 205-15 of the Department of Agriculture Law.

22 (2) Provide for the registration of Illinois conceived
23 and foaled horses and Illinois foaled horses. No such
24 horse shall compete in the races limited to Illinois
25 conceived and foaled horses or Illinois foaled horses or
26 both unless registered with the Department of Agriculture.

1 The Department of Agriculture may prescribe such forms as
2 are necessary to determine the eligibility of such horses.
3 The Department of Agriculture may assess and collect
4 application fees for the registration of Illinois-eligible
5 foals. All fees collected are to be held in trust accounts
6 for the purposes set forth in this Act and in accordance
7 with Section 205-15 of the Department of Agriculture Law.
8 No person shall knowingly prepare or cause preparation of
9 an application for registration of such foals containing
10 false information.

11 (m) The Department of Agriculture, with the advice and
12 assistance of the Illinois Thoroughbred Breeders Fund Advisory
13 Board, shall provide that certain races limited to Illinois
14 conceived and foaled and Illinois foaled horses be stakes
15 races and determine the total amount of stakes and awards to be
16 paid to the owners of the winning horses in such races.

17 In determining the stakes races and the amount of awards
18 for such races, the Department of Agriculture shall consider
19 factors, including but not limited to, the amount of money
20 transferred into ~~appropriated for~~ the Illinois Thoroughbred
21 Breeders Fund ~~program~~, organization licensees' contributions,
22 availability of stakes caliber horses as demonstrated by past
23 performances, whether the race can be coordinated into the
24 proposed racing dates within organization licensees' racing
25 dates, opportunity for colts and fillies and various age
26 groups to race, public wagering on such races, and the

1 previous racing schedule.

2 (n) The Board and the organization licensee shall notify
3 the Department of the conditions and minimum purses for races
4 limited to Illinois conceived and foaled and Illinois foaled
5 horses conducted for each organization licensee conducting a
6 thoroughbred racing meeting. The Department of Agriculture
7 with the advice and assistance of the Illinois Thoroughbred
8 Breeders Fund Advisory Board may allocate monies for purse
9 supplements for such races. In determining whether to allocate
10 money and the amount, the Department of Agriculture shall
11 consider factors, including but not limited to, the amount of
12 money transferred into ~~appropriated for~~ the Illinois
13 Thoroughbred Breeders Fund ~~program~~, the number of races that
14 may occur, and the organization licensee's purse structure.

15 (o) (Blank).

16 (Source: P.A. 101-31, eff. 6-28-19.)

17 (230 ILCS 5/31) (from Ch. 8, par. 37-31)

18 Sec. 31. (a) The General Assembly declares that it is the
19 policy of this State to encourage the breeding of standardbred
20 horses in this State and the ownership of such horses by
21 residents of this State in order to provide for: sufficient
22 numbers of high quality standardbred horses to participate in
23 harness racing meetings in this State, and to establish and
24 preserve the agricultural and commercial benefits of such
25 breeding and racing industries to the State of Illinois. It is

1 the intent of the General Assembly to further this policy by
2 the provisions of this Section of this Act.

3 (b) Each organization licensee conducting a harness racing
4 meeting pursuant to this Act shall provide for at least two
5 races each race program limited to Illinois conceived and
6 foaled horses. A minimum of 6 races shall be conducted each
7 week limited to Illinois conceived and foaled horses. No
8 horses shall be permitted to start in such races unless duly
9 registered under the rules of the Department of Agriculture.

10 (b-5) Organization licensees, not including the Illinois
11 State Fair or the DuQuoin State Fair, shall provide stake
12 races and early closer races for Illinois conceived and foaled
13 horses so that purses distributed for such races shall be no
14 less than 17% of total purses distributed for harness racing
15 in that calendar year in addition to any stakes payments and
16 starting fees contributed by horse owners.

17 (b-10) Each organization licensee conducting a harness
18 racing meeting pursuant to this Act shall provide an owner
19 award to be paid from the purse account equal to 12% of the
20 amount earned by Illinois conceived and foaled horses
21 finishing in the first 3 positions in races that are not
22 restricted to Illinois conceived and foaled horses. The owner
23 awards shall not be paid on races below the \$10,000 claiming
24 class.

25 (c) Conditions of races under subsection (b) shall be
26 commensurate with past performance, quality and class of

1 Illinois conceived and foaled horses available. If, however,
2 sufficient competition cannot be had among horses of that
3 class on any day, the races may, with consent of the Board, be
4 eliminated for that day and substitute races provided.

5 (d) There is hereby created a special fund of the State
6 Treasury to be known as the Illinois Standardbred Breeders
7 Fund. Beginning on June 28, 2019 (the effective date of Public
8 Act 101-31), the Illinois Standardbred Breeders Fund shall
9 become a non-appropriated trust fund held separate and apart
10 from State moneys. Expenditures from this Fund shall no longer
11 be subject to appropriation.

12 During the calendar year 1981, and each year thereafter,
13 except as provided in subsection (g) of Section 27 of this Act,
14 eight and one-half per cent of all the monies received by the
15 State as privilege taxes on harness racing meetings shall be
16 paid into the Illinois Standardbred Breeders Fund.

17 (e) Notwithstanding any provision of law to the contrary,
18 amounts deposited into the Illinois Standardbred Breeders Fund
19 from revenues generated by gaming pursuant to an organization
20 gaming license issued under the Illinois Gambling Act after
21 June 28, 2019 (the effective date of Public Act 101-31) shall
22 be in addition to tax and fee amounts paid under this Section
23 for calendar year 2019 and thereafter. The Illinois
24 Standardbred Breeders Fund shall be administered by the
25 Department of Agriculture with the assistance and advice of
26 the Advisory Board created in subsection (f) of this Section.

1 (f) The Illinois Standardbred Breeders Fund Advisory Board
2 is hereby created. The Advisory Board shall consist of the
3 Director of the Department of Agriculture, who shall serve as
4 Chairman; the Superintendent of the Illinois State Fair; a
5 member of the Illinois Racing Board, designated by it; a
6 representative of the largest association of Illinois
7 standardbred owners and breeders, recommended by it; a
8 representative of a statewide association representing
9 agricultural fairs in Illinois, recommended by it, such
10 representative to be from a fair at which Illinois conceived
11 and foaled racing is conducted; a representative of the
12 organization licensees conducting harness racing meetings,
13 recommended by them; a representative of the Breeder's
14 Committee of the association representing the largest number
15 of standardbred owners, breeders, trainers, caretakers, and
16 drivers, recommended by it; and a representative of the
17 association representing the largest number of standardbred
18 owners, breeders, trainers, caretakers, and drivers,
19 recommended by it. Advisory Board members shall serve for 2
20 years commencing January 1 of each odd numbered year. If
21 representatives of the largest association of Illinois
22 standardbred owners and breeders, a statewide association of
23 agricultural fairs in Illinois, the association representing
24 the largest number of standardbred owners, breeders, trainers,
25 caretakers, and drivers, a member of the Breeder's Committee
26 of the association representing the largest number of

1 standardbred owners, breeders, trainers, caretakers, and
2 drivers, and the organization licensees conducting harness
3 racing meetings have not been recommended by January 1 of each
4 odd numbered year, the Director of the Department of
5 Agriculture shall make an appointment for the organization
6 failing to so recommend a member of the Advisory Board.
7 Advisory Board members shall receive no compensation for their
8 services as members but shall be reimbursed for all actual and
9 necessary expenses and disbursements incurred in the execution
10 of their official duties.

11 (g) Monies expended from the Illinois Standardbred
12 Breeders Fund shall be expended by the Department of
13 Agriculture, with the assistance and advice of the Illinois
14 Standardbred Breeders Fund Advisory Board for the following
15 purposes only:

16 1. To provide purses for races limited to Illinois
17 conceived and foaled horses at the State Fair and the
18 DuQuoin State Fair.

19 2. To provide purses for races limited to Illinois
20 conceived and foaled horses at county fairs.

21 3. To provide purse supplements for races limited to
22 Illinois conceived and foaled horses conducted by
23 associations conducting harness racing meetings.

24 4. No less than 75% of all monies in the Illinois
25 Standardbred Breeders Fund shall be expended for purses in
26 1, 2, and 3 as shown above.

1 5. In the discretion of the Department of Agriculture
2 to provide awards to harness breeders of Illinois
3 conceived and foaled horses which win races conducted by
4 organization licensees conducting harness racing meetings.
5 A breeder is the owner of a mare at the time of conception.
6 No more than 10% of all moneys transferred into ~~monies~~
7 ~~appropriated from~~ the Illinois Standardbred Breeders Fund
8 shall be expended for such harness breeders awards. No
9 more than 25% of the amount expended for harness breeders
10 awards shall be expended for expenses incurred in the
11 administration of such harness breeders awards.

12 6. To pay for the improvement of racing facilities
13 located at the State Fair and County fairs.

14 7. To pay the expenses incurred in the administration
15 of the Illinois Standardbred Breeders Fund.

16 8. To promote the sport of harness racing, including
17 grants up to a maximum of \$7,500 per fair per year for
18 conducting pari-mutuel wagering during the advertised
19 dates of a county fair.

20 9. To pay up to \$50,000 annually for the Department of
21 Agriculture to conduct drug testing at county fairs racing
22 standardbred horses.

23 (h) The Illinois Standardbred Breeders Fund is not subject
24 to administrative charges or chargebacks, including, but not
25 limited to, those authorized under Section 8h of the State
26 Finance Act.

1 (i) A sum equal to 13% of the first prize money of the
2 gross purse won by an Illinois conceived and foaled horse
3 shall be paid 50% by the organization licensee conducting the
4 horse race meeting to the breeder of such winning horse from
5 the organization licensee's account and 50% from the purse
6 account of the licensee. Such payment shall not reduce any
7 award to the owner of the horse or reduce the taxes payable
8 under this Act. Such payment shall be delivered by the
9 organization licensee at the end of each quarter.

10 (j) The Department of Agriculture shall, by rule, with the
11 assistance and advice of the Illinois Standardbred Breeders
12 Fund Advisory Board:

13 1. Qualify stallions for Illinois Standardbred
14 Breeders Fund breeding. Such stallion shall stand for
15 service at and within the State of Illinois at the time of
16 a foal's conception, and such stallion must not stand for
17 service at any place outside the State of Illinois during
18 that calendar year in which the foal is conceived.
19 However, on and after January 1, 2018, semen from an
20 Illinois stallion may be transported outside the State of
21 Illinois.

22 2. Provide for the registration of Illinois conceived
23 and foaled horses and no such horse shall compete in the
24 races limited to Illinois conceived and foaled horses
25 unless registered with the Department of Agriculture. The
26 Department of Agriculture may prescribe such forms as may

1 be necessary to determine the eligibility of such horses.
2 No person shall knowingly prepare or cause preparation of
3 an application for registration of such foals containing
4 false information. A mare (dam) must be in the State at
5 least 30 days prior to foaling or remain in the State at
6 least 30 days at the time of foaling. However, the
7 requirement that a mare (dam) must be in the State at least
8 30 days before foaling or remain in the State at least 30
9 days at the time of foaling shall not be in effect from
10 January 1, 2018 until January 1, 2022. Beginning with the
11 1996 breeding season and for foals of 1997 and thereafter,
12 a foal conceived by transported semen may be eligible for
13 Illinois conceived and foaled registration provided all
14 breeding and foaling requirements are met. The stallion
15 must be qualified for Illinois Standardbred Breeders Fund
16 breeding at the time of conception. The foal must be
17 dropped in Illinois and properly registered with the
18 Department of Agriculture in accordance with this Act.
19 However, from January 1, 2018 until January 1, 2022, the
20 requirement for a mare to be inseminated within the State
21 of Illinois and the requirement for a foal to be dropped in
22 Illinois are inapplicable.

23 3. Provide that at least a 5-day racing program shall
24 be conducted at the State Fair each year, unless an
25 alternate racing program is requested by the Illinois
26 Standardbred Breeders Fund Advisory Board, which program

1 shall include at least the following races limited to
2 Illinois conceived and foaled horses: (a) a 2-year-old
3 Trot and Pace, and Filly Division of each; (b) a
4 3-year-old Trot and Pace, and Filly Division of each; (c)
5 an aged Trot and Pace, and Mare Division of each.

6 4. Provide for the payment of nominating, sustaining
7 and starting fees for races promoting the sport of harness
8 racing and for the races to be conducted at the State Fair
9 as provided in subsection (j) 3 of this Section provided
10 that the nominating, sustaining and starting payment
11 required from an entrant shall not exceed 2% of the purse
12 of such race. All nominating, sustaining and starting
13 payments shall be held for the benefit of entrants and
14 shall be paid out as part of the respective purses for such
15 races. Nominating, sustaining and starting fees shall be
16 held in trust accounts for the purposes as set forth in
17 this Act and in accordance with Section 205-15 of the
18 Department of Agriculture Law.

19 5. Provide for the registration with the Department of
20 Agriculture of Colt Associations or county fairs desiring
21 to sponsor races at county fairs.

22 6. Provide for the promotion of producing standardbred
23 racehorses by providing a bonus award program for owners
24 of 2-year-old horses that win multiple major stakes races
25 that are limited to Illinois conceived and foaled horses.

26 (k) The Department of Agriculture, with the advice and

1 assistance of the Illinois Standardbred Breeders Fund Advisory
2 Board, may allocate monies for purse supplements for such
3 races. In determining whether to allocate money and the
4 amount, the Department of Agriculture shall consider factors,
5 including, but not limited to, the amount of money transferred
6 into ~~appropriated for~~ the Illinois Standardbred Breeders Fund
7 ~~program~~, the number of races that may occur, and an
8 organization licensee's purse structure. The organization
9 licensee shall notify the Department of Agriculture of the
10 conditions and minimum purses for races limited to Illinois
11 conceived and foaled horses to be conducted by each
12 organization licensee conducting a harness racing meeting for
13 which purse supplements have been negotiated.

14 (l) All races held at county fairs and the State Fair which
15 receive funds from the Illinois Standardbred Breeders Fund
16 shall be conducted in accordance with the rules of the United
17 States Trotting Association unless otherwise modified by the
18 Department of Agriculture.

19 (m) At all standardbred race meetings held or conducted
20 under authority of a license granted by the Board, and at all
21 standardbred races held at county fairs which are approved by
22 the Department of Agriculture or at the Illinois or DuQuoin
23 State Fairs, no one shall jog, train, warm up or drive a
24 standardbred horse unless he or she is wearing a protective
25 safety helmet, with the chin strap fastened and in place,
26 which meets the standards and requirements as set forth in the

1 1984 Standard for Protective Headgear for Use in Harness
2 Racing and Other Equestrian Sports published by the Snell
3 Memorial Foundation, or any standards and requirements for
4 headgear the Illinois Racing Board may approve. Any other
5 standards and requirements so approved by the Board shall
6 equal or exceed those published by the Snell Memorial
7 Foundation. Any equestrian helmet bearing the Snell label
8 shall be deemed to have met those standards and requirements.
9 (Source: P.A. 101-31, eff. 6-28-19; 101-157, eff. 7-26-19;
10 102-558, eff. 8-20-21; 102-689, eff. 12-17-21.)

11 Section 5-125. The Illinois Public Aid Code is amended by
12 changing Section 12-10.7a as follows:

13 (305 ILCS 5/12-10.7a)

14 Sec. 12-10.7a. The Money Follows the Person Budget
15 Transfer Fund is hereby created as a special fund in the State
16 treasury.

17 (a) Notwithstanding any State law to the contrary, the
18 following moneys shall be deposited into the Fund:

19 (1) enhanced federal financial participation funds
20 related to any spending under a Money Follows the Person
21 demonstration project or initiative, as approved by the
22 federal Centers for Medicare and Medicaid Services ~~on May~~
23 ~~14, 2007,~~ and ~~as~~ codified at 20 ILCS 2407/51 et seq.,
24 regardless of whether such spending occurred from the

1 Money Follows the Person Budget Transfer Fund;

2 (2) federal financial participation funds related to
3 any spending under a Money Follows the Person
4 demonstration project or initiative, as approved by the
5 federal Centers for Medicare and Medicaid Services ~~on May~~
6 ~~14, 2007,~~ and ~~as~~ codified at 20 ILCS 2407/51 et seq., that
7 occurred from the Money Follows the Person Budget Transfer
8 Fund;

9 (2.5) other federal funds awarded for a Money Follows
10 the Person demonstration project or initiative, as
11 approved by the federal Centers for Medicare and Medicaid
12 Services and codified at 20 ILCS 2407/51 et seq.;

13 (3) deposits made via the voucher-warrant process from
14 institutional long-term care appropriations to the
15 Department of Healthcare and Family Services and
16 institutional developmentally disabled long-term care
17 appropriations to the Department of Human Services;

18 (4) deposits made via the voucher-warrant process from
19 appropriation lines used to fund community-based services
20 for individuals eligible for nursing facility level of
21 care to the Department of Human Services, the Department
22 on Aging, or the Department of Healthcare and Family
23 Services;

24 (5) interest earned on moneys in the Fund; and

25 (6) all other moneys received by the Fund from any
26 source.

1 (b) Subject to appropriation, moneys in the Fund may be
2 used by the Department of Healthcare and Family Services for
3 reimbursement or payment for:

4 (1) expenses related to rebalancing long-term care
5 services between institutional and community-based
6 settings as authorized under a Money Follows the Person
7 demonstration project or initiative, as approved by the
8 federal Centers for Medicare and Medicaid Services ~~on May~~
9 ~~14, 2007,~~ and ~~as~~ codified at 20 ILCS 2407/51 et seq.,
10 including, but not limited to, reimbursement to other
11 entities of State government for related expenditures;

12 (2) expenses for community-based services for
13 individuals eligible for nursing facility level of care in
14 the Department of Human Services, the Department on Aging,
15 or the Department of Healthcare and Family Services to the
16 extent the expenses reimbursed or paid are in excess of
17 the amounts budgeted to those Departments each fiscal year
18 for persons transitioning out of institutional long-term
19 care settings under a Money Follows the Person
20 demonstration project or initiative, as approved by the
21 federal Centers for Medicare and Medicaid Services ~~on May~~
22 ~~14, 2007,~~ and ~~as~~ codified at 20 ILCS 2407/51 et seq.;

23 (3) expenses for institutional long-term care services
24 at the Department of Healthcare and Family Services to the
25 extent that the expenses reimbursed or paid are for
26 services in excess of the amount budgeted to the

1 Department each fiscal year for persons who had or
2 otherwise were expected to transition out of institutional
3 long-term care settings under a Money Follows the Person
4 demonstration project or initiative, as approved by the
5 federal Centers for Medicare and Medicaid Services ~~on May~~
6 ~~14, 2007,~~ and ~~as~~ codified at 20 ILCS 2407/51 et seq.; and

7 (4) expenses, including operational, administrative,
8 and refund expenses, necessary to implement and operate a
9 Money Follows the Person demonstration project or
10 initiative, as approved by the federal Centers for
11 Medicare and Medicaid Services ~~on May 14, 2007,~~ and ~~as~~
12 codified at 20 ILCS 2407/51 et seq.

13 Expenses reimbursed or paid on behalf of other agencies by
14 the Department of Healthcare and Family Services under this
15 subsection shall be pursuant to an interagency agreement and
16 allowable under a Money Follows the Person demonstration
17 project or initiative, as approved by the federal Centers for
18 Medicare and Medicaid Services ~~on May 14, 2007,~~ and ~~as~~
19 codified at 20 ILCS 2407/51 et seq.

20 (Source: P.A. 95-744, eff. 7-18-08.)

21 Section 5-127. The Early Mental Health and Addictions
22 Treatment Act is amended by adding Section 15 as follows:

23 (305 ILCS 65/15 new)

24 Sec. 15. Availability of naloxone formulations. The

1 Department of Human Services shall, as part of the fiscal year
2 2024 Drug Overdose Prevention Program, make all FDA-approved
3 formulations of naloxone that are cleared through the
4 Minnesota Multistate Contracting Alliance for Pharmacy, and
5 for which the manufacturer can set up a system for receiving,
6 tracking, and distribution, available to eligible Drug
7 Overdose Prevention Program participants and applicants.

8 Section 5-130. The Cannabis Regulation and Tax Act is
9 amended by changing Section 7-10 as follows:

10 (410 ILCS 705/7-10)

11 Sec. 7-10. Cannabis Business Development Fund.

12 (a) There is created in the State treasury a special fund,
13 which shall be held separate and apart from all other State
14 moneys, to be known as the Cannabis Business Development Fund.
15 The Cannabis Business Development Fund shall be exclusively
16 used for the following purposes:

17 (1) to provide low-interest rate loans to Qualified
18 Social Equity Applicants to pay for ordinary and necessary
19 expenses to start and operate a cannabis business
20 establishment permitted by this Act;

21 (2) to provide grants to Qualified Social Equity
22 Applicants to pay for ordinary and necessary expenses to
23 start and operate a cannabis business establishment
24 permitted by this Act;

1 (3) to compensate the Department of Commerce and
2 Economic Opportunity for any costs related to the
3 provision of low-interest loans and grants to Qualified
4 Social Equity Applicants;

5 (4) to pay for outreach that may be provided or
6 targeted to attract and support Social Equity Applicants
7 and Qualified Social Equity Applicants;

8 (5) (blank);

9 (6) to conduct any study or research concerning the
10 participation of minorities, women, veterans, or people
11 with disabilities in the cannabis industry, including,
12 without limitation, barriers to such individuals entering
13 the industry as equity owners of cannabis business
14 establishments;

15 (7) (blank); and

16 (8) to assist with job training and technical
17 assistance for residents in Disproportionately Impacted
18 Areas.

19 (b) All moneys collected under Sections 15-15 and 15-20
20 for Early Approval Adult Use Dispensing Organization Licenses
21 issued before January 1, 2021 and remunerations made as a
22 result of transfers of permits awarded to Qualified Social
23 Equity Applicants shall be deposited into the Cannabis
24 Business Development Fund.

25 (c) (Blank). ~~As soon as practical after July 1, 2019, the~~
26 ~~Comptroller shall order and the Treasurer shall transfer~~

1 ~~\$12,000,000 from the Compassionate Use of Medical Cannabis~~
2 ~~Fund to the Cannabis Business Development Fund.~~

3 (c-5) In addition to any other transfers that may be
4 provided for by law, on July 1, 2023, or as soon thereafter as
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the sum of \$40,000,000 from the
7 Compassionate Use of Medical Cannabis Fund to the Cannabis
8 Business Development Fund.

9 (d) Notwithstanding any other law to the contrary, the
10 Cannabis Business Development Fund is not subject to sweeps,
11 administrative charge-backs, or any other fiscal or budgetary
12 maneuver that would in any way transfer any amounts from the
13 Cannabis Business Development Fund into any other fund of the
14 State.

15 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19.)

16 Section 5-135. The Environmental Protection Act is amended
17 by changing Sections 22.15 and 57.11 as follows:

18 (415 ILCS 5/22.15)

19 Sec. 22.15. Solid Waste Management Fund; fees.

20 (a) There is hereby created within the State Treasury a
21 special fund to be known as the Solid Waste Management Fund, to
22 be constituted from the fees collected by the State pursuant
23 to this Section, from repayments of loans made from the Fund
24 for solid waste projects, from registration fees collected

1 pursuant to the Consumer Electronics Recycling Act, and from
2 amounts transferred into the Fund pursuant to Public Act
3 100-433. Moneys received by either the Agency or the
4 Department of Commerce and Economic Opportunity in repayment
5 of loans made pursuant to the Illinois Solid Waste Management
6 Act shall be deposited into the General Revenue Fund.

7 (b) The Agency shall assess and collect a fee in the amount
8 set forth herein from the owner or operator of each sanitary
9 landfill permitted or required to be permitted by the Agency
10 to dispose of solid waste if the sanitary landfill is located
11 off the site where such waste was produced and if such sanitary
12 landfill is owned, controlled, and operated by a person other
13 than the generator of such waste. The Agency shall deposit all
14 fees collected into the Solid Waste Management Fund. If a site
15 is contiguous to one or more landfills owned or operated by the
16 same person, the volumes permanently disposed of by each
17 landfill shall be combined for purposes of determining the fee
18 under this subsection. Beginning on July 1, 2018, and on the
19 first day of each month thereafter during fiscal years 2019
20 through 2024 ~~2023~~, the State Comptroller shall direct and
21 State Treasurer shall transfer an amount equal to 1/12 of
22 \$5,000,000 per fiscal year from the Solid Waste Management
23 Fund to the General Revenue Fund.

24 (1) If more than 150,000 cubic yards of non-hazardous
25 solid waste is permanently disposed of at a site in a
26 calendar year, the owner or operator shall either pay a

1 fee of 95 cents per cubic yard or, alternatively, the
2 owner or operator may weigh the quantity of the solid
3 waste permanently disposed of with a device for which
4 certification has been obtained under the Weights and
5 Measures Act and pay a fee of \$2.00 per ton of solid waste
6 permanently disposed of. In no case shall the fee
7 collected or paid by the owner or operator under this
8 paragraph exceed \$1.55 per cubic yard or \$3.27 per ton.

9 (2) If more than 100,000 cubic yards but not more than
10 150,000 cubic yards of non-hazardous waste is permanently
11 disposed of at a site in a calendar year, the owner or
12 operator shall pay a fee of \$52,630.

13 (3) If more than 50,000 cubic yards but not more than
14 100,000 cubic yards of non-hazardous solid waste is
15 permanently disposed of at a site in a calendar year, the
16 owner or operator shall pay a fee of \$23,790.

17 (4) If more than 10,000 cubic yards but not more than
18 50,000 cubic yards of non-hazardous solid waste is
19 permanently disposed of at a site in a calendar year, the
20 owner or operator shall pay a fee of \$7,260.

21 (5) If not more than 10,000 cubic yards of
22 non-hazardous solid waste is permanently disposed of at a
23 site in a calendar year, the owner or operator shall pay a
24 fee of \$1050.

25 (c) (Blank).

26 (d) The Agency shall establish rules relating to the

1 collection of the fees authorized by this Section. Such rules
2 shall include, but not be limited to:

3 (1) necessary records identifying the quantities of
4 solid waste received or disposed;

5 (2) the form and submission of reports to accompany
6 the payment of fees to the Agency;

7 (3) the time and manner of payment of fees to the
8 Agency, which payments shall not be more often than
9 quarterly; and

10 (4) procedures setting forth criteria establishing
11 when an owner or operator may measure by weight or volume
12 during any given quarter or other fee payment period.

13 (e) Pursuant to appropriation, all monies in the Solid
14 Waste Management Fund shall be used by the Agency for the
15 purposes set forth in this Section and in the Illinois Solid
16 Waste Management Act, including for the costs of fee
17 collection and administration, and for the administration of
18 the Consumer Electronics Recycling Act and the Drug Take-Back
19 Act.

20 (f) The Agency is authorized to enter into such agreements
21 and to promulgate such rules as are necessary to carry out its
22 duties under this Section and the Illinois Solid Waste
23 Management Act.

24 (g) On the first day of January, April, July, and October
25 of each year, beginning on July 1, 1996, the State Comptroller
26 and Treasurer shall transfer \$500,000 from the Solid Waste

1 Management Fund to the Hazardous Waste Fund. Moneys
2 transferred under this subsection (g) shall be used only for
3 the purposes set forth in item (1) of subsection (d) of Section
4 22.2.

5 (h) The Agency is authorized to provide financial
6 assistance to units of local government for the performance of
7 inspecting, investigating, and enforcement activities pursuant
8 to subsection (r) of Section 4 ~~Section 4(r)~~ at nonhazardous
9 solid waste disposal sites.

10 (i) The Agency is authorized to conduct household waste
11 collection and disposal programs.

12 (j) A unit of local government, as defined in the Local
13 Solid Waste Disposal Act, in which a solid waste disposal
14 facility is located may establish a fee, tax, or surcharge
15 with regard to the permanent disposal of solid waste. All
16 fees, taxes, and surcharges collected under this subsection
17 shall be utilized for solid waste management purposes,
18 including long-term monitoring and maintenance of landfills,
19 planning, implementation, inspection, enforcement and other
20 activities consistent with the Solid Waste Management Act and
21 the Local Solid Waste Disposal Act, or for any other
22 environment-related purpose, including, but not limited to, an
23 environment-related public works project, but not for the
24 construction of a new pollution control facility other than a
25 household hazardous waste facility. However, the total fee,
26 tax or surcharge imposed by all units of local government

1 under this subsection (j) upon the solid waste disposal
2 facility shall not exceed:

3 (1) 60¢ per cubic yard if more than 150,000 cubic
4 yards of non-hazardous solid waste is permanently disposed
5 of at the site in a calendar year, unless the owner or
6 operator weighs the quantity of the solid waste received
7 with a device for which certification has been obtained
8 under the Weights and Measures Act, in which case the fee
9 shall not exceed \$1.27 per ton of solid waste permanently
10 disposed of.

11 (2) \$33,350 if more than 100,000 cubic yards, but not
12 more than 150,000 cubic yards, of non-hazardous waste is
13 permanently disposed of at the site in a calendar year.

14 (3) \$15,500 if more than 50,000 cubic yards, but not
15 more than 100,000 cubic yards, of non-hazardous solid
16 waste is permanently disposed of at the site in a calendar
17 year.

18 (4) \$4,650 if more than 10,000 cubic yards, but not
19 more than 50,000 cubic yards, of non-hazardous solid waste
20 is permanently disposed of at the site in a calendar year.

21 (5) \$650 if not more than 10,000 cubic yards of
22 non-hazardous solid waste is permanently disposed of at
23 the site in a calendar year.

24 The corporate authorities of the unit of local government
25 may use proceeds from the fee, tax, or surcharge to reimburse a
26 highway commissioner whose road district lies wholly or

1 partially within the corporate limits of the unit of local
2 government for expenses incurred in the removal of
3 nonhazardous, nonfluid municipal waste that has been dumped on
4 public property in violation of a State law or local
5 ordinance.

6 For the disposal of solid waste from general construction
7 or demolition debris recovery facilities as defined in
8 subsection (a-1) of Section 3.160, the total fee, tax, or
9 surcharge imposed by all units of local government under this
10 subsection (j) upon the solid waste disposal facility shall
11 not exceed 50% of the applicable amount set forth above. A unit
12 of local government, as defined in the Local Solid Waste
13 Disposal Act, in which a general construction or demolition
14 debris recovery facility is located may establish a fee, tax,
15 or surcharge on the general construction or demolition debris
16 recovery facility with regard to the permanent disposal of
17 solid waste by the general construction or demolition debris
18 recovery facility at a solid waste disposal facility, provided
19 that such fee, tax, or surcharge shall not exceed 50% of the
20 applicable amount set forth above, based on the total amount
21 of solid waste transported from the general construction or
22 demolition debris recovery facility for disposal at solid
23 waste disposal facilities, and the unit of local government
24 and fee shall be subject to all other requirements of this
25 subsection (j).

26 A county or Municipal Joint Action Agency that imposes a

1 fee, tax, or surcharge under this subsection may use the
2 proceeds thereof to reimburse a municipality that lies wholly
3 or partially within its boundaries for expenses incurred in
4 the removal of nonhazardous, nonfluid municipal waste that has
5 been dumped on public property in violation of a State law or
6 local ordinance.

7 If the fees are to be used to conduct a local sanitary
8 landfill inspection or enforcement program, the unit of local
9 government must enter into a written delegation agreement with
10 the Agency pursuant to subsection (r) of Section 4. The unit of
11 local government and the Agency shall enter into such a
12 written delegation agreement within 60 days after the
13 establishment of such fees. At least annually, the Agency
14 shall conduct an audit of the expenditures made by units of
15 local government from the funds granted by the Agency to the
16 units of local government for purposes of local sanitary
17 landfill inspection and enforcement programs, to ensure that
18 the funds have been expended for the prescribed purposes under
19 the grant.

20 The fees, taxes or surcharges collected under this
21 subsection (j) shall be placed by the unit of local government
22 in a separate fund, and the interest received on the moneys in
23 the fund shall be credited to the fund. The monies in the fund
24 may be accumulated over a period of years to be expended in
25 accordance with this subsection.

26 A unit of local government, as defined in the Local Solid

1 Waste Disposal Act, shall prepare and post on its website, in
2 April of each year, a report that details spending plans for
3 monies collected in accordance with this subsection. The
4 report will at a minimum include the following:

5 (1) The total monies collected pursuant to this
6 subsection.

7 (2) The most current balance of monies collected
8 pursuant to this subsection.

9 (3) An itemized accounting of all monies expended for
10 the previous year pursuant to this subsection.

11 (4) An estimation of monies to be collected for the
12 following 3 years pursuant to this subsection.

13 (5) A narrative detailing the general direction and
14 scope of future expenditures for one, 2 and 3 years.

15 The exemptions granted under Sections 22.16 and 22.16a,
16 and under subsection (k) of this Section, shall be applicable
17 to any fee, tax or surcharge imposed under this subsection
18 (j); except that the fee, tax or surcharge authorized to be
19 imposed under this subsection (j) may be made applicable by a
20 unit of local government to the permanent disposal of solid
21 waste after December 31, 1986, under any contract lawfully
22 executed before June 1, 1986 under which more than 150,000
23 cubic yards (or 50,000 tons) of solid waste is to be
24 permanently disposed of, even though the waste is exempt from
25 the fee imposed by the State under subsection (b) of this
26 Section pursuant to an exemption granted under Section 22.16.

1 (k) In accordance with the findings and purposes of the
2 Illinois Solid Waste Management Act, beginning January 1, 1989
3 the fee under subsection (b) and the fee, tax or surcharge
4 under subsection (j) shall not apply to:

5 (1) waste which is hazardous waste;

6 (2) waste which is pollution control waste;

7 (3) waste from recycling, reclamation or reuse
8 processes which have been approved by the Agency as being
9 designed to remove any contaminant from wastes so as to
10 render such wastes reusable, provided that the process
11 renders at least 50% of the waste reusable; the exemption
12 set forth in this paragraph (3) of this subsection (k)
13 shall not apply to general construction or demolition
14 debris recovery facilities as defined in subsection (a-1)
15 of Section 3.160;

16 (4) non-hazardous solid waste that is received at a
17 sanitary landfill and composted or recycled through a
18 process permitted by the Agency; or

19 (5) any landfill which is permitted by the Agency to
20 receive only demolition or construction debris or
21 landscape waste.

22 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
23 102-16, eff. 6-17-21; 102-310, eff. 8-6-21; 102-444, eff.
24 8-20-21; 102-699, eff. 4-19-22; 102-813, eff. 5-13-22;
25 102-1055, eff. 6-10-22; revised 8-25-22.)

1 (415 ILCS 5/57.11)

2 Sec. 57.11. Underground Storage Tank Fund; creation.

3 (a) There is hereby created in the State Treasury a
4 special fund to be known as the Underground Storage Tank Fund.
5 There shall be deposited into the Underground Storage Tank
6 Fund all moneys received by the Office of the State Fire
7 Marshal as fees for underground storage tanks under Sections 4
8 and 5 of the Gasoline Storage Act, fees pursuant to the Motor
9 Fuel Tax Law, and beginning July 1, 2013, payments pursuant to
10 the Use Tax Act, the Service Use Tax Act, the Service
11 Occupation Tax Act, and the Retailers' Occupation Tax Act. All
12 amounts held in the Underground Storage Tank Fund shall be
13 invested at interest by the State Treasurer. All income earned
14 from the investments shall be deposited into the Underground
15 Storage Tank Fund no less frequently than quarterly. In
16 addition to any other transfers that may be provided for by
17 law, beginning on July 1, 2018 and on the first day of each
18 month thereafter during fiscal years 2019 through 2024 ~~2023~~
19 only, the State Comptroller shall direct and the State
20 Treasurer shall transfer an amount equal to 1/12 of
21 \$10,000,000 from the Underground Storage Tank Fund to the
22 General Revenue Fund. Moneys in the Underground Storage Tank
23 Fund, pursuant to appropriation, may be used by the Agency and
24 the Office of the State Fire Marshal for the following
25 purposes:

26 (1) To take action authorized under Section 57.12 to

1 recover costs under Section 57.12.

2 (2) To assist in the reduction and mitigation of
3 damage caused by leaks from underground storage tanks,
4 including but not limited to, providing alternative water
5 supplies to persons whose drinking water has become
6 contaminated as a result of those leaks.

7 (3) To be used as a matching amount towards federal
8 assistance relative to the release of petroleum from
9 underground storage tanks.

10 (4) For the costs of administering activities of the
11 Agency and the Office of the State Fire Marshal relative
12 to the Underground Storage Tank Fund.

13 (5) For payment of costs of corrective action incurred
14 by and indemnification to operators of underground storage
15 tanks as provided in this Title.

16 (6) For a total of 2 demonstration projects in amounts
17 in excess of a \$10,000 deductible charge designed to
18 assess the viability of corrective action projects at
19 sites which have experienced contamination from petroleum
20 releases. Such demonstration projects shall be conducted
21 in accordance with the provision of this Title.

22 (7) Subject to appropriation, moneys in the
23 Underground Storage Tank Fund may also be used by the
24 Department of Revenue for the costs of administering its
25 activities relative to the Fund and for refunds provided
26 for in Section 13a.8 of the Motor Fuel Tax Law.

1 (b) Moneys in the Underground Storage Tank Fund may,
2 pursuant to appropriation, be used by the Office of the State
3 Fire Marshal or the Agency to take whatever emergency action
4 is necessary or appropriate to assure that the public health
5 or safety is not threatened whenever there is a release or
6 substantial threat of a release of petroleum from an
7 underground storage tank and for the costs of administering
8 its activities relative to the Underground Storage Tank Fund.

9 (c) Beginning July 1, 1993, the Governor shall certify to
10 the State Comptroller and State Treasurer the monthly amount
11 necessary to pay debt service on State obligations issued
12 pursuant to Section 6 of the General Obligation Bond Act. On
13 the last day of each month, the Comptroller shall order
14 transferred and the Treasurer shall transfer from the
15 Underground Storage Tank Fund to the General Obligation Bond
16 Retirement and Interest Fund the amount certified by the
17 Governor, plus any cumulative deficiency in those transfers
18 for prior months.

19 (d) Except as provided in subsection (c) of this Section,
20 the Underground Storage Tank Fund is not subject to
21 administrative charges authorized under Section 8h of the
22 State Finance Act that would in any way transfer any funds from
23 the Underground Storage Tank Fund into any other fund of the
24 State.

25 (e) Each fiscal year, subject to appropriation, the Agency
26 may commit up to \$10,000,000 of the moneys in the Underground

1 Storage Tank Fund to the payment of corrective action costs
2 for legacy sites that meet one or more of the following
3 criteria as a result of the underground storage tank release:

4 (i) the presence of free product, (ii) contamination within a
5 regulated recharge area, a wellhead protection area, or the
6 setback zone of a potable water supply well, (iii)
7 contamination extending beyond the boundaries of the site
8 where the release occurred, or (iv) such other criteria as may
9 be adopted in Agency rules.

10 (1) Fund moneys committed under this subsection (e)
11 shall be held in the Fund for payment of the corrective
12 action costs for which the moneys were committed.

13 (2) The Agency may adopt rules governing the
14 commitment of Fund moneys under this subsection (e).

15 (3) This subsection (e) does not limit the use of Fund
16 moneys at legacy sites as otherwise provided under this
17 Title.

18 (4) For the purposes of this subsection (e), the term
19 "legacy site" means a site for which (i) an underground
20 storage tank release was reported prior to January 1,
21 2005, (ii) the owner or operator has been determined
22 eligible to receive payment from the Fund for corrective
23 action costs, and (iii) the Agency did not receive any
24 applications for payment prior to January 1, 2010.

25 (f) Beginning July 1, 2013, if the amounts deposited into
26 the Fund from moneys received by the Office of the State Fire

1 Marshal as fees for underground storage tanks under Sections 4
2 and 5 of the Gasoline Storage Act and as fees pursuant to the
3 Motor Fuel Tax Law during a State fiscal year are sufficient to
4 pay all claims for payment by the fund received during that
5 State fiscal year, then the amount of any payments into the
6 fund pursuant to the Use Tax Act, the Service Use Tax Act, the
7 Service Occupation Tax Act, and the Retailers' Occupation Tax
8 Act during that State fiscal year shall be deposited as
9 follows: 75% thereof shall be paid into the State treasury and
10 25% shall be reserved in a special account and used only for
11 the transfer to the Common School Fund as part of the monthly
12 transfer from the General Revenue Fund in accordance with
13 Section 8a of the State Finance Act.

14 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
15 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

16 Section 5-140. The Electric Vehicle Rebate Act is amended
17 by changing Section 40 as follows:

18 (415 ILCS 120/40)

19 Sec. 40. Appropriations from the Electric Vehicle Rebate
20 Fund.

21 (a) ~~User Fees Funds~~. The Agency shall estimate the amount
22 of user fees expected to be collected under Section 35 of this
23 Act for each fiscal year. User fee funds shall be deposited
24 into and distributed from the Electric Vehicle Rebate

1 ~~Alternate Fuels~~ Fund in the following manner:

2 (1) Through fiscal year 2023, ~~In each of fiscal years~~
3 ~~1999, 2000, 2001, 2002, and 2003, an amount not to exceed~~
4 ~~\$200,000, and beginning in fiscal year 2004~~ an annual
5 amount not to exceed \$225,000, may be appropriated to the
6 Agency from the Electric Vehicle Rebate ~~Alternate Fuels~~
7 Fund to pay its costs of administering the programs
8 authorized by Section 27 of this Act. Beginning in fiscal
9 year 2024 and in each fiscal year thereafter, an annual
10 amount not to exceed \$600,000 may be appropriated to the
11 Agency from the Electric Vehicle Rebate Fund to pay its
12 costs of administering the programs authorized by Section
13 27 of this Act. An ~~Up to \$200,000 may be appropriated to~~
14 ~~the Office of the Secretary of State in each of fiscal~~
15 ~~years 1999, 2000, 2001, 2002, and 2003 from the Alternate~~
16 ~~Fuels Fund to pay the Secretary of State's costs of~~
17 ~~administering the programs authorized under this Act.~~
18 ~~Beginning in fiscal year 2004 and in each fiscal year~~
19 ~~thereafter, an~~ amount not to exceed \$225,000 may be
20 appropriated to the Secretary of State from the Electric
21 Vehicle Rebate ~~Alternate Fuels~~ Fund to pay the Secretary
22 of State's costs of administering the programs authorized
23 under this Act.

24 (2) In fiscal year 2022 and each fiscal year
25 thereafter, after appropriation of the amounts authorized
26 by item (1) of subsection (a) of this Section, the

1 remaining moneys estimated to be collected during each
2 fiscal year shall be appropriated.

3 (3) (Blank).

4 (4) Moneys appropriated to fund the programs
5 authorized in Sections 25 and 30 shall be expended only
6 after they have been collected and deposited into the
7 Electric Vehicle Rebate ~~Alternate Fuels~~ Fund.

8 (b) ~~General Revenue Fund Appropriations.~~ General Revenue
9 Fund amounts appropriated to and deposited into the Electric
10 Vehicle Rebate Fund shall be distributed from the Electric
11 Vehicle Rebate Fund to fund the program authorized in Section
12 27.

13 (Source: P.A. 102-662, eff. 9-15-21.)

14 Section 5-145. The Fire Investigation Act is amended by
15 changing Section 13.1 as follows:

16 (425 ILCS 25/13.1) (from Ch. 127 1/2, par. 17.1)

17 Sec. 13.1. Fire Prevention Fund.

18 (a) There shall be a special fund in the State Treasury
19 known as the Fire Prevention Fund.

20 (b) The following moneys shall be deposited into the Fund:

21 (1) Moneys received by the Department of Insurance
22 under Section 12 of this Act.

23 (2) All fees and reimbursements received by the
24 Office.

1 (3) All receipts from boiler and pressure vessel
2 certification, as provided in Section 13 of the Boiler and
3 Pressure Vessel Safety Act.

4 (4) Such other moneys as may be provided by law.

5 (c) The moneys in the Fire Prevention Fund shall be used,
6 subject to appropriation, for the following purposes:

7 (1) Of the moneys deposited into the fund under
8 Section 12 of this Act, 12.5% shall be available for the
9 maintenance of the Illinois Fire Service Institute and the
10 expenses, facilities, and structures incident thereto, and
11 for making transfers into the General Obligation Bond
12 Retirement and Interest Fund for debt service requirements
13 on bonds issued by the State of Illinois after January 1,
14 1986 for the purpose of constructing a training facility
15 for use by the Institute. An additional 2.5% of the moneys
16 deposited into the Fire Prevention Fund shall be available
17 to the Illinois Fire Service Institute for support of the
18 Cornerstone Training Program.

19 (2) Of the moneys deposited into the Fund under
20 Section 12 of this Act, 10% shall be available for the
21 maintenance of the Chicago Fire Department Training
22 Program and the expenses, facilities, and structures
23 incident thereto, in addition to any moneys payable from
24 the Fund to the City of Chicago pursuant to the Illinois
25 Fire Protection Training Act.

26 (3) For making payments to local governmental agencies

1 and individuals pursuant to Section 10 of the Illinois
2 Fire Protection Training Act.

3 (4) For the maintenance and operation of the Office of
4 the State Fire Marshal, and the expenses incident thereto.

5 (4.5) For the maintenance, operation, and capital
6 expenses of the Mutual Aid Box Alarm System (MABAS).

7 (4.6) For grants awarded by the Small Fire-fighting
8 and Ambulance Service Equipment Grant Program established
9 by Section 2.7 of the State Fire Marshal Act.

10 (4.7) For grants awarded under the Fire Station
11 Rehabilitation and Construction Grant Program established
12 by Section 2.8 of the State Fire Marshal Act.

13 (5) For any other purpose authorized by law.

14 (c-5) As soon as possible after April 8, 2008 (the
15 effective date of Public Act 95-717), the Comptroller shall
16 order the transfer and the Treasurer shall transfer \$2,000,000
17 from the Fire Prevention Fund to the Fire Service and Small
18 Equipment Fund, \$9,000,000 from the Fire Prevention Fund to
19 the Fire Truck Revolving Loan Fund, and \$4,000,000 from the
20 Fire Prevention Fund to the Ambulance Revolving Loan Fund.
21 Beginning on July 1, 2008, each month, or as soon as practical
22 thereafter, an amount equal to \$2 from each fine received
23 shall be transferred from the Fire Prevention Fund to the Fire
24 Service and Small Equipment Fund, an amount equal to \$1.50
25 from each fine received shall be transferred from the Fire
26 Prevention Fund to the Fire Truck Revolving Loan Fund, and an

1 amount equal to \$4 from each fine received shall be
2 transferred from the Fire Prevention Fund to the Ambulance
3 Revolving Loan Fund. These moneys shall be transferred from
4 the moneys deposited into the Fire Prevention Fund pursuant to
5 Public Act 95-154, together with not more than 25% of any
6 unspent appropriations from the prior fiscal year. These
7 moneys may be allocated to the Fire Truck Revolving Loan Fund,
8 Ambulance Revolving Loan Fund, and Fire Service and Small
9 Equipment Fund at the discretion of the Office for the purpose
10 of implementation of this Act.

11 (d) Any portion of the Fire Prevention Fund remaining
12 unexpended at the end of any fiscal year which is not needed
13 for the maintenance and expenses of the Office or the
14 maintenance and expenses of the Illinois Fire Service
15 Institute shall remain in the Fire Prevention Fund for the
16 exclusive and restricted uses provided in subsections (c) and
17 (c-5) of this Section.

18 (e) The Office shall keep on file an itemized statement of
19 all expenses incurred which are payable from the Fund, other
20 than expenses incurred by the Illinois Fire Service Institute,
21 and shall approve all vouchers issued therefor before they are
22 submitted to the State Comptroller for payment. Such vouchers
23 shall be allowed and paid in the same manner as other claims
24 against the State.

25 (Source: P.A. 101-82, eff. 1-1-20; 102-558, eff. 8-20-21.)

1 Section 5-150. The Open Space Lands Acquisition and
2 Development Act is amended by changing Section 3 as follows:

3 (525 ILCS 35/3) (from Ch. 85, par. 2103)

4 Sec. 3. From appropriations made from the Capital
5 Development Fund, Build Illinois Bond Fund or other available
6 or designated funds for such purposes, the Department shall
7 make grants to local governments as financial assistance for
8 the capital development and improvement of park, recreation or
9 conservation areas, marinas and shorelines, including planning
10 and engineering costs, and for the acquisition of open space
11 lands, including acquisition of easements and other property
12 interests less than fee simple ownership if the Department
13 determines that such property interests are sufficient to
14 carry out the purposes of this Act, subject to the conditions
15 and limitations set forth in this Act.

16 No more than 10% of the amount so appropriated for any
17 fiscal year may be committed or expended on any one project
18 described in an application under this Act.

19 Except for grants awarded from new appropriations in
20 fiscal year 2023 and fiscal year 2024, any grant under this Act
21 to a local government shall be conditioned upon the state
22 providing assistance on a 50/50 matching basis for the
23 acquisition of open space lands and for capital development
24 and improvement proposals. However, a local government defined
25 as "distressed" under criteria adopted by the Department

1 through administrative rule shall be eligible for assistance
2 up to 90% for the acquisition of open space lands and for
3 capital development and improvement proposals, provided that
4 no more than 10% of the amount appropriated under this Act in
5 any fiscal year is made available as grants to distressed
6 local governments. For grants awarded from new appropriations
7 in fiscal year 2023 and fiscal year 2024 only, a local
8 government defined as "distressed" is eligible for assistance
9 up to 100% for the acquisition of open space lands and for
10 capital development and improvement proposals. The Department
11 may make more than 10% of the amount appropriated in fiscal
12 year 2023 and fiscal year 2024 available as grants to
13 distressed local governments.

14 An advance payment of a minimum of 50% of any grant made to
15 a unit of local government under this Act must be paid to the
16 unit of local government at the time the Department awards the
17 grant. A unit of local government may opt out of the advanced
18 payment option at the time of the award of the grant. The
19 remainder of the grant shall be distributed to the local
20 government quarterly on a reimbursement basis. The Department
21 shall consider an applicant's request for an extension to a
22 grant under this Act if (i) the advanced payment is expended or
23 legally obligated within the 2 years required by Section 5 of
24 the Illinois Grant Funds Recovery Act or (ii) no advanced
25 payment was made.

26 (Source: P.A. 102-200, eff. 7-30-21; 102-699, eff. 4-19-22.)

1 Section 5-153. The Illinois Highway Code is amended by
2 changing Section 6-901 as follows:

3 (605 ILCS 5/6-901) (from Ch. 121, par. 6-901)

4 Sec. 6-901. Annually, the General Assembly shall
5 appropriate to the Department of Transportation from the road
6 fund, the general revenue fund, any other State funds or a
7 combination of those funds, \$60,000,000 ~~\$15,000,000~~ for
8 apportionment to counties for the use of road districts for
9 the construction of bridges 20 feet or more in length, as
10 provided in Sections 6-902 through 6-905.

11 The Department of Transportation shall apportion among the
12 several counties of this State for the use of road districts
13 the amounts appropriated under this Section. The amount
14 apportioned to a county shall be in the proportion which the
15 total mileage of township or district roads in the county
16 bears to the total mileage of all township and district roads
17 in the State. Each county shall allocate to the several road
18 districts in the county the funds so apportioned to the
19 county. The allocation to road districts shall be made in the
20 same manner and be subject to the same conditions and
21 qualifications as are provided by Section 8 of the "Motor Fuel
22 Tax Law", approved March 25, 1929, as amended, with respect to
23 the allocation to road districts of the amount allotted from
24 the Motor Fuel Tax Fund for apportionment to counties for the

1 use of road districts, but no allocation shall be made to any
2 road district that has not levied taxes for road and bridge
3 purposes and for bridge construction purposes at the maximum
4 rates permitted by Sections 6-501, 6-508 and 6-512 of this
5 Act, without referendum. "Road district" and "township or
6 district road" have the meanings ascribed to those terms in
7 this Act.

8 Road districts in counties in which a property tax
9 extension limitation is imposed under the Property Tax
10 Extension Limitation Law that are made ineligible for receipt
11 of this appropriation due to the imposition of a property tax
12 extension limitation may become eligible if, at the time the
13 property tax extension limitation was imposed, the road
14 district was levying at the required rate and continues to
15 levy the maximum allowable amount after the imposition of the
16 property tax extension limitation. The road district also
17 becomes eligible if it levies at or above the rate required for
18 eligibility by Section 8 of the Motor Fuel Tax Law.

19 The amounts apportioned under this Section for allocation
20 to road districts may be used only for bridge construction as
21 provided in this Division. So much of those amounts as are not
22 obligated under Sections 6-902 through 6-904 and for which
23 local funds have not been committed under Section 6-905 within
24 48 months of the date when such apportionment is made lapses
25 and shall not be paid to the county treasurer for distribution
26 to road districts.

1 (Source: P.A. 96-366, eff. 1-1-10.)

2 Section 5-155. The Illinois Vehicle Code is amended by
3 changing Sections 3-626, 3-658, 3-667, and 3-692 as follows:

4 (625 ILCS 5/3-626)

5 Sec. 3-626. Korean War Veteran license plates.

6 (a) In addition to any other special license plate, the
7 Secretary, upon receipt of all applicable fees and
8 applications made in the form prescribed by the Secretary of
9 State, may issue special registration plates designated as
10 Korean War Veteran license plates to residents of Illinois who
11 participated in the United States Armed Forces during the
12 Korean War. The special plate issued under this Section shall
13 be affixed only to passenger vehicles of the first division,
14 motorcycles, motor vehicles of the second division weighing
15 not more than 8,000 pounds, and recreational vehicles as
16 defined by Section 1-169 of this Code. Plates issued under
17 this Section shall expire according to the staggered
18 multi-year procedure established by Section 3-414.1 of this
19 Code.

20 (b) The design, color, and format of the plates shall be
21 wholly within the discretion of the Secretary of State. The
22 Secretary may, in his or her discretion, allow the plates to be
23 issued as vanity plates or personalized in accordance with
24 Section 3-405.1 of this Code. The plates are not required to

1 designate "Land Of Lincoln", as prescribed in subsection (b)
2 of Section 3-412 of this Code. The Secretary shall prescribe
3 the eligibility requirements and, in his or her discretion,
4 shall approve and prescribe stickers or decals as provided
5 under Section 3-412.

6 (c) (Blank).

7 (d) The Korean War Memorial Construction Fund is created
8 as a special fund in the State treasury. All moneys in the
9 Korean War Memorial Construction Fund shall, subject to
10 appropriation, be used by the Department of Veterans' Affairs
11 to provide grants for construction of the Korean War Memorial
12 to be located at Oak Ridge Cemetery in Springfield, Illinois.
13 Upon the completion of the Memorial, the Department of
14 Veterans' Affairs shall certify to the State Treasurer that
15 the construction of the Memorial has been completed. At the
16 direction of and upon notification of the Secretary of State,
17 the State Comptroller shall direct and ~~Upon the certification~~
18 ~~by the Department of Veterans' Affairs,~~ the State Treasurer
19 shall transfer all moneys in the Fund and any future deposits
20 into the Fund into the Secretary of State Special License
21 Plate Fund. Upon completion of the transfer, the Korean War
22 Memorial Construction Fund is dissolved.

23 (e) An individual who has been issued Korean War Veteran
24 license plates for a vehicle and who has been approved for
25 benefits under the Senior Citizens and Persons with
26 Disabilities Property Tax Relief Act shall pay the original

1 issuance and the regular annual fee for the registration of
2 the vehicle as provided in Section 3-806.3 of this Code.

3 (Source: P.A. 99-127, eff. 1-1-16; 99-143, eff. 7-27-15;
4 99-642, eff. 7-28-16; 100-143, eff. 1-1-18.)

5 (625 ILCS 5/3-658)

6 Sec. 3-658. Professional Sports Teams license plates.

7 (a) The Secretary, upon receipt of an application made in
8 the form prescribed by the Secretary, may issue special
9 registration plates designated as Professional Sports Teams
10 license plates. The special plates issued under this Section
11 shall be affixed only to passenger vehicles of the first
12 division, motorcycles, and motor vehicles of the second
13 division weighing not more than 8,000 pounds. Plates issued
14 under this Section shall expire according to the multi-year
15 procedure established by Section 3-414.1 of this Code.

16 (b) The design and color of the plates is wholly within the
17 discretion of the Secretary, except that the plates shall,
18 subject to the permission of the applicable team owner,
19 display the logo of the Chicago Bears, the Chicago Bulls, the
20 Chicago Blackhawks, the Chicago Cubs, the Chicago White Sox,
21 the Chicago Sky, the Chicago Red Stars, the Chicago Fire, or
22 the St. Louis Cardinals, at the applicant's option. The
23 Secretary may allow the plates to be issued as vanity or
24 personalized plates under Section 3-405.1 of the Code. The
25 Secretary shall prescribe stickers or decals as provided under

1 Section 3-412 of this Code.

2 (c) An applicant for the special plate shall be charged a
3 \$40 fee for original issuance in addition to the appropriate
4 registration fee. Until July 1, 2023, of ~~of~~ this fee, \$25 shall
5 be deposited into the Professional Sports Teams Education Fund
6 and \$15 shall be deposited into the Secretary of State Special
7 License Plate Fund, to be used by the Secretary to help defray
8 the administrative processing costs. Beginning July 1, 2023,
9 of this fee, \$25 shall be deposited into the Common School Fund
10 and \$15 shall be deposited into the Secretary of State Special
11 License Plate Fund, to be used by the Secretary to help defray
12 the administrative processing costs.

13 For each registration renewal period, a \$27 fee, in
14 addition to the appropriate registration fee, shall be
15 charged. Until July 1, 2023, of ~~of~~ this fee, \$25 shall be
16 deposited into the Professional Sports Teams Education Fund
17 and \$2 shall be deposited into the Secretary of State Special
18 License Plate Fund. Beginning July 1, 2023, of this fee, \$25
19 shall be deposited into the Common School Fund and \$2 shall be
20 deposited into the Secretary of State Special License Plate
21 Fund.

22 (d) The Professional Sports Teams Education Fund is
23 created as a special fund in the State treasury. Until July 1,
24 2023, the ~~The~~ Comptroller shall order transferred and the
25 Treasurer shall transfer all moneys in the Professional Sports
26 Teams Education Fund to the Common School Fund every 6 months.

1 (e) On July 1, 2023, or as soon thereafter as practical,
2 the State Comptroller shall direct and the State Treasurer
3 shall transfer the remaining balance from the Professional
4 Sports Teams Education Fund into the Common School Fund. Upon
5 completion of the transfer, the Professional Sports Teams
6 Education Fund is dissolved, and any future deposits due to
7 that Fund and any outstanding obligations or liabilities of
8 that Fund shall pass to the Common School Fund.

9 (Source: P.A. 102-1099, eff. 1-1-23.)

10 (625 ILCS 5/3-667)

11 Sec. 3-667. Korean Service license plates.

12 (a) In addition to any other special license plate, the
13 Secretary, upon receipt of all applicable fees and
14 applications made in the form prescribed by the Secretary of
15 State, may issue special registration plates designated as
16 Korean Service license plates to residents of Illinois who, on
17 or after July 27, 1954, participated in the United States
18 Armed Forces in Korea. The special plate issued under this
19 Section shall be affixed only to passenger vehicles of the
20 first division, motorcycles, motor vehicles of the second
21 division weighing not more than 8,000 pounds, and recreational
22 vehicles as defined by Section 1-169 of this Code. Plates
23 issued under this Section shall expire according to the
24 staggered multi-year procedure established by Section 3-414.1
25 of this Code.

1 (b) The design, color, and format of the plates shall be
2 wholly within the discretion of the Secretary of State. The
3 Secretary may, in his or her discretion, allow the plates to be
4 issued as vanity or personalized plates in accordance with
5 Section 3-405.1 of this Code. The plates are not required to
6 designate "Land of Lincoln", as prescribed in subsection (b)
7 of Section 3-412 of this Code. The Secretary shall prescribe
8 the eligibility requirements and, in his or her discretion,
9 shall approve and prescribe stickers or decals as provided
10 under Section 3-412.

11 (c) (Blank). ~~An applicant shall be charged a \$2 fee for~~
12 ~~original issuance in addition to the applicable registration~~
13 ~~fee. This additional fee shall be deposited into the Korean~~
14 ~~War Memorial Construction Fund a special fund in the State~~
15 ~~treasury.~~

16 (d) An individual who has been issued Korean Service
17 license plates for a vehicle and who has been approved for
18 benefits under the Senior Citizens and Persons with
19 Disabilities Property Tax Relief Act shall pay the original
20 issuance and the regular annual fee for the registration of
21 the vehicle as provided in Section 3-806.3 of this Code in
22 addition to the fees specified in subsection (c) of this
23 Section.

24 (Source: P.A. 99-143, eff. 7-27-15.)

1 Sec. 3-692. Soil and Water Conservation District Plates.

2 (a) In addition to any other special license plate, the
3 Secretary, upon receipt of all applicable fees and
4 applications made in the form prescribed by the Secretary of
5 State, may issue Soil and Water Conservation District license
6 plates. The special Soil and Water Conservation District plate
7 issued under this Section shall be affixed only to passenger
8 vehicles of the first division and motor vehicles of the
9 second division weighing not more than 8,000 pounds. Plates
10 issued under this Section shall expire according to the
11 staggered multi-year procedure established by Section 3-414.1
12 of this Code.

13 (b) The design, color, and format of the plates shall be
14 wholly within the discretion of the Secretary of State.
15 Appropriate documentation, as determined by the Secretary,
16 must accompany each application. The Secretary, in his or her
17 discretion, shall approve and prescribe stickers or decals as
18 provided under Section 3-412.

19 (c) An applicant for the special plate shall be charged a
20 \$40 fee for original issuance in addition to the appropriate
21 registration fee. Of this fee, \$25 shall be deposited into the
22 Soil and Water Conservation District Fund and \$15 shall be
23 deposited into the Secretary of State Special License Plate
24 Fund, to be used by the Secretary to help defray the
25 administrative processing costs. For each registration renewal
26 period, a \$27 fee, in addition to the appropriate registration

1 fee, shall be charged. Of this fee, \$25 shall be deposited into
2 the Soil and Water Conservation District Fund and \$2 shall be
3 deposited into the Secretary of State Special License Plate
4 Fund.

5 (d) The Soil and Water Conservation District Fund is
6 created as a special fund in the State treasury. All money in
7 the Soil and Water Conservation District Fund shall be paid,
8 subject to appropriation by the General Assembly and
9 distribution by the Secretary, as grants to Illinois soil and
10 water conservation districts for projects that conserve and
11 restore soil and water in Illinois. All interest earned on
12 moneys in the Fund shall be deposited into the Fund. The Fund
13 shall not be subject to administrative charges or chargebacks,
14 such as but not limited to those authorized under Section 8h of
15 the State Finance Act.

16 (e) Notwithstanding any other provision of law, on July 1,
17 2023, or as soon thereafter as practical, the State
18 Comptroller shall direct and the State Treasurer shall
19 transfer the remaining balance from the Soil and Water
20 Conservation District Fund into the Partners for Conservation
21 Fund. Upon completion of the transfers, the Soil and Water
22 Conservation District Fund is dissolved, and any future
23 deposits due to that Fund and any outstanding obligations or
24 liabilities of that Fund shall pass to the Partners for
25 Conservation Fund.

26 (f) This Section is repealed on January 1, 2024.

1 (Source: P.A. 96-1377, eff. 1-1-11; 97-333, eff. 8-12-11;
2 97-409, eff. 1-1-12.)

3 Section 5-160. The Unified Code of Corrections is amended
4 by changing Sections 3-12-3a, 3-12-6, and 3-12-13 as follows:

5 (730 ILCS 5/3-12-3a) (from Ch. 38, par. 1003-12-3a)

6 Sec. 3-12-3a. Contracts, leases, and business agreements.

7 (a) The Department shall promulgate such rules and
8 policies as it deems necessary to establish, manage, and
9 operate its Illinois Correctional Industries division for the
10 purpose of utilizing committed persons in the manufacture of
11 food stuffs, finished goods or wares. To the extent not
12 inconsistent with the function and role of the ICI, the
13 Department may enter into a contract, lease, or other type of
14 business agreement, not to exceed 20 years, with any private
15 corporation, partnership, person, or other business entity for
16 the purpose of utilizing committed persons in the provision of
17 services or for any other business or commercial enterprise
18 deemed by the Department to be consistent with proper training
19 and rehabilitation of committed persons.

20 Beginning in ~~In~~ fiscal year ~~years~~ 2021 ~~through 2023~~, the
21 Department shall oversee the Illinois Correctional Industries
22 accounting processes and budget requests to the General
23 Assembly, other budgetary processes, audits by the Office of
24 the Auditor General, and computer processes. Beginning in ~~For~~

1 fiscal year ~~years~~ 2021 ~~through 2023~~, the spending authority of
2 Illinois Correctional Industries shall no longer be separate
3 and apart from the Department's budget and appropriations, and
4 the Department shall control its accounting processes,
5 budgets, audits and computer processes in accordance with any
6 Department rules and policies.

7 (b) The Department shall be permitted to construct
8 buildings on State property for the purposes identified in
9 subsection (a) and to lease for a period not to exceed 20 years
10 any building or portion thereof on State property for the
11 purposes identified in subsection (a).

12 (c) Any contract or other business agreement referenced in
13 subsection (a) shall include a provision requiring that all
14 committed persons assigned receive in connection with their
15 assignment such vocational training and/or apprenticeship
16 programs as the Department deems appropriate.

17 (d) Committed persons assigned in accordance with this
18 Section shall be compensated in accordance with the provisions
19 of Section 3-12-5.

20 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
21 102-699, eff. 4-19-22.)

22 (730 ILCS 5/3-12-6) (from Ch. 38, par. 1003-12-6)

23 Sec. 3-12-6. Programs. Through its Illinois Correctional
24 Industries division, the Department may ~~shall~~ establish
25 commercial, business, and manufacturing programs for the

1 production ~~sale~~ of finished goods and processed food and
2 beverages to the State, its political units, agencies, and
3 other public institutions. Illinois Correctional Industries
4 may ~~shall~~ establish, operate, and maintain manufacturing and
5 food and beverage production in the Department facilities and
6 provide food for the Department institutions and for the
7 mental health and developmental disabilities institutions of
8 the Department of Human Services and the institutions of the
9 Department of Veterans' Affairs.

10 Illinois Correctional Industries shall be administered by
11 a chief executive officer. The chief executive officer shall
12 report to the Director of the Department or the Director's
13 designee. The chief executive officer shall administer the
14 commercial and business programs of ICI for inmate workers in
15 the custody of the Department of Corrections.

16 The chief executive officer shall have such assistants as
17 are required for programming ~~sales~~ ~~staff~~, manufacturing,
18 budget, ~~fiscal~~, ~~accounting~~, ~~computer~~, ~~human services~~, and
19 personnel as necessary to run its ~~commercial and business~~
20 programs.

21 ~~Illinois Correctional Industries shall have a financial~~
22 ~~officer who shall report to the chief executive officer. The~~
23 ~~financial officer shall: (i) assist in the development and~~
24 ~~presentation of the Department budget submission; (ii) manage~~
25 ~~and control the spending authority of ICI; and (iii) provide~~
26 ~~oversight of the financial activities of ICI, both internally~~

1 ~~and through coordination with the Department fiscal operations~~
2 ~~personnel, including accounting processes, budget submissions,~~
3 ~~other budgetary processes, audits by the Office of the Auditor~~
4 ~~General, and computer processes. For fiscal years 2021 through~~
5 ~~2023, the financial officer shall coordinate and cooperate~~
6 ~~with the Department's chief financial officer to perform the~~
7 ~~functions listed in this paragraph.~~

8 Illinois Correctional Industries shall be located in
9 Springfield. The chief executive officer of Illinois
10 Correctional Industries shall assign personnel to teach ~~direct~~
11 the production of goods and shall employ committed persons
12 assigned by the facility chief administrative officer. The
13 Department of Corrections may direct such other vocational
14 programs as it deems necessary for the rehabilitation of
15 inmates, which shall be separate and apart from, and not in
16 conflict with, programs of Illinois Correctional Industries.

17 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
18 102-699, eff. 4-19-22.)

19 (730 ILCS 5/3-12-13) (from Ch. 38, par. 1003-12-13)

20 Sec. 3-12-13. Sale of Property. Whenever a responsible
21 officer of the Correctional Industries Division of the
22 Department seeks to dispose of property pursuant to the "State
23 Property Control Act", proceeds received by the Administrator
24 under that Act from the sale of property under the control of
25 the Division of Correctional Industries of the Department

1 shall be deposited into the General Revenue Fund ~~Working~~
2 ~~Capital Revolving Fund of the Correction Industries Division~~
3 ~~if such property was originally purchased with funds~~
4 ~~therefrom.~~

5 (Source: P.A. 81-1507.)

6 (730 ILCS 5/3-12-11 rep.)

7 Section 5-165. The Unified Code of Corrections is amended
8 by repealing Section 3-12-11.

9 Section 5-167. The Illinois Crime Reduction Act of 2009 is
10 amended by changing Section 20 as follows:

11 (730 ILCS 190/20)

12 Sec. 20. Adult Redeploy Illinois.

13 (a) Purpose. When offenders are accurately assessed for
14 risk, assets, and needs, it is possible to identify which
15 people should be sent to prison and which people can be
16 effectively supervised in the locality. By providing financial
17 incentives to counties or judicial circuits to create
18 effective local-level evidence-based services, it is possible
19 to reduce crime and recidivism at a lower cost to taxpayers.
20 Based on this model, this Act hereby creates the Adult
21 Redeploy Illinois program for probation-eligible offenders in
22 order to increase public safety and encourage the successful
23 local supervision of eligible offenders and their

1 reintegration into the locality.

2 (b) The Adult Redeploy Illinois program shall reallocate
3 State funds to local jurisdictions that successfully establish
4 a process to assess offenders and provide a continuum of
5 locally based sanctions and treatment alternatives for
6 offenders who would be incarcerated in a State facility if
7 those local services and sanctions did not exist. The
8 allotment of funds shall be based on a formula that rewards
9 local jurisdictions for the establishment or expansion of
10 local supervision programs and requires them to pay the amount
11 determined in subsection (e) if incarceration targets as
12 defined in subsection (e) are not met.

13 (c) Each county or circuit participating in the Adult
14 Redeploy Illinois program shall create a local plan describing
15 how it will protect public safety and reduce the county or
16 circuit's utilization of incarceration in State facilities or
17 local county jails by the creation or expansion of
18 individualized services or programs.

19 (d) Based on the local plan, a county or circuit shall
20 enter into an agreement with the Adult Redeploy Oversight
21 Board described in subsection (e) to reduce the number of
22 commitments of probation-eligible offenders to State
23 correctional facilities from that county or circuit. The
24 agreement shall include a pledge from the county or circuit to
25 reduce their commitments by 25% of the level of commitments
26 from the average number of commitments for the past 3 years of

1 eligible offenders. In return, the county or circuit shall
2 receive, based upon a formula described in subsection (e),
3 funds to redeploy for local programming for offenders who
4 would otherwise be incarcerated such as management and
5 supervision, electronic monitoring, and drug testing. The
6 county or circuit shall also be penalized, as described in
7 subsection (e), for failure to reach the goal of reduced
8 commitments stipulated in the agreement.

9 (d-5) Subject to appropriation to the Illinois Criminal
10 Justice Information Authority, the Adult Redeploy Illinois
11 Oversight Board described in subsection (e) may provide grant
12 funds to qualified organizations that can assist local
13 jurisdictions in training, development, and technical
14 assistance.

15 (e) Adult Redeploy Illinois Oversight Board; members;
16 responsibilities.

17 (1) The Secretary of Human Services and the Director
18 of Corrections shall within 3 months after January 1, 2010
19 (the effective date of Public Act 96-761) ~~this Act~~ convene
20 and act as co-chairs of an oversight board to oversee the
21 Adult Redeploy Program. The Board shall include, but not
22 be limited to, designees from the Prisoner Review Board,
23 Office of the Attorney General, Illinois Criminal Justice
24 Information Authority, and Sentencing Policy Advisory
25 Council; the Cook County State's Attorney or a designee; a
26 State's Attorney selected by the President of the Illinois

1 State's Attorneys Association; the State Appellate
2 Defender or a designee; the Cook County Public Defender or
3 a designee; a representative of Cook County Adult
4 Probation, a representative of DuPage County Adult
5 Probation; a representative of Sangamon County Adult
6 Probation; and 4 representatives from non-governmental
7 organizations, including service providers. Members shall
8 serve without compensation but shall be reimbursed for
9 actual expenses incurred in the performance of their
10 duties.

11 (2) The Oversight Board shall within one year after
12 January 1, 2010 (the effective date of Public Act 96-761)
13 ~~this Act:~~

14 (A) Develop a process to solicit applications from
15 and identify jurisdictions to be included in the Adult
16 Redeploy Illinois program.

17 (B) Define categories of membership for local
18 entities to participate in the creation and oversight
19 of the local Adult Redeploy Illinois program.

20 (C) Develop a formula for the allotment of funds
21 to local jurisdictions for local and community-based
22 services in lieu of commitment to the Department of
23 Corrections and a penalty amount for failure to reach
24 the goal of reduced commitments stipulated in the
25 plans.

26 (D) Develop a standard format for the local plan

1 to be submitted by the local entity created in each
2 county or circuit.

3 (E) Identify and secure resources sufficient to
4 support the administration and evaluation of Adult
5 Redeploy Illinois.

6 (F) Develop a process to support ongoing
7 monitoring and evaluation of Adult Redeploy Illinois.

8 (G) Review local plans and proposed agreements and
9 approve the distribution of resources.

10 (H) Develop a performance measurement system that
11 includes but is not limited to the following key
12 performance indicators: recidivism, rate of
13 revocations, employment rates, education achievement,
14 successful completion of substance abuse treatment
15 programs, and payment of victim restitution. Each
16 county or circuit shall include the performance
17 measurement system in its local plan and provide data
18 annually to evaluate its success.

19 (I) Report annually the results of the performance
20 measurements on a timely basis to the Governor and
21 General Assembly.

22 (3) The Oversight Board shall:

23 (A) Develop a process to solicit grant
24 applications from eligible training, development, and
25 technical assistance organizations.

26 (B) Review grant applications and proposed grant

1 agreements and approve the distribution of resources.

2 (C) Develop a process to support ongoing
3 monitoring of training, development, and technical
4 assistance grantees.

5 (Source: P.A. 100-999, eff. 1-1-19.)

6 Section 5-170. The Revised Uniform Unclaimed Property Act
7 is amended by changing Section 15-801 as follows:

8 (765 ILCS 1026/15-801)

9 Sec. 15-801. Deposit of funds by administrator.

10 (a) Except as otherwise provided in this Section, the
11 administrator shall deposit in the Unclaimed Property Trust
12 Fund all funds received under this Act, including proceeds
13 from the sale of property under Article 7. The administrator
14 may deposit any amount in the Unclaimed Property Trust Fund
15 into the State Pensions Fund during the fiscal year at his or
16 her discretion; however, he or she shall, on April 15 and
17 October 15 of each year, deposit any amount in the Unclaimed
18 Property Trust Fund exceeding \$2,500,000 into the State
19 Pensions Fund. If on either April 15 or October 15, the
20 administrator determines that a balance of \$2,500,000 is
21 insufficient for the prompt payment of unclaimed property
22 claims authorized under this Act, the administrator may retain
23 more than \$2,500,000 in the Unclaimed Property Trust Fund in
24 order to ensure the prompt payment of claims. Beginning in

1 State fiscal year 2025 ~~2024~~, all amounts that are deposited
2 into the State Pensions Fund from the Unclaimed Property Trust
3 Fund shall be apportioned to the designated retirement systems
4 as provided in subsection (c-6) of Section 8.12 of the State
5 Finance Act to reduce their actuarial reserve deficiencies.

6 (b) The administrator shall make prompt payment of claims
7 he or she duly allows as provided for in this Act from the
8 Unclaimed Property Trust Fund. This shall constitute an
9 irrevocable and continuing appropriation of all amounts in the
10 Unclaimed Property Trust Fund necessary to make prompt payment
11 of claims duly allowed by the administrator pursuant to this
12 Act.

13 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
14 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

15 Section 5-175. The Line of Duty Compensation Act is
16 amended by changing Section 3 as follows:

17 (820 ILCS 315/3) (from Ch. 48, par. 283)

18 Sec. 3. Duty death benefit.

19 (a) If a claim therefor is made within 2 years ~~one year~~ of
20 the date of death of a law enforcement officer, civil defense
21 worker, civil air patrol member, paramedic, fireman, chaplain,
22 or State employee killed in the line of duty, or if a claim
23 therefor is made within 2 years of the date of death of an
24 Armed Forces member killed in the line of duty, compensation

1 shall be paid to the person designated by the law enforcement
2 officer, civil defense worker, civil air patrol member,
3 paramedic, fireman, chaplain, State employee, or Armed Forces
4 member. However, if the Armed Forces member was killed in the
5 line of duty before October 18, 2004, the claim must be made
6 within one year of October 18, 2004. In addition, if a death
7 occurred after December 31, 2016 and before January 1, 2021,
8 the claim may be made no later than December 31, 2022
9 notwithstanding any other deadline established under this Act
10 with respect to filing a claim for a duty death benefit.

11 (b) The amount of compensation, except for an Armed Forces
12 member, shall be \$10,000 if the death in the line of duty
13 occurred prior to January 1, 1974; \$20,000 if such death
14 occurred after December 31, 1973 and before July 1, 1983;
15 \$50,000 if such death occurred on or after July 1, 1983 and
16 before January 1, 1996; \$100,000 if the death occurred on or
17 after January 1, 1996 and before May 18, 2001; \$118,000 if the
18 death occurred on or after May 18, 2001 and before July 1,
19 2002; and \$259,038 if the death occurred on or after July 1,
20 2002 and before January 1, 2003. For an Armed Forces member
21 killed in the line of duty (i) at any time before January 1,
22 2005, the compensation is \$259,038 plus amounts equal to the
23 increases for 2003 and 2004 determined under subsection (c)
24 and (ii) on or after January 1, 2005, the compensation is the
25 amount determined under item (i) plus the applicable increases
26 for 2005 and thereafter determined under subsection (c).

1 (c) Except as provided in subsection (b), for deaths
2 occurring on or after January 1, 2003, the death compensation
3 rate for death in the line of duty occurring in a particular
4 calendar year shall be the death compensation rate for death
5 occurring in the previous calendar year (or in the case of
6 deaths occurring in 2003, the rate in effect on December 31,
7 2002) increased by a percentage thereof equal to the
8 percentage increase, if any, in the index known as the
9 Consumer Price Index for All Urban Consumers: U.S. city
10 average, unadjusted, for all items, as published by the United
11 States Department of Labor, Bureau of Labor Statistics, for
12 the 12 months ending with the month of June of that previous
13 calendar year.

14 (d) If no beneficiary is designated or if no designated
15 beneficiary survives at the death of the law enforcement
16 officer, civil defense worker, civil air patrol member,
17 paramedic, fireman, chaplain, or State employee killed in the
18 line of duty, the compensation shall be paid in accordance
19 with a legally binding will left by the law enforcement
20 officer, civil defense worker, civil air patrol member,
21 paramedic, fireman, chaplain, or State employee. If the law
22 enforcement officer, civil defense worker, civil air patrol
23 member, paramedic, fireman, chaplain, or State employee did
24 not leave a legally binding will, the compensation shall be
25 paid as follows:

26 (1) when there is a surviving spouse, the entire sum

1 shall be paid to the spouse;

2 (2) when there is no surviving spouse, but a surviving
3 descendant of the decedent, the entire sum shall be paid
4 to the decedent's descendants per stirpes;

5 (3) when there is neither a surviving spouse nor a
6 surviving descendant, the entire sum shall be paid to the
7 parents of the decedent in equal parts, allowing to the
8 surviving parent, if one is dead, the entire sum; and

9 (4) when there is no surviving spouse, descendant or
10 parent of the decedent, but there are surviving brothers
11 or sisters, or descendants of a brother or sister, who
12 were receiving their principal support from the decedent
13 at his death, the entire sum shall be paid, in equal parts,
14 to the dependent brothers or sisters or dependent
15 descendant of a brother or sister. Dependency shall be
16 determined by the Court of Claims based upon the
17 investigation and report of the Attorney General.

18 The changes made to this subsection (d) by this amendatory Act
19 of the 94th General Assembly apply to any pending case as long
20 as compensation has not been paid to any party before the
21 effective date of this amendatory Act of the 94th General
22 Assembly.

23 (d-1) For purposes of subsection (d), in the case of a
24 person killed in the line of duty who was born out of wedlock
25 and was not an adoptive child at the time of the person's
26 death, a person shall be deemed to be a parent of the person

1 killed in the line of duty only if that person would be an
2 eligible parent, as defined in Section 2-2 of the Probate Act
3 of 1975, of the person killed in the line of duty. This
4 subsection (d-1) applies to any pending claim if compensation
5 was not paid to the claimant of the pending claim before the
6 effective date of this amendatory Act of the 94th General
7 Assembly.

8 (d-2) If no beneficiary is designated or if no designated
9 beneficiary survives at the death of the Armed Forces member
10 killed in the line of duty, the compensation shall be paid in
11 entirety according to the designation made on the most recent
12 version of the Armed Forces member's Servicemembers' Group
13 Life Insurance Election and Certificate ("SGLI").

14 If no SGLI form exists at the time of the Armed Forces
15 member's death, the compensation shall be paid in accordance
16 with a legally binding will left by the Armed Forces member.

17 If no SGLI form exists for the Armed Forces member and the
18 Armed Forces member did not leave a legally binding will, the
19 compensation shall be paid to the persons and in the priority
20 as set forth in paragraphs (1) through (4) of subsection (d) of
21 this Section.

22 This subsection (d-2) applies to any pending case as long
23 as compensation has not been paid to any party before the
24 effective date of this amendatory Act of the 94th General
25 Assembly.

26 (e) If there is no beneficiary designated or if no

1 designated beneficiary survives at the death of the law
2 enforcement officer, civil defense worker, civil air patrol
3 member, paramedic, fireman, chaplain, State employee, or Armed
4 Forces member killed in the line of duty and there is no other
5 person or entity to whom compensation is payable under this
6 Section, no compensation shall be payable under this Act.

7 (f) No part of such compensation may be paid to any other
8 person for any efforts in securing such compensation.

9 (g) This amendatory Act of the 93rd General Assembly
10 applies to claims made on or after October 18, 2004 with
11 respect to an Armed Forces member killed in the line of duty.

12 (h) In any case for which benefits have not been paid
13 within 6 months of the claim being filed in accordance with
14 this Section, which is pending as of the effective date of this
15 amendatory Act of the 96th General Assembly, and in which
16 there are 2 or more beneficiaries, at least one of whom would
17 receive at least a portion of the total benefit regardless of
18 the manner in which the Court of Claims resolves the claim, the
19 Court shall direct the Comptroller to pay the minimum amount
20 of money which the determinate beneficiary would receive
21 together with all interest payment penalties which have
22 accrued on that portion of the award being paid within 30 days
23 of the effective date of this amendatory Act of the 96th
24 General Assembly. For purposes of this subsection (h),
25 "determinate beneficiary" means the beneficiary who would
26 receive any portion of the total benefit claimed regardless of

1 the manner in which the Court of Claims adjudicates the claim.

2 (i) The Court of Claims shall ensure that all individuals
3 who have filed an application to claim the duty death benefit
4 for a deceased member of the Armed Forces pursuant to this
5 Section or for a fireman pursuant to this Section, or their
6 designated representative, shall have access, on a timely
7 basis and in an efficient manner, to all information related
8 to the court's consideration, processing, or adjudication of
9 the claim, including, but not limited to, the following:

10 (1) a reliable estimate of when the Court of Claims
11 will adjudicate the claim, or if the Court cannot estimate
12 when it will adjudicate the claim, a full written
13 explanation of the reasons for this inability; and

14 (2) a reliable estimate, based upon consultation with
15 the Comptroller, of when the benefit will be paid to the
16 claimant.

17 (j) The Court of Claims shall send written notice to all
18 claimants within 2 weeks of the initiation of a claim
19 indicating whether or not the application is complete. For
20 purposes of this subsection (j), an application is complete if
21 a claimant has submitted to the Court of Claims all documents
22 and information the Court requires for adjudicating and paying
23 the benefit amount. For purposes of this subsection (j), a
24 claim for the duty death benefit is initiated when a claimant
25 submits any of the application materials required for
26 adjudicating the claim to the Court of Claims. In the event a

1 claimant's application is incomplete, the Court shall include
2 in its written notice a list of the information or documents
3 which the claimant must submit in order for the application to
4 be complete. In no case may the Court of Claims deny a claim
5 and subsequently re-adjudicate the same claim for the purpose
6 of evading or reducing the interest penalty payment amount
7 payable to any claimant.

8 (Source: P.A. 102-215, eff. 7-30-21.)

9 ARTICLE 10.

10 Section 10-2. The Department of Human Services Act is
11 amended by adding Section 80-45 as follows:

12 (20 ILCS 1305/80-45 new)

13 Sec. 80-45. Funding Agent and Administration.

14 (a) The Department shall act as funding agent under the
15 terms of the Illinois Affordable Housing Act and shall
16 administer other appropriations for the use of the Illinois
17 Housing Development Authority.

18 (b) The Department may enter into contracts,
19 intergovernmental agreements, grants, cooperative agreements,
20 memoranda of understanding, or other instruments with any
21 federal, State, or local government agency as necessary to
22 fulfill its role as funding agent in compliance with State and
23 federal law. The Department and the Department of Revenue

1 shall coordinate, in consultation with the Illinois Housing
2 Development Authority, the transition of the funding agent
3 role, including the transfer of any and all books, records, or
4 documents, in whatever form stored, necessary to the
5 Department's execution of the duties of the funding agent, and
6 the Department may submit to the Governor's Office of
7 Management and Budget requests for exception pursuant to
8 Section 55 of the Grant Accountability and Transparency Act.
9 Notwithstanding Section 5 of the Grant Funds Recovery Act, for
10 State fiscal years 2023 and 2024 only, in order to accomplish
11 the transition of the funding agent role to the Department,
12 grant funds may be made available for expenditure by a grantee
13 for a period of 3 years from the date the funds were
14 distributed by the State.

15 Section 10-3. The State Finance Act is amended by changing
16 Section 6z-20.1 as follows:

17 (30 ILCS 105/6z-20.1)

18 Sec. 6z-20.1. The State Aviation Program Fund and the
19 Sound-Reducing Windows and Doors Replacement Fund.

20 (a) The State Aviation Program Fund is created in the
21 State Treasury. Moneys in the Fund shall be used by the
22 Department of Transportation for the purposes of administering
23 a State Aviation Program. Subject to appropriation, the moneys
24 shall be used for the purpose of distributing grants to units

1 of local government to be used for airport-related purposes.
2 Grants to units of local government from the Fund shall be
3 distributed proportionately based on equal part enplanements,
4 total cargo, and airport operations. With regard to
5 enplanements that occur within a municipality with a
6 population of over 500,000, grants shall be distributed only
7 to the municipality.

8 (b) For grants to a unit of government other than a
9 municipality with a population of more than 500,000,
10 "airport-related purposes" means the capital or operating
11 costs of: (1) an airport; (2) a local airport system; or (3)
12 any other local facility that is owned or operated by the
13 person or entity that owns or operates the airport that is
14 directly and substantially related to the air transportation
15 of passengers or property as provided in 49 U.S.C. 47133,
16 including (i) the replacement of sound-reducing windows and
17 doors installed under the Residential Sound Insulation Program
18 and (ii) in-home air quality monitoring testing in residences
19 in which windows or doors were installed under the Residential
20 Sound Insulation Program.

21 (c) For grants to a municipality with a population of more
22 than 500,000, "airport-related purposes" means the capital
23 costs of: (1) an airport; (2) a local airport system; or (3)
24 any other local facility that (i) is owned or operated by a
25 person or entity that owns or operates an airport and (ii) is
26 directly and substantially related to the air transportation

1 of passengers or property, as provided in 49 U.S.C. 47133. For
2 grants to a municipality with a population of more than
3 500,000, "airport-related purposes" also means costs,
4 including administrative costs, associated with the
5 replacement of sound-reducing windows and doors installed
6 under the Residential Sound Insulation Program.

7 (d) In each State fiscal year, \$9,500,000 ~~the first~~
8 ~~\$7,500,000~~ attributable to a municipality with a population of
9 more than 500,000, as provided in subsection (a) of this
10 Section, shall be transferred to the Sound-Reducing Windows
11 and Doors Replacement Fund, a special fund created in the
12 State Treasury. Subject to appropriation, the moneys in the
13 Fund shall be used solely for costs, including administrative
14 costs, associated with the mechanical repairs and the
15 replacement of sound-reducing windows and doors installed
16 under the Residential Sound Insulation Program. Any amounts
17 attributable to a municipality with a population of more than
18 500,000 in excess of \$7,500,000 in each State fiscal year
19 shall be distributed among the airports in that municipality
20 based on the same formula as prescribed in subsection (a) to be
21 used for airport-related purposes.

22 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20.)

23 Section 10-4. The Illinois Grant Funds Recovery Act is
24 amended by changing Section 5 as follows:

1 (30 ILCS 705/5) (from Ch. 127, par. 2305)

2 Sec. 5. Time limit on expenditure of grant funds. Subject
3 to the restriction of Section 35 of the State Finance Act, no
4 grant funds may be made available for expenditure by a grantee
5 for a period longer than 2 years, except where such grant funds
6 are disbursed in reimbursement of costs previously incurred by
7 the grantee and except as otherwise provided in subsection (d)
8 of Section 5-200 of the School Construction Law and in
9 subsection (b) of Section 80-45 of the Department of Human
10 Services Act. Any grant funds not expended or legally
11 obligated by the end of the grant agreement, or during the time
12 limitation to grant fund expenditures set forth in this
13 Section, must be returned to the grantor agency within 45
14 days, if the funds are not already on deposit with the grantor
15 agency or the State Treasurer. Such returned funds shall be
16 deposited into the fund from which the original grant
17 disbursement to the grantee was made.

18 (Source: P.A. 99-606, eff. 7-22-16.)

19 Section 10-5. The Illinois Public Aid Code is amended by
20 changing Sections 12-4.7 and 12-10.10 as follows:

21 (305 ILCS 5/12-4.7) (from Ch. 23, par. 12-4.7)

22 Sec. 12-4.7. Co-operation with other agencies. Make use
23 of, aid and co-operate with State and local governmental
24 agencies, and co-operate with and assist other governmental

1 and private agencies and organizations engaged in welfare
2 functions.

3 This grant of authority includes the powers necessary for
4 the Department of Healthcare and Family Services to administer
5 the Illinois Health and Human Services Innovation Incubator
6 (HHSi2) project. The Department of Healthcare and Family
7 Services shall cochair with the Governor's Office of
8 Management and Budget an Executive Steering Committee of
9 partner State agencies to coordinate the HHSi2 project. The
10 powers and duties of the Executive Steering Committee shall be
11 established by intergovernmental agreement. In addition, the
12 Department of Healthcare and Family Services is authorized,
13 without limitation, to enter into agreements with federal
14 agencies, to create and implement the HHSi2 Shared
15 Interoperability Platform, and to create all Implementation
16 Advance Planning documents for the HHSi2 project.

17 (Source: P.A. 92-111, eff. 1-1-02.)

18 (305 ILCS 5/12-10.10)

19 Sec. 12-10.10. HFS ~~DHS~~ Technology Initiative Fund.

20 (a) The HFS ~~DHS~~ Technology Initiative Fund is hereby
21 created as a trust fund within the State treasury with the
22 State Treasurer as the ex-officio custodian of the Fund.

23 (b) The Department of Healthcare and Family ~~Human~~ Services
24 may accept and receive grants, awards, gifts, ~~and~~ bequests, or
25 other moneys from any source, public or private, in support of

1 information technology initiatives. Those moneys ~~Moneys~~
2 received in support of information technology initiatives, and
3 any interest earned thereon, shall be deposited into the HFS
4 ~~DHS~~ Technology Initiative Fund.

5 (c) Moneys in the Fund may be used by the Department of
6 Healthcare and Family ~~Human~~ Services for the purpose of making
7 grants associated with the development and implementation of
8 information technology projects or paying for operational
9 expenses of the Department of Healthcare and Family ~~Human~~
10 Services related to such projects. The Department of
11 Healthcare and Family Services may use moneys in the Fund to
12 pay for administrative, operational, and project expenses of
13 the Illinois Health and Human Services Innovation Incubator
14 (HHSi2) project. Notwithstanding any provision of law to the
15 contrary, the Department of Human Services shall have the
16 authority to satisfy all Fiscal Year 2023 outstanding
17 expenditure obligations or liabilities payable from the Fund
18 pursuant to Section 25 of the State Finance Act.

19 (d) The Department of Healthcare and Family ~~Human~~
20 Services, in consultation with the Department of Innovation
21 and Technology, shall use the funds deposited into ~~in~~ the HFS
22 ~~DHS~~ Technology Initiative Fund to pay for information
23 technology solutions either provided by Department of
24 Innovation and Technology or arranged or coordinated by the
25 Department of Innovation and Technology.

26 (Source: P.A. 100-611, eff. 7-20-18; 101-275, eff. 8-9-19.)

1 Section 10-10. The Illinois Affordable Housing Act is
2 amended by changing Sections 3 and 5 as follows:

3 (310 ILCS 65/3) (from Ch. 67 1/2, par. 1253)

4 Sec. 3. Definitions. As used in this Act:

5 (a) "Program" means the Illinois Affordable Housing
6 Program.

7 (b) "Trust Fund" means the Illinois Affordable Housing
8 Trust Fund.

9 (b-5) "Capital Fund" means the Illinois Affordable Housing
10 Capital Fund.

11 (c) "Low-income household" means a single person, family
12 or unrelated persons living together whose adjusted income is
13 more than 50%, but less than 80%, of the median income of the
14 area of residence, adjusted for family size, as such adjusted
15 income and median income for the area are determined from time
16 to time by the United States Department of Housing and Urban
17 Development for purposes of Section 8 of the United States
18 Housing Act of 1937.

19 (d) "Very low-income household" means a single person,
20 family or unrelated persons living together whose adjusted
21 income is not more than 50% of the median income of the area of
22 residence, adjusted for family size, as such adjusted income
23 and median income for the area are determined from time to time
24 by the United States Department of Housing and Urban

1 Development for purposes of Section 8 of the United States
2 Housing Act of 1937.

3 (e) "Affordable housing" means residential housing that,
4 so long as the same is occupied by low-income households or
5 very low-income households, requires payment of monthly
6 housing costs, including utilities other than telephone, of no
7 more than 30% of the maximum allowable income as stated for
8 such households as defined in this Section.

9 (f) "Multi-family housing" means a building or buildings
10 providing housing to 5 or more households.

11 (g) "Single-family housing" means a building containing
12 one to 4 dwelling units, including a mobile home as defined in
13 subsection (b) of Section 3 of the Mobile Home Landlord and
14 Tenant Rights Act, as amended.

15 (h) "Community-based organization" means a not-for-profit
16 entity whose governing body includes a majority of members who
17 reside in the community served by the organization.

18 (i) "Advocacy organization" means a not-for-profit
19 organization which conducts, in part or in whole, activities
20 to influence public policy on behalf of low-income or very
21 low-income households.

22 (j) "Program Administrator" means the Illinois Housing
23 Development Authority.

24 (k) "Funding Agent" means the Illinois Department of Human
25 Services Revenue.

26 (l) "Commission" means the Affordable Housing Advisory

1 Commission.

2 (m) "Congregate housing" means a building or structure in
3 which 2 or more households, inclusive, share common living
4 areas and may share child care, cleaning, cooking and other
5 household responsibilities.

6 (n) "Eligible applicant" means a proprietorship,
7 partnership, for-profit corporation, not-for-profit
8 corporation or unit of local government which seeks to use
9 fund assets as provided in this Article.

10 (o) "Moderate income household" means a single person,
11 family or unrelated persons living together whose adjusted
12 income is more than 80% but less than 120% of the median income
13 of the area of residence, adjusted for family size, as such
14 adjusted income and median income for the area are determined
15 from time to time by the United States Department of Housing
16 and Urban Development for purposes of Section 8 of the United
17 States Housing Act of 1937.

18 (p) "Affordable Housing Program Trust Fund Bonds or Notes"
19 means the bonds or notes issued by the Program Administrator
20 under the Illinois Housing Development Act to further the
21 purposes of this Act.

22 (q) "Trust Fund Moneys" means all moneys, deposits,
23 revenues, income, interest, dividends, receipts, taxes,
24 proceeds and other amounts or funds deposited or to be
25 deposited into ~~in~~ the Trust Fund pursuant to Section 5(b) of
26 this Act and any proceeds, investments or increase thereof.

1 (r) "Program Escrow" means accounts, except those accounts
2 relating to any Affordable Housing Program Trust Fund Bonds or
3 Notes, designated by the Program Administrator, into which
4 Trust Fund Moneys are deposited.

5 (s) "Common household pet" means a domesticated animal,
6 such as a dog (*canis lupus familiaris*) or cat (*felis catus*),
7 which is commonly kept in the home for pleasure rather than for
8 commercial purposes.

9 (Source: P.A. 102-283, eff. 1-1-22.)

10 (310 ILCS 65/5) (from Ch. 67 1/2, par. 1255)

11 Sec. 5. Illinois Affordable Housing Trust Fund.

12 (a) There is hereby created the Illinois Affordable
13 Housing Trust Fund, hereafter referred to in this Act as the
14 "Trust Fund" to be held as a separate fund within the State
15 Treasury and to be administered by the Program Administrator.
16 The purpose of the Trust Fund is to finance projects of the
17 Illinois Affordable Housing Program as authorized and approved
18 by the Program Administrator. The Funding Agent shall
19 establish, within the Trust Fund, a General Account, a Bond
20 Account, a Commitment Account and a Development Credits
21 Account. The Funding Agent shall authorize distribution of
22 Trust Fund moneys to the Program Administrator or a payee
23 designated by the Program Administrator for purposes
24 authorized by this Act. After receipt of the Trust Fund moneys
25 by the Program Administrator or designated payee, the Program

1 Administrator shall ensure that all those moneys are expended
2 for a public purpose and only as authorized by this Act.

3 (b) Except as otherwise provided in Section 8(c) of this
4 Act, there shall be deposited in the Trust Fund such amounts as
5 may become available under the provisions of this Act,
6 including, but not limited to:

7 (1) all receipts, including dividends, principal and
8 interest repayments attributable to any loans or
9 agreements funded from the Trust Fund;

10 (2) all proceeds of assets of whatever nature received
11 by the Program Administrator, and attributable to default
12 with respect to loans or agreements funded from the Trust
13 Fund;

14 (3) any appropriations, grants or gifts of funds or
15 property, or financial or other aid from any federal or
16 State agency or body, local government or any other public
17 organization or private individual made to the Trust Fund;

18 (4) any income received as a result of the investment
19 of moneys in the Trust Fund;

20 (5) all fees or charges collected by the Program
21 Administrator or Funding Agent pursuant to this Act;

22 (6) amounts as provided in Section 31-35 of the Real
23 Estate Transfer Tax Law ~~an amount equal to one half of all~~
24 ~~proceeds collected by the Funding Agent pursuant to~~
25 ~~Section 3 of the Real Estate Transfer Tax Act, as amended;~~

26 (7) other funds as appropriated by the General

1 Assembly; and

2 (8) any income, less costs and fees associated with
3 the Program Escrow, received by the Program Administrator
4 that is derived from Trust Fund Moneys held in the Program
5 Escrow prior to expenditure of such Trust Fund Moneys.

6 (c) Additional Trust Fund Purpose: Receipt and use of
7 federal funding for programs responding to the COVID-19 public
8 health emergency. Notwithstanding any other provision of this
9 Act or any other law limiting or directing the use of the Trust
10 Fund, the Trust Fund may receive, directly or indirectly,
11 federal funds from the Homeowner Assistance Fund authorized
12 under Section 3206 of the federal American Rescue Plan Act of
13 2021 (Public Law 117-2). Any such funds shall be deposited
14 into a Homeowner Assistance Account which shall be established
15 within the Trust Fund by the Funding Agent so that such funds
16 can be accounted for separately from other funds in the Trust
17 Fund. Such funds may be used only in the manner and for the
18 purposes authorized in Section 3206 of the American Rescue
19 Plan Act of 2021 and in related federal guidance. Also, the
20 Trust Fund may receive, directly or indirectly, federal funds
21 from the Emergency Rental Assistance Program authorized under
22 Section 3201 of the federal American Rescue Plan Act of 2021
23 and Section 501 of Subtitle A of Title V of Division N of the
24 Consolidated Appropriations Act, 2021 (Public Law 116-260).
25 Any such funds shall be deposited into an Emergency Rental
26 Assistance Account which shall be established within the Trust

1 Fund by the Funding Agent so that such funds can be accounted
2 for separately from other funds in the Trust Fund. Such funds
3 may be used only in the manner and for the purposes authorized
4 in Section 3201 of the American Rescue Plan Act of 2021 and in
5 related federal guidance. Expenditures under this subsection
6 (c) are subject to annual appropriation to the Funding Agent.
7 Unless used in this subsection (c), the defined terms set
8 forth in Section 3 shall not apply to funds received pursuant
9 to the American Rescue Plan Act of 2021. Notwithstanding any
10 other provision of this Act or any other law limiting or
11 directing the use of the Trust Fund, funds received under the
12 American Rescue Plan Act of 2021 are not subject to the terms
13 and provisions of this Act except as specifically set forth in
14 this subsection (c).

15 (Source: P.A. 102-16, eff. 6-17-21.)

16 ARTICLE 15.

17 Section 15-5. The Illinois Administrative Procedure Act is
18 amended by adding Sections 5-45.42 and 5-45.43 as follows:

19 (5 ILCS 100/5-45.42 new)

20 Sec. 5-45.42. Emergency rulemaking; Mental Health and
21 Developmental Disabilities Administrative Act. To provide for
22 the expeditious and timely implementation of the changes made
23 to Section 74 of the Mental Health and Developmental

1 Disabilities Administrative Act by this amendatory Act of the
2 103rd General Assembly, emergency rules implementing the
3 changes made to that Section by this amendatory Act of the
4 103rd General Assembly may be adopted in accordance with
5 Section 5-45 by the Department of Human Services or other
6 department essential to the implementation of the changes. The
7 adoption of emergency rules authorized by Section 5-45 and
8 this Section is deemed to be necessary for the public
9 interest, safety, and welfare.

10 This Section is repealed one year after the effective date
11 of this amendatory Act of the 103rd General Assembly.

12 (5 ILCS 100/5-45.43 new)

13 Sec. 5-45.43. Emergency rulemaking; Illinois Public Aid
14 Code. To provide for the expeditious and timely implementation
15 of the changes made to the Illinois Public Aid Code by this
16 amendatory Act of the 103rd General Assembly, emergency rules
17 implementing the changes made to that Code by this amendatory
18 Act of the 103rd General Assembly may be adopted in accordance
19 with Section 5-45 by the Department of Healthcare and Family
20 Services or other department essential to the implementation
21 of the changes. The adoption of emergency rules authorized by
22 Section 5-45 and this Section is deemed to be necessary for the
23 public interest, safety, and welfare.

24 This Section is repealed one year after the effective date
25 of this amendatory Act of the 103rd General Assembly.

1 Section 15-10. The Mental Health and Developmental
2 Disabilities Administrative Act is amended by changing Section
3 74 as follows:

4 (20 ILCS 1705/74)

5 Sec. 74. Rates and reimbursements.

6 (a) Within 30 days after July 6, 2017 (the effective date
7 of Public Act 100-23), the Department shall increase rates and
8 reimbursements to fund a minimum of a \$0.75 per hour wage
9 increase for front-line personnel, including, but not limited
10 to, direct support professionals, aides, front-line
11 supervisors, qualified intellectual disabilities
12 professionals, nurses, and non-administrative support staff
13 working in community-based provider organizations serving
14 individuals with developmental disabilities. The Department
15 shall adopt rules, including emergency rules under subsection
16 (y) of Section 5-45 of the Illinois Administrative Procedure
17 Act, to implement the provisions of this Section.

18 (b) Rates and reimbursements. Within 30 days after June 4,
19 2018 (the effective date of Public Act 100-587) ~~this~~
20 ~~amendatory Act of the 100th General Assembly~~, the Department
21 shall increase rates and reimbursements to fund a minimum of a
22 \$0.50 per hour wage increase for front-line personnel,
23 including, but not limited to, direct support professionals,
24 aides, front-line supervisors, qualified intellectual

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

8 (c) Rates and reimbursements. Within 30 days after June 5,
9 2019 (the effective date of Public Act 101-10) ~~this amendatory~~
10 ~~Act of the 101st General Assembly~~, subject to federal
11 approval, the Department shall increase rates and
12 reimbursements in effect on June 30, 2019 for community-based
13 providers for persons with Developmental Disabilities by 3.5%
14 The Department shall adopt rules, including emergency rules
15 under subsection (jj) of Section 5-45 of the Illinois
16 Administrative Procedure Act, to implement the provisions of
17 this Section, including wage increases for direct care staff.

18 (d) For community-based providers serving persons with
19 intellectual/developmental disabilities, subject to federal
20 approval of any relevant Waiver Amendment, the rates taking
21 effect for services delivered on or after January 1, 2022,
22 shall include an increase in the rate methodology sufficient
23 to provide a \$1.50 per hour wage increase for direct support
24 professionals in residential settings and sufficient to
25 provide wages for all residential non-executive direct care
26 staff, excluding direct support professionals, at the federal

1 Department of Labor, Bureau of Labor Statistics' average wage
2 as defined in rule by the Department.

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

11 (e) For community-based providers serving persons with
12 intellectual/developmental disabilities, subject to federal
13 approval of any relevant Waiver Amendment, the rates taking
14 effect for services delivered on or after January 1, 2023,
15 shall include an increase in the rate methodology sufficient
16 to provide a \$1.00 per hour wage increase for all direct
17 support professionals ~~personnel~~ and all other frontline
18 personnel who are not subject to the Bureau of Labor
19 Statistics' average wage increases, who work in residential
20 and community day services settings, with at least \$0.50 of
21 those funds to be provided as a direct increase to base wages,
22 with the remaining \$0.50 to be used flexibly for base wage
23 increases. In addition, the rates taking effect for services
24 delivered on or after January 1, 2023 shall include an
25 increase sufficient to provide wages for all residential
26 non-executive direct care staff, excluding direct support

1 professionals personnel, at the federal Department of Labor,
2 Bureau of Labor Statistics' average wage as defined in rule by
3 the Department.

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

12 (f) For community-based providers serving persons with
13 intellectual/developmental disabilities, subject to federal
14 approval of any relevant Waiver Amendment, the rates taking
15 effect for services delivered on or after January 1, 2024
16 shall include an increase in the rate methodology sufficient
17 to provide a \$2.50 per hour wage increase for all direct
18 support professionals and all other frontline personnel who
19 are not subject to the Bureau of Labor Statistics' average
20 wage increases and who work in residential and community day
21 services settings. At least \$1.25 of the per hour wage
22 increase shall be provided as a direct increase to base wages,
23 and the remaining \$1.25 of the per hour wage increase shall be
24 used flexibly for base wage increases. In addition, the rates
25 taking effect for services delivered on or after January 1,
26 2024 shall include an increase sufficient to provide wages for

1 all residential non-executive direct care staff, excluding
2 direct support professionals, at the federal Department of
3 Labor, Bureau of Labor Statistics' average wage as defined in
4 rule by the Department.

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

13 (Source: P.A. 101-10, eff. 6-5-19; 102-16, eff. 6-17-21;
14 102-699, eff. 4-19-22; 102-830, eff. 1-1-23; revised
15 12-13-22.)

16 Section 15-15. The Illinois Public Aid Code is amended by
17 changing Sections 5-5.4, 5-5.7a, and 12-4.11 and by adding
18 Section 9A-17 as follows:

19 (305 ILCS 5/5-5.4) (from Ch. 23, par. 5-5.4)

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

1 (1) Provide for the determination of a facility's payment
2 for nursing facility or ICF/DD services on a prospective
3 basis. The amount of the payment rate for all nursing
4 facilities certified by the Department of Public Health under
5 the ID/DD Community Care Act or the Nursing Home Care Act as
6 Intermediate Care for the Developmentally Disabled facilities,
7 Long Term Care for Under Age 22 facilities, Skilled Nursing
8 facilities, or Intermediate Care facilities under the medical
9 assistance program shall be prospectively established annually
10 on the basis of historical, financial, and statistical data
11 reflecting actual costs from prior years, which shall be
12 applied to the current rate year and updated for inflation,
13 except that the capital cost element for newly constructed
14 facilities shall be based upon projected budgets. The annually
15 established payment rate shall take effect on July 1 in 1984
16 and subsequent years. No rate increase and no update for
17 inflation shall be provided on or after July 1, 1994, unless
18 specifically provided for in this Section. The changes made by
19 Public Act 93-841 extending the duration of the prohibition
20 against a rate increase or update for inflation are effective
21 retroactive to July 1, 2004.

22 For facilities licensed by the Department of Public Health
23 under the Nursing Home Care Act as Intermediate Care for the
24 Developmentally Disabled facilities or Long Term Care for
25 Under Age 22 facilities, the rates taking effect on July 1,
26 1998 shall include an increase of 3%. For facilities licensed

1 by the Department of Public Health under the Nursing Home Care
2 Act as Skilled Nursing facilities or Intermediate Care
3 facilities, the rates taking effect on July 1, 1998 shall
4 include an increase of 3% plus \$1.10 per resident-day, as
5 defined by the Department. For facilities licensed by the
6 Department of Public Health under the Nursing Home Care Act as
7 Intermediate Care Facilities for the Developmentally Disabled
8 or Long Term Care for Under Age 22 facilities, the rates taking
9 effect on January 1, 2006 shall include an increase of 3%. For
10 facilities licensed by the Department of Public Health under
11 the Nursing Home Care Act as Intermediate Care Facilities for
12 the Developmentally Disabled or Long Term Care for Under Age
13 22 facilities, the rates taking effect on January 1, 2009
14 shall include an increase sufficient to provide a \$0.50 per
15 hour wage increase for non-executive staff. For facilities
16 licensed by the Department of Public Health under the ID/DD
17 Community Care Act as ID/DD Facilities the rates taking effect
18 within 30 days after July 6, 2017 (the effective date of Public
19 Act 100-23) shall include an increase sufficient to provide a
20 \$0.75 per hour wage increase for non-executive staff. The
21 Department shall adopt rules, including emergency rules under
22 subsection (y) of Section 5-45 of the Illinois Administrative
23 Procedure Act, to implement the provisions of this paragraph.
24 For facilities licensed by the Department of Public Health
25 under the ID/DD Community Care Act as ID/DD Facilities and
26 under the MC/DD Act as MC/DD Facilities, the rates taking

1 effect within 30 days after June 5, 2019 (the effective date of
2 Public Act 101-10) ~~this amendatory Act of the 100th General~~
3 ~~Assembly~~ shall include an increase sufficient to provide a
4 \$0.50 per hour wage increase for non-executive front-line
5 personnel, including, but not limited to, direct support
6 persons, aides, front-line supervisors, qualified intellectual
7 disabilities professionals, nurses, and non-administrative
8 support staff. The Department shall adopt rules, including
9 emergency rules under subsection (bb) of Section 5-45 of the
10 Illinois Administrative Procedure Act, to implement the
11 provisions of this paragraph.

12 For facilities licensed by the Department of Public Health
13 under the Nursing Home Care Act as Intermediate Care for the
14 Developmentally Disabled facilities or Long Term Care for
15 Under Age 22 facilities, the rates taking effect on July 1,
16 1999 shall include an increase of 1.6% plus \$3.00 per
17 resident-day, as defined by the Department. For facilities
18 licensed by the Department of Public Health under the Nursing
19 Home Care Act as Skilled Nursing facilities or Intermediate
20 Care facilities, the rates taking effect on July 1, 1999 shall
21 include an increase of 1.6% and, for services provided on or
22 after October 1, 1999, shall be increased by \$4.00 per
23 resident-day, as defined by the Department.

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

1 Under Age 22 facilities, the rates taking effect on July 1,
2 2000 shall include an increase of 2.5% per resident-day, as
3 defined by the Department. For facilities licensed by the
4 Department of Public Health under the Nursing Home Care Act as
5 Skilled Nursing facilities or Intermediate Care facilities,
6 the rates taking effect on July 1, 2000 shall include an
7 increase of 2.5% per resident-day, as defined by the
8 Department.

9 For facilities licensed by the Department of Public Health
10 under the Nursing Home Care Act as skilled nursing facilities
11 or intermediate care facilities, a new payment methodology
12 must be implemented for the nursing component of the rate
13 effective July 1, 2003. The Department of Public Aid (now
14 Healthcare and Family Services) shall develop the new payment
15 methodology using the Minimum Data Set (MDS) as the instrument
16 to collect information concerning nursing home resident
17 condition necessary to compute the rate. The Department shall
18 develop the new payment methodology to meet the unique needs
19 of Illinois nursing home residents while remaining subject to
20 the appropriations provided by the General Assembly. A
21 transition period from the payment methodology in effect on
22 June 30, 2003 to the payment methodology in effect on July 1,
23 2003 shall be provided for a period not exceeding 3 years and
24 184 days after implementation of the new payment methodology
25 as follows:

26 (A) For a facility that would receive a lower nursing

1 component rate per patient day under the new system than
2 the facility received effective on the date immediately
3 preceding the date that the Department implements the new
4 payment methodology, the nursing component rate per
5 patient day for the facility shall be held at the level in
6 effect on the date immediately preceding the date that the
7 Department implements the new payment methodology until a
8 higher nursing component rate of reimbursement is achieved
9 by that facility.

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

17 (C) Notwithstanding paragraphs (A) and (B), the
18 nursing component rate per patient day for the facility
19 shall be adjusted subject to appropriations provided by
20 the General Assembly.

21 For facilities licensed by the Department of Public Health
22 under the Nursing Home Care Act as Intermediate Care for the
23 Developmentally Disabled facilities or Long Term Care for
24 Under Age 22 facilities, the rates taking effect on March 1,
25 2001 shall include a statewide increase of 7.85%, as defined
26 by the Department.

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

15 (i) For rates taking effect January 1, 2007,
16 \$60,000,000.

17 (ii) For rates taking effect January 1, 2008,
18 \$110,000,000.

19 (iii) For rates taking effect January 1, 2009,
20 \$194,000,000.

21 (iv) For rates taking effect April 1, 2011, or the
22 first day of the month that begins at least 45 days after
23 February 16, 2011 (the effective date of Public Act
24 96-1530) ~~this amendatory Act of the 96th General Assembly,~~
25 \$416,500,000 or an amount as may be necessary to complete
26 the transition to the MDS methodology for the nursing

1 component of the rate. Increased payments under this item
2 (iv) are not due and payable, however, until (i) the
3 methodologies described in this paragraph are approved by
4 the federal government in an appropriate State Plan
5 amendment and (ii) the assessment imposed by Section 5B-2
6 of this Code is determined to be a permissible tax under
7 Title XIX of the Social Security Act.

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

16 For facilities licensed by the Department of Public Health
17 under the Nursing Home Care Act as Intermediate Care for the
18 Developmentally Disabled facilities or Long Term Care for
19 Under Age 22 facilities, the rates taking effect on April 1,
20 2002 shall include a statewide increase of 2.0%, as defined by
21 the Department. This increase terminates on July 1, 2002;
22 beginning July 1, 2002 these rates are reduced to the level of
23 the rates in effect on March 31, 2002, as defined by the
24 Department.

25 For facilities licensed by the Department of Public Health
26 under the Nursing Home Care Act as skilled nursing facilities

1 or intermediate care facilities, the rates taking effect on
2 July 1, 2001 shall be computed using the most recent cost
3 reports on file with the Department of Public Aid no later than
4 April 1, 2000, updated for inflation to January 1, 2001. For
5 rates effective July 1, 2001 only, rates shall be the greater
6 of the rate computed for July 1, 2001 or the rate effective on
7 June 30, 2001.

8 Notwithstanding any other provision of this Section, for
9 facilities licensed by the Department of Public Health under
10 the Nursing Home Care Act as skilled nursing facilities or
11 intermediate care facilities, the Illinois Department shall
12 determine by rule the rates taking effect on July 1, 2002,
13 which shall be 5.9% less than the rates in effect on June 30,
14 2002.

15 Notwithstanding any other provision of this Section, for
16 facilities licensed by the Department of Public Health under
17 the Nursing Home Care Act as skilled nursing facilities or
18 intermediate care facilities, if the payment methodologies
19 required under Section 5A-12 and the waiver granted under 42
20 CFR 433.68 are approved by the United States Centers for
21 Medicare and Medicaid Services, the rates taking effect on
22 July 1, 2004 shall be 3.0% greater than the rates in effect on
23 June 30, 2004. These rates shall take effect only upon
24 approval and implementation of the payment methodologies
25 required under Section 5A-12.

26 Notwithstanding any other provisions of this Section, for

1 facilities licensed by the Department of Public Health under
2 the Nursing Home Care Act as skilled nursing facilities or
3 intermediate care facilities, the rates taking effect on
4 January 1, 2005 shall be 3% more than the rates in effect on
5 December 31, 2004.

6 Notwithstanding any other provision of this Section, for
7 facilities licensed by the Department of Public Health under
8 the Nursing Home Care Act as skilled nursing facilities or
9 intermediate care facilities, effective January 1, 2009, the
10 per diem support component of the rates effective on January
11 1, 2008, computed using the most recent cost reports on file
12 with the Department of Healthcare and Family Services no later
13 than April 1, 2005, updated for inflation to January 1, 2006,
14 shall be increased to the amount that would have been derived
15 using standard Department of Healthcare and Family Services
16 methods, procedures, and inflators.

17 Notwithstanding any other provisions of this Section, for
18 facilities licensed by the Department of Public Health under
19 the Nursing Home Care Act as intermediate care facilities that
20 are federally defined as Institutions for Mental Disease, or
21 facilities licensed by the Department of Public Health under
22 the Specialized Mental Health Rehabilitation Act of 2013, a
23 socio-development component rate equal to 6.6% of the
24 facility's nursing component rate as of January 1, 2006 shall
25 be established and paid effective July 1, 2006. The
26 socio-development component of the rate shall be increased by

1 a factor of 2.53 on the first day of the month that begins at
2 least 45 days after January 11, 2008 (the effective date of
3 Public Act 95-707). As of August 1, 2008, the
4 socio-development component rate shall be equal to 6.6% of the
5 facility's nursing component rate as of January 1, 2006,
6 multiplied by a factor of 3.53. For services provided on or
7 after April 1, 2011, or the first day of the month that begins
8 at least 45 days after February 16, 2011 (the effective date of
9 Public Act 96-1530) ~~this amendatory Act of the 96th General~~
10 ~~Assembly~~, whichever is later, the Illinois Department may by
11 rule adjust these socio-development component rates, and may
12 use different adjustment methodologies for those facilities
13 participating, and those not participating, in the Illinois
14 Department's demonstration program pursuant to the provisions
15 of Title 77, Part 300, Subpart T of the Illinois
16 Administrative Code, but in no case may such rates be
17 diminished below those in effect on August 1, 2008.

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

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

1 Under Age 22 facilities, the rates taking effect on the first
2 day of the month that begins at least 45 days after January 11,
3 2008 (the effective date of Public Act 95-707) ~~this amendatory~~
4 ~~Act of the 95th General Assembly~~ shall include a statewide
5 increase of 2.5%, as defined by the Department.

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

18 Rates established effective each July 1 shall govern
19 payment for services rendered throughout that fiscal year,
20 except that rates established on July 1, 1996 shall be
21 increased by 6.8% for services provided on or after January 1,
22 1997. Such rates will be based upon the rates calculated for
23 the year beginning July 1, 1990, and for subsequent years
24 thereafter until June 30, 2001 shall be based on the facility
25 cost reports for the facility fiscal year ending at any point
26 in time during the previous calendar year, updated to the

1 midpoint of the rate year. The cost report shall be on file
2 with the Department no later than April 1 of the current rate
3 year. Should the cost report not be on file by April 1, the
4 Department shall base the rate on the latest cost report filed
5 by each skilled care facility and intermediate care facility,
6 updated to the midpoint of the current rate year. In
7 determining rates for services rendered on and after July 1,
8 1985, fixed time shall not be computed at less than zero. The
9 Department shall not make any alterations of regulations which
10 would reduce any component of the Medicaid rate to a level
11 below what that component would have been utilizing in the
12 rate effective on July 1, 1984.

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

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

19 (4) Shall take into account the actual costs incurred by
20 facilities in meeting licensing and certification standards
21 imposed and prescribed by the State of Illinois, any of its
22 political subdivisions or municipalities and by the U.S.
23 Department of Health and Human Services pursuant to Title XIX
24 of the Social Security Act.

25 The Department of Healthcare and Family Services shall
26 develop precise standards for payments to reimburse nursing

1 facilities for any utilization of appropriate rehabilitative
2 personnel for the provision of rehabilitative services which
3 is authorized by federal regulations, including reimbursement
4 for services provided by qualified therapists or qualified
5 assistants, and which is in accordance with accepted
6 professional practices. Reimbursement also may be made for
7 utilization of other supportive personnel under appropriate
8 supervision.

9 The Department shall develop enhanced payments to offset
10 the additional costs incurred by a facility serving
11 exceptional need residents and shall allocate at least
12 \$4,000,000 of the funds collected from the assessment
13 established by Section 5B-2 of this Code for such payments.
14 For the purpose of this Section, "exceptional needs" means,
15 but need not be limited to, ventilator care and traumatic
16 brain injury care. The enhanced payments for exceptional need
17 residents under this paragraph are not due and payable,
18 however, until (i) the methodologies described in this
19 paragraph are approved by the federal government in an
20 appropriate State Plan amendment and (ii) the assessment
21 imposed by Section 5B-2 of this Code is determined to be a
22 permissible tax under Title XIX of the Social Security Act.

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

1 No payment increase under this Section for the MDS
2 methodology, exceptional care residents, or the
3 socio-development component rate established by Public Act
4 96-1530 of the 96th General Assembly and funded by the
5 assessment imposed under Section 5B-2 of this Code shall be
6 due and payable until after the Department notifies the
7 long-term care providers, in writing, that the payment
8 methodologies to long-term care providers required under this
9 Section have been approved by the Centers for Medicare and
10 Medicaid Services of the U.S. Department of Health and Human
11 Services and the waivers under 42 CFR 433.68 for the
12 assessment imposed by this Section, if necessary, have been
13 granted by the Centers for Medicare and Medicaid Services of
14 the U.S. Department of Health and Human Services. Upon
15 notification to the Department of approval of the payment
16 methodologies required under this Section and the waivers
17 granted under 42 CFR 433.68, all increased payments otherwise
18 due under this Section prior to the date of notification shall
19 be due and payable within 90 days of the date federal approval
20 is received.

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

26 For facilities licensed by the Department of Public Health

1 under the ID/DD Community Care Act as ID/DD Facilities and
2 under the MC/DD Act as MC/DD Facilities, subject to federal
3 approval, the rates taking effect for services delivered on or
4 after August 1, 2019 shall be increased by 3.5% over the rates
5 in effect on June 30, 2019. The Department shall adopt rules,
6 including emergency rules under subsection (ii) of Section
7 5-45 of the Illinois Administrative Procedure Act, to
8 implement the provisions of this Section, including wage
9 increases for direct care staff.

10 For facilities licensed by the Department of Public Health
11 under the ID/DD Community Care Act as ID/DD Facilities and
12 under the MC/DD Act as MC/DD Facilities, subject to federal
13 approval, the rates taking effect on the latter of the
14 approval date of the State Plan Amendment for these facilities
15 or the Waiver Amendment for the home and community-based
16 services settings shall include an increase sufficient to
17 provide a \$0.26 per hour wage increase to the base wage for
18 non-executive staff. The Department shall adopt rules,
19 including emergency rules as authorized by Section 5-45 of the
20 Illinois Administrative Procedure Act, to implement the
21 provisions of this Section, including wage increases for
22 direct care staff.

23 For facilities licensed by the Department of Public Health
24 under the ID/DD Community Care Act as ID/DD Facilities and
25 under the MC/DD Act as MC/DD Facilities, subject to federal
26 approval of the State Plan Amendment and the Waiver Amendment

1 for the home and community-based services settings, the rates
2 taking effect for the services delivered on or after July 1,
3 2020 shall include an increase sufficient to provide a \$1.00
4 per hour wage increase for non-executive staff. For services
5 delivered on or after January 1, 2021, subject to federal
6 approval of the State Plan Amendment and the Waiver Amendment
7 for the home and community-based services settings, shall
8 include an increase sufficient to provide a \$0.50 per hour
9 increase for non-executive staff. The Department shall adopt
10 rules, including emergency rules as authorized by Section 5-45
11 of the Illinois Administrative Procedure Act, to implement the
12 provisions of this Section, including wage increases for
13 direct care staff.

14 For facilities licensed by the Department of Public Health
15 under the ID/DD Community Care Act as ID/DD Facilities and
16 under the MC/DD Act as MC/DD Facilities, subject to federal
17 approval of the State Plan Amendment, the rates taking effect
18 for the residential services delivered on or after July 1,
19 2021, shall include an increase sufficient to provide a \$0.50
20 per hour increase for aides in the rate methodology. For
21 facilities licensed by the Department of Public Health under
22 the ID/DD Community Care Act as ID/DD Facilities and under the
23 MC/DD Act as MC/DD Facilities, subject to federal approval of
24 the State Plan Amendment, the rates taking effect for the
25 residential services delivered on or after January 1, 2022
26 shall include an increase sufficient to provide a \$1.00 per

1 hour increase for aides in the rate methodology. In addition,
2 for residential services delivered on or after January 1, 2022
3 such rates shall include an increase sufficient to provide
4 wages for all residential non-executive direct care staff,
5 excluding aides, at the federal Department of Labor, Bureau of
6 Labor Statistics' average wage as defined in rule by the
7 Department. The Department shall adopt rules, including
8 emergency rules as authorized by Section 5-45 of the Illinois
9 Administrative Procedure Act, to implement the provisions of
10 this Section.

11 For facilities licensed by the Department of Public Health
12 under the ID/DD Community Care Act as ID/DD facilities and
13 under the MC/DD Act as MC/DD facilities, subject to federal
14 approval of the State Plan Amendment, the rates taking effect
15 for services delivered on or after January 1, 2023, shall
16 include a \$1.00 per hour wage increase for all direct support
17 personnel and all other frontline personnel who are not
18 subject to the Bureau of Labor Statistics' average wage
19 increases, who work in residential and community day services
20 settings, with at least \$0.50 of those funds to be provided as
21 a direct increase to all aide base wages, with the remaining
22 \$0.50 to be used flexibly for base wage increases to the rate
23 methodology for aides. In addition, for residential services
24 delivered on or after January 1, 2023 the rates shall include
25 an increase sufficient to provide wages for all residential
26 non-executive direct care staff, excluding aides, at the

1 federal Department of Labor, Bureau of Labor Statistics'
2 average wage as determined by the Department. Also, for
3 services delivered on or after January 1, 2023, the rates will
4 include adjustments to employment-related expenses as defined
5 in rule by the Department. The Department shall adopt rules,
6 including emergency rules as authorized by Section 5-45 of the
7 Illinois Administrative Procedure Act, to implement the
8 provisions of this Section.

9 For facilities licensed by the Department of Public Health
10 under the ID/DD Community Care Act as ID/DD facilities and
11 under the MC/DD Act as MC/DD facilities, subject to federal
12 approval of the State Plan Amendment, the rates taking effect
13 for services delivered on or after January 1, 2024 shall
14 include a \$2.50 per hour wage increase for all direct support
15 personnel and all other frontline personnel who are not
16 subject to the Bureau of Labor Statistics' average wage
17 increases and who work in residential and community day
18 services settings. At least \$1.25 of the per hour wage
19 increase shall be provided as a direct increase to all aide
20 base wages, and the remaining \$1.25 of the per hour wage
21 increase shall be used flexibly for base wage increases to the
22 rate methodology for aides. In addition, for residential
23 services delivered on or after January 1, 2024, the rates
24 shall include an increase sufficient to provide wages for all
25 residential non-executive direct care staff, excluding aides,
26 at the federal Department of Labor, Bureau of Labor

1 Statistics' average wage as determined by the Department.
2 Also, for services delivered on or after January 1, 2024, the
3 rates will include adjustments to employment-related expenses
4 as defined in rule by the Department. The Department shall
5 adopt rules, including emergency rules as authorized by
6 Section 5-45 of the Illinois Administrative Procedure Act, to
7 implement the provisions of this Section.

8 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
9 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

10 (305 ILCS 5/5-5.7a)

11 Sec. 5-5.7a. Pandemic related stability payments for
12 health care providers. Notwithstanding other provisions of
13 law, and in accordance with the Illinois Emergency Management
14 Agency, the Department of Healthcare and Family Services shall
15 develop a process to distribute pandemic related stability
16 payments, from federal sources dedicated for such purposes, to
17 health care providers that are providing care to recipients
18 under the Medical Assistance Program. For provider types
19 serving residents who are recipients of medical assistance
20 under this Code and are funded by other State agencies, the
21 Department will coordinate the distribution process of the
22 pandemic related stability payments. Federal sources dedicated
23 to pandemic related payments include, but are not limited to,
24 funds distributed to the State of Illinois from the
25 Coronavirus Relief Fund pursuant to the Coronavirus Aid,

1 Relief, and Economic Security Act ("CARES Act") and from the
2 Coronavirus State Fiscal Recovery Fund pursuant to Section
3 9901 of the American Rescue Plan Act of 2021, that are
4 appropriated to the Department during Fiscal Years 2020, 2021,
5 and 2022 for purposes permitted by those federal laws and
6 related federal guidance.

7 (1) Pandemic related stability payments for these
8 providers shall be separate and apart from any rate
9 methodology otherwise defined in this Code to the extent
10 permitted in accordance with Section 5001 of the CARES Act
11 and Section 9901 of the American Rescue Plan Act of 2021
12 and any related federal guidance.

13 (2) Payments made from moneys received from the
14 Coronavirus Relief Fund shall be used exclusively for
15 expenses incurred by the providers that are eligible for
16 reimbursement from the Coronavirus Relief Fund in
17 accordance with Section 5001 of the CARES Act and related
18 federal guidance. Payments made from moneys received from
19 the Coronavirus State Fiscal Recovery Fund shall be used
20 exclusively for purposes permitted by Section 9901 of the
21 American Rescue Plan Act of 2021 and related federal
22 guidance.

23 (3) All providers receiving pandemic related stability
24 payments shall attest in a format to be created by the
25 Department and be able to demonstrate that their expenses
26 are pandemic related, were not part of their annual

1 budgets established before March 1, 2020.

2 (4) Pandemic related stability payments will be
3 distributed based on a schedule and framework to be
4 established by the Department with recognition of the
5 pandemic related acuity of the situation for each
6 provider, taking into account the factors including, but
7 not limited to, the following:

8 (A) the impact of the pandemic on patients served,
9 impact on staff, and shortages of the personal
10 protective equipment necessary for infection control
11 efforts for all providers;

12 (B) COVID-19 positivity rates among staff, or
13 patients, or both;

14 (C) pandemic related workforce challenges and
15 costs associated with temporary wage increases
16 associated with pandemic related hazard pay programs,
17 or costs associated with which providers do not have
18 enough staff to adequately provide care and protection
19 to the residents and other staff;

20 (D) providers with significant reductions in
21 utilization that result in corresponding reductions in
22 revenue as a result of the pandemic, including, but
23 not limited to, the cancellation or postponement of
24 elective procedures and visits;

25 (E) pandemic related payments received directly by
26 the providers through other federal resources;

1 (F) current efforts to respond to and provide
2 services to communities disproportionately impacted by
3 the COVID-19 public health emergency, including
4 low-income and socially vulnerable communities that
5 have seen the most severe health impacts and
6 exacerbated health inequities along racial, ethnic,
7 and socioeconomic lines; and

8 (G) provider needs for capital improvements to
9 existing facilities, including upgrades to HVAC and
10 ventilation systems and capital improvements for
11 enhancing infection control or reducing crowding,
12 which may include bed-buybacks.

13 (5) Pandemic related stability payments made from
14 moneys received from the Coronavirus Relief Fund will be
15 distributed to providers based on a methodology to be
16 administered by the Department with amounts determined by
17 a calculation of total federal pandemic related funds
18 appropriated by the Illinois General Assembly for this
19 purpose. Providers receiving the pandemic related
20 stability payments will attest to their increased costs,
21 declining revenues, and receipt of additional pandemic
22 related funds directly from the federal government.

23 (6) Of the payments provided for by this Section made
24 from moneys received from the Coronavirus Relief Fund, a
25 minimum of 30% shall be allotted for health care providers
26 that serve the ZIP codes located in the most

1 disproportionately impacted areas of Illinois, based on
2 positive COVID-19 cases based on data collected by the
3 Department of Public Health and provided to the Department
4 of Healthcare and Family Services.

5 (7) From funds appropriated, directly or indirectly,
6 from moneys received by the State from the Coronavirus
7 State Fiscal Recovery Fund for Fiscal Years 2021 and 2022,
8 the Department shall expend such funds only for purposes
9 permitted by Section 9901 of the American Rescue Plan Act
10 of 2021 and related federal guidance. Such expenditures
11 may include, but are not limited to: payments to providers
12 for costs incurred due to the COVID-19 public health
13 emergency; unreimbursed costs for testing and treatment of
14 uninsured Illinois residents; costs of COVID-19 mitigation
15 and prevention; medical expenses related to aftercare or
16 extended care for COVID-19 patients with longer term
17 symptoms and effects; costs of behavioral health care;
18 costs of public health and safety staff; and expenditures
19 permitted in order to address (i) disparities in public
20 health outcomes, (ii) nursing and other essential health
21 care workforce investments, (iii) exacerbation of
22 pre-existing disparities, and (iv) promoting healthy
23 childhood environments.

24 (8) From funds appropriated, directly or indirectly,
25 from moneys received by the State from the Coronavirus
26 State Fiscal Recovery Fund for Fiscal Years 2022 and 2023,

1 the Department shall establish a program for making
2 payments to long term care service providers and
3 facilities, for purposes related to financial support for
4 workers in the long term care industry, but only as
5 permitted by either the CARES Act or Section 9901 of the
6 American Rescue Plan Act of 2021 and related federal
7 guidance, including, but not limited to the following:
8 monthly amounts of \$25,000,000 per month for July 2021,
9 August 2021, and September 2021 where at least 50% of the
10 funds in July shall be passed directly to front line
11 workers and an additional 12.5% more in each of the next 2
12 months; financial support programs for providers enhancing
13 direct care staff recruitment efforts through the payment
14 of education expenses; and financial support programs for
15 providers offering enhanced and expanded training for all
16 levels of the long term care healthcare workforce to
17 achieve better patient outcomes, such as training on
18 infection control, proper personal protective equipment,
19 best practices in quality of care, and culturally
20 competent patient communications. The Department shall
21 have the authority to audit and potentially recoup funds
22 not utilized as outlined and attested.

23 (8.5) From funds appropriated, directly or indirectly,
24 from moneys received by the State from the Coronavirus
25 State Fiscal Recovery Fund, the Department shall establish
26 a grant program to provide premium pay and retention

1 incentives to front line workers at facilities licensed by
2 the Department of Public Health under the Nursing Home
3 Care Act as skilled nursing facilities or intermediate
4 care facilities.

5 (A) Awards pursuant to this program shall comply
6 with the requirements of Section 9901 of the American
7 Rescue Plan Act of 2021 and all related federal
8 guidance. Awards shall be scaled based on a process
9 determined by the Department. The amount awarded to
10 each recipient shall not exceed \$3.17 per nursing
11 hour. Awards shall be for eligible expenditures
12 incurred no earlier than May 1, 2022 and no later than
13 June 30, 2023.

14 (B) Financial assistance under this paragraph
15 (8.5) shall be expended ~~only~~ for:

16 (i) premium pay for eligible workers, which
17 must be in addition to any wages or remuneration
18 the eligible worker has already received and shall
19 be subject to the other requirements and
20 limitations set forth in the American Rescue Plan
21 Act of 2021 and related federal guidance; and

22 (ii) retention incentives paid to eligible
23 workers that are necessary for the facility to
24 respond to the impacts of the public health
25 emergency.

26 (C) Upon receipt of funds, recipients shall

1 distribute funds such that eligible workers receive an
2 amount up to \$13 per hour but no more than \$25,000 for
3 the duration of the program. Recipients shall provide
4 a written certification to the Department
5 acknowledging compliance with this paragraph.

6 (D) No portion of these funds shall be spent on
7 volunteer or temporary staff, and these funds shall
8 not be used to make retroactive premium payments
9 before the effective date of this amendatory Act of
10 the 102nd General Assembly.

11 (E) The Department shall require each recipient
12 under this paragraph to submit appropriate
13 documentation acknowledging compliance with State and
14 federal law. For purposes of this paragraph, "eligible
15 worker" means a permanent staff member, regardless of
16 union affiliation, of a facility licensed by the
17 Department of Public Health under the Nursing Home
18 Care Act as a skilled nursing facility or intermediate
19 care facility engaged in "essential work", as defined
20 by Section 9901 of the American Rescue Plan Act of 2021
21 and related federal guidance, and (1) whose total pay
22 is below 150% of the average annual wage for all
23 occupations in the worker's county of residence, as
24 defined by the Bureau of Labor Statistics Occupational
25 Employment and Wage Statistics, or (2) is not exempt
26 from the federal Fair Labor Standards Act overtime

1 provisions.

2 (9) From funds appropriated, directly or indirectly,
3 from moneys received by the State from the Coronavirus
4 State Fiscal Recovery Fund for Fiscal Years 2022 through
5 2024 the Department shall establish programs for making
6 payments to facilities licensed under the Nursing Home
7 Care Act and facilities licensed under the Specialized
8 Mental Health Rehabilitation Act of 2013. To the extent
9 permitted by Section 9901 of the American Rescue Plan Act
10 of 2021 and related federal guidance, the programs shall
11 provide:

12 (A) Payments for making permanent improvements to
13 resident rooms in order to improve resident outcomes
14 and infection control. Funds may be used to reduce bed
15 capacity and room occupancy. To be eligible for
16 funding, a facility must submit an application to the
17 Department as prescribed by the Department and as
18 published on its website. A facility may need to
19 receive approval from the Health Facilities and
20 Services Review Board for the permanent improvements
21 or the removal of the beds before it can receive
22 payment under this paragraph.

23 (B) Payments to reimburse facilities licensed by
24 the Department of Public Health under the Nursing Home
25 Care Act as skilled nursing facilities or intermediate
26 care facilities for eligible expenses related to the

1 public health impacts of the COVID-19 public health
2 emergency, including, but not limited to, costs
3 related to COVID-19 testing for residents, COVID-19
4 prevention and treatment equipment, medical supplies,
5 and personal protective equipment.

6 (i) Awards made pursuant to this program shall
7 comply with the requirements of Section 9901 of
8 the American Rescue Plan Act of 2021 and all
9 related federal guidance. The amount awarded to
10 each recipient shall not exceed \$1.71 per nursing
11 hour. Permissible expenditures must be made no
12 earlier than May 1, 2022 and no later than June 30,
13 2023.

14 (ii) Financial assistance pursuant to this
15 paragraph shall not be expended for premium pay.

16 (iii) The Department shall require each
17 recipient under this paragraph to submit
18 appropriate documentation acknowledging
19 compliance with State and federal law.

20 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
21 102-687, eff. 12-17-21; 102-699, eff. 4-19-22.)

22 (305 ILCS 5/9A-17 new)

23 Sec. 9A-17. Smart Start Child Care Program. Subject to
24 appropriation, the Department of Human Services shall
25 establish the Smart Start Child Care Program. The Smart Start

1 Child Care Program shall focus on creating affordable child
2 care, as well as increasing access to child care, for Illinois
3 residents and may include, but is not limited to, providing
4 funding to increase preschool availability, providing funding
5 for childcare workforce compensation or capital investments,
6 and expanding funding for Early Childhood Access Consortium
7 for Equity Scholarships. The Department shall establish
8 program eligibility criteria, participation conditions,
9 payment levels, and other program requirements by rule. The
10 Department of Human Services may consult with the Capital
11 Development Board, the Department of Commerce and Economic
12 Opportunity, and the Illinois Housing Development Authority in
13 the management and disbursement of funds for capital-related
14 projects. The Capital Development Board, the Department of
15 Commerce and Economic Opportunity, and the Illinois Housing
16 Development Authority shall act in a consulting role only for
17 the evaluation of applicants, scoring of applicants, or
18 administration of the grant program.

19 (305 ILCS 5/12-4.11) (from Ch. 23, par. 12-4.11)

20 Sec. 12-4.11. Grant amounts. The Department, with due
21 regard for and subject to budgetary limitations, shall
22 establish grant amounts for each of the programs, by
23 regulation. The grant amounts may vary by program, size of
24 assistance unit and geographic area. Grant amounts under the
25 Temporary Assistance for Needy Families (TANF) program may not

1 vary on the basis of a TANF recipient's county of residence.

2 Aid payments shall not be reduced except: (1) for changes
3 in the cost of items included in the grant amounts, or (2) for
4 changes in the expenses of the recipient, or (3) for changes in
5 the income or resources available to the recipient, or (4) for
6 changes in grants resulting from adoption of a consolidated
7 grant amount.

8 The maximum benefit levels provided to TANF recipients
9 shall increase as follows: beginning October 1, 2023 ~~2018~~, the
10 Department of Human Services shall increase TANF grant amounts
11 in effect on September 30, 2023 ~~2018~~ to at least 35% ~~30%~~ of the
12 most recent United States Department of Health and Human
13 Services Federal Poverty Guidelines for each family size.
14 Beginning October 1, 2024 ~~2019~~, and each October 1 thereafter,
15 the maximum benefit levels shall be annually adjusted to
16 remain equal to at least 35% ~~30%~~ of the most recent poverty
17 guidelines updated periodically in the Federal Register by the
18 U.S. Department of Health and Human Services under the
19 authority of 42 U.S.C. 9902(2) for each family size.

20 TANF grants for child-only assistance units shall be at
21 least 75% of TANF grants for assistance units of the same size
22 that consist of a caretaker relative with children.

23 In fixing standards to govern payments or reimbursements
24 for funeral and burial expenses, the Department shall
25 establish a minimum allowable amount of not less than \$1,000
26 for Department payment of funeral services and not less than

1 \$500 for Department payment of burial or cremation services.
2 On January 1, 2006, July 1, 2006, and July 1, 2007, the
3 Department shall increase the minimum reimbursement amount for
4 funeral and burial expenses under this Section by a percentage
5 equal to the percentage increase in the Consumer Price Index
6 for All Urban Consumers, if any, during the 12 months
7 immediately preceding that January 1 or July 1. In
8 establishing the minimum allowable amount, the Department
9 shall take into account the services essential to a dignified,
10 low-cost (i) funeral and (ii) burial or cremation, including
11 reasonable amounts that may be necessary for burial space and
12 cemetery charges, and any applicable taxes or other required
13 governmental fees or charges. If no person has agreed to pay
14 the total cost of the (i) funeral and (ii) burial or cremation
15 charges, the Department shall pay the vendor the actual costs
16 of the (i) funeral and (ii) burial or cremation, or the minimum
17 allowable amount for each service as established by the
18 Department, whichever is less, provided that the Department
19 reduces its payments by the amount available from the
20 following sources: the decedent's assets and available
21 resources and the anticipated amounts of any death benefits
22 available to the decedent's estate, and amounts paid and
23 arranged to be paid by the decedent's legally responsible
24 relatives. A legally responsible relative is expected to pay
25 (i) funeral and (ii) burial or cremation expenses unless
26 financially unable to do so.

1 performed with all practicable dispatch by the shortest route
2 usually traveled in the customary reasonable manner; and that
3 such person has not been furnished with transportation or
4 money in lieu thereof; for any part of the journey therein
5 charged for.

6 Upon written approval by the Office of the Comptroller, a
7 State agency may maintain the original travel voucher, the
8 receipts, and the proof of the traveler's signature on the
9 traveler's certification statement at the office of the State
10 agency. However, except as otherwise provided in this Section
11 for State public institutions of higher education, nothing in
12 this Section shall be construed to exempt a State agency from
13 submitting a detailed travel voucher as prescribed by the
14 Office of the Comptroller. Each State public institution of
15 higher education is exempt from submitting a detailed travel
16 voucher to the Office of the Comptroller but shall retain all
17 receipts specified in the applicable travel regulations and
18 shall annually publish a record of those expenditures on its
19 official website using a form that it prescribes.

20 An information copy of each voucher covering a claim by a
21 person subject to the official travel regulations promulgated
22 under Section 12-2 for travel reimbursement involving an
23 exception to the general restrictions of such travel
24 regulations shall be filed with the applicable travel control
25 board which shall consider these vouchers, or a report
26 thereof, for approval. Amounts disbursed for travel

1 reimbursement claims which are disapproved by the applicable
2 travel control board shall be refunded by the traveler and
3 deposited in the fund or account from which payment was made.

4 As used in this Section, "State public institution of
5 higher education" means the governing boards of the University
6 of Illinois, Southern Illinois University, Illinois State
7 University, Eastern Illinois University, Northern Illinois
8 University, Western Illinois University, Chicago State
9 University, Governors State University, and Northeastern
10 Illinois University.

11 (Source: P.A. 97-932, eff. 8-10-12.)

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

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

15 (a) The chairmen of the travel control boards established
16 by Section 12-1, or their designees, shall together comprise
17 the Travel Regulation Council. The Travel Regulation Council
18 shall be chaired by the Director of Central Management
19 Services, who shall be a nonvoting member of the Council,
20 unless he is otherwise qualified to vote by virtue of being the
21 designee of a voting member. No later than March 1, 1986, and
22 at least biennially thereafter, the Council shall adopt State
23 Travel Regulations and Reimbursement Rates which shall be
24 applicable to all personnel subject to the jurisdiction of the
25 travel control boards established by Section 12-1. An

1 affirmative vote of a majority of the members of the Council
2 shall be required to adopt regulations and reimbursement
3 rates. If the Council fails to adopt regulations by March 1 of
4 any odd-numbered year, the Director of Central Management
5 Services shall adopt emergency regulations and reimbursement
6 rates pursuant to the Illinois Administrative Procedure Act.
7 As soon as practicable after the effective date of this
8 amendatory Act of the 102nd General Assembly, the Travel
9 Regulation Council and the Higher Education Travel Control
10 Board shall adopt amendments to their existing rules to ensure
11 that reimbursement rates for public institutions of higher
12 education, as defined in Section 1-13 of the Illinois
13 Procurement Code, are set in accordance with the requirements
14 of subsection (f) of this Section.

15 (b) (Blank). ~~Mileage for automobile travel shall be~~
16 ~~reimbursed at the allowance rate in effect under regulations~~
17 ~~promulgated pursuant to 5 U.S.C. 5707(b)(2). In the event the~~
18 ~~rate set under federal regulations increases or decreases~~
19 ~~during the course of the State's fiscal year, the effective~~
20 ~~date of the new rate shall be the effective date of the change~~
21 ~~in the federal rate.~~

22 (c) (Blank). ~~Rates for reimbursement of expenses other~~
23 ~~than mileage shall not exceed the actual cost of travel as~~
24 ~~determined by the United States Internal Revenue Service.~~

25 (d) Reimbursements to travelers shall be made pursuant to
26 the rates and regulations applicable to the respective State

1 agency as of the effective date of this amendatory Act, until
2 the State Travel Regulations and Reimbursement Rates
3 established by this Section are adopted and effective.

4 (e) (Blank). ~~Lodging in Cook County, Illinois and the~~
5 ~~District of Columbia shall be reimbursed at the maximum~~
6 ~~lodging rate in effect under regulations promulgated pursuant~~
7 ~~to 5 U.S.C. 5701-5709. For purposes of this subsection (e),~~
8 ~~the District of Columbia shall include the cities and counties~~
9 ~~included in the per diem locality of the District of Columbia,~~
10 ~~as defined by the regulations in effect promulgated pursuant~~
11 ~~to 5 U.S.C. 5701-5709. Individual travel control boards may~~
12 ~~set a lodging reimbursement rate more restrictive than the~~
13 ~~rate set forth in the federal regulations.~~

14 (f) Notwithstanding any other law, travel reimbursement
15 rates for lodging and mileage for automobile travel, as well
16 as allowances for meals, shall be set for public institutions
17 of higher education at the maximum rates established by the
18 federal government for travel expenses, subsistence expenses,
19 and mileage allowances under 5 U.S.C. Subchapter I and
20 regulations promulgated thereunder. If a rate set under
21 federal regulations increases or decreases in the course of
22 the State's fiscal year, the effective date of the new rate
23 shall be the effective date of the change in the federal rate.

24 (Source: P.A. 102-1119, eff. 1-23-23.)

1 Section 30-5. The General Assembly Operations Act is
2 amended by changing Section 20 as follows:

3 (25 ILCS 10/20)

4 (Section scheduled to be repealed on July 1, 2023)

5 Sec. 20. Legislative Budget Oversight Commission.

6 (a) The General Assembly hereby finds and declares that
7 the State is confronted with an unprecedented fiscal crisis.
8 In light of this crisis, and the challenges it presents for the
9 budgeting process, the General Assembly hereby establishes the
10 Legislative Budget Oversight Commission. The purpose of the
11 Commission is: to monitor budget management actions taken by
12 the Office of the Governor or Governor's Office of Management
13 and Budget; to oversee the distribution and expenditure of
14 federal financial relief for State and local governments
15 related to the COVID-19 pandemic; and to advise and review
16 planned expenditures of State and federal grants for broadband
17 projects.

18 (b) At the request of the Commission, units of local
19 governments and State agency directors or their respective
20 designees shall report to the Commission on the status and
21 distribution of federal CARES money and any other federal
22 financial relief related to the COVID-19 pandemic.

23 (c) In anticipation of constantly changing and
24 unpredictable economic circumstances, the Commission will

1 provide a means for the Governor's Office and the General
2 Assembly to maintain open communication about necessary budget
3 management actions during these unprecedented times. Beginning
4 August 15, 2020, the Governor's Office of Management and
5 Budget shall submit a monthly written report to the Commission
6 reporting any budget management actions taken by the Office of
7 the Governor, Governor's Office of Management and Budget, or
8 any State agency. At the call of one of the co-chairs, the
9 Governor or his or her designee shall give a report to the
10 Commission and each member thereof. The report shall be given
11 either in person or by telephonic or videoconferencing means.
12 The report shall include:

13 (1) any budget management actions taken by the Office
14 of the Governor, Governor's Office of Management and
15 Budget, or any agency or board under the Office of the
16 Governor in the prior quarter;

17 (2) year-to-date general funds revenues as compared to
18 anticipated revenues;

19 (3) year-to-date general funds expenditures as
20 compared to the Fiscal Year 2021 budget as enacted;

21 (4) a list, by program, of the number of grants
22 awarded, the aggregate amount of such grant awards, and
23 the aggregate amount of awards actually paid with respect
24 to all grants awarded from federal funds from the
25 Coronavirus Relief Fund in accordance with Section 5001 of
26 the federal Coronavirus Aid, Relief, and Economic Security

1 (CARES) Act or from the Coronavirus State Fiscal Recovery
2 Fund in accordance with Section 9901 of the federal
3 American Rescue Plan Act of 2021, which shall identify the
4 number of grants awarded, the aggregate amount of such
5 grant awards, and the aggregate amount of such awards
6 actually paid to grantees located in or serving a
7 disproportionately impacted area, as defined in the
8 program from which the grant is awarded; and

9 (5) any additional items reasonably requested by the
10 Commission.

11 (c-5) Any plans, responses to requests, letters of intent,
12 application materials, or other documents prepared on behalf
13 of the State describing the State's intended plan for
14 distributing grants pursuant to Division F of the
15 Infrastructure Investment and Jobs Act must be, to the extent
16 practical, provided to the Legislative Budget Oversight
17 Commission for review at least 30 days prior to submission to
18 the appropriate federal entity. If plans, responses to
19 requests, letters of intent, application materials, or other
20 documents prepared on behalf of the State describing the
21 State's plan or goals for distributing grants pursuant to
22 Division F of the Infrastructure Investment and Jobs Act
23 cannot practically be given the Legislative Budget Oversight
24 Commission 30 days prior to submission to the appropriate
25 federal entity, the materials shall be provided to the
26 Legislative Budget Oversight Commission with as much time for

1 review as practical. All documents provided to the Commission
2 shall be made available to the public on the General
3 Assembly's website. However, the following information shall
4 be redacted from any documents made available to the public:

5 (i) information specifically prohibited from disclosure by
6 federal or State law or federal or State rules and
7 regulations; (ii) trade secrets; (iii) security sensitive
8 information; and (iv) proprietary, privileged, or confidential
9 commercial or financial information from a privately held
10 person or business which, if disclosed, would cause
11 competitive harm. Members of the public and interested parties
12 may submit written comments to the Commission for
13 consideration. Prior to the State's submission to the
14 appropriate federal entity pursuant to this subsection, the
15 Commission shall conduct at least one public hearing during
16 which members of the public and other interested parties may
17 file written comments with and offer testimony before the
18 Commission. After completing its review and consideration of
19 any such testimony offered and written public comments
20 received, the Commission shall submit its written comments and
21 suggestions to the Governor or designated State entity
22 responsible for administering the grant programs under
23 Division F of the Infrastructure Investment and Jobs Act on
24 behalf of the State. The Governor, or designated State entity
25 responsible for administering the grant programs pursuant to
26 Division F of the Infrastructure Investment and Jobs Act, must

1 consider comments and suggestions provided by the members of
2 the Legislative Budget Oversight Commission and members of the
3 public.

4 (c-10) At the request of the Commission, the Governor or
5 the designated State entity responsible for administering
6 programs under Division F of the Infrastructure Investment and
7 Jobs Act on behalf of the State must report on the grants
8 issued by the State pursuant to the programs under Division F
9 of the Infrastructure Investment and Jobs Act.

10 (d) The Legislative Budget Oversight Commission shall
11 consist of the following members:

12 (1) 7 members of the House of Representatives
13 appointed by the Speaker of the House of Representatives;

14 (2) 7 members of the Senate appointed by the Senate
15 President;

16 (3) 4 members of the House of Representatives
17 appointed by the Minority Leader of the House of
18 Representatives; and

19 (4) 4 members of the Senate appointed by the Senate
20 Minority Leader.

21 (e) The Speaker of the House of Representatives and the
22 Senate President shall each appoint one member of the
23 Commission to serve as a co-chair. The members of the
24 Commission shall serve without compensation.

25 (f) As used in this Section:

26 "Budget management action" means any fund transfer

1 directed by the Governor or the Governor's Office of
2 Management and Budget, designation of appropriation lines as
3 reserve, or any other discretionary action taken with regard
4 to the budget as enacted;

5 "State agency" means all officers, boards, commissions,
6 departments, and agencies created by the Constitution, by law,
7 by Executive Order, or by order of the Governor in the
8 Executive Branch, other than the Offices of the Attorney
9 General, Secretary of State, Comptroller, or Treasurer.

10 (g) This Section is repealed July 1, 2024 ~~2023~~.

11 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
12 102-699, eff. 4-19-22.)

13 ARTICLE 35.

14 Section 35-5. The Department of Commerce and Economic
15 Opportunity Law of the Civil Administrative Code of Illinois
16 is amended by changing Section 605-705 as follows:

17 (20 ILCS 605/605-705) (was 20 ILCS 605/46.6a)

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

20 (a) To establish a grant program for local tourism and
21 convention bureaus. The Department will develop and implement
22 a program for the use of funds, as authorized under this Act,
23 by local tourism and convention bureaus. For the purposes of

1 this Act, bureaus eligible to receive funds are those local
2 tourism and convention bureaus that are (i) either units of
3 local government or incorporated as not-for-profit
4 organizations; (ii) in legal existence for a minimum of 2
5 years before July 1, 2001; (iii) operating with a paid,
6 full-time staff whose sole purpose is to promote tourism in
7 the designated service area; and (iv) affiliated with one or
8 more municipalities or counties that support the bureau with
9 local hotel-motel taxes. After July 1, 2001, bureaus
10 requesting certification in order to receive funds for the
11 first time must be local tourism and convention bureaus that
12 are (i) either units of local government or incorporated as
13 not-for-profit organizations; (ii) in legal existence for a
14 minimum of 2 years before the request for certification; (iii)
15 operating with a paid, full-time staff whose sole purpose is
16 to promote tourism in the designated service area; and (iv)
17 affiliated with multiple municipalities or counties that
18 support the bureau with local hotel-motel taxes. Each bureau
19 receiving funds under this Act will be certified by the
20 Department as the designated recipient to serve an area of the
21 State. Notwithstanding the criteria set forth in this
22 subsection (a), or any rule adopted under this subsection (a),
23 the Director of the Department may provide for the award of
24 grant funds to one or more entities if in the Department's
25 judgment that action is necessary in order to prevent a loss of
26 funding critical to promoting tourism in a designated

1 geographic area of the State.

2 (b) To distribute grants to local tourism and convention
3 bureaus from appropriations made from the Local Tourism Fund
4 for that purpose. Of the amounts appropriated annually to the
5 Department for expenditure under this Section prior to July 1,
6 2011, one-third of those monies shall be used for grants to
7 convention and tourism bureaus in cities with a population
8 greater than 500,000. The remaining two-thirds of the annual
9 appropriation prior to July 1, 2011 shall be used for grants to
10 convention and tourism bureaus in the remainder of the State,
11 in accordance with a formula based upon the population served.
12 Of the amounts appropriated annually to the Department for
13 expenditure under this Section beginning July 1, 2011, 18% of
14 such moneys shall be used for grants to convention and tourism
15 bureaus in cities with a population greater than 500,000. Of
16 the amounts appropriated annually to the Department for
17 expenditure under this Section beginning July 1, 2011, 82% of
18 such moneys shall be used for grants to convention bureaus in
19 the remainder of the State, in accordance with a formula based
20 upon the population served. The Department may reserve up to
21 3% of total local tourism funds available for costs of
22 administering the program to conduct audits of grants, to
23 provide incentive funds to those bureaus that will conduct
24 promotional activities designed to further the Department's
25 statewide advertising campaign, to fund special statewide
26 promotional activities, and to fund promotional activities

1 that support an increased use of the State's parks or historic
2 sites. The Department shall require that any convention and
3 tourism bureau receiving a grant under this Section that
4 requires matching funds shall provide matching funds equal to
5 no less than 50% of the grant amount except that in Fiscal
6 Years 2021 through 2024 ~~2023~~ only, the Department shall
7 require that any convention and tourism bureau receiving a
8 grant under this Section that requires matching funds shall
9 provide matching funds equal to no less than 25% of the grant
10 amount. During fiscal year 2013, the Department shall reserve
11 \$2,000,000 of the available local tourism funds for
12 appropriation to the Historic Preservation Agency for the
13 operation of the Abraham Lincoln Presidential Library and
14 Museum and State historic sites.

15 To provide for the expeditious and timely implementation
16 of the changes made by Public Act 101-636, emergency rules to
17 implement the changes made by Public Act 101-636 may be
18 adopted by the Department subject to the provisions of Section
19 5-45 of the Illinois Administrative Procedure Act.

20 (Source: P.A. 101-636, eff. 6-10-20; 102-16, eff. 6-17-21;
21 102-699, eff. 4-19-22.)

22 ARTICLE 40.

23 Section 40-5. The Department of Commerce and Economic
24 Opportunity Law of the Civil Administrative Code of Illinois

1 is amended by changing Section 605-1105 as follows:

2 (20 ILCS 605/605-1105)

3 Sec. 605-1105. Local chambers of commerce recovery grants
4 and business program.

5 (a) Subject ~~Upon receipt or availability of the State or~~
6 ~~federal funds described in subsection (b), and subject to~~
7 appropriation of ~~these~~ funds for the purposes described in
8 this Section, the Department of Commerce and Economic
9 Opportunity shall establish a program to award grants to local
10 chambers of commerce.

11 (a-5) This subsection applies to grants under this Section
12 that are funded by State or federal funds that are allocated to
13 the State under the authority of legislation passed in
14 response to the COVID-19 pandemic. The Department shall award
15 an aggregate amount of up to \$5,000,000 in grants under this
16 subsection ~~Section~~ to eligible chambers of commerce. Each
17 eligible chamber of commerce that applies to the Department
18 for a grant under this subsection ~~Section~~ shall certify to the
19 Department the difference between the chamber of commerce's
20 total annual revenue in calendar year 2019 and the chamber of
21 commerce's total annual revenue in calendar year 2020. The
22 maximum amount that may be awarded to any eligible chamber of
23 commerce during the first round of grants under this
24 subsection is one-sixth of the certified amount. In
25 determining grant amounts awarded under this subsection ~~Act~~,

1 the Department may consider any awards that the chamber of
2 commerce has received from the Back to Business Grant Program
3 or the Business Interruption Grant Program. If the entire
4 amount of moneys appropriated for the purposes of this
5 subsection ~~Section~~ has not been allocated after a first round
6 of grants is made, the Department may award additional funds
7 to eligible chambers of commerce from the remaining funds.

8 (a-10) This subsection applies to grants awarded under
9 this Section from sources other than State or federal funds
10 that are allocated to the State under the authority or
11 legislation passed in response to the COVID-19 pandemic.
12 Grants under this subsection may be used to market and develop
13 the service area of the chamber of commerce for the purposes of
14 generating local, county, and State business taxes and
15 providing small businesses with professional development,
16 business guidance, and best practices for sustainability. No
17 single chamber of commerce shall receive grant awards under
18 this subsection in excess of \$50,000 in any State fiscal year.

19 (a-15) Grants awarded under subsection (a-5) or (a-10) of
20 this Section shall not be used to make any direct lobbying
21 expenditure, as defined in subsection (c) of Section 4911 of
22 the Internal Revenue Code, or to engage in any political
23 campaign activity described in Section 501(c)(3) of the
24 Internal Revenue Code.

25 (b) For grants awarded under subsection (a-5), the ~~The~~
26 Department may use State funds and federal funds that are

1 allocated to the State under the authority of legislation
2 passed in response to the COVID-19 pandemic to provide grants
3 under this Section. Those federal funds include, but are not
4 limited to, funds allocated to the State under the American
5 Rescue Plan Act of 2021. Any federal moneys used for this
6 purpose shall be used in accordance with the federal
7 legislation authorizing the use of those funds and related
8 federal guidance as well as any other applicable State and
9 federal laws. For grants awarded under subsection (a-10), the
10 Department may use general revenue funds or any other funds
11 that may lawfully be used for the purposes of this Section.

12 (c) The Department may adopt any rules necessary to
13 implement and administer the grant program created by this
14 Section. The emergency rulemaking process may be used to
15 promulgate the initial rules of the program following the
16 effective date of this amendatory Act of the 102nd General
17 Assembly.

18 (d) As used in this Section, "eligible chamber of
19 commerce" means an ~~a voluntary membership, dues paying~~
20 organization of business and professional persons dedicated to
21 improving the economic climate and business development of the
22 community, area, or region in which the organization is
23 located and that:

24 (1) operates as an approved not-for-profit
25 corporation;

26 (2) is tax-exempt under Section 501(c)(3) or Section

1 501(c) (6) of the Internal Revenue Code of 1986;

2 (3) has an annual revenue of \$1,000,000 or less; ~~and~~

3 (4) files a 990 federal tax form with the Internal
4 Revenue Service;

5 (5) has or will have each of the following at the time
6 of award determination:

7 (A) governance bylaws;

8 (B) financial policies and procedures; and

9 (C) a mission and vision statement; and

10 (6) for grants awarded under subsection (a-5), ~~(4)~~ has
11 experienced an identifiable negative economic impact
12 resulting from or exacerbated by the public health
13 emergency or served a community disproportionately
14 impacted by a public health emergency.

15 (Source: P.A. 102-1115, eff. 1-9-23.)

16 ARTICLE 55.

17 Section 55-5. The Department of Healthcare and Family
18 Services Law of the Civil Administrative Code of Illinois is
19 amended by adding Section 2205-36 as follows:

20 (20 ILCS 2205/2205-36 new)

21 Sec. 2205-36. Breakthrough Therapies for Veteran Suicide
22 Prevention Program Advisory Council.

23 (a) There is created within the Department of Healthcare

1 and Family Services the Breakthrough Therapies for Veteran
2 Suicide Prevention Program Advisory Council. The Council shall
3 advise the Department on the rules and clinical infrastructure
4 necessary to support clinical access to and training for
5 medication-assisted United States Food and Drug Administration
6 breakthrough therapies for veteran suicide prevention. In
7 advising the Department under this Section, the Council shall
8 advise the Department on:

9 (1) the award of grants for breakthrough therapy
10 treatment through the Veteran Suicide Prevention Program;

11 (2) the necessary education, training, licensing, and
12 credentialing of providers;

13 (3) patient safety and harm reduction;

14 (4) costs, insurance reimbursement, and strategies to
15 safely increase affordable access to care, including the
16 use of group therapy;

17 (5) standards for treatment facilities;

18 (6) relevant federal regulations and guidelines that
19 relevant State agencies may consider adopting;

20 (7) assisting with the development of public awareness
21 and education campaigns related to veteran suicides;

22 (8) additional funding needed for subsidized patient
23 access and provider and therapist training;

24 (9) overall Fund budget;

25 (10) periodic Fund evaluation;

26 (11) developing criteria and standards for the award

1 of grants and fellowships;

2 (12) developing and providing oversight regarding
3 mechanisms for the dissemination of treatment and training
4 data; and

5 (13) developing provisions to ensure justice, equity,
6 diversity, and inclusion are considered in the
7 administration of grants and recommendations made to the
8 Department.

9 (b) The Council shall consist of 9 members:

10 (1) three members appointed by the Governor;

11 (2) two members appointed by the President of the
12 Senate;

13 (3) two members appointed by the Speaker of the House
14 of Representatives;

15 (4) one member appointed by The Minority Leader of the
16 Senate; and

17 (5) one member appointed by the Minority Leader of the
18 House.

19 (c) The Council shall include at least 3 veterans. The
20 Council shall also include members with expertise in
21 breakthrough therapy research, clinical mental health
22 treatment, public health, access to mental and behavioral
23 healthcare in underserved communities, veteran mental and
24 behavioral healthcare, and harm reduction. The Department of
25 Healthcare and Family Services shall provide administrative
26 support to the Council.

1 electronic submissions under the Business Corporation Act of
2 1983, the General Not For Profit Corporation Act of 1986, the
3 Limited Liability Company Act, the Uniform Partnership Act
4 (1997), and the Uniform Limited Partnership Act (2001),
5 whether or not for expedited services, to exceed \$11,326,225.
6 The Secretary of State has the authority to adopt rules
7 necessary to implement this Section, in accordance with the
8 Illinois Administrative Procedure Act. ~~This Section does not
9 apply on or after July 1, 2023.~~

10 (Source: P.A. 102-16, eff. 6-17-21.)

11 Section 60-10. The State Finance Act is amended by
12 changing Sections 6z-34 and 6z-70 as follows:

13 (30 ILCS 105/6z-34)

14 Sec. 6z-34. Secretary of State Special Services Fund.
15 There is created in the State Treasury a special fund to be
16 known as the Secretary of State Special Services Fund. Moneys
17 deposited into the Fund may, subject to appropriation, be used
18 by the Secretary of State for any or all of the following
19 purposes:

20 (1) For general automation efforts within operations
21 of the Office of Secretary of State.

22 (2) For technology applications in any form that will
23 enhance the operational capabilities of the Office of
24 Secretary of State.

1 (3) To provide funds for any type of library grants
2 authorized and administered by the Secretary of State as
3 State Librarian.

4 (4) For the purposes of the Secretary of State's
5 operating program expenses related to the enforcement of
6 administrative laws related to vehicles and
7 transportation.

8 These funds are in addition to any other funds otherwise
9 authorized to the Office of Secretary of State for like or
10 similar purposes.

11 On August 15, 1997, all fiscal year 1997 receipts that
12 exceed the amount of \$15,000,000 shall be transferred from
13 this Fund to the Technology Management Revolving Fund
14 (formerly known as the Statistical Services Revolving Fund);
15 on August 15, 1998 and each year thereafter through 2000, all
16 receipts from the fiscal year ending on the previous June 30th
17 that exceed the amount of \$17,000,000 shall be transferred
18 from this Fund to the Technology Management Revolving Fund
19 (formerly known as the Statistical Services Revolving Fund);
20 on August 15, 2001 and each year thereafter through 2002, all
21 receipts from the fiscal year ending on the previous June 30th
22 that exceed the amount of \$19,000,000 shall be transferred
23 from this Fund to the Technology Management Revolving Fund
24 (formerly known as the Statistical Services Revolving Fund);
25 and on August 15, 2003 and each year thereafter through 2022,
26 all receipts from the fiscal year ending on the previous June

1 30th that exceed the amount of \$33,000,000 shall be
2 transferred from this Fund to the Technology Management
3 Revolving Fund (formerly known as the Statistical Services
4 Revolving Fund).

5 (Source: P.A. 100-23, eff. 7-6-17; 101-10, eff. 6-5-19.)

6 (30 ILCS 105/6z-70)

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

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

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

19 (c) (Blank).

20 (d) (Blank).

21 (e) (Blank).

22 (f) (Blank).

23 (g) (Blank).

24 (h) (Blank).

25 (i) (Blank).

1 (j) (Blank).

2 (k) (Blank).

3 (l) (Blank).

4 (m) (Blank).

5 (n) (Blank). ~~Notwithstanding any other provision of State~~
6 ~~law to the contrary, on or after July 1, 2021, and until June~~
7 ~~30, 2022, in addition to any other transfers that may be~~
8 ~~provided for by law, at the direction of and upon notification~~
9 ~~of the Secretary of State, the State Comptroller shall direct~~
10 ~~and the State Treasurer shall transfer amounts into the~~
11 ~~Secretary of State Identification Security and Theft~~
12 ~~Prevention Fund from the designated funds not exceeding the~~
13 ~~following totals:~~

14	Division of Corporations Registered Limited	
15	Liability Partnership Fund	\$287,000
16	Securities Investors Education Fund	\$1,500,000
17	Department of Business Services Special	
18	Operations Fund	\$4,500,000
19	Securities Audit and Enforcement Fund	\$5,000,000
20	Corporate Franchise Tax Refund Fund	\$3,000,000

21 (o) Notwithstanding any other provision of State law to
22 the contrary, on or after July 1, 2022, and until June 30,
23 2023, in addition to any other transfers that may be provided
24 for by law, at the direction of and upon notification of the
25 Secretary of State, the State Comptroller shall direct and the
26 State Treasurer shall transfer amounts into the Secretary of

1 State Identification Security and Theft Prevention Fund from
2 the designated funds not exceeding the following totals:

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

9 (p) Notwithstanding any other provision of State law to
10 the contrary, on or after July 1, 2023, and until June 30,
11 2024, in addition to any other transfers that may be provided
12 for by law, at the direction of and upon notification of the
13 Secretary of State, the State Comptroller shall direct and the
14 State Treasurer shall transfer amounts into the Secretary of
15 State Identification Security and Theft Prevention Fund from
16 the designated funds not exceeding the following totals:

- 17 Division of Corporations Registered Limited
- 18 Liability Partnership Fund \$400,000
- 19 Department of Business Services Special
- 20 Operations Fund..... \$5,500,000
- 21 Securities Audit and Enforcement Fund \$4,000,000

22 (Source: P.A. 101-10, eff. 6-5-19; 101-636, eff. 6-10-20;
23 102-16, eff. 6-17-21; 102-699, eff. 4-19-22.)

24 Section 60-15. The Business Corporation Act of 1983 is
25 amended by changing Section 15.97 as follows:

1 (805 ILCS 5/15.97) (from Ch. 32, par. 15.97)

2 (Section scheduled to be repealed on December 31, 2024)

3 Sec. 15.97. Corporate Franchise Tax Refund Fund.

4 (a) Beginning July 1, 1993, a percentage of the amounts
5 collected under Sections 15.35, 15.45, 15.65, and 15.75 of
6 this Act shall be deposited into the Corporate Franchise Tax
7 Refund Fund, a special Fund hereby created in the State
8 treasury. From July 1, 1993, until December 31, 1994, there
9 shall be deposited into the Fund 3% of the amounts received
10 under those Sections. Beginning January 1, 1995, and for each
11 fiscal year beginning thereafter, 2% of the amounts collected
12 under those Sections during the preceding fiscal year shall be
13 deposited into the Fund.

14 (b) Beginning July 1, 1993, moneys in the Fund shall be
15 expended exclusively for the purpose of paying refunds payable
16 because of overpayment of franchise taxes, penalties, or
17 interest under Sections 13.70, 15.35, 15.45, 15.65, 15.75, and
18 16.05 of this Act and making transfers authorized under this
19 Section. Refunds in accordance with the provisions of
20 subsections (f) and (g) of Section 1.15 and Section 1.17 of
21 this Act may be made from the Fund only to the extent that
22 amounts collected under Sections 15.35, 15.45, 15.65, and
23 15.75 of this Act have been deposited in the Fund and remain
24 available. On or before August 31 of each year, the balance in
25 the Fund in excess of \$100,000 shall be transferred to the

1 General Revenue Fund. Notwithstanding the provisions of this
2 subsection, for the period commencing on or after July 1,
3 2022, amounts in the fund shall not be transferred to the
4 General Revenue Fund and shall be used to pay refunds in
5 accordance with the provisions of this Act. ~~Within a~~
6 ~~reasonable time after December 31, 2022, the Secretary of~~
7 ~~State shall direct and the Comptroller shall order transferred~~
8 ~~to the General Revenue Fund all amounts remaining in the fund.~~

9 (c) This Act shall constitute an irrevocable and
10 continuing appropriation from the Corporate Franchise Tax
11 Refund Fund for the purpose of paying refunds upon the order of
12 the Secretary of State in accordance with the provisions of
13 this Section.

14 ~~(d) This Section is repealed on December 31, 2024.~~

15 (Source: P.A. 101-9, eff. 6-5-19; 102-282, eff. 1-1-22.)

16 Section 60-20. The Limited Liability Company Act is
17 amended by changing Section 50-55 as follows:

18 (805 ILCS 180/50-55)

19 Sec. 50-55. Disposition of fees. ~~Of~~ Until July 1, 2021, ~~of~~
20 the total money collected for the filing of annual reports
21 under this Act, \$10 of the filing fee shall be paid into the
22 Department of Business Services Special Operations Fund. The
23 remaining money collected for the filing of annual reports
24 under this Act shall be deposited into the General Revenue

1 Fund in the State Treasury.
2 (Source: P.A. 100-561, eff. 7-1-18.)

3 ARTICLE 65.

4 Section 65-5. The State Budget Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 50-25 as follows:

7 (15 ILCS 20/50-25)

8 Sec. 50-25. Statewide prioritized goals.

9 (a) Definitions. As used in this Section:

10 "Commission" means the Budgeting for Results Commission
11 established by this Section.

12 "Result area" means major organizational categories of
13 State government as defined by the Governor.

14 "Outcome area" means subcategories of result areas that
15 further define, and facilitate the measurement of the result
16 area, as established by the Governor.

17 (b) Statewide prioritized goals. For fiscal year 2025 ~~2012~~
18 and each fiscal year thereafter, prior to the submission of
19 the State budget, the Governor, in consultation with the
20 Commission ~~appropriation committees of the General Assembly~~
21 ~~and, beginning with budgets prepared for fiscal year 2013, the~~
22 ~~commission~~ established under this Section, shall: (i) identify
23 statewide result areas ~~prioritize outcomes~~ that are most

1 important for each State agency of the executive branch under
2 the jurisdiction of the Governor to achieve for the next
3 fiscal year and (ii) identify outcome areas, which further
4 define the statewide result areas, into which State programs
5 and associated spending can be categorized ~~set goals to~~
6 ~~accomplish those outcomes according to the priority of the~~
7 ~~outcome~~. There must be a reasonable number of annually defined
8 statewide result and outcome areas ~~goals~~ defining State
9 priorities for the budget. Each result and outcome ~~goal~~ shall
10 be further defined to facilitate success in achieving that
11 result or outcome ~~goal~~.

12 (c) Budgeting for Results Commission. On or after July 31,
13 2024 ~~No later than July 31 of each fiscal year beginning in~~
14 ~~fiscal year 2012~~, the Governor shall establish a commission
15 for the purpose of advising the Governor in the implementation
16 of performance-based budgeting in Illinois State government,
17 setting statewide result and outcome areas, and providing
18 oversight and guidance for comprehensive program assessments
19 and benefit-cost analysis of State agency programs ~~those~~
20 ~~outcomes and goals, including the timeline for achieving those~~
21 ~~outcomes and goals~~.

22 (1) Membership. The commission shall be composed of
23 voting and non-voting members appointed by the Governor.
24 The commission shall be a well-balanced group and shall be
25 not more than 15 and not less than 8 members. Members
26 appointed by the Governor shall serve a three-year term,

1 beginning and ending on July 1 of each year. Vacancies in
2 Commission membership shall be filled in the same manner
3 as initial appointments. Appointments to fill vacancies
4 occurring before the expiration of a term shall be for the
5 remainder of the term. Members shall serve until their
6 successors are appointed. ~~a manageable size.~~

7 (2) Bylaws. The commission may adopt bylaws for the
8 regulation of its affairs and the conduct of its business.

9 (3) Quorum. Total membership of the Commission
10 consists of the number of voting members serving on the
11 Commission, not including any vacant positions. A quorum
12 consists of a simple majority of total voting membership
13 and shall be sufficient to conduct the business of the
14 commission, unless stipulated otherwise in the bylaws of
15 the commission. A member may submit a proxy in writing to
16 the Commission Co-Chairs or the Commission Staff Director
17 no later than 24 hours before a scheduled meeting, and
18 that proxy shall count toward the quorum for that meeting
19 only.

20 (4) Chairpersons. Two Co-Chairs of the commission
21 shall be appointed by the Governor. The Co-Chairs shall be
22 one member of the General Assembly and one person who is
23 not a member of the General Assembly.

24 (5) Meetings. The commission shall hold at least 2
25 in-person public meetings during each fiscal year. One
26 meeting shall be held in the City of Chicago and one

1 meeting shall be held in the City of Springfield. The
2 commission may choose by a majority vote of its members to
3 hold one virtual meeting, which is open to the public and
4 over the Internet, in lieu of the 2 in-person public
5 meetings required under this Section.

6 (6) Compensation. Members shall not receive
7 compensation for their services.

8 (7) Annual report. By November 1 of each year, the
9 commission shall submit a report to the Governor and the
10 General Assembly setting forth recommendations with
11 respect to the Governor's implementation of
12 performance-based budgeting in Illinois State government
13 ~~proposed outcomes and goals.~~ The report shall be published
14 on the Governor's Office of Management and Budget's
15 website. In its report, the commission shall report on the
16 status of comprehensive program assessments and benefit
17 cost analysis of state agency programs conducted during
18 the prior year ~~propose a percentage of the total budget to~~
19 ~~be assigned to each proposed outcome and goal.~~

20 The commission shall also review existing statutory
21 mandates ~~mandated expenditures~~ and include in its report
22 recommendations for the repeal or modification of statutory
23 mandates and funds or the State treasury which are out-of-date
24 or unduly burdensome to the operations of State government
25 ~~termination of mandated expenditures.~~

26 The General Assembly may object to the commission's report

1 by passing a joint resolution detailing the General Assembly's
2 objections.

3 (d) In addition, each other constitutional officer of the
4 executive branch, in consultation with the appropriation
5 committees of the General Assembly, shall: (i) prioritize
6 outcomes that are most important for his or her office to
7 achieve for the next fiscal year and (ii) set goals to
8 accomplish those outcomes according to the priority of the
9 outcome. The Governor and each constitutional officer shall
10 separately conduct performance analyses to determine which
11 programs, strategies, and activities will best achieve those
12 desired outcomes. The Governor shall recommend that
13 appropriations be made to State agencies and officers for the
14 next fiscal year based on the agreed upon result and outcome
15 areas ~~goals and priorities~~. Each agency and officer may
16 develop its own strategies for meeting those goals and shall
17 review and analyze those strategies on a regular basis. The
18 Governor shall also implement procedures to measure annual
19 progress toward the State's statewide results and outcomes
20 ~~highest priority outcomes~~ and shall develop a statewide
21 reporting system that collects performance data from all
22 programs under the authority of the Governor ~~compares the~~
23 ~~actual results with budgeted results~~. Those performance
24 measures and results shall be posted on the Governor's Office
25 of Management and Budget website ~~State Comptroller's website,~~
26 ~~and compiled for distribution in the Comptroller's Public~~

1 ~~Accountability Report, as is currently the practice on the~~
2 ~~effective date of this amendatory Act of the 96th General~~
3 ~~Assembly.~~

4 (Source: P.A. 102-801, eff. 5-13-22.)

5 ARTICLE 75.

6 Section 75-5. The Freedom of Information Act is amended by
7 changing Section 7.5 as follows:

8 (5 ILCS 140/7.5)

9 Sec. 7.5. Statutory exemptions. To the extent provided for
10 by the statutes referenced below, the following shall be
11 exempt from inspection and copying:

12 (a) All information determined to be confidential
13 under Section 4002 of the Technology Advancement and
14 Development Act.

15 (b) Library circulation and order records identifying
16 library users with specific materials under the Library
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical
19 records received by the Experimental Organ Transplantation
20 Procedures Board and any and all documents or other
21 records prepared by the Experimental Organ Transplantation
22 Procedures Board or its staff relating to applications it
23 has received.

1 (d) Information and records held by the Department of
2 Public Health and its authorized representatives relating
3 to known or suspected cases of sexually transmissible
4 disease or any information the disclosure of which is
5 restricted under the Illinois Sexually Transmissible
6 Disease Control Act.

7 (e) Information the disclosure of which is exempted
8 under Section 30 of the Radon Industry Licensing Act.

9 (f) Firm performance evaluations under Section 55 of
10 the Architectural, Engineering, and Land Surveying
11 Qualifications Based Selection Act.

12 (g) Information the disclosure of which is restricted
13 and exempted under Section 50 of the Illinois Prepaid
14 Tuition Act.

15 (h) Information the disclosure of which is exempted
16 under the State Officials and Employees Ethics Act, and
17 records of any lawfully created State or local inspector
18 general's office that would be exempt if created or
19 obtained by an Executive Inspector General's office under
20 that Act.

21 (i) Information contained in a local emergency energy
22 plan submitted to a municipality in accordance with a
23 local emergency energy plan ordinance that is adopted
24 under Section 11-21.5-5 of the Illinois Municipal Code.

25 (j) Information and data concerning the distribution
26 of surcharge moneys collected and remitted by carriers

1 under the Emergency Telephone System Act.

2 (k) Law enforcement officer identification information
3 or driver identification information compiled by a law
4 enforcement agency or the Department of Transportation
5 under Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential
7 health care facility resident sexual assault and death
8 review team or the Executive Council under the Abuse
9 Prevention Review Team Act.

10 (m) Information provided to the predatory lending
11 database created pursuant to Article 3 of the Residential
12 Real Property Disclosure Act, except to the extent
13 authorized under that Article.

14 (n) Defense budgets and petitions for certification of
15 compensation and expenses for court appointed trial
16 counsel as provided under Sections 10 and 15 of the
17 Capital Crimes Litigation Act. This subsection (n) shall
18 apply until the conclusion of the trial of the case, even
19 if the prosecution chooses not to pursue the death penalty
20 prior to trial or sentencing.

21 (o) Information that is prohibited from being
22 disclosed under Section 4 of the Illinois Health and
23 Hazardous Substances Registry Act.

24 (p) Security portions of system safety program plans,
25 investigation reports, surveys, schedules, lists, data, or
26 information compiled, collected, or prepared by or for the

1 Department of Transportation under Sections 2705-300 and
2 2705-616 of the Department of Transportation Law of the
3 Civil Administrative Code of Illinois, the Regional
4 Transportation Authority under Section 2.11 of the
5 Regional Transportation Authority Act, or the St. Clair
6 County Transit District under the Bi-State Transit Safety
7 Act.

8 (q) Information prohibited from being disclosed by the
9 Personnel Record Review Act.

10 (r) Information prohibited from being disclosed by the
11 Illinois School Student Records Act.

12 (s) Information the disclosure of which is restricted
13 under Section 5-108 of the Public Utilities Act.

14 (t) All identified or deidentified health information
15 in the form of health data or medical records contained
16 in, stored in, submitted to, transferred by, or released
17 from the Illinois Health Information Exchange, and
18 identified or deidentified health information in the form
19 of health data and medical records of the Illinois Health
20 Information Exchange in the possession of the Illinois
21 Health Information Exchange Office due to its
22 administration of the Illinois Health Information
23 Exchange. The terms "identified" and "deidentified" shall
24 be given the same meaning as in the Health Insurance
25 Portability and Accountability Act of 1996, Public Law
26 104-191, or any subsequent amendments thereto, and any

1 regulations promulgated thereunder.

2 (u) Records and information provided to an independent
3 team of experts under the Developmental Disability and
4 Mental Health Safety Act (also known as Brian's Law).

5 (v) Names and information of people who have applied
6 for or received Firearm Owner's Identification Cards under
7 the Firearm Owners Identification Card Act or applied for
8 or received a concealed carry license under the Firearm
9 Concealed Carry Act, unless otherwise authorized by the
10 Firearm Concealed Carry Act; and databases under the
11 Firearm Concealed Carry Act, records of the Concealed
12 Carry Licensing Review Board under the Firearm Concealed
13 Carry Act, and law enforcement agency objections under the
14 Firearm Concealed Carry Act.

15 (v-5) Records of the Firearm Owner's Identification
16 Card Review Board that are exempted from disclosure under
17 Section 10 of the Firearm Owners Identification Card Act.

18 (w) Personally identifiable information which is
19 exempted from disclosure under subsection (g) of Section
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure
22 under Section 5-1014.3 of the Counties Code or Section
23 8-11-21 of the Illinois Municipal Code.

24 (y) Confidential information under the Adult
25 Protective Services Act and its predecessor enabling
26 statute, the Elder Abuse and Neglect Act, including

1 information about the identity and administrative finding
2 against any caregiver of a verified and substantiated
3 decision of abuse, neglect, or financial exploitation of
4 an eligible adult maintained in the Registry established
5 under Section 7.5 of the Adult Protective Services Act.

6 (z) Records and information provided to a fatality
7 review team or the Illinois Fatality Review Team Advisory
8 Council under Section 15 of the Adult Protective Services
9 Act.

10 (aa) Information which is exempted from disclosure
11 under Section 2.37 of the Wildlife Code.

12 (bb) Information which is or was prohibited from
13 disclosure by the Juvenile Court Act of 1987.

14 (cc) Recordings made under the Law Enforcement
15 Officer-Worn Body Camera Act, except to the extent
16 authorized under that Act.

17 (dd) Information that is prohibited from being
18 disclosed under Section 45 of the Condominium and Common
19 Interest Community Ombudsperson Act.

20 (ee) Information that is exempted from disclosure
21 under Section 30.1 of the Pharmacy Practice Act.

22 (ff) Information that is exempted from disclosure
23 under the Revised Uniform Unclaimed Property Act.

24 (gg) Information that is prohibited from being
25 disclosed under Section 7-603.5 of the Illinois Vehicle
26 Code.

1 (hh) Records that are exempt from disclosure under
2 Section 1A-16.7 of the Election Code.

3 (ii) Information which is exempted from disclosure
4 under Section 2505-800 of the Department of Revenue Law of
5 the Civil Administrative Code of Illinois.

6 (jj) Information and reports that are required to be
7 submitted to the Department of Labor by registering day
8 and temporary labor service agencies but are exempt from
9 disclosure under subsection (a-1) of Section 45 of the Day
10 and Temporary Labor Services Act.

11 (kk) Information prohibited from disclosure under the
12 Seizure and Forfeiture Reporting Act.

13 (ll) Information the disclosure of which is restricted
14 and exempted under Section 5-30.8 of the Illinois Public
15 Aid Code.

16 (mm) Records that are exempt from disclosure under
17 Section 4.2 of the Crime Victims Compensation Act.

18 (nn) Information that is exempt from disclosure under
19 Section 70 of the Higher Education Student Assistance Act.

20 (oo) Communications, notes, records, and reports
21 arising out of a peer support counseling session
22 prohibited from disclosure under the First Responders
23 Suicide Prevention Act.

24 (pp) Names and all identifying information relating to
25 an employee of an emergency services provider or law
26 enforcement agency under the First Responders Suicide

1 Prevention Act.

2 (qq) Information and records held by the Department of
3 Public Health and its authorized representatives collected
4 under the Reproductive Health Act.

5 (rr) Information that is exempt from disclosure under
6 the Cannabis Regulation and Tax Act.

7 (ss) Data reported by an employer to the Department of
8 Human Rights pursuant to Section 2-108 of the Illinois
9 Human Rights Act.

10 (tt) Recordings made under the Children's Advocacy
11 Center Act, except to the extent authorized under that
12 Act.

13 (uu) Information that is exempt from disclosure under
14 Section 50 of the Sexual Assault Evidence Submission Act.

15 (vv) Information that is exempt from disclosure under
16 subsections (f) and (j) of Section 5-36 of the Illinois
17 Public Aid Code.

18 (ww) Information that is exempt from disclosure under
19 Section 16.8 of the State Treasurer Act.

20 (xx) Information that is exempt from disclosure or
21 information that shall not be made public under the
22 Illinois Insurance Code.

23 (yy) Information prohibited from being disclosed under
24 the Illinois Educational Labor Relations Act.

25 (zz) Information prohibited from being disclosed under
26 the Illinois Public Labor Relations Act.

1 (aaa) Information prohibited from being disclosed
2 under Section 1-167 of the Illinois Pension Code.

3 (bbb) Information that is prohibited from disclosure
4 by the Illinois Police Training Act and the Illinois State
5 Police Act.

6 (ccc) Records exempt from disclosure under Section
7 2605-304 of the Illinois State Police Law of the Civil
8 Administrative Code of Illinois.

9 (ddd) Information prohibited from being disclosed
10 under Section 35 of the Address Confidentiality for
11 Victims of Domestic Violence, Sexual Assault, Human
12 Trafficking, or Stalking Act.

13 (eee) Information prohibited from being disclosed
14 under subsection (b) of Section 75 of the Domestic
15 Violence Fatality Review Act.

16 (fff) Images from cameras under the Expressway Camera
17 Act. This subsection (fff) is inoperative on and after
18 July 1, 2023.

19 (ggg) Information prohibited from disclosure under
20 paragraph (3) of subsection (a) of Section 14 of the Nurse
21 Agency Licensing Act.

22 (hhh) Information submitted to the Illinois Department
23 ~~of~~ State Police in an affidavit or application for an
24 assault weapon endorsement, assault weapon attachment
25 endorsement, .50 caliber rifle endorsement, or .50 caliber
26 cartridge endorsement under the Firearm Owners

1 Identification Card Act.

2 (iii) Data exempt from disclosure under Section 50 of
3 the School Safety Drill Act.

4 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;
5 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.
6 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,
7 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;
8 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.
9 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,
10 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;
11 102-559, eff. 8-20-21; 102-813, eff. 5-13-22; 102-946, eff.
12 7-1-22; 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; revised
13 2-13-23.)

14 Section 75-10. The School Safety Drill Act is amended by
15 adding Section 50 as follows:

16 (105 ILCS 128/50 new)

17 Sec. 50. Crisis response mapping data grants.

18 (a) Subject to appropriation, a public school district, a
19 charter school, a special education cooperative or district,
20 an education for employment system, a State-approved area
21 career center, a public university laboratory school, the
22 Illinois Mathematics and Science Academy, the Department of
23 Juvenile Justice School District, a regional office of
24 education, the Illinois School for the Deaf, the Illinois

1 School for the Visually Impaired, the Philip J. Rock Center
2 and School, an early childhood or preschool program supported
3 by the Early Childhood Block Grant, or any other public school
4 entity designated by the State Board of Education by rule, may
5 apply to the State Board of Education or the State Board of
6 Education or the State Board's designee for a grant to obtain
7 crisis response mapping data and to provide copies of the
8 crisis response mapping data to appropriate local, county,
9 State, and federal first responders for use in response to
10 emergencies. The crisis response mapping data shall be stored
11 and provided in an electronic or digital format to assist
12 first responders in responding to emergencies at the school.

13 (b) Subject to appropriation, including funding for any
14 administrative costs reasonably incurred by the State Board of
15 Education or the State Board's designee in the administration
16 of the grant program described by this Section, the State
17 Board shall provide grants to any entity in subsection (a)
18 upon approval of an application submitted by the entity to
19 cover the costs incurred in obtaining crisis response mapping
20 data under this Section. The grant application must include
21 crisis response mapping data for all schools under the
22 jurisdiction of the entity submitting the application,
23 including, in the case of a public school district, any
24 charter schools authorized by the school board for the school
25 district.

26 (c) To be eligible for a grant under this Section, the

1 crisis response mapping data must, at a minimum:

2 (1) be compatible and integrate into security software
3 platforms in use by the specific school for which the data
4 is provided without requiring local law enforcement
5 agencies or the school district to purchase additional
6 software or requiring the integration of third-party
7 software to view the data;

8 (2) be compatible with security software platforms in
9 use by the specific school for which the data is provided
10 without requiring local public safety agencies or the
11 school district to purchase additional software or
12 requiring the integration of third-party software to view
13 the data;

14 (3) be capable of being provided in a printable
15 format;

16 (4) be verified for accuracy by an on-site
17 walk-through of the school building and grounds;

18 (5) be oriented to true north;

19 (6) be overlaid on current aerial imagery or plans of
20 the school building;

21 (7) contain site-specific labeling that matches the
22 structure of the school building, including room labels,
23 hallway names, and external door or stairwell numbers and
24 the location of hazards, critical utilities, key boxes,
25 automated external defibrillators, and trauma kits, and
26 that matches the school grounds, including parking areas,

1 athletic fields, surrounding roads, and neighboring
2 properties; and

3 (8) be overlaid with gridded x/y coordinates.

4 (d) Subject to appropriation, the crisis response mapping
5 data may be reviewed annually to update the data as necessary.

6 (e) Crisis response mapping data obtained pursuant to this
7 Section are confidential and exempt from disclosure under the
8 Freedom of Information Act.

9 (f) The State Board may adopt rules to implement the
10 provisions of this Section.

11 ARTICLE 80.

12 Section 80-5. The School Code is amended by changing
13 Sections 10-20.21, 34-18, and 34-21.3 as follows:

14 (105 ILCS 5/10-20.21)

15 Sec. 10-20.21. Contracts.

16 (a) To award all contracts for purchase of supplies and
17 materials or work involving an expenditure in excess of
18 \$35,000 ~~\$25,000~~ or a lower amount as required by board policy
19 to the lowest responsible bidder, considering conformity with
20 specifications, terms of delivery, quality and serviceability,
21 after due advertisement, except the following:

22 (i) contracts for the services of individuals
23 possessing a high degree of professional skill where the

1 ability or fitness of the individual plays an important
2 part;

3 (ii) contracts for the printing of finance committee
4 reports and departmental reports;

5 (iii) contracts for the printing or engraving of
6 bonds, tax warrants and other evidences of indebtedness;

7 (iv) contracts for the purchase of perishable foods
8 and perishable beverages;

9 (v) contracts for materials and work which have been
10 awarded to the lowest responsible bidder after due
11 advertisement, but due to unforeseen revisions, not the
12 fault of the contractor for materials and work, must be
13 revised causing expenditures not in excess of 10% of the
14 contract price;

15 (vi) contracts for the maintenance or servicing of, or
16 provision of repair parts for, equipment which are made
17 with the manufacturer or authorized service agent of that
18 equipment where the provision of parts, maintenance, or
19 servicing can best be performed by the manufacturer or
20 authorized service agent;

21 (vii) purchases and contracts for the use, purchase,
22 delivery, movement, or installation of data processing
23 equipment, software, or services and telecommunications
24 and interconnect equipment, software, and services;

25 (viii) contracts for duplicating machines and
26 supplies;

1 (ix) contracts for the purchase of fuel, including
2 diesel, gasoline, oil, aviation, natural gas, or propane,
3 lubricants, or other petroleum products;

4 (x) purchases of equipment previously owned by some
5 entity other than the district itself;

6 (xi) contracts for repair, maintenance, remodeling,
7 renovation, or construction, or a single project involving
8 an expenditure not to exceed \$50,000 and not involving a
9 change or increase in the size, type, or extent of an
10 existing facility;

11 (xii) contracts for goods or services procured from
12 another governmental agency;

13 (xiii) contracts for goods or services which are
14 economically procurable from only one source, such as for
15 the purchase of magazines, books, periodicals, pamphlets
16 and reports, and for utility services such as water,
17 light, heat, telephone or telegraph;

18 (xiv) where funds are expended in an emergency and
19 such emergency expenditure is approved by 3/4 of the
20 members of the board;

21 (xv) State master contracts authorized under Article
22 28A of this Code;

23 (xvi) contracts providing for the transportation of
24 pupils, which contracts must be advertised in the same
25 manner as competitive bids and awarded by first
26 considering the bidder or bidders most able to provide

1 safety and comfort for the pupils, stability of service,
2 and any other factors set forth in the request for
3 proposal regarding quality of service, and then price; and

4 (xvii) contracts for goods, services, or management in
5 the operation of a school's food service, including a
6 school that participates in any of the United States
7 Department of Agriculture's child nutrition programs if a
8 good faith effort is made on behalf of the school district
9 to give preference to:

10 (1) contracts that procure food that promotes the
11 health and well-being of students, in compliance with
12 United States Department of Agriculture nutrition
13 standards for school meals. Contracts should also
14 promote the production of scratch made, minimally
15 processed foods;

16 (2) contracts that give a preference to State or
17 regional suppliers that source local food products;

18 (3) contracts that give a preference to food
19 suppliers that utilize producers that adopt hormone
20 and pest management practices recommended by the
21 United States Department of Agriculture;

22 (4) contracts that give a preference to food
23 suppliers that value animal welfare; and

24 (5) contracts that increase opportunities for
25 businesses owned and operated by minorities, women, or
26 persons with disabilities.

1 Food supplier data shall be submitted to the school
2 district at the time of the bid, to the best of the
3 bidder's ability, and updated annually thereafter during
4 the term of the contract. The contractor shall submit the
5 updated food supplier data. The data required under this
6 item (xvii) shall include the name and address of each
7 supplier, distributor, processor, and producer involved in
8 the provision of the products that the bidder is to
9 supply.

10 However, at no time shall a cause of action lie against a
11 school board for awarding a pupil transportation contract per
12 the standards set forth in this subsection (a) unless the
13 cause of action is based on fraudulent conduct.

14 All competitive bids for contracts involving an
15 expenditure in excess of \$35,000 ~~\$25,000~~ or a lower amount as
16 required by board policy must be sealed by the bidder and must
17 be opened by a member or employee of the school board at a
18 public bid opening at which the contents of the bids must be
19 announced. Each bidder must receive at least 3 days' notice of
20 the time and place of the bid opening. For purposes of this
21 Section due advertisement includes, but is not limited to, at
22 least one public notice at least 10 days before the bid date in
23 a newspaper published in the district, or if no newspaper is
24 published in the district, in a newspaper of general
25 circulation in the area of the district. State master
26 contracts and certified education purchasing contracts, as

1 defined in Article 28A of this Code, are not subject to the
2 requirements of this paragraph.

3 Under this Section, the acceptance of bids sealed by a
4 bidder and the opening of these bids at a public bid opening
5 may be permitted by an electronic process for communicating,
6 accepting, and opening competitive bids. An electronic bidding
7 process must provide for, but is not limited to, the following
8 safeguards:

9 (1) On the date and time certain of a bid opening, the
10 primary person conducting the competitive, sealed,
11 electronic bid process shall log onto a specified database
12 using a unique username and password previously assigned
13 to the bidder to allow access to the bidder's specific bid
14 project number.

15 (2) The specified electronic database must be on a
16 network that (i) is in a secure environment behind a
17 firewall; (ii) has specific encryption tools; (iii)
18 maintains specific intrusion detection systems; (iv) has
19 redundant systems architecture with data storage back-up,
20 whether by compact disc or tape; and (v) maintains a
21 disaster recovery plan.

22 It is the legislative intent of Public Act 96-841 to maintain
23 the integrity of the sealed bidding process provided for in
24 this Section, to further limit any possibility of bid-rigging,
25 to reduce administrative costs to school districts, and to
26 effect efficiencies in communications with bidders.

1 (b) To require, as a condition of any contract for goods
2 and services, that persons bidding for and awarded a contract
3 and all affiliates of the person collect and remit Illinois
4 Use Tax on all sales of tangible personal property into the
5 State of Illinois in accordance with the provisions of the
6 Illinois Use Tax Act regardless of whether the person or
7 affiliate is a "retailer maintaining a place of business
8 within this State" as defined in Section 2 of the Use Tax Act.
9 For purposes of this Section, the term "affiliate" means any
10 entity that (1) directly, indirectly, or constructively
11 controls another entity, (2) is directly, indirectly, or
12 constructively controlled by another entity, or (3) is subject
13 to the control of a common entity. For purposes of this
14 subsection (b), an entity controls another entity if it owns,
15 directly or individually, more than 10% of the voting
16 securities of that entity. As used in this subsection (b), the
17 term "voting security" means a security that (1) confers upon
18 the holder the right to vote for the election of members of the
19 board of directors or similar governing body of the business
20 or (2) is convertible into, or entitles the holder to receive
21 upon its exercise, a security that confers such a right to
22 vote. A general partnership interest is a voting security.

23 To require that bids and contracts include a certification
24 by the bidder or contractor that the bidder or contractor is
25 not barred from bidding for or entering into a contract under
26 this Section and that the bidder or contractor acknowledges

1 that the school board may declare the contract void if the
2 certification completed pursuant to this subsection (b) is
3 false.

4 (b-5) To require all contracts and agreements that pertain
5 to goods and services and that are intended to generate
6 additional revenue and other remunerations for the school
7 district in excess of \$1,000, including without limitation
8 vending machine contracts, sports and other attire, class
9 rings, and photographic services, to be approved by the school
10 board. The school board shall file as an attachment to its
11 annual budget a report, in a form as determined by the State
12 Board of Education, indicating for the prior year the name of
13 the vendor, the product or service provided, and the actual
14 net revenue and non-monetary remuneration from each of the
15 contracts or agreements. In addition, the report shall
16 indicate for what purpose the revenue was used and how and to
17 whom the non-monetary remuneration was distributed.

18 (b-10) To prohibit any contract to purchase food with a
19 bidder or offeror if the bidder's or offeror's contract terms
20 prohibit the school from donating food to food banks,
21 including, but not limited to, homeless shelters, food
22 pantries, and soup kitchens.

23 (c) If the State education purchasing entity creates a
24 master contract as defined in Article 28A of this Code, then
25 the State education purchasing entity shall notify school
26 districts of the existence of the master contract.

1 (d) In purchasing supplies, materials, equipment, or
2 services that are not subject to subsection (c) of this
3 Section, before a school district solicits bids or awards a
4 contract, the district may review and consider as a bid under
5 subsection (a) of this Section certified education purchasing
6 contracts that are already available through the State
7 education purchasing entity.

8 (Source: P.A. 101-570, eff. 8-23-19; 101-632, eff. 6-5-20;
9 102-1101, eff. 6-29-22.)

10 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

11 Sec. 34-18. Powers of the board. The board shall exercise
12 general supervision and jurisdiction over the public education
13 and the public school system of the city, and, except as
14 otherwise provided by this Article, shall have power:

15 1. To make suitable provision for the establishment
16 and maintenance throughout the year or for such portion
17 thereof as it may direct, not less than 9 months and in
18 compliance with Section 10-19.05, of schools of all grades
19 and kinds, including normal schools, high schools, night
20 schools, schools for defectives and delinquents, parental
21 and truant schools, schools for the blind, the deaf, and
22 persons with physical disabilities, schools or classes in
23 manual training, constructural and vocational teaching,
24 domestic arts, and physical culture, vocation and
25 extension schools and lecture courses, and all other

1 educational courses and facilities, including
2 establishing, equipping, maintaining and operating
3 playgrounds and recreational programs, when such programs
4 are conducted in, adjacent to, or connected with any
5 public school under the general supervision and
6 jurisdiction of the board; provided that the calendar for
7 the school term and any changes must be submitted to and
8 approved by the State Board of Education before the
9 calendar or changes may take effect, and provided that in
10 allocating funds from year to year for the operation of
11 all attendance centers within the district, the board
12 shall ensure that supplemental general State aid or
13 supplemental grant funds are allocated and applied in
14 accordance with Section 18-8, 18-8.05, or 18-8.15. To
15 admit to such schools without charge foreign exchange
16 students who are participants in an organized exchange
17 student program which is authorized by the board. The
18 board shall permit all students to enroll in
19 apprenticeship programs in trade schools operated by the
20 board, whether those programs are union-sponsored or not.
21 No student shall be refused admission into or be excluded
22 from any course of instruction offered in the common
23 schools by reason of that student's sex. No student shall
24 be denied equal access to physical education and
25 interscholastic athletic programs supported from school
26 district funds or denied participation in comparable

1 physical education and athletic programs solely by reason
2 of the student's sex. Equal access to programs supported
3 from school district funds and comparable programs will be
4 defined in rules promulgated by the State Board of
5 Education in consultation with the Illinois High School
6 Association. Notwithstanding any other provision of this
7 Article, neither the board of education nor any local
8 school council or other school official shall recommend
9 that children with disabilities be placed into regular
10 education classrooms unless those children with
11 disabilities are provided with supplementary services to
12 assist them so that they benefit from the regular
13 classroom instruction and are included on the teacher's
14 regular education class register;

15 2. To furnish lunches to pupils, to make a reasonable
16 charge therefor, and to use school funds for the payment
17 of such expenses as the board may determine are necessary
18 in conducting the school lunch program;

19 3. To co-operate with the circuit court;

20 4. To make arrangements with the public or
21 quasi-public libraries and museums for the use of their
22 facilities by teachers and pupils of the public schools;

23 5. To employ dentists and prescribe their duties for
24 the purpose of treating the pupils in the schools, but
25 accepting such treatment shall be optional with parents or
26 guardians;

1 6. To grant the use of assembly halls and classrooms
2 when not otherwise needed, including light, heat, and
3 attendants, for free public lectures, concerts, and other
4 educational and social interests, free of charge, under
5 such provisions and control as the principal of the
6 affected attendance center may prescribe;

7 7. To apportion the pupils to the several schools;
8 provided that no pupil shall be excluded from or
9 segregated in any such school on account of his color,
10 race, sex, or nationality. The board shall take into
11 consideration the prevention of segregation and the
12 elimination of separation of children in public schools
13 because of color, race, sex, or nationality. Except that
14 children may be committed to or attend parental and social
15 adjustment schools established and maintained either for
16 boys or girls only. All records pertaining to the
17 creation, alteration or revision of attendance areas shall
18 be open to the public. Nothing herein shall limit the
19 board's authority to establish multi-area attendance
20 centers or other student assignment systems for
21 desegregation purposes or otherwise, and to apportion the
22 pupils to the several schools. Furthermore, beginning in
23 school year 1994-95, pursuant to a board plan adopted by
24 October 1, 1993, the board shall offer, commencing on a
25 phased-in basis, the opportunity for families within the
26 school district to apply for enrollment of their children

1 in any attendance center within the school district which
2 does not have selective admission requirements approved by
3 the board. The appropriate geographical area in which such
4 open enrollment may be exercised shall be determined by
5 the board of education. Such children may be admitted to
6 any such attendance center on a space available basis
7 after all children residing within such attendance
8 center's area have been accommodated. If the number of
9 applicants from outside the attendance area exceed the
10 space available, then successful applicants shall be
11 selected by lottery. The board of education's open
12 enrollment plan must include provisions that allow
13 low-income students to have access to transportation
14 needed to exercise school choice. Open enrollment shall be
15 in compliance with the provisions of the Consent Decree
16 and Desegregation Plan cited in Section 34-1.01;

17 8. To approve programs and policies for providing
18 transportation services to students. Nothing herein shall
19 be construed to permit or empower the State Board of
20 Education to order, mandate, or require busing or other
21 transportation of pupils for the purpose of achieving
22 racial balance in any school;

23 9. Subject to the limitations in this Article, to
24 establish and approve system-wide curriculum objectives
25 and standards, including graduation standards, which
26 reflect the multi-cultural diversity in the city and are

1 consistent with State law, provided that for all purposes
2 of this Article courses or proficiency in American Sign
3 Language shall be deemed to constitute courses or
4 proficiency in a foreign language; and to employ
5 principals and teachers, appointed as provided in this
6 Article, and fix their compensation. The board shall
7 prepare such reports related to minimal competency testing
8 as may be requested by the State Board of Education and, in
9 addition, shall monitor and approve special education and
10 bilingual education programs and policies within the
11 district to ensure that appropriate services are provided
12 in accordance with applicable State and federal laws to
13 children requiring services and education in those areas;

14 10. To employ non-teaching personnel or utilize
15 volunteer personnel for: (i) non-teaching duties not
16 requiring instructional judgment or evaluation of pupils,
17 including library duties; and (ii) supervising study
18 halls, long distance teaching reception areas used
19 incident to instructional programs transmitted by
20 electronic media such as computers, video, and audio,
21 detention and discipline areas, and school-sponsored
22 extracurricular activities. The board may further utilize
23 volunteer nonlicensed personnel or employ nonlicensed
24 personnel to assist in the instruction of pupils under the
25 immediate supervision of a teacher holding a valid
26 educator license, directly engaged in teaching subject

1 matter or conducting activities; provided that the teacher
2 shall be continuously aware of the nonlicensed persons'
3 activities and shall be able to control or modify them.
4 The general superintendent shall determine qualifications
5 of such personnel and shall prescribe rules for
6 determining the duties and activities to be assigned to
7 such personnel;

8 10.5. To utilize volunteer personnel from a regional
9 School Crisis Assistance Team (S.C.A.T.), created as part
10 of the Safe to Learn Program established pursuant to
11 Section 25 of the Illinois Violence Prevention Act of
12 1995, to provide assistance to schools in times of
13 violence or other traumatic incidents within a school
14 community by providing crisis intervention services to
15 lessen the effects of emotional trauma on individuals and
16 the community; the School Crisis Assistance Team Steering
17 Committee shall determine the qualifications for
18 volunteers;

19 11. To provide television studio facilities in not to
20 exceed one school building and to provide programs for
21 educational purposes, provided, however, that the board
22 shall not construct, acquire, operate, or maintain a
23 television transmitter; to grant the use of its studio
24 facilities to a licensed television station located in the
25 school district; and to maintain and operate not to exceed
26 one school radio transmitting station and provide programs

1 for educational purposes;

2 12. To offer, if deemed appropriate, outdoor education
3 courses, including field trips within the State of
4 Illinois, or adjacent states, and to use school
5 educational funds for the expense of the said outdoor
6 educational programs, whether within the school district
7 or not;

8 13. During that period of the calendar year not
9 embraced within the regular school term, to provide and
10 conduct courses in subject matters normally embraced in
11 the program of the schools during the regular school term
12 and to give regular school credit for satisfactory
13 completion by the student of such courses as may be
14 approved for credit by the State Board of Education;

15 14. To insure against any loss or liability of the
16 board, the former School Board Nominating Commission,
17 Local School Councils, the Chicago Schools Academic
18 Accountability Council, or the former Subdistrict Councils
19 or of any member, officer, agent, or employee thereof,
20 resulting from alleged violations of civil rights arising
21 from incidents occurring on or after September 5, 1967 or
22 from the wrongful or negligent act or omission of any such
23 person whether occurring within or without the school
24 premises, provided the officer, agent, or employee was, at
25 the time of the alleged violation of civil rights or
26 wrongful act or omission, acting within the scope of his

1 or her employment or under direction of the board, the
2 former School Board Nominating Commission, the Chicago
3 Schools Academic Accountability Council, Local School
4 Councils, or the former Subdistrict Councils; and to
5 provide for or participate in insurance plans for its
6 officers and employees, including, but not limited to,
7 retirement annuities, medical, surgical and
8 hospitalization benefits in such types and amounts as may
9 be determined by the board; provided, however, that the
10 board shall contract for such insurance only with an
11 insurance company authorized to do business in this State.
12 Such insurance may include provision for employees who
13 rely on treatment by prayer or spiritual means alone for
14 healing, in accordance with the tenets and practice of a
15 recognized religious denomination;

16 15. To contract with the corporate authorities of any
17 municipality or the county board of any county, as the
18 case may be, to provide for the regulation of traffic in
19 parking areas of property used for school purposes, in
20 such manner as is provided by Section 11-209 of the
21 Illinois Vehicle Code;

22 16. (a) To provide, on an equal basis, access to a high
23 school campus and student directory information to the
24 official recruiting representatives of the armed forces of
25 Illinois and the United States for the purposes of
26 informing students of the educational and career

1 opportunities available in the military if the board has
2 provided such access to persons or groups whose purpose is
3 to acquaint students with educational or occupational
4 opportunities available to them. The board is not required
5 to give greater notice regarding the right of access to
6 recruiting representatives than is given to other persons
7 and groups. In this paragraph 16, "directory information"
8 means a high school student's name, address, and telephone
9 number.

10 (b) If a student or his or her parent or guardian
11 submits a signed, written request to the high school
12 before the end of the student's sophomore year (or if the
13 student is a transfer student, by another time set by the
14 high school) that indicates that the student or his or her
15 parent or guardian does not want the student's directory
16 information to be provided to official recruiting
17 representatives under subsection (a) of this Section, the
18 high school may not provide access to the student's
19 directory information to these recruiting representatives.

20 The high school shall notify its students and their
21 parents or guardians of the provisions of this subsection

22 (b).

23 (c) A high school may require official recruiting
24 representatives of the armed forces of Illinois and the
25 United States to pay a fee for copying and mailing a
26 student's directory information in an amount that is not

1 more than the actual costs incurred by the high school.

2 (d) Information received by an official recruiting
3 representative under this Section may be used only to
4 provide information to students concerning educational and
5 career opportunities available in the military and may not
6 be released to a person who is not involved in recruiting
7 students for the armed forces of Illinois or the United
8 States;

9 17. (a) To sell or market any computer program
10 developed by an employee of the school district, provided
11 that such employee developed the computer program as a
12 direct result of his or her duties with the school
13 district or through the utilization of school district
14 resources or facilities. The employee who developed the
15 computer program shall be entitled to share in the
16 proceeds of such sale or marketing of the computer
17 program. The distribution of such proceeds between the
18 employee and the school district shall be as agreed upon
19 by the employee and the school district, except that
20 neither the employee nor the school district may receive
21 more than 90% of such proceeds. The negotiation for an
22 employee who is represented by an exclusive bargaining
23 representative may be conducted by such bargaining
24 representative at the employee's request.

25 (b) For the purpose of this paragraph 17:

26 (1) "Computer" means an internally programmed,

1 general purpose digital device capable of
2 automatically accepting data, processing data and
3 supplying the results of the operation.

4 (2) "Computer program" means a series of coded
5 instructions or statements in a form acceptable to a
6 computer, which causes the computer to process data in
7 order to achieve a certain result.

8 (3) "Proceeds" means profits derived from the
9 marketing or sale of a product after deducting the
10 expenses of developing and marketing such product;

11 18. To delegate to the general superintendent of
12 schools, by resolution, the authority to approve contracts
13 and expenditures in amounts of \$35,000 ~~\$10,000~~ or less;

14 19. Upon the written request of an employee, to
15 withhold from the compensation of that employee any dues,
16 payments, or contributions payable by such employee to any
17 labor organization as defined in the Illinois Educational
18 Labor Relations Act. Under such arrangement, an amount
19 shall be withheld from each regular payroll period which
20 is equal to the pro rata share of the annual dues plus any
21 payments or contributions, and the board shall transmit
22 such withholdings to the specified labor organization
23 within 10 working days from the time of the withholding;

24 19a. Upon receipt of notice from the comptroller of a
25 municipality with a population of 500,000 or more, a
26 county with a population of 3,000,000 or more, the Cook

1 County Forest Preserve District, the Chicago Park
2 District, the Metropolitan Water Reclamation District, the
3 Chicago Transit Authority, or a housing authority of a
4 municipality with a population of 500,000 or more that a
5 debt is due and owing the municipality, the county, the
6 Cook County Forest Preserve District, the Chicago Park
7 District, the Metropolitan Water Reclamation District, the
8 Chicago Transit Authority, or the housing authority by an
9 employee of the Chicago Board of Education, to withhold,
10 from the compensation of that employee, the amount of the
11 debt that is due and owing and pay the amount withheld to
12 the municipality, the county, the Cook County Forest
13 Preserve District, the Chicago Park District, the
14 Metropolitan Water Reclamation District, the Chicago
15 Transit Authority, or the housing authority; provided,
16 however, that the amount deducted from any one salary or
17 wage payment shall not exceed 25% of the net amount of the
18 payment. Before the Board deducts any amount from any
19 salary or wage of an employee under this paragraph, the
20 municipality, the county, the Cook County Forest Preserve
21 District, the Chicago Park District, the Metropolitan
22 Water Reclamation District, the Chicago Transit Authority,
23 or the housing authority shall certify that (i) the
24 employee has been afforded an opportunity for a hearing to
25 dispute the debt that is due and owing the municipality,
26 the county, the Cook County Forest Preserve District, the

1 Chicago Park District, the Metropolitan Water Reclamation
2 District, the Chicago Transit Authority, or the housing
3 authority and (ii) the employee has received notice of a
4 wage deduction order and has been afforded an opportunity
5 for a hearing to object to the order. For purposes of this
6 paragraph, "net amount" means that part of the salary or
7 wage payment remaining after the deduction of any amounts
8 required by law to be deducted and "debt due and owing"
9 means (i) a specified sum of money owed to the
10 municipality, the county, the Cook County Forest Preserve
11 District, the Chicago Park District, the Metropolitan
12 Water Reclamation District, the Chicago Transit Authority,
13 or the housing authority for services, work, or goods,
14 after the period granted for payment has expired, or (ii)
15 a specified sum of money owed to the municipality, the
16 county, the Cook County Forest Preserve District, the
17 Chicago Park District, the Metropolitan Water Reclamation
18 District, the Chicago Transit Authority, or the housing
19 authority pursuant to a court order or order of an
20 administrative hearing officer after the exhaustion of, or
21 the failure to exhaust, judicial review;

22 20. The board is encouraged to employ a sufficient
23 number of licensed school counselors to maintain a
24 student/counselor ratio of 250 to 1. Each counselor shall
25 spend at least 75% of his work time in direct contact with
26 students and shall maintain a record of such time;

1 21. To make available to students vocational and
2 career counseling and to establish 5 special career
3 counseling days for students and parents. On these days
4 representatives of local businesses and industries shall
5 be invited to the school campus and shall inform students
6 of career opportunities available to them in the various
7 businesses and industries. Special consideration shall be
8 given to counseling minority students as to career
9 opportunities available to them in various fields. For the
10 purposes of this paragraph, minority student means a
11 person who is any of the following:

12 (a) American Indian or Alaska Native (a person having
13 origins in any of the original peoples of North and South
14 America, including Central America, and who maintains
15 tribal affiliation or community attachment).

16 (b) Asian (a person having origins in any of the
17 original peoples of the Far East, Southeast Asia, or the
18 Indian subcontinent, including, but not limited to,
19 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
20 the Philippine Islands, Thailand, and Vietnam).

21 (c) Black or African American (a person having origins
22 in any of the black racial groups of Africa).

23 (d) Hispanic or Latino (a person of Cuban, Mexican,
24 Puerto Rican, South or Central American, or other Spanish
25 culture or origin, regardless of race).

26 (e) Native Hawaiian or Other Pacific Islander (a

1 person having origins in any of the original peoples of
2 Hawaii, Guam, Samoa, or other Pacific Islands).

3 Counseling days shall not be in lieu of regular school
4 days;

5 22. To report to the State Board of Education the
6 annual student dropout rate and number of students who
7 graduate from, transfer from, or otherwise leave bilingual
8 programs;

9 23. Except as otherwise provided in the Abused and
10 Neglected Child Reporting Act or other applicable State or
11 federal law, to permit school officials to withhold, from
12 any person, information on the whereabouts of any child
13 removed from school premises when the child has been taken
14 into protective custody as a victim of suspected child
15 abuse. School officials shall direct such person to the
16 Department of Children and Family Services or to the local
17 law enforcement agency, if appropriate;

18 24. To develop a policy, based on the current state of
19 existing school facilities, projected enrollment, and
20 efficient utilization of available resources, for capital
21 improvement of schools and school buildings within the
22 district, addressing in that policy both the relative
23 priority for major repairs, renovations, and additions to
24 school facilities and the advisability or necessity of
25 building new school facilities or closing existing schools
26 to meet current or projected demographic patterns within

1 the district;

2 25. To make available to the students in every high
3 school attendance center the ability to take all courses
4 necessary to comply with the Board of Higher Education's
5 college entrance criteria effective in 1993;

6 26. To encourage mid-career changes into the teaching
7 profession, whereby qualified professionals become
8 licensed teachers, by allowing credit for professional
9 employment in related fields when determining point of
10 entry on the teacher pay scale;

11 27. To provide or contract out training programs for
12 administrative personnel and principals with revised or
13 expanded duties pursuant to this Code in order to ensure
14 they have the knowledge and skills to perform their
15 duties;

16 28. To establish a fund for the prioritized special
17 needs programs, and to allocate such funds and other lump
18 sum amounts to each attendance center in a manner
19 consistent with the provisions of part 4 of Section
20 34-2.3. Nothing in this paragraph shall be construed to
21 require any additional appropriations of State funds for
22 this purpose;

23 29. (Blank);

24 30. Notwithstanding any other provision of this Act or
25 any other law to the contrary, to contract with third
26 parties for services otherwise performed by employees,

1 including those in a bargaining unit, and to layoff those
2 employees upon 14 days written notice to the affected
3 employees. Those contracts may be for a period not to
4 exceed 5 years and may be awarded on a system-wide basis.
5 The board may not operate more than 30 contract schools,
6 provided that the board may operate an additional 5
7 contract turnaround schools pursuant to item (5.5) of
8 subsection (d) of Section 34-8.3 of this Code, and the
9 governing bodies of contract schools are subject to the
10 Freedom of Information Act and Open Meetings Act;

11 31. To promulgate rules establishing procedures
12 governing the layoff or reduction in force of employees
13 and the recall of such employees, including, but not
14 limited to, criteria for such layoffs, reductions in force
15 or recall rights of such employees and the weight to be
16 given to any particular criterion. Such criteria shall
17 take into account factors, including, but not limited to,
18 qualifications, certifications, experience, performance
19 ratings or evaluations, and any other factors relating to
20 an employee's job performance;

21 32. To develop a policy to prevent nepotism in the
22 hiring of personnel or the selection of contractors;

23 33. (Blank); and

24 34. To establish a Labor Management Council to the
25 board comprised of representatives of the board, the chief
26 executive officer, and those labor organizations that are

1 the exclusive representatives of employees of the board
2 and to promulgate policies and procedures for the
3 operation of the Council.

4 The specifications of the powers herein granted are not to
5 be construed as exclusive, but the board shall also exercise
6 all other powers that may be requisite or proper for the
7 maintenance and the development of a public school system, not
8 inconsistent with the other provisions of this Article or
9 provisions of this Code which apply to all school districts.

10 In addition to the powers herein granted and authorized to
11 be exercised by the board, it shall be the duty of the board to
12 review or to direct independent reviews of special education
13 expenditures and services. The board shall file a report of
14 such review with the General Assembly on or before May 1, 1990.
15 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
16 102-465, eff. 1-1-22; 102-558, eff. 8-20-21; 102-894, eff.
17 5-20-22.)

18 (105 ILCS 5/34-21.3) (from Ch. 122, par. 34-21.3)

19 Sec. 34-21.3. Contracts. The board shall by record vote
20 let all contracts (other than those excepted by Section
21 10-20.21 of this ~~The School~~ Code) for supplies, materials, or
22 work~~7~~ and contracts with private carriers for transportation
23 of pupils~~7~~ involving an expenditure in excess of \$35,000
24 ~~\$25,000~~ or a lower amount as required by board policy by
25 competitive bidding as provided in Section 10-20.21 of this

1 ~~The School~~ Code.

2 The board may delegate to the general superintendent of
3 schools, by resolution, the authority to approve contracts in
4 amounts of \$35,000 ~~\$25,000~~ or less.

5 For a period of one year from and after the expiration or
6 other termination of his or her term of office as a member of
7 the board: (i) the former board member shall not be eligible
8 for employment nor be employed by the board, a local school
9 council, an attendance center, or any other subdivision or
10 agent of the board or the school district governed by the
11 board, and (ii) neither the board nor the chief purchasing
12 officer shall let or delegate authority to let any contract
13 for services, employment, or other work to the former board
14 member or to any corporation, partnership, association, sole
15 proprietorship, or other entity other than publicly traded
16 companies from which the former board member receives an
17 annual income, dividends, or other compensation in excess of
18 \$1,500. Any contract that is entered into by or under a
19 delegation of authority from the board or the chief purchasing
20 officer shall contain a provision stating that the contract is
21 not legally binding on the board if entered into in violation
22 of the provisions of this paragraph.

23 In addition, the State Board of Education, in consultation
24 with the board, shall (i) review existing conflict of interest
25 and disclosure laws or regulations that are applicable to the
26 executive officers and governing boards of school districts

1 organized under this Article and school districts generally,
2 (ii) determine what additional disclosure and conflict of
3 interest provisions would enhance the reputation and fiscal
4 integrity of the board and the procedure under which contracts
5 for goods and services are let, and (iii) develop appropriate
6 reporting forms and procedures applicable to the executive
7 officers, governing board, and other officials of the school
8 district.

9 (Source: P.A. 95-990, eff. 10-3-08.)

10 ARTICLE 85.

11 Section 85-5. The Election Code is amended by changing
12 Section 13-10 as follows:

13 (10 ILCS 5/13-10) (from Ch. 46, par. 13-10)

14 Sec. 13-10. The compensation of the judges of all
15 primaries and all elections, except judges supervising vote by
16 mail ballots as provided in Section 19-12.2 of this Act, in
17 counties of less than 600,000 inhabitants shall be fixed by
18 the respective county boards or boards of election
19 commissioners in all counties and municipalities, but in no
20 case shall such compensation be less than \$35 per day. The
21 compensation of judges of all primaries and all elections not
22 under the jurisdiction of the county clerk, except judges
23 supervising vote by mail balloting as provided in Section

1 19-12.2 of this Act, in counties having a population of
2 2,000,000 or more shall be not less than \$60 per day. The
3 compensation of judges of all primaries and all elections
4 under the jurisdiction of the county clerk, except judges
5 supervising vote by mail balloting as provided in Section
6 19-12.2 of this Act, in counties having a population of
7 2,000,000 or more shall be not less than \$60 per day. The
8 compensation of judges of all primaries and all elections,
9 except judges supervising vote by mail ballots as provided in
10 Section 19-12.2 of this Act, in counties having a population
11 of at least 600,000 but less than 2,000,000 inhabitants shall
12 be not less than \$45 per day as fixed by the county board of
13 election commissioners of each such county. In addition to
14 their per day compensation and notwithstanding the limitations
15 thereon stated herein, the judges of election, in all counties
16 with a population of less than 600,000, shall be paid \$3 each
17 for each 100 voters or portion thereof, in excess of 200 voters
18 voting for candidates in the election district or precinct
19 wherein the judge is serving, whether a primary or an election
20 is being held. However, no such extra compensation shall be
21 paid to the judges of election in any precinct in which no
22 paper ballots are counted by such judges of election. The 2
23 judges of election in counties having a population of less
24 than 600,000 who deliver the returns to the county clerk shall
25 each be allowed and paid a sum to be determined by the election
26 authority for such services and an additional sum per mile to

1 be determined by the election authority for every mile
2 necessarily travelled in going to and returning from the
3 office or place to which they deliver the returns. The
4 compensation for mileage shall be consistent with current
5 rates paid for mileage to employees of the county.

6 However, all judges who have been certified by the County
7 Clerk or Board of Election Commissioners as having
8 satisfactorily completed, within the 2 years preceding the day
9 of election, the training course for judges of election, as
10 provided in Sections 13-2.1, 13-2.2 and 14-4.1 of this Act,
11 shall receive additional compensation of not less than \$10 per
12 day in counties of less than 600,000 inhabitants, the
13 additional compensation of not less than \$10 per day in
14 counties having a population of at least 600,000 but less than
15 2,000,000 inhabitants as fixed by the county board of election
16 commissioners of each such county, and additional compensation
17 of not less than \$20 per day in counties having a population of
18 2,000,000 or more for primaries and elections not under the
19 jurisdiction of the county clerk, and additional compensation
20 of not less than \$20 per day in counties having a population of
21 2,000,000 or more for primaries and elections under the
22 jurisdiction of the county clerk.

23 In precincts in which there are tally judges, the
24 compensation of the tally judges shall be 2/3 of that of the
25 judges of election and each holdover judge shall be paid the
26 compensation of a judge of election plus that of a tally judge.

1 Section 90-5. The Reimagine Public Safety Act is amended
2 by changing Sections 35-10, 35-15, 35-25, 35-30, 35-35, 35-40
3 and 35-50 as follows:

4 (430 ILCS 69/35-10)

5 Sec. 35-10. Definitions. As used in this Act:

6 "Approved technical assistance and training provider"
7 means an organization that has experience in improving the
8 outcomes of local community-based organizations by providing
9 supportive services that address the gaps in their resources
10 and knowledge about content-based work or provide support and
11 knowledge about the administration and management of
12 organizations, or both. Approved technical assistance and
13 training providers as defined in this Act are intended to
14 assist community organizations with evaluating the need for
15 evidence-based violence prevention services, promising
16 violence prevention programs, starting up programming, and
17 strengthening the quality of existing programming.

18 "Community" or "communities" means, for municipalities
19 with a 1,000,000 or more population in Illinois, the 77
20 designated neighborhood areas defined by the University of
21 Chicago Social Science Research Committee as amended in 1980.

22 "Concentrated firearm violence" means the 10 most violent
23 communities in Illinois municipalities with 1,000,000 or more
24 residents and the 10 most violent municipalities with less

1 than 1,000,000 residents and greater than 35,000 residents
2 with the most per capita fatal and nonfatal firearm-shot
3 victims, excluding self-inflicted incidents, from January 1,
4 2016 through December 31, 2020.

5 "Credible messenger" means an individual who has been
6 arrested, indicted, convicted, adjudicated delinquent, or
7 otherwise detained by criminal or juvenile justice authorities
8 for violation of State criminal law and has successfully
9 reached the end of the individual's sentence or the final
10 termination of the individual's term of commitment and has
11 relationships in a specific community that can promote
12 conflict resolution and healing.

13 "Criminal and juvenile justice-involved" means an
14 individual who has been arrested, indicted, convicted,
15 adjudicated delinquent, or otherwise detained by criminal or
16 juvenile justice authorities for violation of Illinois
17 criminal laws.

18 "Evidence-based high-risk youth intervention services"
19 means programs that have been proven to reduce involvement in
20 the criminal or juvenile justice system, increase school
21 attendance, and includes referrals of high-risk teens into
22 therapeutic programs that address trauma recovery and other
23 mental health improvements based on best practices in the
24 youth intervention services field.

25 "Evidence-based violence prevention services" means
26 coordinated programming and services that may include, but are

1 not limited to, effective emotional or trauma related
2 therapies, housing, employment training, job placement, family
3 engagement, or wrap-around support services that have been
4 proven effective or are considered to be best practice for
5 reducing violence within the field of violence intervention
6 research and practice.

7 "Evidence-based youth development programs" means
8 after-school and summer programming that provides services to
9 teens to increase their school attendance, school performance,
10 reduce involvement in the criminal justice system, and develop
11 nonacademic interests that build social emotional persistence
12 and intelligence based on best practices in the field of youth
13 development services for high-risk youth.

14 "Options school" means a secondary school where 75% or
15 more of attending students have either stopped attending or
16 failed their secondary school courses since first attending
17 ninth grade.

18 "Violence prevention organization" means an organization
19 that manages and employs qualified violence prevention
20 professionals.

21 "Violence prevention professional" means a community
22 health worker who renders violence preventive services.

23 "Social organization" means an organization of individuals
24 who form the organization for the purposes of enjoyment, work,
25 and other mutual interests.

26 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21;

1 102-687, eff. 12-17-21.)

2 (430 ILCS 69/35-15)

3 Sec. 35-15. Findings. The Illinois General Assembly finds
4 that:

5 (1) Discrete neighborhoods in municipalities across
6 Illinois are experiencing concentrated and perpetual
7 firearm violence that is a public health epidemic.

8 (2) Within neighborhoods experiencing this firearm
9 violence epidemic, violence is concentrated among teens
10 and young adults that have chronic exposure to the risk of
11 violence and criminal legal system involvement and related
12 trauma in small geographic areas where these young people
13 live or congregate.

14 (3) Firearm violence victimization and perpetration is
15 highly concentrated in particular neighborhoods,
16 particular blocks within these neighborhoods, and among a
17 small number of individuals living in these areas.

18 (4) People who are chronically exposed to the risk of
19 firearm violence victimization are substantially more
20 likely to be violently injured or violently injure another
21 person. People who have been violently injured are
22 substantially more likely to be violently reinjured.
23 Chronic exposure to violence additionally leads
24 individuals to engage in behavior, as part of a cycle of
25 community violence, trauma, and retaliation that

1 substantially increases their own risk of violent injury
2 or reinjury.

3 (5) Evidence-based programs that engage individuals at
4 the highest risk of firearm violence and provide life
5 stabilization, case management, and culturally competent
6 group and individual therapy reduce firearm violence
7 victimization and perpetration and can end Illinois'
8 firearm violence epidemic.

9 (6) A public health approach to ending Illinois'
10 firearm violence epidemic requires targeted, integrated
11 behavioral health services and economic opportunity that
12 promotes self-sufficiency for victims of firearm violence
13 and those with chronic exposure to the risk of firearm
14 violence victimization, including, but not limited to,
15 services for criminal and juvenile justice-involved
16 populations and crisis response services, such as
17 psychological first aid.

18 (7) A public health approach to ending Illinois'
19 firearm violence epidemic further requires broader
20 preventive investments in the census tracts and blocks
21 that reduce risk factors for youth and families living in
22 areas at the highest risk of firearm violence
23 victimization.

24 (8) A public health approach to ending Illinois'
25 firearm violence epidemic requires empowering residents
26 and community-based organizations within impacted

1 neighborhoods to provide culturally competent care based
2 on lived experience in these areas and long-term
3 relationships of mutual interest that promote safety and
4 stability.

5 (9) A public health approach to ending Illinois'
6 firearm violence epidemic further requires that preventive
7 youth development services for youth in these
8 neighborhoods be fully integrated with a team-based model
9 of mental health care to address trauma recovery for those
10 young people at the highest risk of firearm violence
11 victimization.

12 (10) Community revitalization can be an effective
13 violence prevention strategy, provided that revitalization
14 is targeted to the highest risk geographies within
15 communities and revitalization efforts are designed and
16 led by individuals living and working in the impacted
17 communities.

18 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

19 (430 ILCS 69/35-25)

20 Sec. 35-25. Integrated violence prevention and other
21 services.

22 (a) Subject to appropriation, for municipalities with
23 1,000,000 or more residents, the Office of Firearm Violence
24 Prevention shall make grants to violence prevention
25 organizations for evidence-based violence prevention services.

1 Approved technical assistance and training providers shall
2 create learning communities for the exchange of information
3 between community-based organizations in the same or similar
4 fields. Firearm violence prevention organizations shall
5 prioritize individuals at the highest risk of firearm violence
6 victimization and provide these individuals with
7 evidence-based comprehensive services that reduce their
8 exposure to chronic firearm violence.

9 (a-5) Grants may be awarded under this Act to Reimagine
10 Public Safety grantees or their subgrantees to provide any one
11 or more of the following services to Reimagine Public Safety
12 program participants or credible messengers:

13 (1) Behavioral health services, including clinical
14 interventions, crisis interventions, and group counseling
15 supports, such as peer support groups, social-emotional
16 learning supports, including skill building for anger
17 management, de-escalation, sensory stabilization, coping
18 strategies, and thoughtful decision-making, short-term
19 clinical individual sessions, psycho-social assessments,
20 and motivational interviewing.

21 (A) Funds awarded under this paragraph may be used
22 for behavioral health services until July 1, 2024.

23 (B) Any community violence prevention service
24 provider being reimbursed from funds awarded under
25 this paragraph for behavioral health services must
26 also file a plan to become Medicaid certified for

1 violence prevention-community support team services
2 under the Illinois Medicaid program on or before July
3 1, 2024.

4 (2) Capacity-building services, including
5 administrative and programmatic support, services, and
6 resources, such as subcontract development, budget
7 development, grant monitoring and reporting, and fiscal
8 sponsorship. Capacity-building services financed with
9 grants awarded under this Act may also include intensive
10 training and technical assistance focused on Community
11 Violence Intervention (CVI) not-for-profit business
12 operations, best practice delivery of firearm violence
13 prevention services, and assistance with administering and
14 meeting fiscal reporting or auditing requirements.
15 Capacity-building services financed with grants awarded
16 under this Act must be directed to a current or potential
17 Reimagine Public Safety firearm violence prevention
18 provider and cannot exceed 20% of potential funds awarded
19 to the relevant provider or future provider.

20 (3) Legal aid services, including funding for staff
21 attorneys and paralegals to provide education, training,
22 legal services, and advocacy for program recipients. Legal
23 aid services that may be provided with grant funds awarded
24 under this Act include "Know Your Rights" clinics,
25 trainings targeting returning citizens and families
26 impacted by incarceration, and long-term legal efforts

1 addressing expungement, civil rights, family law, housing,
2 employment, and victim rights. Legal aid services provided
3 with grant funds awarded under this Act shall not be
4 directed toward criminal justice issues.

5 (4) Housing services, including grants for emergency
6 and temporary housing for individuals at immediate risk of
7 firearm violence, except that grant funding provided under
8 this paragraph must be directed only toward Reimagine
9 Public Safety program participants.

10 (5) Workforce development services, including grants
11 for job coaching, intensive case management, employment
12 training and placement, and retention services, including
13 the provision of transitional job placements and access to
14 basic certificate training for industry-specific jobs.
15 Training also includes the provision of education-related
16 content, such as financial literacy training, GED
17 preparation, and academic coaching.

18 (6) Re-entry services for individuals exiting the
19 State or county criminal justice systems, if those
20 individuals are either eligible for services under this
21 Act as participants or are individuals who can make an
22 immediate contribution to mediate neighborhood conflicts
23 if they receive stabilizing services. Re-entry services
24 financed with grants awarded under this Act include all
25 services authorized under this Act, including services
26 listed in this subsection.

1 (7) Victim services, including assessments and
2 screening of victim needs, planning sessions related to
3 assessments, service planning and goal setting, assessing
4 intervention needs, notifying and navigating participants
5 through public agency processes for victim compensation,
6 crisis intervention, emergency financial assistance,
7 transportation, medical care, stable housing, and shelter,
8 assessment and linkage to public benefits, and relocation
9 services.

10 (b) In the geographic areas they serve, violence ~~Violence~~
11 prevention organizations shall develop ~~the following~~ expertise
12 in ~~the geographic areas that they cover~~:

13 (1) Analyzing and leveraging data to identify the
14 individuals who will most benefit from evidence-based
15 violence prevention services in their geographic areas.

16 (2) Identifying the conflicts that are responsible for
17 recurring violence.

18 (3) Having relationships with individuals who are most
19 able to reduce conflicts.

20 (4) Addressing the stabilization and trauma recovery
21 needs of individuals impacted by violence by providing
22 direct services for their unmet needs or referring them to
23 other qualified service providers.

24 (5) Having and building relationships with community
25 members and community organizations that provide
26 evidence-based violence prevention services and get

1 referrals of people who will most benefit from
2 evidence-based violence prevention services in their
3 geographic areas.

4 (6) Providing training and technical assistance to
5 local law enforcement agencies to improve their
6 effectiveness without having any role, requirement, or
7 mandate to participate in the policing, enforcement, or
8 prosecution of any crime.

9 (c) Violence prevention organizations receiving grants
10 under this Act shall coordinate services with other violence
11 prevention organizations in their area.

12 (d) The Office of Firearm Violence Prevention shall
13 identify, for each separate eligible service area under this
14 Act, an experienced violence prevention organization to serve
15 as the Lead Violence Prevention Convener for that area and
16 provide each Lead Violence Prevention Convener with a grant ~~of~~
17 ~~up to \$100,000 to these organizations~~ to coordinate monthly
18 meetings between violence prevention organizations and youth
19 development organizations under this Act. The Lead Violence
20 Prevention Convener may also receive, from the Office of
21 Firearm Violence Prevention, technical assistance or training
22 through approved providers when needs are jointly identified.
23 The Lead Violence Prevention Convener shall:

24 (1) provide the convened organizations with summary
25 notes recommendations made at the monthly meetings to
26 improve the effectiveness of evidence-based violence

1 prevention services based on review of timely data on
2 shootings and homicides in his or her relevant
3 neighborhood;

4 (2) attend monthly meetings where the cause of
5 violence and other neighborhood disputes is discussed and
6 strategize on how to resolve ongoing conflicts and execute
7 on agreed plans;

8 (3) (blank);

9 (4) on behalf of the convened organizations, make
10 consensus recommendations to the Office of Firearm
11 Violence Prevention and local law enforcement on how to
12 reduce violent conflict in his or her neighborhood;

13 (5) meet on an emergency basis when conflicts that
14 need immediate attention and resolution arise;

15 (6) share knowledge and strategies of the community
16 violence dynamic in monthly meetings with local youth
17 development specialists receiving grants under this Act;

18 (7) select when and where needed an approved Office of
19 Violence Prevention-funded technical assistance and
20 training service provider to receive agreed upon services;
21 and

22 (8) after meeting with community residents and other
23 community organizations that have expertise in housing,
24 mental health, economic development, education, and social
25 services, make recommendations to the Office of Firearm
26 Violence Prevention on how to target community

1 revitalization resources available from federal and State
2 funding sources.

3 The Office of Firearm Violence Prevention shall compile
4 recommendations from all Lead Violence Prevention Conveners
5 and report to the General Assembly bi-annually on these
6 funding recommendations. The Lead Violence Prevention Convener
7 may also serve as a violence prevention or youth development
8 provider.

9 (e) The Illinois Office of Firearm Violence Prevention
10 shall select, when possible and appropriate, no fewer than 2
11 and no more than 3 approved technical assistance and training
12 providers to deliver technical assistance and training to the
13 violence prevention organizations that request to receive
14 approved technical assistance and training. Violence
15 prevention organizations shall have the opportunity ~~complete~~
16 ~~authority~~ to select among the approved technical assistance
17 services providers funded by the Office of Firearm Violence
18 Prevention, as long as the technical assistance provider has
19 the capacity to effectively serve the grantees that have
20 selected them. The Department shall make best efforts to
21 accommodate second choices of violence prevention
22 organizations when the violence prevention organizations'
23 first choice does not have capacity to provide technical
24 assistance.

25 (f) Approved technical assistance and training providers
26 may:

1 (1) provide training and certification to violence
2 prevention professionals on how to perform violence
3 prevention services and other professional development to
4 violence prevention professionals.

5 (2) provide management training on how to manage
6 violence prevention professionals;

7 (3) provide training and assistance on how to develop
8 memorandum of understanding for referral services or
9 create approved provider lists for these referral
10 services, or both;

11 (4) share lessons learned among violence prevention
12 professionals and service providers in their network; and

13 (5) provide technical assistance and training on human
14 resources, grants management, capacity building, and
15 fiscal management strategies.

16 (g) Approved technical assistance and training providers
17 shall:

18 (1) provide additional services identified as
19 necessary by the Office of Firearm Violence Prevention and
20 service providers in their network; and

21 (2) receive a base grant of up to \$250,000 plus
22 negotiated service rates to provide group and
23 individualized services to participating violence
24 prevention organizations.

25 (h) (Blank).

26 (i) The Office of Firearm Violence Prevention shall issue

1 grants, when possible and appropriate, to no fewer than 2
2 violence prevention organizations in each of the eligible
3 service areas and no more than 6 organizations. When possible,
4 the Office of Firearm Violence Prevention shall work, subject
5 to eligible applications received, to ensure that grant
6 resources are equitably distributed across eligible service
7 areas ~~grants shall be for no less than \$300,000 per violence~~
8 ~~prevention organization.~~ The Office of Firearm Violence
9 Prevention may establish grant award ranges to ensure grants
10 will have the potential to reduce violence in each
11 neighborhood.

12 (j) No violence prevention organization can serve more
13 than 3 eligible service areas unless the Office of Firearm
14 Violence Prevention is unable to identify violence prevention
15 organizations to provide adequate coverage.

16 (k) No approved technical assistance and training provider
17 shall provide evidence-based violence prevention services in
18 an eligible service area under this Act unless the Office of
19 Firearm Violence Prevention is unable to identify qualified
20 violence prevention organizations to provide adequate
21 coverage.

22 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

23 (430 ILCS 69/35-30)

24 Sec. 35-30. Integrated youth services.

25 (a) Subject to appropriation, for municipalities with

1 1,000,000 or more residents, the Office of Firearm Violence
2 Prevention shall make grants to youth development
3 organizations for evidence-based youth programming, including,
4 but not limited to, after-school and summer programming.
5 Evidence-based youth development programs shall provide
6 services to teens that increase their school attendance, and
7 school performance and to teens or young adults that reduce
8 involvement in the criminal and juvenile justice systems,
9 develop employment and life skills, and develop nonacademic
10 interests that build social emotional persistence and
11 intelligence.

12 (b) The Office of Firearm Violence Prevention shall
13 identify municipal blocks where more than 35% of all fatal and
14 nonfatal firearm-shot incidents take place and focus youth
15 development service grants to residents of these identified
16 blocks in the designated eligible service areas. The
17 Department of Human Services shall prioritize funding to youth
18 development service programs that serve the following teens
19 before expanding services to the broader community:

20 (1) criminal and juvenile justice-involved youth;

21 (2) students who are attending or have attended option
22 schools;

23 (3) family members of individuals working with
24 violence prevention organizations; and

25 (4) youth living on the blocks where more than 35% of
26 the violence takes place in a neighborhood.

1 (c) Each program participant enrolled in a youth
2 development program under this Act, when possible and
3 appropriate, shall receive an individualized needs assessment
4 to determine if the participant requires intensive youth
5 services as provided for in Section 35-35 of this Act. The
6 needs assessment should be the best available instrument that
7 considers the physical and mental condition of each youth
8 based on the youth's family ties, financial resources, past
9 substance use, criminal justice involvement, and trauma
10 related to chronic exposure to firearm violence behavioral
11 health assessment to determine the participant's broader
12 support and mental health needs. The Office of Firearm
13 Violence Prevention shall determine best practices for
14 referring program participants who are at the highest risk of
15 violence and justice involvement to be referred to a high-risk
16 youth intervention program established in Section 35-35.

17 (d) Youth development prevention program participants
18 shall receive services designed to empower participants with
19 the social and emotional skills necessary to forge paths of
20 healthy development and disengagement from high-risk
21 behaviors. Within the context of engaging social, physical,
22 and personal development activities, participants should build
23 resilience and the skills associated with healthy social,
24 emotional, and identity development.

25 (e) Youth development providers shall develop the
26 following expertise in the geographic areas they cover:

1 (1) Knowledge of the teens and their social
2 organization in the blocks they are designated to serve.

3 (2) Youth development organizations receiving grants
4 under this Act shall be required to coordinate services
5 with other youth development organizations in their
6 neighborhood by sharing lessons learned in monthly
7 meetings.

8 (3) (Blank).

9 (4) Meeting on an emergency basis when conflicts
10 related to program participants that need immediate
11 attention and resolution arise.

12 (5) Sharing knowledge and strategies of the
13 neighborhood violence dynamic in monthly meetings with
14 local violence prevention organizations receiving grants
15 under this Act.

16 (6) Selecting an approved technical assistance and
17 training service provider to receive agreed upon services.

18 (f) The Illinois Office of Firearm Violence Prevention
19 shall select, when possible and appropriate, no fewer than 2
20 and no more than 3 approved technical assistance and training
21 providers to deliver technical assistance and training to the
22 youth development organizations that request to receive
23 approved technical assistance and training. Youth development
24 organizations must use an approved technical assistance and
25 training provider and can choose among approved technical
26 assistance providers as long as the technical assistance

1 provider has the capacity to effectively serve the youth
2 development organizations that have selected them. The
3 Department shall make best efforts to accommodate second
4 choices of youth development organizations when the youth
5 development organization's violence prevention first choice
6 does not have capacity to provide technical assistance but
7 ~~have complete authority to select among the approved technical~~
8 ~~assistance services providers funded by the Office of Firearm~~
9 ~~Violence Prevention.~~

10 (g) Approved technical assistance and training providers
11 may:

12 (1) provide training to youth development workers on
13 how to perform outreach services;

14 (2) provide management training on how to manage youth
15 development workers;

16 (3) provide training and assistance on how to develop
17 memorandum of understanding for referral services or
18 create approved provider lists for these referral
19 services, or both;

20 (4) share lessons learned among youth development
21 service providers in their network; and

22 (5) provide technical assistance and training on human
23 resources, grants management, capacity building, and
24 fiscal management strategies.

25 (h) Approved technical assistance and training providers
26 shall:

1 (1) provide additional services identified as
2 necessary by the Office of Firearm Violence Prevention and
3 youth development service providers in their network; and

4 (2) receive an annual base grant of up to \$250,000
5 plus negotiated service rates to provide group and
6 individualized services to participating youth development
7 service organizations.

8 (i) (Blank).

9 (j) The Office of Firearm Violence Prevention shall issue
10 youth development services grants, when possible and
11 appropriate, to no fewer than 4 youth services organizations
12 in each of the eligible service areas and no more than 8
13 organizations. When possible, the Office of Firearm Violence
14 Prevention shall work, subject to eligible applications
15 received, to ensure that grant resources are equitably
16 distributed across eligible service areas ~~grants shall be for~~
17 ~~no less than \$300,000 per youth development organization.~~ The
18 Office of Firearm Violence Prevention may establish award
19 ranges to ensure grants will have the potential to reduce
20 violence in each neighborhood.

21 (k) No youth development organization can serve more than
22 3 eligible service areas unless the Office of Firearm Violence
23 Prevention is unable to identify youth development
24 organizations to provide adequate coverage.

25 (l) No approved technical assistance and training provider
26 shall provide youth development services in any neighborhood

1 under this Act.

2 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

3 (430 ILCS 69/35-35)

4 Sec. 35-35. Intensive youth intervention services.

5 (a) Subject to appropriation, for municipalities with
6 1,000,000 or more residents, the Office of Firearm Violence
7 Prevention shall issue grants to high-risk youth intervention
8 organizations for evidence-based intervention services that
9 reduce involvement in the criminal and juvenile justice
10 system, increase school attendance, and refer high-risk teens
11 into therapeutic programs that address trauma recovery and
12 other mental health improvements. Each program participant
13 enrolled in a high-risk youth intervention program under this
14 Act shall receive a nationally recognized comprehensive mental
15 health assessment delivered by a qualified mental health
16 professional certified to provide services to Medicaid
17 recipients.

18 (b) High-risk youth intervention program participants
19 shall receive needed services as determined by the
20 individualized assessment which may include, but is not
21 limited to:

22 (1) receive group-based emotional regulation therapy
23 that helps them control their emotions and understand how
24 trauma and stress impacts their thinking and behavior; and

25 (2) have youth advocates that accompany them to their

1 group therapy sessions, assist them with issues that
2 prevent them from attending school, and address life
3 skills development activities through weekly coaching.

4 (b-5) High-risk youth intervention service organizations
5 shall have trained clinical staff managing the youth advocate
6 interface with program participants.

7 (c) Youth development service organizations and providers
8 of evidence-based violence prevention services shall be
9 assigned to the youth intervention service providers for
10 referrals by the Office of Firearm Violence Prevention.

11 (d) The youth receiving intervention services who are
12 evaluated to need trauma recovery and other behavioral health
13 interventions and who have the greatest risk of firearm
14 violence victimization shall be referred to the family systems
15 intervention services established in Section 35-55.

16 (e) The Office of Firearm Violence Prevention shall issue
17 high-risk youth intervention grants, when possible and
18 appropriate, to no less than 2 youth intervention
19 organizations and no more than 4 organizations in
20 municipalities with 1,000,000 or more residents.

21 (f) No high-risk youth intervention organization can serve
22 more than 13 eligible service areas.

23 (g) The approved technical assistance and training
24 providers for youth development programs provided in
25 subsection (d) of Section 35-30 shall also provide technical
26 assistance and training to the affiliated high-risk youth

1 intervention service providers.

2 (h) (Blank).

3 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

4 (430 ILCS 69/35-40)

5 Sec. 35-40. Services for municipalities with less than
6 1,000,000 residents.

7 (a) The Office of Firearm Violence Prevention shall
8 identify the 10 municipalities or geographically contiguous
9 areas in Illinois with less than 1,000,000 residents and more
10 than 35,000 residents that have the largest concentration of
11 fatal and nonfatal firearm-shot victims over the 5-year period
12 considered for eligibility. These areas shall qualify for
13 grants under this Act. The Office of Firearm Violence
14 Prevention may identify up to 5 additional municipalities or
15 geographically contiguous areas with less than 1,000,000
16 residents that would benefit from evidence-based violence
17 prevention services. In identifying the additional
18 municipalities that qualify for funding under Section 35-40,
19 the Office of Firearm Violence Prevention shall consider the
20 following factors when possible:

21 (1) the total number of fatal and nonfatal firearms
22 victims, excluding self-inflicted incidents, in a
23 potential municipality over the 5-year period considered
24 for eligibility;

25 (2) the per capita rate of fatal and nonfatal firearms

1 victims, excluding self-inflicted incidents, in a
2 potential municipality over the 5-year period considered
3 for eligibility; and

4 (3) the total potential firearms violence reduction
5 benefit for the entire State of Illinois by serving the
6 additional municipalities compared to the total benefit of
7 investing in all other municipalities identified for
8 grants to municipalities with more than 35,000 residents
9 and less than 1,000,000 residents.

10 (b) Resources for each of these areas shall be distributed
11 based on a formula to be developed by the Office of Firearm
12 Violence Prevention that will maximize the total potential
13 reduction in firearms victimization for all municipalities
14 receiving grants under this Act.

15 (c) The Office of Firearm Violence Prevention shall create
16 local advisory councils for each of the designated service
17 areas for the purpose of obtaining recommendations on how to
18 distribute funds in these areas to reduce firearm violence
19 incidents. Local advisory councils shall have a minimum of 5
20 members with the following expertise or experience:

21 (1) a representative of a nonelected official in local
22 government from the designated area;

23 (2) a representative of an elected official at the
24 local or state level for the area;

25 (3) a representative with public health experience in
26 firearm violence prevention or youth development;

1 (4) two residents of the subsection of each area with
2 the most concentrated firearm violence incidents; and

3 (5) additional members as determined by the individual
4 local advisory council.

5 (d) The Office of Firearm Violence Prevention shall
6 provide data to each local council on the characteristics of
7 firearm violence in the designated area and other relevant
8 information on the physical and demographic characteristics of
9 the designated area. The Office of Firearm Violence Prevention
10 shall also provide best available evidence on how to address
11 the social determinants of health in the designated area in
12 order to reduce firearm violence.

13 (e) Each local advisory council shall make recommendations
14 on how to allocate distributed resources for its area based on
15 information provided to them by the Office of Firearm Violence
16 Prevention, local law enforcement data, and other locally
17 available data.

18 (f) The Office of Firearm Violence Prevention shall
19 consider the recommendations and determine how to distribute
20 funds through grants to community-based organizations and
21 local governments. To the extent the Office of Firearm
22 Violence Prevention does not follow a local advisory council's
23 recommendation on allocation of funds, the Office of Firearm
24 Violence Prevention shall explain in writing why a different
25 allocation of resources is more likely to reduce firearm
26 violence in the designated area.

1 (g) Subject to appropriation, the Department of Human
2 Services and the Office of Firearm Violence Prevention shall
3 issue grants to local governmental agencies or community-based
4 organizations, or both, to maximize firearm violence reduction
5 each year. ~~When possible, initial grants shall be named no~~
6 ~~later than April 1, 2022 and renewed or competitively bid as~~
7 ~~appropriate in subsequent fiscal years.~~

8 (h) Each local advisory council is terminated upon making
9 the recommendations required of it under this Section.

10 (Source: P.A. 102-16, eff. 6-17-21; 102-679, eff. 12-10-21.)

11 (430 ILCS 69/35-50)

12 Sec. 35-50. Medicaid trauma recovery services for adults.

13 (a) ~~The On or before January 15, 2022,~~ the Department of
14 Healthcare and Family Services shall ~~design,~~ subject to seek
15 approval from the United States Department of Health and Human
16 Services, and ~~subject to federal approval and~~ State
17 appropriations for this purpose, implement a team-based model
18 of care system to address trauma recovery from chronic
19 exposure to firearm violence for Illinois adults. On or before
20 October 1, 2023, the Department of Healthcare and Family
21 Services shall seek approval from the United States Department
22 of Health and Human Services to ensure the model of care system
23 may include providers such as community mental health centers,
24 behavioral health clinics, hospitals, and others deemed
25 appropriate by the Department of Healthcare and Family

1 Services.

2 (b) The team-based model of care ~~system~~ shall include, at
3 ~~reimburse for a minimum, of~~ the following services:

4 (1) Outreach services that recruit trauma-exposed
5 adults into the system and develop supportive
6 relationships with them based on lived experience in their
7 communities. Outreach services include both services to
8 support impacted individuals and group services that
9 reduce violence between groups that need conflict
10 resolution.

11 (2) Case management and community support services
12 that provide stabilization to individuals recovering from
13 chronic exposure to firearm violence, including group
14 cognitive behavior therapy sessions and other
15 evidence-based interventions that promote behavioral
16 change.

17 (3) Group and individual therapy that addresses
18 underlying mental health conditions associated with
19 post-traumatic stress disorder, depression, anxiety,
20 substance use disorders, intermittent explosive disorder,
21 oppositional defiant disorder, attention deficit
22 hyperactivity disorder, and other mental conditions as a
23 result of chronic trauma.

24 (4) Services deemed necessary for the effective
25 integration of paragraphs (1), (2), and (3).

26 (c) The Department of Healthcare and Family Services is

1 authorized to ensure that different types of providers
2 delivering violence prevention services under the model of
3 care operated in a manner consistent with evidence-based and
4 evidence-informed practices. The Department of Healthcare and
5 Family Services shall develop ~~a~~ reimbursement methodologies
6 that account for differences among provider types methodology.

7 (d) On or before October 1, 2023, the Department of
8 Healthcare and Family Services and Department of Human
9 Services shall create and execute a joint Background Check
10 Waiver Process, limiting the disqualifying offenses, for Peer
11 Support Workers who provide such services.

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

13 ARTICLE 95.

14 Section 95-1. Short title. This Article may be cited as
15 the Smart Start Illinois Act. References in this Article to
16 "this Act" mean this Article.

17 Section 95-5. Findings. The General Assembly makes the
18 following findings:

19 (1) Early childhood education and care is an essential
20 part of our State's economy and infrastructure, providing
21 the backbone that allows for parents and guardians to seek
22 and maintain employment in industries across the State.

23 (2) Further, research shows that participation in

1 quality early childhood education and care supports
2 children's development, serves as a protective factor from
3 trauma, increases school readiness, lowers future health
4 care costs, and increases employment options and earnings.

5 (3) The State of Illinois funds early childhood
6 education programs through the Illinois State Board of
7 Education and the Department of Human Services for
8 families seeking services aimed at improving the early
9 development of children from the prenatal stage to 5 years
10 of age. Similar programs are also licensed by the
11 Department of Children and Family Services.

12 (4) These agencies administer evidence-based
13 home-visiting programs with doula enhancements, Early
14 Intervention services, the Prevention Initiative program,
15 the Preschool for All program, and the Child Care
16 Assistance Program.

17 (5) The cost to provide child care and early learning
18 in the private market in Illinois is more than parents can
19 afford, as it is more expensive in many communities than
20 the cost of annual tuition and fees at a 4-year
21 postsecondary institution.

22 (6) Child care providers' revenues are insufficient,
23 only allowing child care providers to pay minimum wage.
24 That is less than 98% of all other jobs in the economy.

25 (7) Workforce compensation in other early childhood
26 programs is also not adequate to attract and retain

1 qualified staff. This problem is especially acute for
2 those working with infants and toddlers.

3 (8) Illinois faces an early childhood educator
4 workforce shortage, which stifles and artificially limits
5 the supply of early childhood programs necessary for
6 parents and guardians to go to work and school, thereby
7 stifling economic growth in the State to an estimated cost
8 of \$2,400,000,000 annually. This is especially true for
9 mothers, who often decide to stay home due to the
10 exorbitant cost and inaccessibility of care.

11 (9) Illinois also faces a shortage of high-quality
12 early childhood education and care options in communities
13 across the State, limiting access to services for
14 families. The shortage is particularly acute for
15 infant-toddler care, as there is only capacity for 17.4%
16 of the State's infants and toddlers within licensed child
17 care facilities.

18 (10) In recent years, the State of Illinois has
19 expanded access to the Child Care Assistance Program by
20 raising the income eligibility threshold and making
21 program policies more inclusive and has supported provider
22 sustainability by significantly raising Child Care
23 Assistance Program reimbursement rates. In addition, the
24 State of Illinois has invested over \$1,000,000,000 in
25 federal pandemic relief funding in child care service
26 providers to ensure that they could remain open and serve

1 families and children in their communities during the
2 COVID-19 pandemic and beyond, and so that staff could
3 continue to be paid.

4 (11) However, beyond these federal relief funds,
5 current public levers are unable to sustainably address
6 the early childhood educator workforce shortage or the
7 inadequate early childhood education and care supply to
8 meet parent and guardian needs. Child care providers need
9 stable, predictable, and sufficient revenues to pay
10 attractive wages without increasing costs for families.

11 (12) Any investment to address the early childhood
12 educator workforce shortage and to support program quality
13 must be developed and implemented in close partnership
14 with the educators and child care providers who would be
15 directly impacted, as has been done to date via the Child
16 Care Advisory Council, the Illinois Early Learning
17 Council, Raising Illinois, We, the Village, Birth to Five
18 Illinois Action Councils, Illinois Child Care for All,
19 focus groups, and other stakeholder engagement efforts.

20 (13) Any investment to address the early childhood
21 educator workforce shortage and to support program quality
22 must prioritize fiscal accountability and provider
23 accessibility.

24 (14) Smart Start Illinois is an effort to expand early
25 childhood education and care services statewide with a
26 focus on services aimed at the prenatal stage of

1 development through 5 years of age.

2 (15) Smart Start Illinois aims to eliminate preschool
3 deserts, make quality child care more affordable and
4 accessible, and increase access to evidence-based
5 home-visiting services with doula enhancements and Early
6 Intervention services.

7 Section 95-10. Smart Start Child Care Workforce
8 Compensation Program.

9 (a) The Department of Human Services shall create and
10 establish the Smart Start Child Care Workforce Compensation
11 Program. The purpose of the Smart Start Child Care Workforce
12 Compensation Program is to invest in early childhood education
13 and care service providers, including, but not limited to,
14 providers participating in the Child Care Assistance Program;
15 to expand the supply of high-quality early childhood education
16 and care; and to create a strong and stable early childhood
17 education and care system with attractive wages, high-quality
18 services, and affordable cost.

19 (b) The purpose of the Smart Start Child Care Workforce
20 Compensation Program is to stabilize community-based early
21 childhood education and care service providers, raise the
22 wages of early childhood educators, and support quality
23 enhancements that can position service providers to
24 participate in other public funding streams, such as Preschool
25 for All, in order to further enhance and expand quality

1 service delivery.

2 (c) Subject to appropriation, the Department of Human
3 Services shall implement the Smart Start Child Care Workforce
4 Compensation Program for eligible licensed day care centers,
5 licensed day care homes, and licensed group day care homes by
6 October 1, 2024, or as soon as practicable, following
7 completion of a planning and transition year. By October 1,
8 2025, or as soon as practicable, and for each year thereafter,
9 subject to appropriation, the Department of Human Services
10 shall continue to operate the Smart Start Child Care Workforce
11 Compensation Program annually with all licensed day care
12 centers and licensed day care homes, and licensed group day
13 care homes that meet eligibility requirements. The Smart Start
14 Child Care Workforce Compensation Program shall operate
15 separately from and shall not supplant the Child Care
16 Assistance Program as provided for in Section 9A-11 of the
17 Illinois Public Aid Code.

18 (d) The Department of Human Services shall adopt
19 administrative rules by October 1, 2024, to facilitate
20 administration of the Smart Start Child Care Workforce
21 Compensation Program, including, but not limited to,
22 provisions for program eligibility, the application and
23 funding calculation process, eligible expenses, required wage
24 floors, and requirements for financial and personnel reporting
25 and monitoring requirements. Eligibility and funding
26 provisions shall be based on appropriation and a current model

1 of the cost to provide child care services by a licensed child
2 care center or licensed family child care home.

3 Section 95-15. Stakeholder involvement in program
4 development and implementation. The Child Care Advisory
5 Council, or a committee of the Council, with representation
6 from Raising Illinois, We, the Village, Birth to Five Illinois
7 Action Councils, and Illinois Child Care for All, shall
8 convene prior to July 1, 2023, and at least quarterly
9 thereafter through June 30, 2025, to inform the development
10 and implementation of the Smart Start Child Care Workforce
11 Compensation Program.

12 Section 95-900. The Illinois Public Aid Code is amended by
13 changing Section 9A-11 as follows:

14 (305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

15 Sec. 9A-11. Child care.

16 (a) The General Assembly recognizes that families with
17 children need child care in order to work. Child care is
18 expensive and families with limited access to economic
19 resources ~~low incomes~~, including those who are transitioning
20 from welfare to work, often struggle to pay the costs of day
21 care. The General Assembly understands the importance of
22 helping ~~low-income~~ working families with limited access to
23 economic resources become and remain self-sufficient. The

1 General Assembly also believes that it is the responsibility
2 of families to share in the costs of child care. It is also the
3 preference of the General Assembly that all working ~~poor~~
4 families with limited access to economic resources should be
5 treated equally, regardless of their welfare status.

6 (b) To the extent resources permit, the Illinois
7 Department shall provide child care services to parents or
8 other relatives as defined by rule who are working or
9 participating in employment or Department approved education
10 or training programs. At a minimum, the Illinois Department
11 shall cover the following categories of families:

12 (1) recipients of TANF under Article IV participating
13 in work and training activities as specified in the
14 personal plan for employment and self-sufficiency;

15 (2) families transitioning from TANF to work;

16 (3) families at risk of becoming recipients of TANF;

17 (4) families with special needs as defined by rule;

18 (5) working families with very low incomes as defined
19 by rule;

20 (6) families that are not recipients of TANF and that
21 need child care assistance to participate in education and
22 training activities;

23 (7) youth in care, as defined in Section 4d of the
24 Children and Family Services Act, who are parents,
25 regardless of income or whether they are working or
26 participating in Department-approved employment or

1 education or training programs. Any family that receives
2 child care assistance in accordance with this paragraph
3 shall receive one additional 12-month child care
4 eligibility period after the parenting youth in care's
5 case with the Department of Children and Family Services
6 is closed, regardless of income or whether the parenting
7 youth in care is working or participating in
8 Department-approved employment or education or training
9 programs;

10 (8) families receiving Extended Family Support Program
11 services from the Department of Children and Family
12 Services, regardless of income or whether they are working
13 or participating in Department-approved employment or
14 education or training programs; and

15 (9) families with children under the age of 5 who have
16 an open intact family services case with the Department of
17 Children and Family Services. Any family that receives
18 child care assistance in accordance with this paragraph
19 shall remain eligible for child care assistance 6 months
20 after the child's intact family services case is closed,
21 regardless of whether the child's parents or other
22 relatives as defined by rule are working or participating
23 in Department approved employment or education or training
24 programs. The Department of Human Services, in
25 consultation with the Department of Children and Family
26 Services, shall adopt rules to protect the privacy of

1 families who are the subject of an open intact family
2 services case when such families enroll in child care
3 services. Additional rules shall be adopted to offer
4 children who have an open intact family services case the
5 opportunity to receive an Early Intervention screening and
6 other services that their families may be eligible for as
7 provided by the Department of Human Services.

8 Beginning October 1, 2023, and every October 1 thereafter,
9 the Department of Children and Family Services shall report to
10 the General Assembly on the number of children who received
11 child care via vouchers paid for by the Department of Children
12 and Family Services during the preceding fiscal year. The
13 report shall include the ages of children who received child
14 care, the type of child care they received, and the number of
15 months they received child care.

16 The Department shall specify by rule the conditions of
17 eligibility, the application process, and the types, amounts,
18 and duration of services. Eligibility for child care benefits
19 and the amount of child care provided may vary based on family
20 size, income, and other factors as specified by rule.

21 The Department shall update the Child Care Assistance
22 Program Eligibility Calculator posted on its website to
23 include a question on whether a family is applying for child
24 care assistance for the first time or is applying for a
25 redetermination of eligibility.

26 A family's eligibility for child care services shall be

1 redetermined no sooner than 12 months following the initial
2 determination or most recent redetermination. During the
3 12-month periods, the family shall remain eligible for child
4 care services regardless of (i) a change in family income,
5 unless family income exceeds 85% of State median income, or
6 (ii) a temporary change in the ongoing status of the parents or
7 other relatives, as defined by rule, as working or attending a
8 job training or educational program.

9 In determining income eligibility for child care benefits,
10 the Department annually, at the beginning of each fiscal year,
11 shall establish, by rule, one income threshold for each family
12 size, in relation to percentage of State median income for a
13 family of that size, that makes families with incomes below
14 the specified threshold eligible for assistance and families
15 with incomes above the specified threshold ineligible for
16 assistance. Through and including fiscal year 2007, the
17 specified threshold must be no less than 50% of the
18 then-current State median income for each family size.
19 Beginning in fiscal year 2008, the specified threshold must be
20 no less than 185% of the then-current federal poverty level
21 for each family size. Notwithstanding any other provision of
22 law or administrative rule to the contrary, beginning in
23 fiscal year 2019, the specified threshold for working families
24 with very low incomes as defined by rule must be no less than
25 185% of the then-current federal poverty level for each family
26 size. Notwithstanding any other provision of law or

1 administrative rule to the contrary, beginning in State fiscal
2 year 2022 through State fiscal year 2023, the specified income
3 threshold shall be no less than 200% of the then-current
4 federal poverty level for each family size. Beginning in State
5 fiscal year 2024, the specified income threshold shall be no
6 less than 225% of the then-current federal poverty level for
7 each family size.

8 In determining eligibility for assistance, the Department
9 shall not give preference to any category of recipients or
10 give preference to individuals based on their receipt of
11 benefits under this Code.

12 Nothing in this Section shall be construed as conferring
13 entitlement status to eligible families.

14 The Illinois Department is authorized to lower income
15 eligibility ceilings, raise parent co-payments, create waiting
16 lists, or take such other actions during a fiscal year as are
17 necessary to ensure that child care benefits paid under this
18 Article do not exceed the amounts appropriated for those child
19 care benefits. These changes may be accomplished by emergency
20 rule under Section 5-45 of the Illinois Administrative
21 Procedure Act, except that the limitation on the number of
22 emergency rules that may be adopted in a 24-month period shall
23 not apply.

24 The Illinois Department may contract with other State
25 agencies or child care organizations for the administration of
26 child care services.

1 (c) Payment shall be made for child care that otherwise
2 meets the requirements of this Section and applicable
3 standards of State and local law and regulation, including any
4 requirements the Illinois Department promulgates by rule in
5 addition to the licensure requirements promulgated by the
6 Department of Children and Family Services and Fire Prevention
7 and Safety requirements promulgated by the Office of the State
8 Fire Marshal, and is provided in any of the following:

9 (1) a child care center which is licensed or exempt
10 from licensure pursuant to Section 2.09 of the Child Care
11 Act of 1969;

12 (2) a licensed child care home or home exempt from
13 licensing;

14 (3) a licensed group child care home;

15 (4) other types of child care, including child care
16 provided by relatives or persons living in the same home
17 as the child, as determined by the Illinois Department by
18 rule.

19 (c-5) Solely for the purposes of coverage under the
20 Illinois Public Labor Relations Act, child and day care home
21 providers, including licensed and license exempt,
22 participating in the Department's child care assistance
23 program shall be considered to be public employees and the
24 State of Illinois shall be considered to be their employer as
25 of January 1, 2006 (the effective date of Public Act 94-320),
26 but not before. The State shall engage in collective

1 bargaining with an exclusive representative of child and day
2 care home providers participating in the child care assistance
3 program concerning their terms and conditions of employment
4 that are within the State's control. Nothing in this
5 subsection shall be understood to limit the right of families
6 receiving services defined in this Section to select child and
7 day care home providers or supervise them within the limits of
8 this Section. The State shall not be considered to be the
9 employer of child and day care home providers for any purposes
10 not specifically provided in Public Act 94-320, including, but
11 not limited to, purposes of vicarious liability in tort and
12 purposes of statutory retirement or health insurance benefits.
13 Child and day care home providers shall not be covered by the
14 State Employees Group Insurance Act of 1971.

15 In according child and day care home providers and their
16 selected representative rights under the Illinois Public Labor
17 Relations Act, the State intends that the State action
18 exemption to application of federal and State antitrust laws
19 be fully available to the extent that their activities are
20 authorized by Public Act 94-320.

21 (d) The Illinois Department shall establish, by rule, a
22 co-payment scale that provides for cost sharing by families
23 that receive child care services, including parents whose only
24 income is from assistance under this Code. The co-payment
25 shall be based on family income and family size and may be
26 based on other factors as appropriate. Co-payments may be

1 waived for families whose incomes are at or below the federal
2 poverty level.

3 (d-5) The Illinois Department, in consultation with its
4 Child Care and Development Advisory Council, shall develop a
5 plan to revise the child care assistance program's co-payment
6 scale. The plan shall be completed no later than February 1,
7 2008, and shall include:

8 (1) findings as to the percentage of income that the
9 average American family spends on child care and the
10 relative amounts that low-income families and the average
11 American family spend on other necessities of life;

12 (2) recommendations for revising the child care
13 co-payment scale to assure that families receiving child
14 care services from the Department are paying no more than
15 they can reasonably afford;

16 (3) recommendations for revising the child care
17 co-payment scale to provide at-risk children with complete
18 access to Preschool for All and Head Start; and

19 (4) recommendations for changes in child care program
20 policies that affect the affordability of child care.

21 (e) (Blank).

22 (f) The Illinois Department shall, by rule, set rates to
23 be paid for the various types of child care. Child care may be
24 provided through one of the following methods:

25 (1) arranging the child care through eligible
26 providers by use of purchase of service contracts or

1 vouchers;

2 (2) arranging with other agencies and community
3 volunteer groups for non-reimbursed child care;

4 (3) (blank); or

5 (4) adopting such other arrangements as the Department
6 determines appropriate.

7 (f-1) Within 30 days after June 4, 2018 (the effective
8 date of Public Act 100-587), the Department of Human Services
9 shall establish rates for child care providers that are no
10 less than the rates in effect on January 1, 2018 increased by
11 4.26%.

12 (f-5) (Blank).

13 (g) Families eligible for assistance under this Section
14 shall be given the following options:

15 (1) receiving a child care certificate issued by the
16 Department or a subcontractor of the Department that may
17 be used by the parents as payment for child care and
18 development services only; or

19 (2) if space is available, enrolling the child with a
20 child care provider that has a purchase of service
21 contract with the Department or a subcontractor of the
22 Department for the provision of child care and development
23 services. The Department may identify particular priority
24 populations for whom they may request special
25 consideration by a provider with purchase of service
26 contracts, provided that the providers shall be permitted

1 to maintain a balance of clients in terms of household
2 incomes and families and children with special needs, as
3 defined by rule.

4 (Source: P.A. 101-81, eff. 7-12-19; 101-657, eff. 3-23-21;
5 102-491, eff. 8-20-21; 102-813, eff. 5-13-22; 102-926, eff.
6 5-27-22.)

7 ARTICLE 97.

8 Section 97-5. The Business Corporation Act of 1983 is
9 amended by changing Section 15.35 as follows:

10 (805 ILCS 5/15.35) (from Ch. 32, par. 15.35)

11 (Text of Section from P.A. 102-16)

12 Sec. 15.35. Franchise taxes payable by domestic
13 corporations. For the privilege of exercising its franchises
14 in this State, each domestic corporation shall pay to the
15 Secretary of State the following franchise taxes, computed on
16 the basis, at the rates and for the periods prescribed in this
17 Act:

18 (a) An initial franchise tax at the time of filing its
19 first report of issuance of shares.

20 (b) An additional franchise tax at the time of filing
21 (1) a report of the issuance of additional shares, or (2) a
22 report of an increase in paid-in capital without the
23 issuance of shares, or (3) an amendment to the articles of

1 incorporation or a report of cumulative changes in paid-in
2 capital, whenever any amendment or such report discloses
3 an increase in its paid-in capital over the amount thereof
4 last reported in any document, other than an annual
5 report, interim annual report or final transition annual
6 report required by this Act to be filed in the office of
7 the Secretary of State.

8 (c) An additional franchise tax at the time of filing
9 a report of paid-in capital following a statutory merger
10 or consolidation, which discloses that the paid-in capital
11 of the surviving or new corporation immediately after the
12 merger or consolidation is greater than the sum of the
13 paid-in capital of all of the merged or consolidated
14 corporations as last reported by them in any documents,
15 other than annual reports, required by this Act to be
16 filed in the office of the Secretary of State; and in
17 addition, the surviving or new corporation shall be liable
18 for a further additional franchise tax on the paid-in
19 capital of each of the merged or consolidated corporations
20 as last reported by them in any document, other than an
21 annual report, required by this Act to be filed with the
22 Secretary of State from their taxable year end to the next
23 succeeding anniversary month or, in the case of a
24 corporation which has established an extended filing
25 month, the extended filing month of the surviving or new
26 corporation; however if the taxable year ends within the

1 2-month period immediately preceding the anniversary month
2 or, in the case of a corporation which has established an
3 extended filing month, the extended filing month of the
4 surviving or new corporation the tax will be computed to
5 the anniversary month or, in the case of a corporation
6 which has established an extended filing month, the
7 extended filing month of the surviving or new corporation
8 in the next succeeding calendar year.

9 (d) An annual franchise tax payable each year with the
10 annual report which the corporation is required by this
11 Act to file.

12 On or after January 1, 2020 and prior to January 1, 2021,
13 the first \$30 in liability is exempt from the tax imposed under
14 this Section. On or after January 1, 2021, and prior to January
15 1, 2024, the first \$1,000 in liability is exempt from the tax
16 imposed under this Section. On or after January 1, 2024, the
17 first \$5,000 in liability is exempt from the tax imposed under
18 this Section.

19 (Source: P.A. 101-9, eff. 6-5-19; 102-16, eff. 6-17-21.)

20 (Text of Section from P.A. 102-282)

21 Sec. 15.35. Franchise taxes payable by domestic
22 corporations. For the privilege of exercising its franchises
23 in this State, each domestic corporation shall pay to the
24 Secretary of State the following franchise taxes, computed on
25 the basis, at the rates and for the periods prescribed in this

1 Act:

2 (a) An initial franchise tax at the time of filing its
3 first report of issuance of shares.

4 (b) An additional franchise tax at the time of filing
5 (1) a report of the issuance of additional shares, or (2) a
6 report of an increase in paid-in capital without the
7 issuance of shares, or (3) an amendment to the articles of
8 incorporation or a report of cumulative changes in paid-in
9 capital, whenever any amendment or such report discloses
10 an increase in its paid-in capital over the amount thereof
11 last reported in any document, other than an annual
12 report, interim annual report or final transition annual
13 report required by this Act to be filed in the office of
14 the Secretary of State.

15 (c) An additional franchise tax at the time of filing
16 a report of paid-in capital following a statutory merger
17 or consolidation, which discloses that the paid-in capital
18 of the surviving or new corporation immediately after the
19 merger or consolidation is greater than the sum of the
20 paid-in capital of all of the merged or consolidated
21 corporations as last reported by them in any documents,
22 other than annual reports, required by this Act to be
23 filed in the office of the Secretary of State; and in
24 addition, the surviving or new corporation shall be liable
25 for a further additional franchise tax on the paid-in
26 capital of each of the merged or consolidated corporations

1 as last reported by them in any document, other than an
2 annual report, required by this Act to be filed with the
3 Secretary of State from their taxable year end to the next
4 succeeding anniversary month or, in the case of a
5 corporation which has established an extended filing
6 month, the extended filing month of the surviving or new
7 corporation; however if the taxable year ends within the
8 2-month period immediately preceding the anniversary month
9 or, in the case of a corporation which has established an
10 extended filing month, the extended filing month of the
11 surviving or new corporation the tax will be computed to
12 the anniversary month or, in the case of a corporation
13 which has established an extended filing month, the
14 extended filing month of the surviving or new corporation
15 in the next succeeding calendar year.

16 (d) An annual franchise tax payable each year with the
17 annual report which the corporation is required by this
18 Act to file.

19 On or after January 1, 2020 and prior to January 1, 2021,
20 the first \$30 in liability is exempt from the tax imposed under
21 this Section. On or after January 1, 2021 and prior to January
22 1, ~~2024~~ ~~2022~~, the first \$1,000 in liability is exempt from the
23 tax imposed under this Section. On or after January 1, 2024,
24 the first \$5,000 in liability is exempt from the tax imposed
25 under this Section. ~~On or after January 1, 2022 and prior to~~
26 ~~January 1, 2023, the first \$10,000 in liability is exempt from~~

1 ~~the tax imposed under this Section. On or after January 1, 2023~~
2 ~~and prior to January 1, 2024, the first \$100,000 in liability~~
3 ~~is exempt from the tax imposed under this Section. The~~
4 ~~provisions of this Section shall not require the payment of~~
5 ~~any franchise tax that would otherwise have been due and~~
6 ~~payable on or after January 1, 2024. There shall be no refunds~~
7 ~~or proration of franchise tax for any taxes due and payable on~~
8 ~~or after January 1, 2024 on the basis that a portion of the~~
9 ~~corporation's taxable year extends beyond January 1, 2024.~~
10 ~~Public Act 101-9 shall not affect any right accrued or~~
11 ~~established, or any liability or penalty incurred prior to~~
12 ~~January 1, 2024.~~

13 ~~This Section is repealed on December 31, 2024.~~

14 (Source: P.A. 101-9, eff. 6-5-19; 102-282, eff. 1-1-22.)

15 (Text of Section from P.A. 102-558)

16 Sec. 15.35. Franchise taxes payable by domestic
17 corporations. For the privilege of exercising its franchises
18 in this State, each domestic corporation shall pay to the
19 Secretary of State the following franchise taxes, computed on
20 the basis, at the rates and for the periods prescribed in this
21 Act:

22 (a) An initial franchise tax at the time of filing its
23 first report of issuance of shares.

24 (b) An additional franchise tax at the time of filing
25 (1) a report of the issuance of additional shares, or (2) a

1 report of an increase in paid-in capital without the
2 issuance of shares, or (3) an amendment to the articles of
3 incorporation or a report of cumulative changes in paid-in
4 capital, whenever any amendment or such report discloses
5 an increase in its paid-in capital over the amount thereof
6 last reported in any document, other than an annual
7 report, interim annual report or final transition annual
8 report required by this Act to be filed in the office of
9 the Secretary of State.

10 (c) An additional franchise tax at the time of filing
11 a report of paid-in capital following a statutory merger
12 or consolidation, which discloses that the paid-in capital
13 of the surviving or new corporation immediately after the
14 merger or consolidation is greater than the sum of the
15 paid-in capital of all of the merged or consolidated
16 corporations as last reported by them in any documents,
17 other than annual reports, required by this Act to be
18 filed in the office of the Secretary of State; and in
19 addition, the surviving or new corporation shall be liable
20 for a further additional franchise tax on the paid-in
21 capital of each of the merged or consolidated corporations
22 as last reported by them in any document, other than an
23 annual report, required by this Act to be filed with the
24 Secretary of State from their taxable year end to the next
25 succeeding anniversary month or, in the case of a
26 corporation which has established an extended filing

1 month, the extended filing month of the surviving or new
2 corporation; however if the taxable year ends within the
3 2-month period immediately preceding the anniversary month
4 or, in the case of a corporation which has established an
5 extended filing month, the extended filing month of the
6 surviving or new corporation the tax will be computed to
7 the anniversary month or, in the case of a corporation
8 which has established an extended filing month, the
9 extended filing month of the surviving or new corporation
10 in the next succeeding calendar year.

11 (d) An annual franchise tax payable each year with the
12 annual report which the corporation is required by this
13 Act to file.

14 On or after January 1, 2020 and prior to January 1, 2021,
15 the first \$30 in liability is exempt from the tax imposed under
16 this Section. On or after January 1, 2021 and prior to January
17 1, 2024 ~~2022~~, the first \$1,000 in liability is exempt from the
18 tax imposed under this Section. On or after January 1, 2024,
19 the first \$5,000 in liability is exempt from the tax imposed
20 under this Section. ~~On or after January 1, 2022 and prior to~~
21 ~~January 1, 2023, the first \$10,000 in liability is exempt from~~
22 ~~the tax imposed under this Section. On or after January 1, 2023~~
23 ~~and prior to January 1, 2024, the first \$100,000 in liability~~
24 ~~is exempt from the tax imposed under this Section. The~~
25 ~~provisions of this Section shall not require the payment of~~
26 ~~any franchise tax that would otherwise have been due and~~

1 ~~payable on or after January 1, 2024. There shall be no refunds~~
2 ~~or proration of franchise tax for any taxes due and payable on~~
3 ~~or after January 1, 2024 on the basis that a portion of the~~
4 ~~corporation's taxable year extends beyond January 1, 2024.~~
5 ~~Public Act 101-9 shall not affect any right accrued or~~
6 ~~established, or any liability or penalty incurred prior to~~
7 ~~January 1, 2024.~~

8 ~~This Section is repealed on December 31, 2025.~~

9 (Source: P.A. 101-9, eff. 6-5-19; 102-558, eff. 8-20-21.)

10 Article 98.

11 Section 98-5. The Illinois Vehicle Code is amended by
12 changing Sections 2-119, 2-123, 3-821, and 6-118 as follows:

13 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

14 Sec. 2-119. Disposition of fees and taxes.

15 (a) All moneys received from Salvage Certificates shall be
16 deposited in the Common School Fund in the State Treasury.

17 (b) Of the money collected for each certificate of title,
18 duplicate certificate of title, and corrected certificate of
19 title:

20 (1) \$2.60 shall be deposited in the Park and
21 Conservation Fund;

22 (2) \$0.65 shall be deposited in the Illinois Fisheries
23 Management Fund;

1 (3) \$48 shall be disbursed under subsection (g) of
2 this Section;

3 (4) \$4 shall be deposited into the Motor Vehicle
4 License Plate Fund; ~~and~~

5 (5) \$30 shall be deposited into the Capital Projects
6 Fund; ~~and~~—

7 (6) \$10 shall be deposited into the Secretary of State
8 Special Services Fund pursuant to this amendatory Act of
9 the 103rd General Assembly.

10 All remaining moneys collected for certificates of title,
11 and all moneys collected for filing of security interests,
12 shall be deposited in the General Revenue Fund.

13 The \$20 collected for each delinquent vehicle registration
14 renewal fee shall be deposited into the General Revenue Fund.

15 The moneys deposited in the Park and Conservation Fund
16 under this Section shall be used for the acquisition and
17 development of bike paths as provided for in Section 805-420
18 of the Department of Natural Resources (Conservation) Law of
19 the Civil Administrative Code of Illinois. The moneys
20 deposited into the Park and Conservation Fund under this
21 subsection shall not be subject to administrative charges or
22 chargebacks, unless otherwise authorized by this Code.

23 If the balance in the Motor Vehicle License Plate Fund
24 exceeds \$40,000,000 on the last day of a calendar month, then
25 during the next calendar month, the \$4 that otherwise would be
26 deposited in that fund shall instead be deposited into the

1 Road Fund.

2 (c) All moneys collected for that portion of a driver's
3 license fee designated for driver education under Section
4 6-118 shall be placed in the Drivers Education Fund in the
5 State Treasury.

6 (d) Of the moneys collected as a registration fee for each
7 motorcycle, motor driven cycle, and moped, 27% shall be
8 deposited in the Cycle Rider Safety Training Fund.

9 (e) (Blank).

10 (f) Of the total money collected for a commercial
11 learner's permit (CLP) or original or renewal issuance of a
12 commercial driver's license (CDL) pursuant to the Uniform
13 Commercial Driver's License Act (UCDLA): (i) \$6 of the total
14 fee for an original or renewal CDL, and \$6 of the total CLP fee
15 when such permit is issued to any person holding a valid
16 Illinois driver's license, shall be paid into the
17 CDLIS/AAMVAnet/NMVTIS Trust Fund (Commercial Driver's License
18 Information System/American Association of Motor Vehicle
19 Administrators network/National Motor Vehicle Title
20 Information Service Trust Fund) and shall be used for the
21 purposes provided in Section 6z-23 of the State Finance Act
22 and (ii) \$20 of the total fee for an original or renewal CDL or
23 CLP shall be paid into the Motor Carrier Safety Inspection
24 Fund, which is hereby created as a special fund in the State
25 Treasury, to be used by the Illinois State Police, subject to
26 appropriation, to hire additional officers to conduct motor

1 carrier safety inspections pursuant to Chapter 18b of this
2 Code.

3 (g) Of the moneys received by the Secretary of State as
4 registration fees or taxes, certificates of title, duplicate
5 certificates of title, corrected certificates of title, or as
6 payment of any other fee under this Code, when those moneys are
7 not otherwise distributed by this Code, 37% shall be deposited
8 into the State Construction Account Fund, and 63% shall be
9 deposited in the Road Fund. Moneys in the Road Fund shall be
10 used for the purposes provided in Section 8.3 of the State
11 Finance Act.

12 (h) (Blank).

13 (i) (Blank).

14 (j) (Blank).

15 (k) There is created in the State Treasury a special fund
16 to be known as the Secretary of State Special License Plate
17 Fund. Money deposited into the Fund shall, subject to
18 appropriation, be used by the Office of the Secretary of State
19 (i) to help defray plate manufacturing and plate processing
20 costs for the issuance and, when applicable, renewal of any
21 new or existing registration plates authorized under this Code
22 and (ii) for grants made by the Secretary of State to benefit
23 Illinois Veterans Home libraries.

24 (l) The Motor Vehicle Review Board Fund is created as a
25 special fund in the State Treasury. Moneys deposited into the
26 Fund under paragraph (7) of subsection (b) of Section 5-101

1 and Section 5-109 shall, subject to appropriation, be used by
2 the Office of the Secretary of State to administer the Motor
3 Vehicle Review Board, including without limitation payment of
4 compensation and all necessary expenses incurred in
5 administering the Motor Vehicle Review Board under the Motor
6 Vehicle Franchise Act.

7 (m) Effective July 1, 1996, there is created in the State
8 Treasury a special fund to be known as the Family
9 Responsibility Fund. Moneys deposited into the Fund shall,
10 subject to appropriation, be used by the Office of the
11 Secretary of State for the purpose of enforcing the Family
12 Financial Responsibility Law.

13 (n) The Illinois Fire Fighters' Memorial Fund is created
14 as a special fund in the State Treasury. Moneys deposited into
15 the Fund shall, subject to appropriation, be used by the
16 Office of the State Fire Marshal for construction of the
17 Illinois Fire Fighters' Memorial to be located at the State
18 Capitol grounds in Springfield, Illinois. Upon the completion
19 of the Memorial, moneys in the Fund shall be used in accordance
20 with Section 3-634.

21 (o) Of the money collected for each certificate of title
22 for all-terrain vehicles and off-highway motorcycles, \$17
23 shall be deposited into the Off-Highway Vehicle Trails Fund.

24 (p) For audits conducted on or after July 1, 2003 pursuant
25 to Section 2-124(d) of this Code, 50% of the money collected as
26 audit fees shall be deposited into the General Revenue Fund.

1 (q) Beginning July 1, 2023, the additional fees imposed by
2 the amendatory Act of the 103rd General Assembly in Sections
3 2-123, 3-821, and 6-118 shall be deposited into the Secretary
4 of State Special Services Fund.

5 (Source: P.A. 102-538, eff. 8-20-21.)

6 (625 ILCS 5/2-123) (from Ch. 95 1/2, par. 2-123)

7 (Text of Section before amendment by P.A. 102-982)

8 Sec. 2-123. Sale and distribution of information.

9 (a) Except as otherwise provided in this Section, the
10 Secretary may make the driver's license, vehicle and title
11 registration lists, in part or in whole, and any statistical
12 information derived from these lists available to local
13 governments, elected state officials, state educational
14 institutions, and all other governmental units of the State
15 and Federal Government requesting them for governmental
16 purposes. The Secretary shall require any such applicant for
17 services to pay for the costs of furnishing such services and
18 the use of the equipment involved, and in addition is
19 empowered to establish prices and charges for the services so
20 furnished and for the use of the electronic equipment
21 utilized.

22 (b) The Secretary is further empowered to and he may, in
23 his discretion, furnish to any applicant, other than listed in
24 subsection (a) of this Section, vehicle or driver data on a
25 computer tape, disk, other electronic format or computer

1 processable medium, or printout at a fixed fee of \$500 ~~\$250 for~~
2 ~~orders received before October 1, 2003 and \$500 for orders~~
3 ~~received on or after October 1, 2003~~, in advance, and require
4 in addition a further sufficient deposit based upon the
5 Secretary of State's estimate of the total cost of the
6 information requested and a charge of \$50 ~~\$25 for orders~~
7 ~~received before October 1, 2003 and \$50 for orders received on~~
8 ~~or after October 1, 2003~~, per 1,000 units or part thereof
9 identified or the actual cost, whichever is greater. The
10 Secretary is authorized to refund any difference between the
11 additional deposit and the actual cost of the request. This
12 service shall not be in lieu of an abstract of a driver's
13 record nor of a title or registration search. This service may
14 be limited to entities purchasing a minimum number of records
15 as required by administrative rule. The information sold
16 pursuant to this subsection shall be the entire vehicle or
17 driver data list, or part thereof. The information sold
18 pursuant to this subsection shall not contain personally
19 identifying information unless the information is to be used
20 for one of the purposes identified in subsection (f-5) of this
21 Section. Commercial purchasers of driver and vehicle record
22 databases shall enter into a written agreement with the
23 Secretary of State that includes disclosure of the commercial
24 use of the information to be purchased.

25 (b-1) The Secretary is further empowered to and may, in
26 his or her discretion, furnish vehicle or driver data on a

1 computer tape, disk, or other electronic format or computer
2 processible medium, at no fee, to any State or local
3 governmental agency that uses the information provided by the
4 Secretary to transmit data back to the Secretary that enables
5 the Secretary to maintain accurate driving records, including
6 dispositions of traffic cases. This information may be
7 provided without fee not more often than once every 6 months.

8 (c) Secretary of State may issue registration lists. The
9 Secretary of State may compile a list of all registered
10 vehicles. Each list of registered vehicles shall be arranged
11 serially according to the registration numbers assigned to
12 registered vehicles and may contain in addition the names and
13 addresses of registered owners and a brief description of each
14 vehicle including the serial or other identifying number
15 thereof. Such compilation may be in such form as in the
16 discretion of the Secretary of State may seem best for the
17 purposes intended.

18 (d) The Secretary of State shall furnish no more than 2
19 current available lists of such registrations to the sheriffs
20 of all counties and to the chiefs of police of all cities and
21 villages and towns of 2,000 population and over in this State
22 at no cost. Additional copies may be purchased by the sheriffs
23 or chiefs of police at the fee of \$500 each or at the cost of
24 producing the list as determined by the Secretary of State.
25 Such lists are to be used for governmental purposes only.

26 (e) (Blank).

1 (e-1) (Blank).

2 (f) The Secretary of State shall make a title or
3 registration search of the records of his office and a written
4 report on the same for any person, upon written application of
5 such person, accompanied by a fee of \$5 for each registration
6 or title search. The written application shall set forth the
7 intended use of the requested information. No fee shall be
8 charged for a title or registration search, or for the
9 certification thereof requested by a government agency. The
10 report of the title or registration search shall not contain
11 personally identifying information unless the request for a
12 search was made for one of the purposes identified in
13 subsection (f-5) of this Section. The report of the title or
14 registration search shall not contain highly restricted
15 personal information unless specifically authorized by this
16 Code.

17 The Secretary of State shall certify a title or
18 registration record upon written request. The fee for
19 certification shall be \$5 in addition to the fee required for a
20 title or registration search. Certification shall be made
21 under the signature of the Secretary of State and shall be
22 authenticated by Seal of the Secretary of State.

23 The Secretary of State may notify the vehicle owner or
24 registrant of the request for purchase of his title or
25 registration information as the Secretary deems appropriate.

26 No information shall be released to the requester until

1 expiration of a 10-day period. This 10-day period shall not
2 apply to requests for information made by law enforcement
3 officials, government agencies, financial institutions,
4 attorneys, insurers, employers, automobile associated
5 businesses, persons licensed as a private detective or firms
6 licensed as a private detective agency under the Private
7 Detective, Private Alarm, Private Security, Fingerprint
8 Vendor, and Locksmith Act of 2004, who are employed by or are
9 acting on behalf of law enforcement officials, government
10 agencies, financial institutions, attorneys, insurers,
11 employers, automobile associated businesses, and other
12 business entities for purposes consistent with the Illinois
13 Vehicle Code, the vehicle owner or registrant or other
14 entities as the Secretary may exempt by rule and regulation.

15 Any misrepresentation made by a requester of title or
16 vehicle information shall be punishable as a petty offense,
17 except in the case of persons licensed as a private detective
18 or firms licensed as a private detective agency which shall be
19 subject to disciplinary sanctions under Section 40-10 of the
20 Private Detective, Private Alarm, Private Security,
21 Fingerprint Vendor, and Locksmith Act of 2004.

22 (f-5) The Secretary of State shall not disclose or
23 otherwise make available to any person or entity any
24 personally identifying information obtained by the Secretary
25 of State in connection with a driver's license, vehicle, or
26 title registration record unless the information is disclosed

1 for one of the following purposes:

2 (1) For use by any government agency, including any
3 court or law enforcement agency, in carrying out its
4 functions, or any private person or entity acting on
5 behalf of a federal, State, or local agency in carrying
6 out its functions.

7 (2) For use in connection with matters of motor
8 vehicle or driver safety and theft; motor vehicle
9 emissions; motor vehicle product alterations, recalls, or
10 advisories; performance monitoring of motor vehicles,
11 motor vehicle parts, and dealers; and removal of non-owner
12 records from the original owner records of motor vehicle
13 manufacturers.

14 (3) For use in the normal course of business by a
15 legitimate business or its agents, employees, or
16 contractors, but only:

17 (A) to verify the accuracy of personal information
18 submitted by an individual to the business or its
19 agents, employees, or contractors; and

20 (B) if such information as so submitted is not
21 correct or is no longer correct, to obtain the correct
22 information, but only for the purposes of preventing
23 fraud by, pursuing legal remedies against, or
24 recovering on a debt or security interest against, the
25 individual.

26 (4) For use in research activities and for use in

1 producing statistical reports, if the personally
2 identifying information is not published, redisclosed, or
3 used to contact individuals.

4 (5) For use in connection with any civil, criminal,
5 administrative, or arbitral proceeding in any federal,
6 State, or local court or agency or before any
7 self-regulatory body, including the service of process,
8 investigation in anticipation of litigation, and the
9 execution or enforcement of judgments and orders, or
10 pursuant to an order of a federal, State, or local court.

11 (6) For use by any insurer or insurance support
12 organization or by a self-insured entity or its agents,
13 employees, or contractors in connection with claims
14 investigation activities, antifraud activities, rating, or
15 underwriting.

16 (7) For use in providing notice to the owners of towed
17 or impounded vehicles.

18 (8) For use by any person licensed as a private
19 detective or firm licensed as a private detective agency
20 under the Private Detective, Private Alarm, Private
21 Security, Fingerprint Vendor, and Locksmith Act of 2004,
22 private investigative agency or security service licensed
23 in Illinois for any purpose permitted under this
24 subsection.

25 (9) For use by an employer or its agent or insurer to
26 obtain or verify information relating to a holder of a

1 commercial driver's license that is required under chapter
2 313 of title 49 of the United States Code.

3 (10) For use in connection with the operation of
4 private toll transportation facilities.

5 (11) For use by any requester, if the requester
6 demonstrates it has obtained the written consent of the
7 individual to whom the information pertains.

8 (12) For use by members of the news media, as defined
9 in Section 1-148.5, for the purpose of newsgathering when
10 the request relates to the operation of a motor vehicle or
11 public safety.

12 (13) For any other use specifically authorized by law,
13 if that use is related to the operation of a motor vehicle
14 or public safety.

15 (f-6) The Secretary of State shall not disclose or
16 otherwise make available to any person or entity any highly
17 restricted personal information obtained by the Secretary of
18 State in connection with a driver's license, vehicle, or title
19 registration record unless specifically authorized by this
20 Code.

21 (g) 1. The Secretary of State may, upon receipt of a
22 written request and a fee as set forth in Section 6-118,
23 furnish to the person or agency so requesting a driver's
24 record or data contained therein. Such document may include a
25 record of: current driver's license issuance information,
26 except that the information on judicial driving permits shall

1 be available only as otherwise provided by this Code;
2 convictions; orders entered revoking, suspending or cancelling
3 a driver's license or privilege; and notations of accident
4 involvement. All other information, unless otherwise permitted
5 by this Code, shall remain confidential. Information released
6 pursuant to a request for a driver's record shall not contain
7 personally identifying information, unless the request for the
8 driver's record was made for one of the purposes set forth in
9 subsection (f-5) of this Section. The Secretary of State may,
10 without fee, allow a parent or guardian of a person under the
11 age of 18 years, who holds an instruction permit or graduated
12 driver's license, to view that person's driving record online,
13 through a computer connection. The parent or guardian's online
14 access to the driving record will terminate when the
15 instruction permit or graduated driver's license holder
16 reaches the age of 18.

17 2. The Secretary of State shall not disclose or otherwise
18 make available to any person or entity any highly restricted
19 personal information obtained by the Secretary of State in
20 connection with a driver's license, vehicle, or title
21 registration record unless specifically authorized by this
22 Code. The Secretary of State may certify an abstract of a
23 driver's record upon written request therefor. Such
24 certification shall be made under the signature of the
25 Secretary of State and shall be authenticated by the Seal of
26 his office.

1 3. All requests for driving record information shall be
2 made in a manner prescribed by the Secretary and shall set
3 forth the intended use of the requested information.

4 The Secretary of State may notify the affected driver of
5 the request for purchase of his driver's record as the
6 Secretary deems appropriate.

7 No information shall be released to the requester until
8 expiration of a 10-day period. This 10-day period shall not
9 apply to requests for information made by law enforcement
10 officials, government agencies, financial institutions,
11 attorneys, insurers, employers, automobile associated
12 businesses, persons licensed as a private detective or firms
13 licensed as a private detective agency under the Private
14 Detective, Private Alarm, Private Security, Fingerprint
15 Vendor, and Locksmith Act of 2004, who are employed by or are
16 acting on behalf of law enforcement officials, government
17 agencies, financial institutions, attorneys, insurers,
18 employers, automobile associated businesses, and other
19 business entities for purposes consistent with the Illinois
20 Vehicle Code, the affected driver or other entities as the
21 Secretary may exempt by rule and regulation.

22 Any misrepresentation made by a requester of driver
23 information shall be punishable as a petty offense, except in
24 the case of persons licensed as a private detective or firms
25 licensed as a private detective agency which shall be subject
26 to disciplinary sanctions under Section 40-10 of the Private

1 Detective, Private Alarm, Private Security, Fingerprint
2 Vendor, and Locksmith Act of 2004.

3 4. The Secretary of State may furnish without fee, upon
4 the written request of a law enforcement agency, any
5 information from a driver's record on file with the Secretary
6 of State when such information is required in the enforcement
7 of this Code or any other law relating to the operation of
8 motor vehicles, including records of dispositions; documented
9 information involving the use of a motor vehicle; whether such
10 individual has, or previously had, a driver's license; and the
11 address and personal description as reflected on said driver's
12 record.

13 5. Except as otherwise provided in this Section, the
14 Secretary of State may furnish, without fee, information from
15 an individual driver's record on file, if a written request
16 therefor is submitted by any public transit system or
17 authority, public defender, law enforcement agency, a state or
18 federal agency, or an Illinois local intergovernmental
19 association, if the request is for the purpose of a background
20 check of applicants for employment with the requesting agency,
21 or for the purpose of an official investigation conducted by
22 the agency, or to determine a current address for the driver so
23 public funds can be recovered or paid to the driver, or for any
24 other purpose set forth in subsection (f-5) of this Section.

25 The Secretary may also furnish the courts a copy of an
26 abstract of a driver's record, without fee, subsequent to an

1 arrest for a violation of Section 11-501 or a similar
2 provision of a local ordinance. Such abstract may include
3 records of dispositions; documented information involving the
4 use of a motor vehicle as contained in the current file;
5 whether such individual has, or previously had, a driver's
6 license; and the address and personal description as reflected
7 on said driver's record.

8 6. Any certified abstract issued by the Secretary of State
9 or transmitted electronically by the Secretary of State
10 pursuant to this Section, to a court or on request of a law
11 enforcement agency, for the record of a named person as to the
12 status of the person's driver's license shall be prima facie
13 evidence of the facts therein stated and if the name appearing
14 in such abstract is the same as that of a person named in an
15 information or warrant, such abstract shall be prima facie
16 evidence that the person named in such information or warrant
17 is the same person as the person named in such abstract and
18 shall be admissible for any prosecution under this Code and be
19 admitted as proof of any prior conviction or proof of records,
20 notices, or orders recorded on individual driving records
21 maintained by the Secretary of State.

22 7. Subject to any restrictions contained in the Juvenile
23 Court Act of 1987, and upon receipt of a proper request and a
24 fee as set forth in Section 6-118, the Secretary of State shall
25 provide a driver's record or data contained therein to the
26 affected driver, or the affected driver's attorney, upon

1 verification. Such record shall contain all the information
2 referred to in paragraph 1 of this subsection (g) plus: any
3 recorded accident involvement as a driver; information
4 recorded pursuant to subsection (e) of Section 6-117 and
5 paragraph (4) of subsection (a) of Section 6-204 of this Code.
6 All other information, unless otherwise permitted by this
7 Code, shall remain confidential.

8 (h) The Secretary shall not disclose social security
9 numbers or any associated information obtained from the Social
10 Security Administration except pursuant to a written request
11 by, or with the prior written consent of, the individual
12 except: (1) to officers and employees of the Secretary who
13 have a need to know the social security numbers in performance
14 of their official duties, (2) to law enforcement officials for
15 a civil or criminal law enforcement investigation, and if an
16 officer of the law enforcement agency has made a written
17 request to the Secretary specifying the law enforcement
18 investigation for which the social security numbers are being
19 sought, though the Secretary retains the right to require
20 additional verification regarding the validity of the request,
21 (3) to the United States Department of Transportation, or any
22 other State, pursuant to the administration and enforcement of
23 the Commercial Motor Vehicle Safety Act of 1986 or
24 participation in State-to-State verification service, (4)
25 pursuant to the order of a court of competent jurisdiction,
26 (5) to the Department of Healthcare and Family Services

1 (formerly Department of Public Aid) for utilization in the
2 child support enforcement duties assigned to that Department
3 under provisions of the Illinois Public Aid Code after the
4 individual has received advanced meaningful notification of
5 what redisclosure is sought by the Secretary in accordance
6 with the federal Privacy Act, (5.5) to the Department of
7 Healthcare and Family Services and the Department of Human
8 Services solely for the purpose of verifying Illinois
9 residency where such residency is an eligibility requirement
10 for benefits under the Illinois Public Aid Code or any other
11 health benefit program administered by the Department of
12 Healthcare and Family Services or the Department of Human
13 Services, (6) to the Illinois Department of Revenue solely for
14 use by the Department in the collection of any tax or debt that
15 the Department of Revenue is authorized or required by law to
16 collect, provided that the Department shall not disclose the
17 social security number to any person or entity outside of the
18 Department, (7) to the Illinois Department of Veterans'
19 Affairs for the purpose of confirming veteran status, or (8)
20 the last 4 digits to the Illinois State Board of Elections for
21 purposes of voter registration and as may be required pursuant
22 to an agreement for a multi-state voter registration list
23 maintenance system. If social security information is
24 disclosed by the Secretary in accordance with this Section, no
25 liability shall rest with the Office of the Secretary of State
26 or any of its officers or employees, as the information is

1 released for official purposes only.

2 (i) (Blank).

3 (j) Medical statements or medical reports received in the
4 Secretary of State's Office shall be confidential. Except as
5 provided in this Section, no confidential information may be
6 open to public inspection or the contents disclosed to anyone,
7 except officers and employees of the Secretary who have a need
8 to know the information contained in the medical reports and
9 the Driver License Medical Advisory Board, unless so directed
10 by an order of a court of competent jurisdiction. If the
11 Secretary receives a medical report regarding a driver that
12 does not address a medical condition contained in a previous
13 medical report, the Secretary may disclose the unaddressed
14 medical condition to the driver or his or her physician, or
15 both, solely for the purpose of submission of a medical report
16 that addresses the condition.

17 (k) Beginning July 1, 2023, disbursement ~~Disbursement~~ of
18 fees collected under this Section shall be as follows: (1) of
19 the \$20 ~~\$12~~ fee for a driver's record, \$11 ~~\$3~~ shall be paid
20 into the Secretary of State Special Services Fund, and \$6
21 shall be paid into the General Revenue Fund; (2) 50% of the
22 amounts collected under subsection (b) shall be paid into the
23 General Revenue Fund; and (3) all remaining fees shall be
24 disbursed under subsection (g) of Section 2-119 of this Code.

25 (l) (Blank).

26 (m) Notations of accident involvement that may be

1 disclosed under this Section shall not include notations
2 relating to damage to a vehicle or other property being
3 transported by a tow truck. This information shall remain
4 confidential, provided that nothing in this subsection (m)
5 shall limit disclosure of any notification of accident
6 involvement to any law enforcement agency or official.

7 (n) Requests made by the news media for driver's license,
8 vehicle, or title registration information may be furnished
9 without charge or at a reduced charge, as determined by the
10 Secretary, when the specific purpose for requesting the
11 documents is deemed to be in the public interest. Waiver or
12 reduction of the fee is in the public interest if the principal
13 purpose of the request is to access and disseminate
14 information regarding the health, safety, and welfare or the
15 legal rights of the general public and is not for the principal
16 purpose of gaining a personal or commercial benefit. The
17 information provided pursuant to this subsection shall not
18 contain personally identifying information unless the
19 information is to be used for one of the purposes identified in
20 subsection (f-5) of this Section.

21 (o) The redisclosure of personally identifying information
22 obtained pursuant to this Section is prohibited, except to the
23 extent necessary to effectuate the purpose for which the
24 original disclosure of the information was permitted.

25 (p) The Secretary of State is empowered to adopt rules to
26 effectuate this Section.

1 (Source: P.A. 100-590, eff. 6-8-18; 101-81, eff. 7-12-19;
2 101-326, eff. 8-9-19.)

3 (Text of Section after amendment by P.A. 102-982)

4 Sec. 2-123. Sale and distribution of information.

5 (a) Except as otherwise provided in this Section, the
6 Secretary may make the driver's license, vehicle and title
7 registration lists, in part or in whole, and any statistical
8 information derived from these lists available to local
9 governments, elected state officials, state educational
10 institutions, and all other governmental units of the State
11 and Federal Government requesting them for governmental
12 purposes. The Secretary shall require any such applicant for
13 services to pay for the costs of furnishing such services and
14 the use of the equipment involved, and in addition is
15 empowered to establish prices and charges for the services so
16 furnished and for the use of the electronic equipment
17 utilized.

18 (b) The Secretary is further empowered to and he may, in
19 his discretion, furnish to any applicant, other than listed in
20 subsection (a) of this Section, vehicle or driver data on a
21 computer tape, disk, other electronic format or computer
22 processable medium, or printout at a fixed fee of \$500 ~~\$250 for~~
23 ~~orders received before October 1, 2003 and \$500 for orders~~
24 ~~received on or after October 1, 2003~~, in advance, and require
25 in addition a further sufficient deposit based upon the

1 Secretary of State's estimate of the total cost of the
2 information requested and a charge of \$50 ~~\$25 for orders~~
3 ~~received before October 1, 2003 and \$50 for orders received on~~
4 ~~or after October 1, 2003~~, per 1,000 units or part thereof
5 identified or the actual cost, whichever is greater. The
6 Secretary is authorized to refund any difference between the
7 additional deposit and the actual cost of the request. This
8 service shall not be in lieu of an abstract of a driver's
9 record nor of a title or registration search. This service may
10 be limited to entities purchasing a minimum number of records
11 as required by administrative rule. The information sold
12 pursuant to this subsection shall be the entire vehicle or
13 driver data list, or part thereof. The information sold
14 pursuant to this subsection shall not contain personally
15 identifying information unless the information is to be used
16 for one of the purposes identified in subsection (f-5) of this
17 Section. Commercial purchasers of driver and vehicle record
18 databases shall enter into a written agreement with the
19 Secretary of State that includes disclosure of the commercial
20 use of the information to be purchased.

21 (b-1) The Secretary is further empowered to and may, in
22 his or her discretion, furnish vehicle or driver data on a
23 computer tape, disk, or other electronic format or computer
24 processible medium, at no fee, to any State or local
25 governmental agency that uses the information provided by the
26 Secretary to transmit data back to the Secretary that enables

1 the Secretary to maintain accurate driving records, including
2 dispositions of traffic cases. This information may be
3 provided without fee not more often than once every 6 months.

4 (c) Secretary of State may issue registration lists. The
5 Secretary of State may compile a list of all registered
6 vehicles. Each list of registered vehicles shall be arranged
7 serially according to the registration numbers assigned to
8 registered vehicles and may contain in addition the names and
9 addresses of registered owners and a brief description of each
10 vehicle including the serial or other identifying number
11 thereof. Such compilation may be in such form as in the
12 discretion of the Secretary of State may seem best for the
13 purposes intended.

14 (d) The Secretary of State shall furnish no more than 2
15 current available lists of such registrations to the sheriffs
16 of all counties and to the chiefs of police of all cities and
17 villages and towns of 2,000 population and over in this State
18 at no cost. Additional copies may be purchased by the sheriffs
19 or chiefs of police at the fee of \$500 each or at the cost of
20 producing the list as determined by the Secretary of State.
21 Such lists are to be used for governmental purposes only.

22 (e) (Blank).

23 (e-1) (Blank).

24 (f) The Secretary of State shall make a title or
25 registration search of the records of his office and a written
26 report on the same for any person, upon written application of

1 such person, accompanied by a fee of \$5 for each registration
2 or title search. The written application shall set forth the
3 intended use of the requested information. No fee shall be
4 charged for a title or registration search, or for the
5 certification thereof requested by a government agency. The
6 report of the title or registration search shall not contain
7 personally identifying information unless the request for a
8 search was made for one of the purposes identified in
9 subsection (f-5) of this Section. The report of the title or
10 registration search shall not contain highly restricted
11 personal information unless specifically authorized by this
12 Code.

13 The Secretary of State shall certify a title or
14 registration record upon written request. The fee for
15 certification shall be \$5 in addition to the fee required for a
16 title or registration search. Certification shall be made
17 under the signature of the Secretary of State and shall be
18 authenticated by Seal of the Secretary of State.

19 The Secretary of State may notify the vehicle owner or
20 registrant of the request for purchase of his title or
21 registration information as the Secretary deems appropriate.

22 No information shall be released to the requester until
23 expiration of a 10-day period. This 10-day period shall not
24 apply to requests for information made by law enforcement
25 officials, government agencies, financial institutions,
26 attorneys, insurers, employers, automobile associated

1 businesses, persons licensed as a private detective or firms
2 licensed as a private detective agency under the Private
3 Detective, Private Alarm, Private Security, Fingerprint
4 Vendor, and Locksmith Act of 2004, who are employed by or are
5 acting on behalf of law enforcement officials, government
6 agencies, financial institutions, attorneys, insurers,
7 employers, automobile associated businesses, and other
8 business entities for purposes consistent with the Illinois
9 Vehicle Code, the vehicle owner or registrant or other
10 entities as the Secretary may exempt by rule and regulation.

11 Any misrepresentation made by a requester of title or
12 vehicle information shall be punishable as a petty offense,
13 except in the case of persons licensed as a private detective
14 or firms licensed as a private detective agency which shall be
15 subject to disciplinary sanctions under Section 40-10 of the
16 Private Detective, Private Alarm, Private Security,
17 Fingerprint Vendor, and Locksmith Act of 2004.

18 (f-5) The Secretary of State shall not disclose or
19 otherwise make available to any person or entity any
20 personally identifying information obtained by the Secretary
21 of State in connection with a driver's license, vehicle, or
22 title registration record unless the information is disclosed
23 for one of the following purposes:

24 (1) For use by any government agency, including any
25 court or law enforcement agency, in carrying out its
26 functions, or any private person or entity acting on

1 behalf of a federal, State, or local agency in carrying
2 out its functions.

3 (2) For use in connection with matters of motor
4 vehicle or driver safety and theft; motor vehicle
5 emissions; motor vehicle product alterations, recalls, or
6 advisories; performance monitoring of motor vehicles,
7 motor vehicle parts, and dealers; and removal of non-owner
8 records from the original owner records of motor vehicle
9 manufacturers.

10 (3) For use in the normal course of business by a
11 legitimate business or its agents, employees, or
12 contractors, but only:

13 (A) to verify the accuracy of personal information
14 submitted by an individual to the business or its
15 agents, employees, or contractors; and

16 (B) if such information as so submitted is not
17 correct or is no longer correct, to obtain the correct
18 information, but only for the purposes of preventing
19 fraud by, pursuing legal remedies against, or
20 recovering on a debt or security interest against, the
21 individual.

22 (4) For use in research activities and for use in
23 producing statistical reports, if the personally
24 identifying information is not published, redisclosed, or
25 used to contact individuals.

26 (5) For use in connection with any civil, criminal,

1 administrative, or arbitral proceeding in any federal,
2 State, or local court or agency or before any
3 self-regulatory body, including the service of process,
4 investigation in anticipation of litigation, and the
5 execution or enforcement of judgments and orders, or
6 pursuant to an order of a federal, State, or local court.

7 (6) For use by any insurer or insurance support
8 organization or by a self-insured entity or its agents,
9 employees, or contractors in connection with claims
10 investigation activities, antifraud activities, rating, or
11 underwriting.

12 (7) For use in providing notice to the owners of towed
13 or impounded vehicles.

14 (8) For use by any person licensed as a private
15 detective or firm licensed as a private detective agency
16 under the Private Detective, Private Alarm, Private
17 Security, Fingerprint Vendor, and Locksmith Act of 2004,
18 private investigative agency or security service licensed
19 in Illinois for any purpose permitted under this
20 subsection.

21 (9) For use by an employer or its agent or insurer to
22 obtain or verify information relating to a holder of a
23 commercial driver's license that is required under chapter
24 313 of title 49 of the United States Code.

25 (10) For use in connection with the operation of
26 private toll transportation facilities.

1 (11) For use by any requester, if the requester
2 demonstrates it has obtained the written consent of the
3 individual to whom the information pertains.

4 (12) For use by members of the news media, as defined
5 in Section 1-148.5, for the purpose of newsgathering when
6 the request relates to the operation of a motor vehicle or
7 public safety.

8 (13) For any other use specifically authorized by law,
9 if that use is related to the operation of a motor vehicle
10 or public safety.

11 (f-6) The Secretary of State shall not disclose or
12 otherwise make available to any person or entity any highly
13 restricted personal information obtained by the Secretary of
14 State in connection with a driver's license, vehicle, or title
15 registration record unless specifically authorized by this
16 Code.

17 (g) 1. The Secretary of State may, upon receipt of a
18 written request and a fee as set forth in Section 6-118,
19 furnish to the person or agency so requesting a driver's
20 record or data contained therein. Such document may include a
21 record of: current driver's license issuance information,
22 except that the information on judicial driving permits shall
23 be available only as otherwise provided by this Code;
24 convictions; orders entered revoking, suspending or cancelling
25 a driver's license or privilege; and notations of crash
26 involvement. All other information, unless otherwise permitted

1 by this Code, shall remain confidential. Information released
2 pursuant to a request for a driver's record shall not contain
3 personally identifying information, unless the request for the
4 driver's record was made for one of the purposes set forth in
5 subsection (f-5) of this Section. The Secretary of State may,
6 without fee, allow a parent or guardian of a person under the
7 age of 18 years, who holds an instruction permit or graduated
8 driver's license, to view that person's driving record online,
9 through a computer connection. The parent or guardian's online
10 access to the driving record will terminate when the
11 instruction permit or graduated driver's license holder
12 reaches the age of 18.

13 2. The Secretary of State shall not disclose or otherwise
14 make available to any person or entity any highly restricted
15 personal information obtained by the Secretary of State in
16 connection with a driver's license, vehicle, or title
17 registration record unless specifically authorized by this
18 Code. The Secretary of State may certify an abstract of a
19 driver's record upon written request therefor. Such
20 certification shall be made under the signature of the
21 Secretary of State and shall be authenticated by the Seal of
22 his office.

23 3. All requests for driving record information shall be
24 made in a manner prescribed by the Secretary and shall set
25 forth the intended use of the requested information.

26 The Secretary of State may notify the affected driver of

1 the request for purchase of his driver's record as the
2 Secretary deems appropriate.

3 No information shall be released to the requester until
4 expiration of a 10-day period. This 10-day period shall not
5 apply to requests for information made by law enforcement
6 officials, government agencies, financial institutions,
7 attorneys, insurers, employers, automobile associated
8 businesses, persons licensed as a private detective or firms
9 licensed as a private detective agency under the Private
10 Detective, Private Alarm, Private Security, Fingerprint
11 Vendor, and Locksmith Act of 2004, who are employed by or are
12 acting on behalf of law enforcement officials, government
13 agencies, financial institutions, attorneys, insurers,
14 employers, automobile associated businesses, and other
15 business entities for purposes consistent with the Illinois
16 Vehicle Code, the affected driver or other entities as the
17 Secretary may exempt by rule and regulation.

18 Any misrepresentation made by a requester of driver
19 information shall be punishable as a petty offense, except in
20 the case of persons licensed as a private detective or firms
21 licensed as a private detective agency which shall be subject
22 to disciplinary sanctions under Section 40-10 of the Private
23 Detective, Private Alarm, Private Security, Fingerprint
24 Vendor, and Locksmith Act of 2004.

25 4. The Secretary of State may furnish without fee, upon
26 the written request of a law enforcement agency, any

1 information from a driver's record on file with the Secretary
2 of State when such information is required in the enforcement
3 of this Code or any other law relating to the operation of
4 motor vehicles, including records of dispositions; documented
5 information involving the use of a motor vehicle; whether such
6 individual has, or previously had, a driver's license; and the
7 address and personal description as reflected on said driver's
8 record.

9 5. Except as otherwise provided in this Section, the
10 Secretary of State may furnish, without fee, information from
11 an individual driver's record on file, if a written request
12 therefor is submitted by any public transit system or
13 authority, public defender, law enforcement agency, a state or
14 federal agency, or an Illinois local intergovernmental
15 association, if the request is for the purpose of a background
16 check of applicants for employment with the requesting agency,
17 or for the purpose of an official investigation conducted by
18 the agency, or to determine a current address for the driver so
19 public funds can be recovered or paid to the driver, or for any
20 other purpose set forth in subsection (f-5) of this Section.

21 The Secretary may also furnish the courts a copy of an
22 abstract of a driver's record, without fee, subsequent to an
23 arrest for a violation of Section 11-501 or a similar
24 provision of a local ordinance. Such abstract may include
25 records of dispositions; documented information involving the
26 use of a motor vehicle as contained in the current file;

1 whether such individual has, or previously had, a driver's
2 license; and the address and personal description as reflected
3 on said driver's record.

4 6. Any certified abstract issued by the Secretary of State
5 or transmitted electronically by the Secretary of State
6 pursuant to this Section, to a court or on request of a law
7 enforcement agency, for the record of a named person as to the
8 status of the person's driver's license shall be prima facie
9 evidence of the facts therein stated and if the name appearing
10 in such abstract is the same as that of a person named in an
11 information or warrant, such abstract shall be prima facie
12 evidence that the person named in such information or warrant
13 is the same person as the person named in such abstract and
14 shall be admissible for any prosecution under this Code and be
15 admitted as proof of any prior conviction or proof of records,
16 notices, or orders recorded on individual driving records
17 maintained by the Secretary of State.

18 7. Subject to any restrictions contained in the Juvenile
19 Court Act of 1987, and upon receipt of a proper request and a
20 fee as set forth in Section 6-118, the Secretary of State shall
21 provide a driver's record or data contained therein to the
22 affected driver, or the affected driver's attorney, upon
23 verification. Such record shall contain all the information
24 referred to in paragraph 1 of this subsection (g) plus: any
25 recorded crash involvement as a driver; information recorded
26 pursuant to subsection (e) of Section 6-117 and paragraph (4)

1 of subsection (a) of Section 6-204 of this Code. All other
2 information, unless otherwise permitted by this Code, shall
3 remain confidential.

4 (h) The Secretary shall not disclose social security
5 numbers or any associated information obtained from the Social
6 Security Administration except pursuant to a written request
7 by, or with the prior written consent of, the individual
8 except: (1) to officers and employees of the Secretary who
9 have a need to know the social security numbers in performance
10 of their official duties, (2) to law enforcement officials for
11 a civil or criminal law enforcement investigation, and if an
12 officer of the law enforcement agency has made a written
13 request to the Secretary specifying the law enforcement
14 investigation for which the social security numbers are being
15 sought, though the Secretary retains the right to require
16 additional verification regarding the validity of the request,
17 (3) to the United States Department of Transportation, or any
18 other State, pursuant to the administration and enforcement of
19 the Commercial Motor Vehicle Safety Act of 1986 or
20 participation in State-to-State verification service, (4)
21 pursuant to the order of a court of competent jurisdiction,
22 (5) to the Department of Healthcare and Family Services
23 (formerly Department of Public Aid) for utilization in the
24 child support enforcement duties assigned to that Department
25 under provisions of the Illinois Public Aid Code after the
26 individual has received advanced meaningful notification of

1 what redisclosure is sought by the Secretary in accordance
2 with the federal Privacy Act, (5.5) to the Department of
3 Healthcare and Family Services and the Department of Human
4 Services solely for the purpose of verifying Illinois
5 residency where such residency is an eligibility requirement
6 for benefits under the Illinois Public Aid Code or any other
7 health benefit program administered by the Department of
8 Healthcare and Family Services or the Department of Human
9 Services, (6) to the Illinois Department of Revenue solely for
10 use by the Department in the collection of any tax or debt that
11 the Department of Revenue is authorized or required by law to
12 collect, provided that the Department shall not disclose the
13 social security number to any person or entity outside of the
14 Department, (7) to the Illinois Department of Veterans'
15 Affairs for the purpose of confirming veteran status, or (8)
16 the last 4 digits to the Illinois State Board of Elections for
17 purposes of voter registration and as may be required pursuant
18 to an agreement for a multi-state voter registration list
19 maintenance system. If social security information is
20 disclosed by the Secretary in accordance with this Section, no
21 liability shall rest with the Office of the Secretary of State
22 or any of its officers or employees, as the information is
23 released for official purposes only.

24 (i) (Blank).

25 (j) Medical statements or medical reports received in the
26 Secretary of State's Office shall be confidential. Except as

1 provided in this Section, no confidential information may be
2 open to public inspection or the contents disclosed to anyone,
3 except officers and employees of the Secretary who have a need
4 to know the information contained in the medical reports and
5 the Driver License Medical Advisory Board, unless so directed
6 by an order of a court of competent jurisdiction. If the
7 Secretary receives a medical report regarding a driver that
8 does not address a medical condition contained in a previous
9 medical report, the Secretary may disclose the unaddressed
10 medical condition to the driver or his or her physician, or
11 both, solely for the purpose of submission of a medical report
12 that addresses the condition.

13 (k) Beginning July 1, 2023, disbursement ~~Disbursement~~ of
14 fees collected under this Section shall be as follows: (1) of
15 the \$20 ~~\$12~~ fee for a driver's record, \$11 ~~\$3~~ shall be paid
16 into the Secretary of State Special Services Fund, and \$6
17 shall be paid into the General Revenue Fund; (2) 50% of the
18 amounts collected under subsection (b) shall be paid into the
19 General Revenue Fund; and (3) all remaining fees shall be
20 disbursed under subsection (g) of Section 2-119 of this Code.

21 (l) (Blank).

22 (m) Notations of crash involvement that may be disclosed
23 under this Section shall not include notations relating to
24 damage to a vehicle or other property being transported by a
25 tow truck. This information shall remain confidential,
26 provided that nothing in this subsection (m) shall limit

1 disclosure of any notification of crash involvement to any law
2 enforcement agency or official.

3 (n) Requests made by the news media for driver's license,
4 vehicle, or title registration information may be furnished
5 without charge or at a reduced charge, as determined by the
6 Secretary, when the specific purpose for requesting the
7 documents is deemed to be in the public interest. Waiver or
8 reduction of the fee is in the public interest if the principal
9 purpose of the request is to access and disseminate
10 information regarding the health, safety, and welfare or the
11 legal rights of the general public and is not for the principal
12 purpose of gaining a personal or commercial benefit. The
13 information provided pursuant to this subsection shall not
14 contain personally identifying information unless the
15 information is to be used for one of the purposes identified in
16 subsection (f-5) of this Section.

17 (o) The redisclosure of personally identifying information
18 obtained pursuant to this Section is prohibited, except to the
19 extent necessary to effectuate the purpose for which the
20 original disclosure of the information was permitted.

21 (p) The Secretary of State is empowered to adopt rules to
22 effectuate this Section.

23 (Source: P.A. 101-81, eff. 7-12-19; 101-326, eff. 8-9-19;
24 102-982, eff. 7-1-23.)

25 (625 ILCS 5/3-821) (from Ch. 95 1/2, par. 3-821)

1 Sec. 3-821. Miscellaneous registration and title fees.

2 (a) Except as provided under subsection (h), the fee to be
3 paid to the Secretary of State for the following certificates,
4 registrations or evidences of proper registration, or for
5 corrected or duplicate documents shall be in accordance with
6 the following schedule:

7 Certificate of Title, except for an all-terrain	
8 vehicle, off-highway motorcycle, or motor home, mini	
9 motor home or van camper	<u>\$165</u> \$155
10 Certificate of Title for a motor home, mini motor	
11 home, or van camper	\$250
12 Certificate of Title for an all-terrain vehicle	
13 or off-highway motorcycle	\$30
14 Certificate of Title for an all-terrain vehicle	
15 or off-highway motorcycle used for production	
16 agriculture, or accepted by a dealer in trade	\$13
17 Certificate of Title for a low-speed vehicle	\$30
18 Transfer of Registration or any evidence of	
19 proper registration	\$25
20 Duplicate Registration Card for plates or other	
21 evidence of proper registration	\$3
22 Duplicate Registration Sticker or Stickers, each	\$20
23	
24 Duplicate Certificate of Title	\$50
25 Corrected Registration Card or Card for other	
26 evidence of proper registration	\$3

1	Corrected Certificate of Title	\$50
2		
3	Salvage Certificate	\$20
4	Fleet Reciprocity Permit	\$15
5	Prorate Decal	\$1
6	Prorate Backing Plate	\$3
7	Special Corrected Certificate of Title	\$15
8	Expedited Title Service (to be charged in	
9	addition to other applicable fees)	\$30
10	Dealer Lien Release Certificate of Title	\$20

11 A special corrected certificate of title shall be issued
12 (i) to remove a co-owner's name due to the death of the
13 co-owner, to transfer title to a spouse if the decedent-spouse
14 was the sole owner on the title, or due to a divorce; (ii) to
15 change a co-owner's name due to a marriage; or (iii) due to a
16 name change under Article XXI of the Code of Civil Procedure.

17 There shall be no fee paid for a Junking Certificate.

18 There shall be no fee paid for a certificate of title
19 issued to a county when the vehicle is forfeited to the county
20 under Article 36 of the Criminal Code of 2012.

21 For purposes of this Section, the fee for a corrected
22 title application that also results in the issuance of a
23 duplicate title shall be the same as the fee for a duplicate
24 title.

25 (a-5) The Secretary of State may revoke a certificate of
26 title and registration card and issue a corrected certificate

1 of title and registration card, at no fee to the vehicle owner
2 or lienholder, if there is proof that the vehicle
3 identification number is erroneously shown on the original
4 certificate of title.

5 (a-10) The Secretary of State may issue, in connection
6 with the sale of a motor vehicle, a corrected title to a motor
7 vehicle dealer upon application and submittal of a lien
8 release letter from the lienholder listed in the files of the
9 Secretary. In the case of a title issued by another state, the
10 dealer must submit proof from the state that issued the last
11 title. The corrected title, which shall be known as a dealer
12 lien release certificate of title, shall be issued in the name
13 of the vehicle owner without the named lienholder. If the
14 motor vehicle is currently titled in a state other than
15 Illinois, the applicant must submit either (i) a letter from
16 the current lienholder releasing the lien and stating that the
17 lienholder has possession of the title; or (ii) a letter from
18 the current lienholder releasing the lien and a copy of the
19 records of the department of motor vehicles for the state in
20 which the vehicle is titled, showing that the vehicle is
21 titled in the name of the applicant and that no liens are
22 recorded other than the lien for which a release has been
23 submitted. The fee for the dealer lien release certificate of
24 title is \$20.

25 (b) The Secretary may prescribe the maximum service charge
26 to be imposed upon an applicant for renewal of a registration

1 by any person authorized by law to receive and remit or
2 transmit to the Secretary such renewal application and fees
3 therewith.

4 (c) If payment is delivered to the Office of the Secretary
5 of State as payment of any fee or tax under this Code, and such
6 payment is not honored for any reason, the registrant or other
7 person tendering the payment remains liable for the payment of
8 such fee or tax. The Secretary of State may assess a service
9 charge of \$25 in addition to the fee or tax due and owing for
10 all dishonored payments.

11 If the total amount then due and owing exceeds the sum of
12 \$100 and has not been paid in full within 60 days from the date
13 the dishonored payment was first delivered to the Secretary of
14 State, the Secretary of State shall assess a penalty of 25% of
15 such amount remaining unpaid.

16 All amounts payable under this Section shall be computed
17 to the nearest dollar. Out of each fee collected for
18 dishonored payments, \$5 shall be deposited in the Secretary of
19 State Special Services Fund.

20 (d) The minimum fee and tax to be paid by any applicant for
21 apportionment of a fleet of vehicles under this Code shall be
22 \$15 if the application was filed on or before the date
23 specified by the Secretary together with fees and taxes due.
24 If an application and the fees or taxes due are filed after the
25 date specified by the Secretary, the Secretary may prescribe
26 the payment of interest at the rate of 1/2 of 1% per month or

1 fraction thereof after such due date and a minimum of \$8.

2 (e) Trucks, truck tractors, truck tractors with loads, and
3 motor buses, any one of which having a combined total weight in
4 excess of 12,000 lbs. shall file an application for a Fleet
5 Reciprocity Permit issued by the Secretary of State. This
6 permit shall be in the possession of any driver operating a
7 vehicle on Illinois highways. Any foreign licensed vehicle of
8 the second division operating at any time in Illinois without
9 a Fleet Reciprocity Permit or other proper Illinois
10 registration, shall subject the operator to the penalties
11 provided in Section 3-834 of this Code. For the purposes of
12 this Code, "Fleet Reciprocity Permit" means any second
13 division motor vehicle with a foreign license and used only in
14 interstate transportation of goods. The fee for such permit
15 shall be \$15 per fleet which shall include all vehicles of the
16 fleet being registered.

17 (f) For purposes of this Section, "all-terrain vehicle or
18 off-highway motorcycle used for production agriculture" means
19 any all-terrain vehicle or off-highway motorcycle used in the
20 raising of or the propagation of livestock, crops for sale for
21 human consumption, crops for livestock consumption, and
22 production seed stock grown for the propagation of feed grains
23 and the husbandry of animals or for the purpose of providing a
24 food product, including the husbandry of blood stock as a main
25 source of providing a food product. "All-terrain vehicle or
26 off-highway motorcycle used in production agriculture" also

1 means any all-terrain vehicle or off-highway motorcycle used
2 in animal husbandry, floriculture, aquaculture, horticulture,
3 and viticulture.

4 (g) All of the proceeds of the additional fees imposed by
5 Public Act 96-34 shall be deposited into the Capital Projects
6 Fund.

7 (h) The fee for a duplicate registration sticker or
8 stickers shall be the amount required under subsection (a) or
9 the vehicle's annual registration fee amount, whichever is
10 less.

11 (i) All of the proceeds of (1) the additional fees imposed
12 by Public Act 101-32, and (2) the \$5 additional fee imposed by
13 this amendatory Act of the 102nd General Assembly for a
14 certificate of title for a motor vehicle other than an
15 all-terrain vehicle, off-highway motorcycle, or motor home,
16 mini motor home, or van camper shall be deposited into the Road
17 Fund.

18 (j) Beginning July 1, 2023, the \$10 additional fee imposed
19 by this amendatory Act of the 103rd General Assembly for a
20 Certificate of Title shall be deposited into the Secretary of
21 State Special Services Fund.

22 (Source: P.A. 101-32, eff. 6-28-19; 101-604, eff. 12-13-19;
23 101-636, eff. 6-10-20; 102-353, eff. 1-1-22.)

24 (625 ILCS 5/6-118)

25 Sec. 6-118. Fees.

1 (a) The fees for licenses and permits under this Article
2 are as follows:

3 Original driver's license \$30

4 Original or renewal driver's license
5 issued to 18, 19 and 20 year olds 5

6 All driver's licenses for persons
7 age 69 through age 80 5

8 All driver's licenses for persons
9 age 81 through age 86 2

10 All driver's licenses for persons
11 age 87 or older 0

12 Renewal driver's license (except for
13 applicants ages 18, 19 and 20 or
14 age 69 and older) 30

15 Original instruction permit issued to
16 persons (except those age 69 and older)
17 who do not hold or have not previously
18 held an Illinois instruction permit or
19 driver's license 20

20 Instruction permit issued to any person
21 holding an Illinois driver's license
22 who wishes a change in classifications,
23 other than at the time of renewal 5

24 Any instruction permit issued to a person
25 age 69 and older 5

26 Instruction permit issued to any person,

1 under age 69, not currently holding a
2 valid Illinois driver's license or
3 instruction permit but who has
4 previously been issued either document
5 in Illinois..... 10
6 Restricted driving permit..... 8
7 Monitoring device driving permit 8
8 Duplicate or corrected driver's license
9 or permit..... 5
10 Duplicate or corrected restricted
11 driving permit 5
12 Duplicate or corrected monitoring
13 device driving permit..... 5
14 Duplicate driver's license or permit issued to
15 an active-duty member of the
16 United States Armed Forces,
17 the member's spouse, or
18 the dependent children living
19 with the member..... 0
20 Original or renewal M or L endorsement 5

21 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

22 The fees for commercial driver licenses and permits
23 under Article V shall be as follows:

24 Commercial driver's license:

25 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund

26 (Commercial Driver's License Information

1 System/American Association of Motor Vehicle
2 Administrators network/National Motor Vehicle
3 Title Information Service Trust Fund);
4 \$20 for the Motor Carrier Safety Inspection Fund;
5 \$10 for the driver's license;
6 and \$24 for the CDL: \$60

7 Renewal commercial driver's license:
8 \$6 for the CDLIS/AAMVAnet/NMVTIS Trust Fund;
9 \$20 for the Motor Carrier Safety Inspection Fund;
10 \$10 for the driver's license; and
11 \$24 for the CDL: \$60

12 Commercial learner's permit
13 issued to any person holding a valid
14 Illinois driver's license for the
15 purpose of changing to a
16 CDL classification: \$6 for the
17 CDLIS/AAMVAnet/NMVTIS Trust Fund;
18 \$20 for the Motor Carrier
19 Safety Inspection Fund; and
20 \$24 for the CDL classification \$50

21 Commercial learner's permit
22 issued to any person holding a valid
23 Illinois CDL for the purpose of
24 making a change in a classification,
25 endorsement or restriction \$5
26 CDL duplicate or corrected license \$5

1 In order to ensure the proper implementation of the
2 Uniform Commercial Driver License Act, Article V of this
3 Chapter, the Secretary of State is empowered to prorate the
4 \$24 fee for the commercial driver's license proportionate to
5 the expiration date of the applicant's Illinois driver's
6 license.

7 The fee for any duplicate license or permit shall be
8 waived for any person who presents the Secretary of State's
9 office with a police report showing that his license or permit
10 was stolen.

11 The fee for any duplicate license or permit shall be
12 waived for any person age 60 or older whose driver's license or
13 permit has been lost or stolen.

14 No additional fee shall be charged for a driver's license,
15 or for a commercial driver's license, when issued to the
16 holder of an instruction permit for the same classification or
17 type of license who becomes eligible for such license.

18 The fee for a restricted driving permit under this
19 subsection (a) shall be imposed annually until the expiration
20 of the permit.

21 (a-5) The fee for a driver's record or data contained
22 therein is \$20 and shall be disbursed as set forth in
23 subsection (k) of Section 2-123 of this Code ~~\$12~~.

24 (b) Any person whose license or privilege to operate a
25 motor vehicle in this State has been suspended or revoked
26 under Section 3-707, any provision of Chapter 6, Chapter 11,

1 or Section 7-205, 7-303, or 7-702 of the Family Financial
2 Responsibility Law of this Code, shall in addition to any
3 other fees required by this Code, pay a reinstatement fee as
4 follows:

5	Suspension under Section 3-707	\$100
6	Suspension under Section 11-1431	\$100
7	Summary suspension under Section 11-501.1	\$250
8	Suspension under Section 11-501.9	\$250
9	Summary revocation under Section 11-501.1	\$500
10	Other suspension	\$70
11	Revocation	\$500

12 However, any person whose license or privilege to operate
13 a motor vehicle in this State has been suspended or revoked for
14 a second or subsequent time for a violation of Section 11-501,
15 11-501.1, or 11-501.9 of this Code or a similar provision of a
16 local ordinance or a similar out-of-state offense or Section
17 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012
18 and each suspension or revocation was for a violation of
19 Section 11-501, 11-501.1, or 11-501.9 of this Code or a
20 similar provision of a local ordinance or a similar
21 out-of-state offense or Section 9-3 of the Criminal Code of
22 1961 or the Criminal Code of 2012 shall pay, in addition to any
23 other fees required by this Code, a reinstatement fee as
24 follows:

25	Summary suspension under Section 11-501.1	\$500
26	Suspension under Section 11-501.9	\$500

1 Summary revocation under Section 11-501.1 \$500
 2 Revocation \$500

3 (c) All fees collected under the provisions of this
 4 Chapter 6 shall be disbursed under subsection (g) of Section
 5 2-119 of this Code, except as follows:

6 1. The following amounts shall be paid into the
 7 Drivers Education Fund:

8 (A) \$16 of the \$20 fee for an original driver's
 9 instruction permit;

10 (B) \$5 of the \$30 fee for an original driver's
 11 license;

12 (C) \$5 of the \$30 fee for a 4 year renewal driver's
 13 license;

14 (D) \$4 of the \$8 fee for a restricted driving
 15 permit; and

16 (E) \$4 of the \$8 fee for a monitoring device
 17 driving permit.

18 2. \$30 of the \$250 fee for reinstatement of a license
 19 summarily suspended under Section 11-501.1 or suspended
 20 under Section 11-501.9 shall be deposited into the Drunk
 21 and Drugged Driving Prevention Fund. However, for a person
 22 whose license or privilege to operate a motor vehicle in
 23 this State has been suspended or revoked for a second or
 24 subsequent time for a violation of Section 11-501,
 25 11-501.1, or 11-501.9 of this Code or Section 9-3 of the
 26 Criminal Code of 1961 or the Criminal Code of 2012, \$190 of

1 the \$500 fee for reinstatement of a license summarily
2 suspended under Section 11-501.1 or suspended under
3 Section 11-501.9, and \$190 of the \$500 fee for
4 reinstatement of a revoked license shall be deposited into
5 the Drunk and Drugged Driving Prevention Fund. \$190 of the
6 \$500 fee for reinstatement of a license summarily revoked
7 pursuant to Section 11-501.1 shall be deposited into the
8 Drunk and Drugged Driving Prevention Fund.

9 3. \$6 of the original or renewal fee for a commercial
10 driver's license and \$6 of the commercial learner's permit
11 fee when the permit is issued to any person holding a valid
12 Illinois driver's license, shall be paid into the
13 CDLIS/AAMVAnet/NMVTIS Trust Fund.

14 4. \$30 of the \$70 fee for reinstatement of a license
15 suspended under the Family Financial Responsibility Law
16 shall be paid into the Family Responsibility Fund.

17 5. The \$5 fee for each original or renewal M or L
18 endorsement shall be deposited into the Cycle Rider Safety
19 Training Fund.

20 6. \$20 of any original or renewal fee for a commercial
21 driver's license or commercial learner's permit shall be
22 paid into the Motor Carrier Safety Inspection Fund.

23 7. The following amounts shall be paid into the
24 General Revenue Fund:

25 (A) \$190 of the \$250 reinstatement fee for a
26 summary suspension under Section 11-501.1 or a

1 suspension under Section 11-501.9;

2 (B) \$40 of the \$70 reinstatement fee for any other
3 suspension provided in subsection (b) of this Section;
4 and

5 (C) \$440 of the \$500 reinstatement fee for a first
6 offense revocation and \$310 of the \$500 reinstatement
7 fee for a second or subsequent revocation.

8 8. Fees collected under paragraph (4) of subsection
9 (d) and subsection (h) of Section 6-205 of this Code;
10 subparagraph (C) of paragraph 3 of subsection (c) of
11 Section 6-206 of this Code; and paragraph (4) of
12 subsection (a) of Section 6-206.1 of this Code, shall be
13 paid into the funds set forth in those Sections.

14 (d) All of the proceeds of the additional fees imposed by
15 this amendatory Act of the 96th General Assembly shall be
16 deposited into the Capital Projects Fund.

17 (e) The additional fees imposed by this amendatory Act of
18 the 96th General Assembly shall become effective 90 days after
19 becoming law. The additional fees imposed by this amendatory
20 Act of the 103rd General Assembly shall become effective July
21 1, 2023 and shall be paid into the Secretary of State Special
22 Services Fund.

23 (f) As used in this Section, "active-duty member of the
24 United States Armed Forces" means a member of the Armed
25 Services or Reserve Forces of the United States or a member of
26 the Illinois National Guard who is called to active duty

1 pursuant to an executive order of the President of the United
2 States, an act of the Congress of the United States, or an
3 order of the Governor.

4 (Source: P.A. 100-590, eff. 6-8-18; 100-803, eff. 1-1-19;
5 101-81, eff. 7-12-19.)

6 ARTICLE 99.

7 Section 99-5. The State Employees Group Insurance Act of
8 1971 is amended by changing Section 6.11 and adding Sections
9 6.11B and 6.11C as follows:

10 (5 ILCS 375/6.11)

11 (Text of Section before amendment by P.A. 102-768)

12 Sec. 6.11. Required health benefits; Illinois Insurance
13 Code requirements. The program of health benefits shall
14 provide the post-mastectomy care benefits required to be
15 covered by a policy of accident and health insurance under
16 Section 356t of the Illinois Insurance Code. The program of
17 health benefits shall provide the coverage required under
18 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x,
19 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10,
20 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22,
21 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33,
22 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
23 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, and 356z.60 of

1 the Illinois Insurance Code. The program of health benefits
2 must comply with Sections 155.22a, 155.37, 355b, 356z.19,
3 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance
4 Code. The program of health benefits shall provide the
5 coverage required under Section 356m of the Illinois Insurance
6 Code and, for the employees of the State Employee Group
7 Insurance Program only, the coverage as also provided in
8 Section 6.11B of this Act. The Department of Insurance shall
9 enforce the requirements of this Section with respect to
10 Sections 370c and 370c.1 of the Illinois Insurance Code; all
11 other requirements of this Section shall be enforced by the
12 Department of Central Management Services.

13 Rulemaking authority to implement Public Act 95-1045, if
14 any, is conditioned on the rules being adopted in accordance
15 with all provisions of the Illinois Administrative Procedure
16 Act and all rules and procedures of the Joint Committee on
17 Administrative Rules; any purported rule not so adopted, for
18 whatever reason, is unauthorized.

19 (Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20;
20 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff.
21 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103,
22 eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22;
23 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff.
24 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816,
25 eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23;
26 revised 12-13-22.)

1 (Text of Section after amendment by P.A. 102-768)

2 Sec. 6.11. Required health benefits; Illinois Insurance
3 Code requirements. The program of health benefits shall
4 provide the post-mastectomy care benefits required to be
5 covered by a policy of accident and health insurance under
6 Section 356t of the Illinois Insurance Code. The program of
7 health benefits shall provide the coverage required under
8 Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x,
9 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10,
10 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22,
11 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33,
12 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51,
13 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, and
14 356z.60 of the Illinois Insurance Code. The program of health
15 benefits must comply with Sections 155.22a, 155.37, 355b,
16 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois
17 Insurance Code. The program of health benefits shall provide
18 the coverage required under Section 356m of the Illinois
19 Insurance Code and, for the employees of the State Employee
20 Group Insurance Program only, the coverage as also provided in
21 Section 6.11B of this Act. The Department of Insurance shall
22 enforce the requirements of this Section with respect to
23 Sections 370c and 370c.1 of the Illinois Insurance Code; all
24 other requirements of this Section shall be enforced by the
25 Department of Central Management Services.

1 Rulemaking authority to implement Public Act 95-1045, if
2 any, is conditioned on the rules being adopted in accordance
3 with all provisions of the Illinois Administrative Procedure
4 Act and all rules and procedures of the Joint Committee on
5 Administrative Rules; any purported rule not so adopted, for
6 whatever reason, is unauthorized.

7 (Source: P.A. 101-13, eff. 6-12-19; 101-281, eff. 1-1-20;
8 101-393, eff. 1-1-20; 101-452, eff. 1-1-20; 101-461, eff.
9 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103,
10 eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22;
11 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff.
12 1-1-23; 102-768, eff. 1-1-24; 102-804, eff. 1-1-23; 102-813,
13 eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23;
14 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23.)

15 (5 ILCS 375/6.11B new)

16 Sec. 6.11B. Infertility coverage.

17 (a) Beginning on January 1, 2024, the State Employees
18 Group Insurance Program shall provide coverage for the
19 diagnosis and treatment of infertility, including, but not
20 limited to, in vitro fertilization, uterine embryo lavage,
21 embryo transfer, artificial insemination, gamete
22 intrafallopian tube transfer, zygote intrafallopian tube
23 transfer, and low tubal ovum transfer. The coverage required
24 shall include procedures necessary to screen or diagnose a
25 fertilized egg before implantation, including, but not limited

1 to, preimplantation genetic diagnosis, preimplantation genetic
2 screening, and prenatal genetic diagnosis.

3 (b) Beginning on January 1, 2024, coverage under this
4 Section for procedures for in vitro fertilization, gamete
5 intrafallopian tube transfer, or zygote intrafallopian tube
6 transfer shall be required only if the procedures:

7 (1) are considered medically appropriate based on
8 clinical guidelines or standards developed by the American
9 Society for Reproductive Medicine, the American College of
10 Obstetricians and Gynecologists, or the Society for
11 Assisted Reproductive Technology; and

12 (2) are performed at medical facilities or clinics
13 that conform to the American College of Obstetricians and
14 Gynecologists guidelines for in vitro fertilization or the
15 American Society for Reproductive Medicine minimum
16 standards for practices offering assisted reproductive
17 technologies.

18 (c) Beginning on January 1, 2024, coverage under this
19 Section for procedures for in vitro fertilization, gamete
20 intrafallopian tube transfer, or zygote intrafallopian tube
21 transfer shall be required only if:

22 (1) the covered individual has been unable to attain a
23 viable pregnancy, maintain a viable pregnancy, or sustain
24 a successful pregnancy through reasonable, less costly
25 medically appropriate infertility treatments for which
26 coverage is available under the policy, plan, or contract;

1 (2) the covered individual has not undergone 4
2 completed oocyte retrievals, except that if a live birth
3 follows a completed oocyte retrieval, then 2 more
4 completed oocyte retrievals shall be covered; and

5 (3) the procedures are performed at medical facilities
6 that conform to the American College of Obstetric and
7 Gynecology guidelines for in vitro fertilization clinics
8 or to the American Fertility Society minimal standards for
9 programs of in vitro fertilization.

10 (d) As used in this Section, "infertility" means a
11 disease, condition, or status characterized by:

12 (1) a failure to establish a pregnancy or to carry a
13 pregnancy to live birth after 12 months of regular,
14 unprotected sexual intercourse if the woman is 35 years of
15 age or younger, or after 6 months of regular, unprotected
16 sexual intercourse if the woman is over 35 years of age;
17 conceiving but having a miscarriage does not restart the
18 12-month or 6-month term for determining infertility;

19 (2) a person's inability to reproduce either as a
20 single individual or with a partner without medical
21 intervention; or

22 (3) a licensed physician's findings based on a
23 patient's medical, sexual, and reproductive history, age,
24 physical findings, or diagnostic testing.

25 (e) The State Employees Group Insurance Program may not
26 impose any exclusions, limitations, or other restrictions on

1 coverage of fertility medications that are different from
2 those imposed on any other prescription medications, nor may
3 it impose any exclusions, limitations, or other restrictions
4 on coverage of any fertility services based on a covered
5 individual's participation in fertility services provided by
6 or to a third party, nor may it impose deductibles,
7 copayments, coinsurance, benefit maximums, waiting periods, or
8 any other limitations on coverage for the diagnosis of
9 infertility, treatment for infertility, and standard fertility
10 preservation services, except as provided in this Section,
11 that are different from those imposed upon benefits for
12 services not related to infertility.

13 (5 ILCS 375/6.11C new)

14 Sec. 6.11C. Coverage for injectable medicines to improve
15 glucose or weight loss. Beginning on January 1, 2024, the
16 State Employees Group Insurance Program shall provide coverage
17 for all types of injectable medicines prescribed on-label or
18 off-label to improve glucose or weight loss for use by adults
19 diagnosed or previously diagnosed with prediabetes,
20 gestational diabetes, or obesity. To continue to qualify for
21 coverage under this Section, covered members must participate
22 in a lifestyle management plan administered by their health
23 plan. This Section does not apply to individuals covered by a
24 Medicare Advantage Prescription Drug Plan.

1 ARTICLE 100.

2 Section 100-5. The Counties Code is amended by changing
3 Section 3-4014 as follows:

4 (55 ILCS 5/3-4014)

5 Sec. 3-4014. Public Defender Fund ~~defender grant program~~.

6 (a) (Blank). ~~Subject to appropriation, the Administrative~~
7 ~~Office of the Illinois Courts shall establish a grant program~~
8 ~~for counties with a population of 3,000,000 or less for the~~
9 ~~purpose of training and hiring attorneys on contract to assist~~
10 ~~the county public defender in pretrial detention hearings. The~~
11 ~~Administrative Office of the Illinois Courts may establish, by~~
12 ~~rule, administrative procedures for the grant program,~~
13 ~~including application procedures and requirements concerning~~
14 ~~grant agreements, certifications, payment methodologies, and~~
15 ~~other accountability measures that may be imposed upon~~
16 ~~participants in the program. Emergency rules may be adopted to~~
17 ~~implement the program in accordance with Section 5-45 of the~~
18 ~~Illinois Administrative Procedure Act.~~

19 (b) The Public Defender Fund is created as a special fund
20 in the State treasury. All money in the Public Defender Fund
21 shall be used, subject to appropriation, by the Illinois
22 Supreme Court to provide funding to counties with a population
23 of 3,000,000 or less for public defenders and public defender
24 services pursuant to this Section 3-4014.

1 (Source: P.A. 102-1104, eff. 12-6-22.)

2 ARTICLE 105.

3 Section 105-5. The School Code is amended by changing
4 Section 2-3.192 as follows:

5 (105 ILCS 5/2-3.192)

6 (Section scheduled to be repealed on July 1, 2023)

7 Sec. 2-3.192. Significant loss grant program. Subject to
8 specific State appropriation, the State Board shall make
9 Significant Loss Grants available to school districts that
10 meet all of the following requirements:

11 (1) The district has been affected by a recent
12 substantial loss of contributions from a single taxpayer
13 that resulted in either a significant loss of the overall
14 district Equalized Assessed Value or a significant loss in
15 property tax revenue from January 1, 2018 through the
16 effective date of this amendatory Act of the 102nd General
17 Assembly.

18 (2) The district's total equalized assessed value is
19 significantly derived from a single taxpayer.

20 (3) The district's administrative office is located in
21 a county with less than 30,000 inhabitants.

22 (4) The district has a total student enrollment of
23 less than 500 students as published on the most recent

1 Illinois School Report Card.

2 (5) The district has a low income concentration of at
3 least 45% as published on the most recent Illinois School
4 Report Card.

5 The Professional Review Panel shall make recommendations
6 to the State Board regarding grant eligibility and
7 allocations. The State Board shall determine grant eligibility
8 and allocations. This Section is repealed on July 1, 2024
9 ~~2023~~.

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

11 ARTICLE 110.

12 Section 110-5. The Illinois Gambling Act is amended by
13 changing Section 13 as follows:

14 (230 ILCS 10/13) (from Ch. 120, par. 2413)

15 Sec. 13. Wagering tax; rate; distribution.

16 (a) Until January 1, 1998, a tax is imposed on the adjusted
17 gross receipts received from gambling games authorized under
18 this Act at the rate of 20%.

19 (a-1) From January 1, 1998 until July 1, 2002, a privilege
20 tax is imposed on persons engaged in the business of
21 conducting riverboat gambling operations, based on the
22 adjusted gross receipts received by a licensed owner from
23 gambling games authorized under this Act at the following

1 rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 20% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$50,000,000;

6 25% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 30% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 35% of annual adjusted gross receipts in excess of
11 \$100,000,000.

12 (a-2) From July 1, 2002 until July 1, 2003, a privilege tax
13 is imposed on persons engaged in the business of conducting
14 riverboat gambling operations, other than licensed managers
15 conducting riverboat gambling operations on behalf of the
16 State, based on the adjusted gross receipts received by a
17 licensed owner from gambling games authorized under this Act
18 at the following rates:

19 15% of annual adjusted gross receipts up to and
20 including \$25,000,000;

21 22.5% of annual adjusted gross receipts in excess of
22 \$25,000,000 but not exceeding \$50,000,000;

23 27.5% of annual adjusted gross receipts in excess of
24 \$50,000,000 but not exceeding \$75,000,000;

25 32.5% of annual adjusted gross receipts in excess of
26 \$75,000,000 but not exceeding \$100,000,000;

1 37.5% of annual adjusted gross receipts in excess of
2 \$100,000,000 but not exceeding \$150,000,000;

3 45% of annual adjusted gross receipts in excess of
4 \$150,000,000 but not exceeding \$200,000,000;

5 50% of annual adjusted gross receipts in excess of
6 \$200,000,000.

7 (a-3) Beginning July 1, 2003, a privilege tax is imposed
8 on persons engaged in the business of conducting riverboat
9 gambling operations, other than licensed managers conducting
10 riverboat gambling operations on behalf of the State, based on
11 the adjusted gross receipts received by a licensed owner from
12 gambling games authorized under this Act at the following
13 rates:

14 15% of annual adjusted gross receipts up to and
15 including \$25,000,000;

16 27.5% of annual adjusted gross receipts in excess of
17 \$25,000,000 but not exceeding \$37,500,000;

18 32.5% of annual adjusted gross receipts in excess of
19 \$37,500,000 but not exceeding \$50,000,000;

20 37.5% of annual adjusted gross receipts in excess of
21 \$50,000,000 but not exceeding \$75,000,000;

22 45% of annual adjusted gross receipts in excess of
23 \$75,000,000 but not exceeding \$100,000,000;

24 50% of annual adjusted gross receipts in excess of
25 \$100,000,000 but not exceeding \$250,000,000;

26 70% of annual adjusted gross receipts in excess of

1 \$250,000,000.

2 An amount equal to the amount of wagering taxes collected
3 under this subsection (a-3) that are in addition to the amount
4 of wagering taxes that would have been collected if the
5 wagering tax rates under subsection (a-2) were in effect shall
6 be paid into the Common School Fund.

7 The privilege tax imposed under this subsection (a-3)
8 shall no longer be imposed beginning on the earlier of (i) July
9 1, 2005; (ii) the first date after June 20, 2003 that riverboat
10 gambling operations are conducted pursuant to a dormant
11 license; or (iii) the first day that riverboat gambling
12 operations are conducted under the authority of an owners
13 license that is in addition to the 10 owners licenses
14 initially authorized under this Act. For the purposes of this
15 subsection (a-3), the term "dormant license" means an owners
16 license that is authorized by this Act under which no
17 riverboat gambling operations are being conducted on June 20,
18 2003.

19 (a-4) Beginning on the first day on which the tax imposed
20 under subsection (a-3) is no longer imposed and ending upon
21 the imposition of the privilege tax under subsection (a-5) of
22 this Section, a privilege tax is imposed on persons engaged in
23 the business of conducting gambling operations, other than
24 licensed managers conducting riverboat gambling operations on
25 behalf of the State, based on the adjusted gross receipts
26 received by a licensed owner from gambling games authorized

1 under this Act at the following rates:

2 15% of annual adjusted gross receipts up to and
3 including \$25,000,000;

4 22.5% of annual adjusted gross receipts in excess of
5 \$25,000,000 but not exceeding \$50,000,000;

6 27.5% of annual adjusted gross receipts in excess of
7 \$50,000,000 but not exceeding \$75,000,000;

8 32.5% of annual adjusted gross receipts in excess of
9 \$75,000,000 but not exceeding \$100,000,000;

10 37.5% of annual adjusted gross receipts in excess of
11 \$100,000,000 but not exceeding \$150,000,000;

12 45% of annual adjusted gross receipts in excess of
13 \$150,000,000 but not exceeding \$200,000,000;

14 50% of annual adjusted gross receipts in excess of
15 \$200,000,000.

16 For the imposition of the privilege tax in this subsection
17 (a-4), amounts paid pursuant to item (1) of subsection (b) of
18 Section 56 of the Illinois Horse Racing Act of 1975 shall not
19 be included in the determination of adjusted gross receipts.

20 (a-5)(1) Beginning on July 1, 2020, a privilege tax is
21 imposed on persons engaged in the business of conducting
22 gambling operations, other than the owners licensee under
23 paragraph (1) of subsection (e-5) of Section 7 and licensed
24 managers conducting riverboat gambling operations on behalf of
25 the State, based on the adjusted gross receipts received by
26 such licensee from the gambling games authorized under this

1 Act. The privilege tax for all gambling games other than table
2 games, including, but not limited to, slot machines, video
3 game of chance gambling, and electronic gambling games shall
4 be at the following rates:

5 15% of annual adjusted gross receipts up to and
6 including \$25,000,000;

7 22.5% of annual adjusted gross receipts in excess of
8 \$25,000,000 but not exceeding \$50,000,000;

9 27.5% of annual adjusted gross receipts in excess of
10 \$50,000,000 but not exceeding \$75,000,000;

11 32.5% of annual adjusted gross receipts in excess of
12 \$75,000,000 but not exceeding \$100,000,000;

13 37.5% of annual adjusted gross receipts in excess of
14 \$100,000,000 but not exceeding \$150,000,000;

15 45% of annual adjusted gross receipts in excess of
16 \$150,000,000 but not exceeding \$200,000,000;

17 50% of annual adjusted gross receipts in excess of
18 \$200,000,000.

19 The privilege tax for table games shall be at the
20 following rates:

21 15% of annual adjusted gross receipts up to and
22 including \$25,000,000;

23 20% of annual adjusted gross receipts in excess of
24 \$25,000,000.

25 For the imposition of the privilege tax in this subsection
26 (a-5), amounts paid pursuant to item (1) of subsection (b) of

1 Section 56 of the Illinois Horse Racing Act of 1975 shall not
2 be included in the determination of adjusted gross receipts.

3 (2) Beginning on the first day that an owners licensee
4 under paragraph (1) of subsection (e-5) of Section 7 conducts
5 gambling operations, either in a temporary facility or a
6 permanent facility, a privilege tax is imposed on persons
7 engaged in the business of conducting gambling operations
8 under paragraph (1) of subsection (e-5) of Section 7, other
9 than licensed managers conducting riverboat gambling
10 operations on behalf of the State, based on the adjusted gross
11 receipts received by such licensee from the gambling games
12 authorized under this Act. The privilege tax for all gambling
13 games other than table games, including, but not limited to,
14 slot machines, video game of chance gambling, and electronic
15 gambling games shall be at the following rates:

16 12% of annual adjusted gross receipts up to and
17 including \$25,000,000 to the State and 10.5% of annual
18 adjusted gross receipts up to and including \$25,000,000 to
19 the City of Chicago;

20 16% of annual adjusted gross receipts in excess of
21 \$25,000,000 but not exceeding \$50,000,000 to the State and
22 14% of annual adjusted gross receipts in excess of
23 \$25,000,000 but not exceeding \$50,000,000 to the City of
24 Chicago;

25 20.1% of annual adjusted gross receipts in excess of
26 \$50,000,000 but not exceeding \$75,000,000 to the State and

1 17.4% of annual adjusted gross receipts in excess of
2 \$50,000,000 but not exceeding \$75,000,000 to the City of
3 Chicago;

4 21.4% of annual adjusted gross receipts in excess of
5 \$75,000,000 but not exceeding \$100,000,000 to the State
6 and 18.6% of annual adjusted gross receipts in excess of
7 \$75,000,000 but not exceeding \$100,000,000 to the City of
8 Chicago;

9 22.7% of annual adjusted gross receipts in excess of
10 \$100,000,000 but not exceeding \$150,000,000 to the State
11 and 19.8% of annual adjusted gross receipts in excess of
12 \$100,000,000 but not exceeding \$150,000,000 to the City of
13 Chicago;

14 24.1% of annual adjusted gross receipts in excess of
15 \$150,000,000 but not exceeding \$225,000,000 to the State
16 and 20.9% of annual adjusted gross receipts in excess of
17 \$150,000,000 but not exceeding \$225,000,000 to the City of
18 Chicago;

19 26.8% of annual adjusted gross receipts in excess of
20 \$225,000,000 but not exceeding \$1,000,000,000 to the State
21 and 23.2% of annual adjusted gross receipts in excess of
22 \$225,000,000 but not exceeding \$1,000,000,000 to the City
23 of Chicago;

24 40% of annual adjusted gross receipts in excess of
25 \$1,000,000,000 to the State and 34.7% of annual gross
26 receipts in excess of \$1,000,000,000 to the City of

1 Chicago.

2 The privilege tax for table games shall be at the
3 following rates:

4 8.1% of annual adjusted gross receipts up to and
5 including \$25,000,000 to the State and 6.9% of annual
6 adjusted gross receipts up to and including \$25,000,000 to
7 the City of Chicago;

8 10.7% of annual adjusted gross receipts in excess of
9 \$25,000,000 but not exceeding \$75,000,000 to the State and
10 9.3% of annual adjusted gross receipts in excess of
11 \$25,000,000 but not exceeding \$75,000,000 to the City of
12 Chicago;

13 11.2% of annual adjusted gross receipts in excess of
14 \$75,000,000 but not exceeding \$175,000,000 to the State
15 and 9.8% of annual adjusted gross receipts in excess of
16 \$75,000,000 but not exceeding \$175,000,000 to the City of
17 Chicago;

18 13.5% of annual adjusted gross receipts in excess of
19 \$175,000,000 but not exceeding \$225,000,000 to the State
20 and 11.5% of annual adjusted gross receipts in excess of
21 \$175,000,000 but not exceeding \$225,000,000 to the City of
22 Chicago;

23 15.1% of annual adjusted gross receipts in excess of
24 \$225,000,000 but not exceeding \$275,000,000 to the State
25 and 12.9% of annual adjusted gross receipts in excess of
26 \$225,000,000 but not exceeding \$275,000,000 to the City of

1 Chicago;

2 16.2% of annual adjusted gross receipts in excess of
3 \$275,000,000 but not exceeding \$375,000,000 to the State
4 and 13.8% of annual adjusted gross receipts in excess of
5 \$275,000,000 but not exceeding \$375,000,000 to the City of
6 Chicago;

7 18.9% of annual adjusted gross receipts in excess of
8 \$375,000,000 to the State and 16.1% of annual gross
9 receipts in excess of \$375,000,000 to the City of Chicago.

10 For the imposition of the privilege tax in this subsection
11 (a-5), amounts paid pursuant to item (1) of subsection (b) of
12 Section 56 of the Illinois Horse Racing Act of 1975 shall not
13 be included in the determination of adjusted gross receipts.

14 (3) Notwithstanding the provisions of this subsection
15 (a-5), for the first 10 years that the privilege tax is imposed
16 under this subsection (a-5) or until the year preceding the
17 calendar year in which paragraph (4) becomes operative,
18 whichever occurs first, the privilege tax shall be imposed on
19 the modified annual adjusted gross receipts of a riverboat or
20 casino conducting gambling operations in the City of East St.
21 Louis, unless:

22 (1) the riverboat or casino fails to employ at least
23 450 people, except no minimum employment shall be required
24 during 2020 and 2021 or during periods that the riverboat
25 or casino is closed on orders of State officials for
26 public health emergencies or other emergencies not caused

1 by the riverboat or casino;

2 (2) the riverboat or casino fails to maintain
3 operations in a manner consistent with this Act or is not a
4 viable riverboat or casino subject to the approval of the
5 Board; or

6 (3) the owners licensee is not an entity in which
7 employees participate in an employee stock ownership plan
8 or in which the owners licensee sponsors a 401(k)
9 retirement plan and makes a matching employer contribution
10 equal to at least one-quarter of the first 12% or one-half
11 of the first 6% of each participating employee's
12 contribution, not to exceed any limitations under federal
13 laws and regulations.

14 (4) Notwithstanding the provisions of this subsection
15 (a-5), for 10 calendar years beginning in the year that
16 gambling operations commence either in a temporary or
17 permanent facility at an organization gaming facility located
18 in the City of Collinsville if the facility commences
19 operations within 3 years of the effective date of this
20 amendatory Act of the 103rd General Assembly, the privilege
21 tax imposed under this subsection (a-5) on a riverboat or
22 casino conducting gambling operations in the City of East St.
23 Louis shall be reduced, if applicable, by an amount equal to
24 the difference in adjusted gross receipts for the 2022
25 calendar year less the current year's adjusted gross receipts,
26 unless:

1 (A) the riverboat or casino fails to employ at least
2 350 people, except that no minimum employment shall be
3 required during periods that the riverboat or casino is
4 closed on orders of State officials for public health
5 emergencies or other emergencies not caused by the
6 riverboat or casino;

7 (B) the riverboat or casino fails to maintain
8 operations in a manner consistent with this Act or is not a
9 viable riverboat or casino subject to the approval of the
10 Board; or

11 (C) the riverboat or casino fails to submit audited
12 financial statements to the Board prepared by an
13 accounting firm that has been preapproved by the Board and
14 such statements were prepared in accordance with the
15 provisions of the Financial Accounting Standards Board
16 Accounting Standards Codification under nongovernmental
17 accounting principles generally accepted in the United
18 States.

19 As used in this subsection (a-5), "modified annual
20 adjusted gross receipts" means:

21 (A) for calendar year 2020, the annual adjusted gross
22 receipts for the current year minus the difference between
23 an amount equal to the average annual adjusted gross
24 receipts from a riverboat or casino conducting gambling
25 operations in the City of East St. Louis for 2014, 2015,
26 2016, 2017, and 2018 and the annual adjusted gross

1 receipts for 2018;

2 (B) for calendar year 2021, the annual adjusted gross
3 receipts for the current year minus the difference between
4 an amount equal to the average annual adjusted gross
5 receipts from a riverboat or casino conducting gambling
6 operations in the City of East St. Louis for 2014, 2015,
7 2016, 2017, and 2018 and the annual adjusted gross
8 receipts for 2019; and

9 (C) for calendar years 2022 through 2029, the annual
10 adjusted gross receipts for the current year minus the
11 difference between an amount equal to the average annual
12 adjusted gross receipts from a riverboat or casino
13 conducting gambling operations in the City of East St.
14 Louis for 3 years preceding the current year and the
15 annual adjusted gross receipts for the immediately
16 preceding year.

17 (a-6) From June 28, 2019 (the effective date of Public Act
18 101-31) until June 30, 2023, an owners licensee that conducted
19 gambling operations prior to January 1, 2011 shall receive a
20 dollar-for-dollar credit against the tax imposed under this
21 Section for any renovation or construction costs paid by the
22 owners licensee, but in no event shall the credit exceed
23 \$2,000,000.

24 Additionally, from June 28, 2019 (the effective date of
25 Public Act 101-31) until December 31, 2024, an owners licensee
26 that (i) is located within 15 miles of the Missouri border, and

1 (ii) has at least 3 riverboats, casinos, or their equivalent
2 within a 45-mile radius, may be authorized to relocate to a new
3 location with the approval of both the unit of local
4 government designated as the home dock and the Board, so long
5 as the new location is within the same unit of local government
6 and no more than 3 miles away from its original location. Such
7 owners licensee shall receive a credit against the tax imposed
8 under this Section equal to 8% of the total project costs, as
9 approved by the Board, for any renovation or construction
10 costs paid by the owners licensee for the construction of the
11 new facility, provided that the new facility is operational by
12 July 1, 2024. In determining whether or not to approve a
13 relocation, the Board must consider the extent to which the
14 relocation will diminish the gaming revenues received by other
15 Illinois gaming facilities.

16 (a-7) Beginning in the initial adjustment year and through
17 the final adjustment year, if the total obligation imposed
18 pursuant to either subsection (a-5) or (a-6) will result in an
19 owners licensee receiving less after-tax adjusted gross
20 receipts than it received in calendar year 2018, then the
21 total amount of privilege taxes that the owners licensee is
22 required to pay for that calendar year shall be reduced to the
23 extent necessary so that the after-tax adjusted gross receipts
24 in that calendar year equals the after-tax adjusted gross
25 receipts in calendar year 2018, but the privilege tax
26 reduction shall not exceed the annual adjustment cap. If

1 pursuant to this subsection (a-7), the total obligation
2 imposed pursuant to either subsection (a-5) or (a-6) shall be
3 reduced, then the owners licensee shall not receive a refund
4 from the State at the end of the subject calendar year but
5 instead shall be able to apply that amount as a credit against
6 any payments it owes to the State in the following calendar
7 year to satisfy its total obligation under either subsection
8 (a-5) or (a-6). The credit for the final adjustment year shall
9 occur in the calendar year following the final adjustment
10 year.

11 If an owners licensee that conducted gambling operations
12 prior to January 1, 2019 expands its riverboat or casino,
13 including, but not limited to, with respect to its gaming
14 floor, additional non-gaming amenities such as restaurants,
15 bars, and hotels and other additional facilities, and incurs
16 construction and other costs related to such expansion from
17 June 28, 2019 (the effective date of Public Act 101-31) until
18 June 28, 2024 (the 5th anniversary of the effective date of
19 Public Act 101-31), then for each \$15,000,000 spent for any
20 such construction or other costs related to expansion paid by
21 the owners licensee, the final adjustment year shall be
22 extended by one year and the annual adjustment cap shall
23 increase by 0.2% of adjusted gross receipts during each
24 calendar year until and including the final adjustment year.
25 No further modifications to the final adjustment year or
26 annual adjustment cap shall be made after \$75,000,000 is

1 incurred in construction or other costs related to expansion
2 so that the final adjustment year shall not extend beyond the
3 9th calendar year after the initial adjustment year, not
4 including the initial adjustment year, and the annual
5 adjustment cap shall not exceed 4% of adjusted gross receipts
6 in a particular calendar year. Construction and other costs
7 related to expansion shall include all project related costs,
8 including, but not limited to, all hard and soft costs,
9 financing costs, on or off-site ground, road or utility work,
10 cost of gaming equipment and all other personal property,
11 initial fees assessed for each incremental gaming position,
12 and the cost of incremental land acquired for such expansion.
13 Soft costs shall include, but not be limited to, legal fees,
14 architect, engineering and design costs, other consultant
15 costs, insurance cost, permitting costs, and pre-opening costs
16 related to the expansion, including, but not limited to, any
17 of the following: marketing, real estate taxes, personnel,
18 training, travel and out-of-pocket expenses, supply,
19 inventory, and other costs, and any other project related soft
20 costs.

21 To be eligible for the tax credits in subsection (a-6),
22 all construction contracts shall include a requirement that
23 the contractor enter into a project labor agreement with the
24 building and construction trades council with geographic
25 jurisdiction of the location of the proposed gaming facility.

26 Notwithstanding any other provision of this subsection

1 (a-7), this subsection (a-7) does not apply to an owners
2 licensee unless such owners licensee spends at least
3 \$15,000,000 on construction and other costs related to its
4 expansion, excluding the initial fees assessed for each
5 incremental gaming position.

6 This subsection (a-7) does not apply to owners licensees
7 authorized pursuant to subsection (e-5) of Section 7 of this
8 Act.

9 For purposes of this subsection (a-7):

10 "Building and construction trades council" means any
11 organization representing multiple construction entities that
12 are monitoring or attentive to compliance with public or
13 workers' safety laws, wage and hour requirements, or other
14 statutory requirements or that are making or maintaining
15 collective bargaining agreements.

16 "Initial adjustment year" means the year commencing on
17 January 1 of the calendar year immediately following the
18 earlier of the following:

19 (1) the commencement of gambling operations, either in
20 a temporary or permanent facility, with respect to the
21 owners license authorized under paragraph (1) of
22 subsection (e-5) of Section 7 of this Act; or

23 (2) June 28, 2021 (24 months after the effective date
24 of Public Act 101-31);

25 provided the initial adjustment year shall not commence
26 earlier than June 28, 2020 (12 months after the effective date

1 of Public Act 101-31).

2 "Final adjustment year" means the 2nd calendar year after
3 the initial adjustment year, not including the initial
4 adjustment year, and as may be extended further as described
5 in this subsection (a-7).

6 "Annual adjustment cap" means 3% of adjusted gross
7 receipts in a particular calendar year, and as may be
8 increased further as otherwise described in this subsection
9 (a-7).

10 (a-8) Riverboat gambling operations conducted by a
11 licensed manager on behalf of the State are not subject to the
12 tax imposed under this Section.

13 (a-9) Beginning on January 1, 2020, the calculation of
14 gross receipts or adjusted gross receipts, for the purposes of
15 this Section, for a riverboat, a casino, or an organization
16 gaming facility shall not include the dollar amount of
17 non-cashable vouchers, coupons, and electronic promotions
18 redeemed by wagerers upon the riverboat, in the casino, or in
19 the organization gaming facility up to and including an amount
20 not to exceed 20% of a riverboat's, a casino's, or an
21 organization gaming facility's adjusted gross receipts.

22 The Illinois Gaming Board shall submit to the General
23 Assembly a comprehensive report no later than March 31, 2023
24 detailing, at a minimum, the effect of removing non-cashable
25 vouchers, coupons, and electronic promotions from this
26 calculation on net gaming revenues to the State in calendar

1 years 2020 through 2022, the increase or reduction in wagers
2 as a result of removing non-cashable vouchers, coupons, and
3 electronic promotions from this calculation, the effect of the
4 tax rates in subsection (a-5) on net gaming revenues to this
5 State, and proposed modifications to the calculation.

6 (a-10) The taxes imposed by this Section shall be paid by
7 the licensed owner or the organization gaming licensee to the
8 Board not later than 5:00 o'clock p.m. of the day after the day
9 when the wagers were made.

10 (a-15) If the privilege tax imposed under subsection (a-3)
11 is no longer imposed pursuant to item (i) of the last paragraph
12 of subsection (a-3), then by June 15 of each year, each owners
13 licensee, other than an owners licensee that admitted
14 1,000,000 persons or fewer in calendar year 2004, must, in
15 addition to the payment of all amounts otherwise due under
16 this Section, pay to the Board a reconciliation payment in the
17 amount, if any, by which the licensed owner's base amount
18 exceeds the amount of net privilege tax paid by the licensed
19 owner to the Board in the then current State fiscal year. A
20 licensed owner's net privilege tax obligation due for the
21 balance of the State fiscal year shall be reduced up to the
22 total of the amount paid by the licensed owner in its June 15
23 reconciliation payment. The obligation imposed by this
24 subsection (a-15) is binding on any person, firm, corporation,
25 or other entity that acquires an ownership interest in any
26 such owners license. The obligation imposed under this

1 subsection (a-15) terminates on the earliest of: (i) July 1,
2 2007, (ii) the first day after August 23, 2005 (the effective
3 date of Public Act 94-673) that riverboat gambling operations
4 are conducted pursuant to a dormant license, (iii) the first
5 day that riverboat gambling operations are conducted under the
6 authority of an owners license that is in addition to the 10
7 owners licenses initially authorized under this Act, or (iv)
8 the first day that a licensee under the Illinois Horse Racing
9 Act of 1975 conducts gaming operations with slot machines or
10 other electronic gaming devices. The Board must reduce the
11 obligation imposed under this subsection (a-15) by an amount
12 the Board deems reasonable for any of the following reasons:
13 (A) an act or acts of God, (B) an act of bioterrorism or
14 terrorism or a bioterrorism or terrorism threat that was
15 investigated by a law enforcement agency, or (C) a condition
16 beyond the control of the owners licensee that does not result
17 from any act or omission by the owners licensee or any of its
18 agents and that poses a hazardous threat to the health and
19 safety of patrons. If an owners licensee pays an amount in
20 excess of its liability under this Section, the Board shall
21 apply the overpayment to future payments required under this
22 Section.

23 For purposes of this subsection (a-15):

24 "Act of God" means an incident caused by the operation of
25 an extraordinary force that cannot be foreseen, that cannot be
26 avoided by the exercise of due care, and for which no person

1 can be held liable.

2 "Base amount" means the following:

3 For a riverboat in Alton, \$31,000,000.

4 For a riverboat in East Peoria, \$43,000,000.

5 For the Empress riverboat in Joliet, \$86,000,000.

6 For a riverboat in Metropolis, \$45,000,000.

7 For the Harrah's riverboat in Joliet, \$114,000,000.

8 For a riverboat in Aurora, \$86,000,000.

9 For a riverboat in East St. Louis, \$48,500,000.

10 For a riverboat in Elgin, \$198,000,000.

11 "Dormant license" has the meaning ascribed to it in
12 subsection (a-3).

13 "Net privilege tax" means all privilege taxes paid by a
14 licensed owner to the Board under this Section, less all
15 payments made from the State Gaming Fund pursuant to
16 subsection (b) of this Section.

17 The changes made to this subsection (a-15) by Public Act
18 94-839 are intended to restate and clarify the intent of
19 Public Act 94-673 with respect to the amount of the payments
20 required to be made under this subsection by an owners
21 licensee to the Board.

22 (b) From the tax revenue from riverboat or casino gambling
23 deposited in the State Gaming Fund under this Section, an
24 amount equal to 5% of adjusted gross receipts generated by a
25 riverboat or a casino, other than a riverboat or casino
26 designated in paragraph (1), (3), or (4) of subsection (e-5)

1 of Section 7, shall be paid monthly, subject to appropriation
2 by the General Assembly, to the unit of local government in
3 which the casino is located or that is designated as the home
4 dock of the riverboat. Notwithstanding anything to the
5 contrary, beginning on the first day that an owners licensee
6 under paragraph (1), (2), (3), (4), (5), or (6) of subsection
7 (e-5) of Section 7 conducts gambling operations, either in a
8 temporary facility or a permanent facility, and for 2 years
9 thereafter, a unit of local government designated as the home
10 dock of a riverboat whose license was issued before January 1,
11 2019, other than a riverboat conducting gambling operations in
12 the City of East St. Louis, shall not receive less under this
13 subsection (b) than the amount the unit of local government
14 received under this subsection (b) in calendar year 2018.
15 Notwithstanding anything to the contrary and because the City
16 of East St. Louis is a financially distressed city, beginning
17 on the first day that an owners licensee under paragraph (1),
18 (2), (3), (4), (5), or (6) of subsection (e-5) of Section 7
19 conducts gambling operations, either in a temporary facility
20 or a permanent facility, and for 10 years thereafter, a unit of
21 local government designated as the home dock of a riverboat
22 conducting gambling operations in the City of East St. Louis
23 shall not receive less under this subsection (b) than the
24 amount the unit of local government received under this
25 subsection (b) in calendar year 2018.

26 From the tax revenue deposited in the State Gaming Fund

1 pursuant to riverboat or casino gambling operations conducted
2 by a licensed manager on behalf of the State, an amount equal
3 to 5% of adjusted gross receipts generated pursuant to those
4 riverboat or casino gambling operations shall be paid monthly,
5 subject to appropriation by the General Assembly, to the unit
6 of local government that is designated as the home dock of the
7 riverboat upon which those riverboat gambling operations are
8 conducted or in which the casino is located.

9 From the tax revenue from riverboat or casino gambling
10 deposited in the State Gaming Fund under this Section, an
11 amount equal to 5% of the adjusted gross receipts generated by
12 a riverboat designated in paragraph (3) of subsection (e-5) of
13 Section 7 shall be divided and remitted monthly, subject to
14 appropriation, as follows: 70% to Waukegan, 10% to Park City,
15 15% to North Chicago, and 5% to Lake County.

16 From the tax revenue from riverboat or casino gambling
17 deposited in the State Gaming Fund under this Section, an
18 amount equal to 5% of the adjusted gross receipts generated by
19 a riverboat designated in paragraph (4) of subsection (e-5) of
20 Section 7 shall be remitted monthly, subject to appropriation,
21 as follows: 70% to the City of Rockford, 5% to the City of
22 Loves Park, 5% to the Village of Machesney, and 20% to
23 Winnebago County.

24 From the tax revenue from riverboat or casino gambling
25 deposited in the State Gaming Fund under this Section, an
26 amount equal to 5% of the adjusted gross receipts generated by

1 a riverboat designated in paragraph (5) of subsection (e-5) of
2 Section 7 shall be remitted monthly, subject to appropriation,
3 as follows: 2% to the unit of local government in which the
4 riverboat or casino is located, and 3% shall be distributed:
5 (A) in accordance with a regional capital development plan
6 entered into by the following communities: Village of Beecher,
7 City of Blue Island, Village of Burnham, City of Calumet City,
8 Village of Calumet Park, City of Chicago Heights, City of
9 Country Club Hills, Village of Crestwood, Village of Crete,
10 Village of Dixmoor, Village of Dolton, Village of East Hazel
11 Crest, Village of Flossmoor, Village of Ford Heights, Village
12 of Glenwood, City of Harvey, Village of Hazel Crest, Village
13 of Homewood, Village of Lansing, Village of Lynwood, City of
14 Markham, Village of Matteson, Village of Midlothian, Village
15 of Monee, City of Oak Forest, Village of Olympia Fields,
16 Village of Orland Hills, Village of Orland Park, City of Palos
17 Heights, Village of Park Forest, Village of Phoenix, Village
18 of Posen, Village of Richton Park, Village of Riverdale,
19 Village of Robbins, Village of Sauk Village, Village of South
20 Chicago Heights, Village of South Holland, Village of Steger,
21 Village of Thornton, Village of Tinley Park, Village of
22 University Park, and Village of Worth; or (B) if no regional
23 capital development plan exists, equally among the communities
24 listed in item (A) to be used for capital expenditures or
25 public pension payments, or both.

26 Units of local government may refund any portion of the

1 payment that they receive pursuant to this subsection (b) to
2 the riverboat or casino.

3 (b-4) Beginning on the first day the licensee under
4 paragraph (5) of subsection (e-5) of Section 7 conducts
5 gambling operations, either in a temporary facility or a
6 permanent facility, and ending on July 31, 2042, from the tax
7 revenue deposited in the State Gaming Fund under this Section,
8 \$5,000,000 shall be paid annually, subject to appropriation,
9 to the host municipality of that owners licensee of a license
10 issued or re-issued pursuant to Section 7.1 of this Act before
11 January 1, 2012. Payments received by the host municipality
12 pursuant to this subsection (b-4) may not be shared with any
13 other unit of local government.

14 (b-5) Beginning on June 28, 2019 (the effective date of
15 Public Act 101-31), from the tax revenue deposited in the
16 State Gaming Fund under this Section, an amount equal to 3% of
17 adjusted gross receipts generated by each organization gaming
18 facility located outside Madison County shall be paid monthly,
19 subject to appropriation by the General Assembly, to a
20 municipality other than the Village of Stickney in which each
21 organization gaming facility is located or, if the
22 organization gaming facility is not located within a
23 municipality, to the county in which the organization gaming
24 facility is located, except as otherwise provided in this
25 Section. From the tax revenue deposited in the State Gaming
26 Fund under this Section, an amount equal to 3% of adjusted

1 gross receipts generated by an organization gaming facility
2 located in the Village of Stickney shall be paid monthly,
3 subject to appropriation by the General Assembly, as follows:
4 25% to the Village of Stickney, 5% to the City of Berwyn, 50%
5 to the Town of Cicero, and 20% to the Stickney Public Health
6 District.

7 From the tax revenue deposited in the State Gaming Fund
8 under this Section, an amount equal to 5% of adjusted gross
9 receipts generated by an organization gaming facility located
10 in the City of Collinsville shall be paid monthly, subject to
11 appropriation by the General Assembly, as follows: 30% to the
12 City of Alton, 30% to the City of East St. Louis, and 40% to
13 the City of Collinsville.

14 Municipalities and counties may refund any portion of the
15 payment that they receive pursuant to this subsection (b-5) to
16 the organization gaming facility.

17 (b-6) Beginning on June 28, 2019 (the effective date of
18 Public Act 101-31), from the tax revenue deposited in the
19 State Gaming Fund under this Section, an amount equal to 2% of
20 adjusted gross receipts generated by an organization gaming
21 facility located outside Madison County shall be paid monthly,
22 subject to appropriation by the General Assembly, to the
23 county in which the organization gaming facility is located
24 for the purposes of its criminal justice system or health care
25 system.

26 Counties may refund any portion of the payment that they

1 receive pursuant to this subsection (b-6) to the organization
2 gaming facility.

3 (b-7) From the tax revenue from the organization gaming
4 licensee located in one of the following townships of Cook
5 County: Bloom, Bremen, Calumet, Orland, Rich, Thornton, or
6 Worth, an amount equal to 5% of the adjusted gross receipts
7 generated by that organization gaming licensee shall be
8 remitted monthly, subject to appropriation, as follows: 2% to
9 the unit of local government in which the organization gaming
10 licensee is located, and 3% shall be distributed: (A) in
11 accordance with a regional capital development plan entered
12 into by the following communities: Village of Beecher, City of
13 Blue Island, Village of Burnham, City of Calumet City, Village
14 of Calumet Park, City of Chicago Heights, City of Country Club
15 Hills, Village of Crestwood, Village of Crete, Village of
16 Dixmoor, Village of Dolton, Village of East Hazel Crest,
17 Village of Flossmoor, Village of Ford Heights, Village of
18 Glenwood, City of Harvey, Village of Hazel Crest, Village of
19 Homewood, Village of Lansing, Village of Lynwood, City of
20 Markham, Village of Matteson, Village of Midlothian, Village
21 of Monee, City of Oak Forest, Village of Olympia Fields,
22 Village of Orland Hills, Village of Orland Park, City of Palos
23 Heights, Village of Park Forest, Village of Phoenix, Village
24 of Posen, Village of Richton Park, Village of Riverdale,
25 Village of Robbins, Village of Sauk Village, Village of South
26 Chicago Heights, Village of South Holland, Village of Steger,

1 Village of Thornton, Village of Tinley Park, Village of
2 University Park, and Village of Worth; or (B) if no regional
3 capital development plan exists, equally among the communities
4 listed in item (A) to be used for capital expenditures or
5 public pension payments, or both.

6 (b-8) In lieu of the payments under subsection (b) of this
7 Section, from the tax revenue deposited in the State Gaming
8 Fund pursuant to riverboat or casino gambling operations
9 conducted by an owners licensee under paragraph (1) of
10 subsection (e-5) of Section 7, an amount equal to the tax
11 revenue generated from the privilege tax imposed by paragraph
12 (2) of subsection (a-5) that is to be paid to the City of
13 Chicago shall be paid monthly, subject to appropriation by the
14 General Assembly, as follows: (1) an amount equal to 0.5% of
15 the annual adjusted gross receipts generated by the owners
16 licensee under paragraph (1) of subsection (e-5) of Section 7
17 to the home rule county in which the owners licensee is located
18 for the purpose of enhancing the county's criminal justice
19 system; and (2) the balance to the City of Chicago and shall be
20 expended or obligated by the City of Chicago for pension
21 payments in accordance with Public Act 99-506.

22 (c) Appropriations, as approved by the General Assembly,
23 may be made from the State Gaming Fund to the Board (i) for the
24 administration and enforcement of this Act and the Video
25 Gaming Act, (ii) for distribution to the Illinois State Police
26 and to the Department of Revenue for the enforcement of this

1 Act and the Video Gaming Act, and (iii) to the Department of
2 Human Services for the administration of programs to treat
3 problem gambling, including problem gambling from sports
4 wagering. The Board's annual appropriations request must
5 separately state its funding needs for the regulation of
6 gaming authorized under Section 7.7, riverboat gaming, casino
7 gaming, video gaming, and sports wagering.

8 (c-2) An amount equal to 2% of the adjusted gross receipts
9 generated by an organization gaming facility located within a
10 home rule county with a population of over 3,000,000
11 inhabitants shall be paid, subject to appropriation from the
12 General Assembly, from the State Gaming Fund to the home rule
13 county in which the organization gaming licensee is located
14 for the purpose of enhancing the county's criminal justice
15 system.

16 (c-3) Appropriations, as approved by the General Assembly,
17 may be made from the tax revenue deposited into the State
18 Gaming Fund from organization gaming licensees pursuant to
19 this Section for the administration and enforcement of this
20 Act.

21 (c-4) After payments required under subsections (b),
22 (b-5), (b-6), (b-7), (c), (c-2), and (c-3) have been made from
23 the tax revenue from organization gaming licensees deposited
24 into the State Gaming Fund under this Section, all remaining
25 amounts from organization gaming licensees shall be
26 transferred into the Capital Projects Fund.

1 (c-5) (Blank).

2 (c-10) Each year the General Assembly shall appropriate
3 from the General Revenue Fund to the Education Assistance Fund
4 an amount equal to the amount paid into the Horse Racing Equity
5 Fund pursuant to subsection (c-5) in the prior calendar year.

6 (c-15) After the payments required under subsections (b),
7 (c), and (c-5) have been made, an amount equal to 2% of the
8 adjusted gross receipts of (1) an owners licensee that
9 relocates pursuant to Section 11.2, (2) an owners licensee
10 conducting riverboat gambling operations pursuant to an owners
11 license that is initially issued after June 25, 1999, or (3)
12 the first riverboat gambling operations conducted by a
13 licensed manager on behalf of the State under Section 7.3,
14 whichever comes first, shall be paid, subject to appropriation
15 from the General Assembly, from the State Gaming Fund to each
16 home rule county with a population of over 3,000,000
17 inhabitants for the purpose of enhancing the county's criminal
18 justice system.

19 (c-20) Each year the General Assembly shall appropriate
20 from the General Revenue Fund to the Education Assistance Fund
21 an amount equal to the amount paid to each home rule county
22 with a population of over 3,000,000 inhabitants pursuant to
23 subsection (c-15) in the prior calendar year.

24 (c-21) After the payments required under subsections (b),
25 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), and (c-4) have
26 been made, an amount equal to 0.5% of the adjusted gross

1 receipts generated by the owners licensee under paragraph (1)
2 of subsection (e-5) of Section 7 shall be paid monthly,
3 subject to appropriation from the General Assembly, from the
4 State Gaming Fund to the home rule county in which the owners
5 licensee is located for the purpose of enhancing the county's
6 criminal justice system.

7 (c-22) After the payments required under subsections (b),
8 (b-4), (b-5), (b-6), (b-7), (b-8), (c), (c-3), (c-4), and
9 (c-21) have been made, an amount equal to 2% of the adjusted
10 gross receipts generated by the owners licensee under
11 paragraph (5) of subsection (e-5) of Section 7 shall be paid,
12 subject to appropriation from the General Assembly, from the
13 State Gaming Fund to the home rule county in which the owners
14 licensee is located for the purpose of enhancing the county's
15 criminal justice system.

16 (c-25) From July 1, 2013 and each July 1 thereafter
17 through July 1, 2019, \$1,600,000 shall be transferred from the
18 State Gaming Fund to the Chicago State University Education
19 Improvement Fund.

20 On July 1, 2020 and each July 1 thereafter, \$3,000,000
21 shall be transferred from the State Gaming Fund to the Chicago
22 State University Education Improvement Fund.

23 (c-30) On July 1, 2013 or as soon as possible thereafter,
24 \$92,000,000 shall be transferred from the State Gaming Fund to
25 the School Infrastructure Fund and \$23,000,000 shall be
26 transferred from the State Gaming Fund to the Horse Racing

1 Equity Fund.

2 (c-35) Beginning on July 1, 2013, in addition to any
3 amount transferred under subsection (c-30) of this Section,
4 \$5,530,000 shall be transferred monthly from the State Gaming
5 Fund to the School Infrastructure Fund.

6 (d) From time to time, through June 30, 2021, the Board
7 shall transfer the remainder of the funds generated by this
8 Act into the Education Assistance Fund.

9 (d-5) Beginning on July 1, 2021, on the last day of each
10 month, or as soon thereafter as possible, after all the
11 required expenditures, distributions, and transfers have been
12 made from the State Gaming Fund for the month pursuant to
13 subsections (b) through (c-35), at the direction of the Board,
14 the Comptroller shall direct and the Treasurer shall transfer
15 \$22,500,000, along with any deficiencies in such amounts from
16 prior months in the same fiscal year, from the State Gaming
17 Fund to the Education Assistance Fund; then, at the direction
18 of the Board, the Comptroller shall direct and the Treasurer
19 shall transfer the remainder of the funds generated by this
20 Act, if any, from the State Gaming Fund to the Capital Projects
21 Fund.

22 (e) Nothing in this Act shall prohibit the unit of local
23 government designated as the home dock of the riverboat from
24 entering into agreements with other units of local government
25 in this State or in other states to share its portion of the
26 tax revenue.

1 (f) To the extent practicable, the Board shall administer
2 and collect the wagering taxes imposed by this Section in a
3 manner consistent with the provisions of Sections 4, 5, 5a,
4 5b, 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of
5 the Retailers' Occupation Tax Act and Section 3-7 of the
6 Uniform Penalty and Interest Act.

7 (Source: P.A. 101-31, Article 25, Section 25-910, eff.
8 6-28-19; 101-31, Article 35, Section 35-55, eff. 6-28-19;
9 101-648, eff. 6-30-20; 102-16, eff. 6-17-21; 102-538, eff.
10 8-20-21; 102-689, eff. 12-17-21; 102-699, eff. 4-19-22.)

11 ARTICLE 999.

12 Section 999-95. No acceleration or delay. Where this Act
13 makes changes in a statute that is represented in this Act by
14 text that is not yet or no longer in effect (for example, a
15 Section represented by multiple versions), the use of that
16 text does not accelerate or delay the taking effect of (i) the
17 changes made by this Act or (ii) provisions derived from any
18 other Public Act.

19 Section 999-99. Effective date. This Act takes effect upon
20 becoming law, except that Articles 10, 85, 98, and 100 take
21 effect on July 1, 2023, Articles 20, 80, and 99 take effect on
22 January 1, 2024, and Section 5-110 takes effect on the
23 effective date of House Bill 2041 of the 103rd General

1 Assembly or upon becoming law, whichever is later."